



Before the Education Practices Commission of the State of Florida



RICHARD CORCORAN as the
Commissioner of Education,

Petitioner,

vs.

SHANNON M. SCHULTZ,

Respondent.

EPC CASE No.: 19-0312-RA

Index No.: 20-326-FOI

PPS No.: 156-3466

Certificate No.: 1027441

Final Order

This matter appeared before the Education Practices Commission (“Commission”) at a duly-noticed public meeting, via telephonic hearing, on September 3, 2020 in Tallahassee, Florida, for a hearing not involving disputed issues of material fact pursuant to Respondent’s Election of Rights requesting a hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the Respondent. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Respondent was present and was represented by counsel.

FINDINGS OF FACT

The Commission adopts as its finding of facts the facts alleged in the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Commission concludes the Respondent has violated Section 1012.795(1)(f), Florida Statutes.

The Commission is empowered by Sections 1012.795(1) and 1012.796(7), Florida Statutes, to impose a penalty against the Respondent.

Therefore, it is ORDERED that:

1. Respondent's certificate is hereby suspended for 1 year from the date of this Final Order.
2. Respondent is assessed an administrative fine of \$1,000.00 to be paid within the probationary period.
3. Upon employment in any public or private position requiring a Florida educator's certificate, Respondent shall be placed on 2 employment years of probation with the conditions that during that period, she shall:
 - A. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.
 - B. Have Respondent's immediate supervisor submit annual performance reports to the investigative office in the Department of Education.
 - C. Pay to the Commission during the first 6 months of each probation year the administrative costs (\$150) of monitoring probation assessed to the educator.

D. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

E. Satisfactorily perform all assigned duties in a competent, professional manner.

F. Bear all costs of complying with the terms of a final order entered by the Commission.

4. The Respondent shall have his scope of practice limited to not transporting minor students in or on motor vehicles and to not occupy any administrative position during the probationary period.

5. As part of the Recovery Network Program (RNP), Respondent shall:

Submit to a Substance Abuse Evaluation relating to the issues cited in the Administrative Complaint as determined by the RNP and conducted by an RNP approved licensed provider and undergo any counseling or treatment as may be prescribed by said professional. If, to fulfill this requirement, Respondent must now engage in such counseling, have the professional submit quarterly reports to the RNP. Respondent shall provide the RNP written verification from the treatment provider(s) of successful completion of the evaluation within sixty (60) days of issuance of the Final Order OR within sixty (60) days of the initial date of employment in a position requiring a Florida educator's certificate, whichever occurs later. Respondent is responsible for all costs associated with the evaluation, treatment, counseling, and testing required through their participation in the RNP.

If Respondent has undergone evaluation(s) and treatment and/or counseling after the incident(s) alleged in the Administrative Complaint, the evaluation(s) and treatment and/or counseling may be used in lieu of the evaluations(s) and treatment and/or

counseling, if acceptable to the RNP.

Not consume, inject or ingest any controlled substance unless prescribed or administered for legitimate medical purposes, and submit to random substance abuse screenings at the direction of the RNP, the employing school district or private or charter school and authorize reporting of results to each entity.

This order shall become effective upon filing with the Clerk of the Commission.

DONE AND ORDERED, this 16th day of September, 2020.


NICHOLAS PIETKIEWICZ, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices
Services

Bureau of Educator Certification

Superintendent,
Pasco County Schools
7227 Land O' Lakes Blvd.
Land O' Lakes, FL 34639-2899

Director, Instructional Employee
Relations
Pasco County Schools
7227 Land O' Lakes Blvd.
Land O' Lakes, FL 34639-2899

Timothy Frizzell
Assistant Attorney General

Claudia Llado, Clerk

NOTICE OF RIGHT TO JUDICIAL REVIEW

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.

Division of Administrative Hearings

Recovery Network Program

Probation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to: Shannon M. Schultz at [REDACTED], Tampa, Florida 33618 and Anthony Duran, Jr., Esq., 9312 North Amenia Avenue, Tampa, FL 33612, by Certified U.S. Mail and by electronic mail to Bonnie Wilmot, Deputy General Counsel, Suite 1544, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399 this 16th day of September, 2020.



Lisa Forbess, Clerk
Education Practices Commission

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**RICHARD CORCORAN, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 156-3466

SHANNON M. SCHULTZ,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, Richard Corcoran, as Commissioner of Education, files this Administrative Complaint against SHANNON M. SCHULTZ. 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 1027441, covering the areas of Educational Leadership, Elementary Education and English for Speakers of Other Languages (ESOL), which was valid through June 30, 2019.

2. At all times pertinent hereto, the Respondent was employed as an Assistant Principal at Land O' Lakes High School in the Pasco County School District.

MATERIAL ALLEGATIONS

3. On or about June 3, 2016, Respondent illegally operated a motor vehicle while under the influence of alcohol, resulting in an accident with another vehicle. Additionally, at the time of the accident, Respondent was illegally in possession of cocaine. Respondent was arrested and charged with Driving Under the Influence and Possession of Cocaine. On or about June 25, 2018, Respondent pled No Contest to Driving Under the Influence. Respondent was adjudicated guilty for Driving Under the Influence.

The Petitioner charges:

STATUTE VIOLATIONS

COUNT 1: The Respondent is in violation of section 1012.795(1)(f), Florida Statutes, in that Respondent has been convicted or found guilty of, or entered a plea of guilty to, regardless of adjudication of guilt, a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

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 5th day of September, 2019.



RICHARD CORCORAN, as
Commissioner of Education
State of Florida