



Before the Education Practices Commission of the State of Florida



PAM STEWART as the
Commissioner of Education,

Petitioner,

vs.

CATHLEEN ANNE MCGINNIS,

Respondent.

EPC CASE N^o: 18-0429-RA

Index N^o: 19-118-FOI

PPS N^o: 178-1737

Certificate No.: 532284

Final Order

This matter appeared before the Education Practices Commission ("Commission") at a duly-noticed public meeting on February 27, 2019 in Altamonte Springs, 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 not present.

FINDINGS OF FACT

Therefore, 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 Sections 1012.795(1)(f) and 1012.795(1)(j), 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 Florida educator's certificate is hereby suspended for a period of two years from the date of this Final Order.
2. Respondent is assessed an administrative fine of \$750.00 to be paid within the first two (2) years of 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.

G. Provide a certified college transcript to verify successful (a grade of “pass” or a letter grade no lower than a “B”) completion of 3 hours of college level course-work in the area of Education Ethics, which may be taken online, within the first year of probation.

4. Permanently prohibited from transporting minor students in or on motor vehicles.

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

Submit to a Substance Abuse Evaluation/an 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 periodic 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 15th day of March, 2019.


CHRISTIE GOLD, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices
Services

Bureau of Educator Certification

Superintendent of Schools
1450 NE Second Avenue #912
Miami, FL 33132

Director
Office of Professional Standards
Dade County Schools
1500 Biscayne Blvd., Suite 222
Miami, FL 33132

Lawrence Harris
Senior Assistant Attorney General

Claudia Llado, Clerk
Division of Administrative Hearings

Probation

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.

Recovery Network Program

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to: Cathleen Anne McGinnis, [REDACTED], [REDACTED], [REDACTED], Pembroke Pines, FL 33028 by Certified U.S. Mail and by electronic mail to Bonnie Wilmot, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399 this 15th day of March, 2019.



Lisa Forbess, Clerk
Education Practices Commission

THE ADMINISTRATIVE COMPLAINT OR NOTICE OF REASONS CONTAINS CONFIDENTIAL INFORMATION AND IS EXEMPT FROM PUBLIC RECORD

Confidential information may include:

- ❖ Victim of sexual assault
- ❖ Medical or mental health records
- ❖ Sealed or expunged records
- ❖ Minor names or information that identifies a minor

As provided in Chapter 1012, Florida Statutes, Florida public school districts are provided access to the information associated with the disciplinary action.