



## Before the Education Practices Commission of the State of Florida

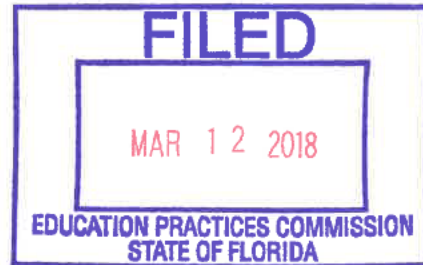
PAM STEWART, as the  
Commissioner of Education,

Petitioner,

vs.

WANDA ELAINE WOMACK,

Respondent.



EPC CASE N°: 17-0286-RT

Index N°: 18-096-AS

PPS N° 156-3325

### Final Order

Respondent, Wanda Elaine Womack, holds Florida educator's certificate no. 718468. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate.

Petitioner and Respondent have entered into a Settlement Agreement for resolution of this cause. The Settlement Agreement and the Administrative Complaint are attached to and made a part of this Final Order.

A Teacher Hearing Panel of the Education Practices Commission met on March 8, 2018, in Tallahassee, Florida. The Commission accepts the Settlement Agreement as the appropriate resolution of this cause.

It is therefore ORDERED that the Settlement Agreement is hereby ACCEPTED and Respondent shall comply with its terms and conditions.

This Order becomes effective upon filing.

DONE AND ORDERED, this 8<sup>th</sup> day of March, 2018.

  
ANN COPENHAVER, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices  
Services

Bureau of Educator Certification

Superintendent  
Duval County Schools  
1701 Prudential Dr.  
Jacksonville, FL 32207-8182

Professional Standards  
Duval County Schools  
1701 Prudential Dr.  
Jacksonville, FL 32207-8182

Lee Ann Gustafson  
Senior Assistant Attorney General

Claudia Llado, Clerk  
Division of Administrative Hearings

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

UNLESS WAIVED, A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE EDUCATION PRACTICES COMMISSION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THIS ORDER.

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Wanda Elaine Womack, [REDACTED] Jacksonville, FL 32246 and Stephanie Schaap, Esq., Duval Teachers Union, 1601 Atlantic Blvd., Jacksonville, FL 32207 by Certified U.S. Mail and by electronic mail to Darby Shaw, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 12 day of March, 2018.



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Lisa Forbess, Clerk  
Education Practices Commission

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MAY 26 2017STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSIONPAM STEWART, as  
Commissioner of Education

Petitioner,

vs.

CASE NO. 156-3325

WANDA ELAINE WOMACK,

Respondent.

SETTLEMENT AGREEMENT

Petitioner and Respondent hereby stipulate and agree as follows:

1. **Certification.** Respondent holds Florida Educator's Certificate Number 718468 issued by the Department of Education covering the areas of Elementary Education and English for Speakers of Other Languages (ESOL), which is valid through June 30, 2020.
2. **Employment.** At all times pertinent hereto, Respondent was employed as a First Grade Teacher at Joseph Finegan Elementary School in the Duval County School District.
3. **Allegations.** Respondent neither admits nor denies, but elects not to contest the allegations set forth in Petitioner's Administrative Complaint, which are incorporated herein by reference.
4. **Letter of Reprimand.** Respondent agrees to accept a letter of reprimand, a copy of which shall be placed in her certification file with the Department of Education and a copy of which shall be placed in her personnel file with the employing school district.
5. **Fine.** Respondent agrees to pay a fine in the amount of \$1,000.00 to the Education Practices Commission (EPC) within two (2) years of the date of the Final Order accepting this Settlement Agreement.
6. **Violation.** In the event Respondent fails to comply with each condition set forth herein, she agrees that the Petitioner shall be authorized to file an Administrative Complaint or a Notice of Violation with the EPC seeking sanctions against her Florida educator's certificate up to and including permanent revocation of her Florida educator's certificate and a permanent bar from re-application for a Florida educator's certificate, based upon the violation of the terms of this Settlement Agreement.

7. **Costs and Fees.** Respondent agrees that any costs associated with the fulfillment of the terms of this Settlement Agreement shall be her sole responsibility. These costs include, but are not limited to, those associated with the Recovery Network Program (RNP) and Probation, if applicable. The probation monitoring fee shall be held in abeyance if Respondent is not employed as an educator pursuant to the terms of the Probation.

8. **Force and Effect.** This Settlement Agreement constitutes an offer of settlement of disputed issues of material fact until accepted and executed by all parties. The Settlement Agreement is void and has no force or effect unless executed by all parties and accepted by the EPC. If the Settlement Agreement is not accepted and executed by all parties, the terms herein shall be inadmissible in any subsequent formal or informal administrative hearing or in any other legal action between the parties.

9. **Notice of "Three Strikes" Provision.** Respondent is hereby put on notice that Section 1012.795(6)(b), Florida Statutes, provides for permanent revocation of an educator's certificate under certain circumstances when the educator's certificate has been sanctioned by the Education Practices Commission on two (2) previous occasions.

10. **Waiver of Rights.** Respondent understands provisions of this Settlement Agreement, their legal effect, and her rights under Florida law to a formal hearing before a duly designated administrative law judge of the Division of Administrative Hearings (DOAH) or an informal hearing before the EPC. Respondent specifically waives her right to both a formal and an informal hearing, except she may appear before the EPC in order to urge the adoption of this Settlement Agreement. Respondent further acknowledges that she is under no duress, coercion or undue influence to execute this Settlement Agreement and that she has had the opportunity to receive the advice of legal counsel prior to signing this Settlement Agreement.

11. **Approval.** When fully executed, this Settlement Agreement shall be submitted to the EPC with the joint request by the parties that the EPC accept and adopt the terms of this Settlement Agreement as the basis for its Final Order in this proceeding. The parties understand that the EPC has the discretion to reject this Settlement Agreement and order a full evidentiary hearing on the allegations of the Administrative Complaint if, in the exercise of its discretion, it deems such action to be appropriate.

12. **Notice.** Respondent waives all statutory and regulatory provisions concerning notice of hearing and agrees that this Settlement Agreement may be presented to the EPC for consideration at its next available scheduled meeting, provided that Respondent is given reasonable advanced notice of time, place and date of said meeting.

(SIGNATURES AND NOTARIZATION ON FOLLOWING PAGE)

WANDA ELAINE WOMACK  
Settlement Agreement  
Page 3 of 3

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement on this  
23 day of May, 2017.



WANDA ELAINE WOMACK

STATE OF FLORIDA  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 23 day of  
May, 2017, by Wanda Elaine Womack  
who is \_\_\_\_\_ personally known or produced FLDL \_\_\_\_\_  
as identification [type of identification produced].



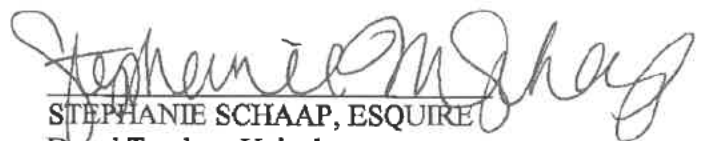
NOTARY PUBLIC

My commission expires:



DARBY G. SHAW  
Assistant General Counsel  
Suite 1244, Turlington Building  
325 West Gaines Street  
3364 Tallahassee, Florida 32399-0400  
Telephone (850) 245-0443  
Facsimile (850) 245-9425

ATTORNEY FOR PETITIONER



STEPHANIE SCHAAP, ESQUIRE  
Duval Teachers United  
1601 Atlantic Boulevard  
Jacksonville, Florida 32207-  
Telephone (904) 398-9131  
Facsimile (904) 396-9389

ATTORNEY FOR RESPONDENT

**STATE OF FLORIDA  
EDUCATION PRACTICES COMMISSION**

**PAM STEWART, as  
Commissioner of Education,**

**Petitioner,**

**vs.**

**CASE NO. 156-3325**

**WANDA ELAINE WOMACK,**

**Respondent.**

\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

Petitioner, Pam Stewart, as Commissioner of Education, files this Administrative Complaint against WANDA ELAINE WOMACK. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to sections 1012.315, 1012.795, and 1012.796, Florida Statutes, and pursuant to Rule 6A-10.081, Florida Administrative Code, Principles of Professional Conduct for the Education Profession in Florida, said sanctions specifically set forth in sections 1012.795(1) and 1012.796(7), Florida Statutes.

The Petitioner alleges:

**JURISDICTION**

1. The Respondent holds Florida Educator's Certificate 718468, covering the areas of Elementary Education and English for Speakers of Other Languages (ESOL), which is valid through June 30, 2020.
2. At all times pertinent hereto, the Respondent was employed as a First Grade Teacher at Joseph Finegan Elementary School in the Duval County School District.

**MATERIAL ALLEGATIONS**

3. On or about February 12, 2017, Respondent was in possession of a stun gun (taser) while on school grounds and in the classroom. Respondent's seven-year-old student removed the stun gun from Respondent's unsecured purse and took it home where he shocked his finger with the weapon.

The Petitioner charges:

**STATUTE VIOLATIONS**


**COUNT 1:** The Respondent is in violation of section 1012.795(1)(j), Florida Statutes, in that Respondent has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

**RULE VIOLATIONS**

**COUNT 2:** The allegations of misconduct set forth herein are in violation of Rule 6A-10.081(2)(a)1, Florida Administrative Code, in that Respondent has failed to make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental health and/or physical health and/or safety.

**WHEREFORE,** based on the reasons set forth herein and in accordance with the Explanation of Rights and Election of Rights forms attached to and made a part of this Administrative Complaint, Petitioner respectfully recommends that the Education Practices Commission impose an appropriate sanction against the Respondent's educator's certificate pursuant to the authority provided in sections 1012.795(1) and 1012.796(7), Florida Statutes. The sanctions imposed by the Education Practices Commission may include, but are not limited to, any one or a combination of the following: issuing the Respondent a written reprimand; placing the Respondent on probation for any period of time; restricting the Respondent's authorized scope of practice; assessing the Respondent an administrative fine; directing the Respondent to enroll in the Recovery Network Program; suspending the Respondent's educator's certificate for a period of time not to exceed five years; revoking the Respondent's educator's certificate for a period of time up to 10 years or permanently; determining the Respondent to be ineligible for certification; or barring the Respondent from reapplying for an educator's certificate for a period of time up to 10 years or permanently.

**EXECUTED** on this 21<sup>st</sup> day of March, 2017.

  
\_\_\_\_\_  
**PAM STEWART**, as  
Commissioner of Education  
State of Florida





**EDUCATION PRACTICES COMMISSION**  
**STATE OF FLORIDA**

**GRETCHEN KELLEY BRANTLEY**  
Executive Director  
**LEE ANN GUSTAFSON**  
Legal Counsel  
**LISA FORBESS**  
Clerk of Court

**CHRISTIE GOLD**  
Chairperson  
**NICHOLAS PIETKIEWICZ**  
Co-Chairperson

March 8, 2018

Wanda Womack  
[REDACTED]

Jacksonville, Florida 32246

Re: Pam Stewart vs. Wanda Womack  
EPC No.: 17-0286-RT; DOE No.: 718468

Dear Ms. Womack:

As you know, the teacher panel of the Education Practices Commission reviewed the matter pending against you. Based upon the panel's consideration of this matter and upon the panel's acceptance of your Settlement Agreement, you are hereby reprimanded.

This panel, composed of your peers, believes that, as a teacher, you are required to exercise a measure of leadership beyond reproach. By your actions, you have lessened the reputation of all who practice our profession. The profession cannot condone your actions, nor can the public who employ us.

The Education Practices Commission sincerely hopes it is your intention to never allow this situation to occur again or indeed, to violate any professional obligation in fulfilling your responsibilities as an educator. To violate the standards of the profession will surely result in further action being taken against you.

This letter of reprimand is being placed in your state certification file, and a copy is being sent to the Duval County School Board for placement in your personnel file.

Sincerely,

Ann Copenhaver  
Presiding Officer