



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

IN RE: Administrative Complaint seeking
disciplinary action against the Educator's
Certificate of **Lori Ross**.



Final Order

CASE NO.

18-0291-RT

EPC INDEX NO.

18-310-FON

An Administrative Complaint seeking disciplinary action against the educator's certificate of Respondent, **Lori Ross**, was filed by **Pam Stewart**, as Commissioner of Education on, March 16, 2018.

Respondent, holder of Florida educator's certificate number 653142, was served with a copy of the Administrative Complaint. Respondent has filed an answer to the Administrative Complaint stating that she did not wish to contest the charges, that she waived any further rights to due process or a public hearing, that she surrendered her certificate for permanent revocation, and that all her actions were free and voluntary.

The Administrative Complaint and the answers are incorporated as part of this Order.

In consideration of the foregoing, the Education Practices Commission, as empowered by F.S. 1012.796, hereby **PERMANENTLY REVOKES** educator's certificate number, 653142, held by, **Lori Ross**.

Reapplication will not be considered.

DONE AND ORDERED this 24th day of July, 2018.


CHRISTIE GOLD, Chairperson
Education Practices Commission

Final Order
Re: **Lori Ross**
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I HEREBY CERTIFY that a copy of the foregoing Order in the matter of **PAM STEWART** vs. **LORI ROSS** was furnished to **Lori Ross**, at [REDACTED] Ocala, Florida 34480 on this 30th day of July 2018, by Certified U. S. Mail.



Lisa Forbess, Clerk
Education Practices Commission

COPIES FURNISHED TO:

Office of Professional Practices Services

Bureau of Educator Certification

Division of Administrative Hearings

Superintendent
Marion County Schools
Post Office Box 670
Ocala, Florida 34478-0670

Human Resources
Marion County Schools
Post Office Box 670
Ocala, Florida 34478-0670

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REVISED ELECTION OF RIGHTS

Pam Stewart, Commissioner of Education,
Petitioner,

2018 JUL 19 AM 11:00

vs.

File No.: 167-3590

LORI ANN ROSS
Respondent.

Mark your election by checking option 1, 2, 3 or 4. (Select one option)

1. ☐ **FORMAL HEARING OPTION** I dispute the allegations of the Administrative Complaint and I request a Formal Hearing before a Hearing Officer of the Division of Administrative Hearings. The facts I dispute are:
- AA
- Attach additional sheet(s) if needed.
2. ☐ **SETTLEMENT OPTION** I neither admit nor deny the allegations and request a forty-five (45) day period to negotiate a settlement agreement. If an agreement is not reached I request: (Select One)
- ☐ **Informal Hearing** - I do not dispute the allegation Or
- ☐ **Formal Hearing** - The facts I dispute are:
- AA
- *If neither Informal nor Formal is checked, the action will be scheduled for an Informal Hearing.
3. ☐ **INFORMAL HEARING OPTION** I do not dispute the allegations of the Administrative Complaint and request an Informal Hearing before the Education Practices Commission.
- NU
4. ☒ **SURRENDER OPTION** I voluntarily surrender my certificate(s) for permanent revocation.

I have read the Explanation of Rights and understand my options.

(EXECUTION BEFORE A NOTARY PUBLIC NOT REQUIRED IF CHOOSING OPTION 1)

Signature of Respondent

Street Address

City

Email Address ☐ Check if ok to contact via email

Personally Known ☐ or Produced Identification Type of FLDL

Print, Type or Stamp Commissioned Name of Notary Public

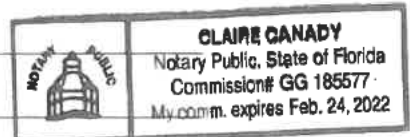
STATE OF FLORIDA

COUNTY OF Marion

The foregoing instrument was acknowledged before me this 18 day of July, 2018.

by LORI ROSS
(Print Respondent's Name)

Signature of Notary Public



Your fully executed election of rights form must be returned within 21 days to:

PROFESSIONAL PRACTICES SERVICES
325 WEST GAINES STREET, SUITE 224
TALLAHASSEE, FLORIDA 32399-0400
or
via email to EOR@fldoe.org

EXPLANATION OF ELECTION OF RIGHTS

The enclosed Administrative Complaint outlines charges brought against you by the Florida Commissioner of Education. To respond to the charges you must indicate your choice of response on the enclosed Election of Rights form and **return it within 21 days of the date of receipt**. If you fail to return this fully executed form within 21 days of receipt, you waive your right to request a hearing and the complaint will be filed with the Education Practices Commission for final action.

1. **Formal Hearing** before the Division of Administrative Hearings. The Administrative Procedures Act, Section 120.57(1), Florida Statutes, and Section 1012.796, Florida Statutes, govern the formal hearing process. This choice means you deny some or all of the factual allegations in the Administrative Complaint. There will be a full administrative hearing on the issues. The Commissioner will be represented by an attorney and will bring forth witnesses. You may choose to have an attorney or represent yourself in the proceedings. (See www.doah.state.fl.us for more information.)
2. **Settlement Agreement** with the Department of Education. This choice means you neither admit nor deny the allegations in the Administrative Complaint, but wish to negotiate a settlement. In a settlement agreement, you will accept certain conditions in order to resolve the case. If you do not reach a settlement, you have the choice to reschedule the case to a formal or informal hearing by indicating that selection on the attached form. (If you fail to indicate your back-up selection, your case will automatically be scheduled for an informal hearing.)
3. **Informal Hearing** before the Education Practices Commission. The Florida Administrative Procedures Act, Section 120.57(2), Florida Statutes, governs the informal hearing process. This option means you choose not to dispute the factual allegations or charges of the Administrative Complaint. You have the right to appear before a panel of the Education Practices Commission to state why a lenient penalty or no penalty is appropriate. If you do not want to make a personal appearance, you or your representative, may submit written statements on your behalf. Any written statement must be submitted to the Education Practices Commission staff no later than 30 days before the scheduled informal hearing.
4. **Voluntary Surrender** of your Florida Educator's Certificate. This choice means you do not contest any of the allegations or charges in the Administrative Complaint and voluntarily surrender your certificate for **permanent revocation**. Once surrendered, the certificate will never be reinstated and the rules of the Department of Education do not permit you to apply for a new certificate. Your right to any Florida Educator's Certificate is forever revoked and relinquished.

Regardless of which selection you make, the Education Practices Commission (Sections 1012.79 and 1012.795, Florida Statutes) will issue a Final Order to finalize the process. For more information on this process, please visit www.myfloridateacher.com

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

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

Petitioner,

vs.

CASE NO. 167-3590

LORI ANN ROSS,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, Pam Stewart, as Commissioner of Education, files this Administrative Complaint against LORI ANN ROSS. 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 653142, covering the areas of Elementary Education and English for Speakers of Other Languages (ESOL), which is valid through June 30, 2022.

2. At all times pertinent hereto, the Respondent was employed as a Third Grade Teacher at Wyomina Park Elementary School in the Marion County School District.

MATERIAL ALLEGATIONS

3. During class in or around May of 2017, Respondent made up an inappropriate rhyme to her third grade students saying "5, 4, 3, 2, 1, shut your mouths or I will get a gun" or a statement to that effect.

4. On or about February 26, 2016, on or about March 3, 2016, and on or about April 28, 2016 Respondent attended training for the administration of the Grade Three Reading Student Portfolio Sheet assessments. During the 2016-2017 school year, Respondent

administered the Grade Three Reading Student Portfolio Sheet assessments to her third grade students. Respondent failed to follow the testing instructions and protocols for the portfolios when she:

- a) Gave students credit for incorrect answers;
- b) Gave students credit for standards they had not mastered; and
- c) Signed off on the completion of some assessments despite not being provided the appropriate documentation.

5. As a result of Respondent's conduct alleged in paragraph 4 herein, eight students' portfolios were invalidated and the students were retained in third grade.

The Petitioner charges:

STATUTE VIOLATIONS

COUNT 1: The Respondent is in violation of section 1012.795(1)(g), Florida Statutes, in that Respondent has been found guilty of personal conduct which seriously reduces effectiveness as an employee of the school board.

COUNT 2: 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 3: 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.

COUNT 4: The allegations of misconduct set forth herein are in violation of Rule 6A-10.081(2)(c)1, Florida Administrative Code, in that Respondent has failed to maintain honesty in all professional dealings.

COUNT 5: The Respondent is in violation of Rule 6A-10.081(2)(c)8, Florida Administrative Code, in that Respondent has submitted fraudulent information on a document in connection with professional activities.

(SIGNATURE ON FOLLOWING PAGE)

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 16th day of March, 2018.



PAM STEWART, as
Commissioner of Education
State of Florida