



Before the Education Practices Commission of the State of Florida



RICHARD CORCORAN as the
Commissioner of Education,

Petitioner,

vs.

BEAU MYERS,

Respondent.

EPC CASE No.: 21-0036-RT

Index No. 21-117-AS

PPS No. 189-2472

Final Order

Respondent, Beau Myers, holds Florida educator's Certificate No.: 1239587. Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate.

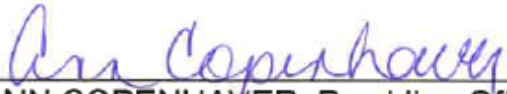
Petitioner and Respondent have entered into a Settlement Agreement for resolution of this cause. The Settlement Agreement and the Administrative Complaint are attached to and made a part of this Final Order.

A Teacher Hearing Panel of the Education Practices Commission met on June 9, 2021, in Altamonte Springs, Florida and by Zoom video hearing. 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 9th day of June, 2021.


ANN COPENHAVER, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices
Services

Bureau of Educator Certification

Superintendent
Brevard County Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940 6699

Assistant Superintendent
Human Resources
Brevard County Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940 6699

Timothy Frizzell
Assistant Attorney General

Claudia Llado, Clerk
Division of Administrative Hearings

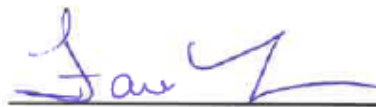
Probation

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: Beau Myers, [REDACTED], [REDACTED], Melbourne, FL 32935 and Steve Rossi, The Law Offices of Steve Rossi, P.A., 533 Northeast Third Ave., Suite 2, Fort Lauderdale, FL 33301 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 11th day of June, 2021.



Faith Lenzo, Clerk
Education Practices Commission

STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION

RICHARD CORCORAN, as
Commissioner of Education

Petitioner,

vs.

CASE NO. 189-2472

BEAU MYERS,

Respondent.

SETTLEMENT AGREEMENT

Petitioner and Respondent hereby stipulate and agree as follows:

1. **Certification.** Respondent holds Florida Educator's Certificate Number 1239587 issued by the Department of Education covering the areas of Exceptional Student Education (ESE) and Social Science, which was valid through June 30, 2019.
2. **Employment.** At all times pertinent hereto, Respondent was employed as a Teacher at Dr. W.J. Creel Elementary School in the Brevard 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 his certification file with the Department of Education and a copy of which shall be placed in his personnel file with the employing school district.
5. **Probation.** Respondent agrees that he shall be placed on probation for a period of one (1) employment year. If Respondent is currently employed in a position requiring a Florida educator's certificate, probation shall begin upon the issuance of the Final Order by the Education Practices Commission (EPC) provided the EPC has accepted this Settlement Agreement. If Respondent is not currently employed in a position requiring a Florida educator's certificate, probation shall begin upon his re-employment in such a position. In the event Respondent's employment is interrupted for any reason prior to the expiration of probation, the probation shall be tolled until Respondent resumes employment in a position requiring a Florida educator's certificate. If applicable, this probationary period shall commence upon completion

of any previous and currently incomplete probationary period imposed by a Final Order issued by the Education Practices Commission. As conditions of probation, Respondent:

- a. shall immediately contact the Department of Education upon employment in Florida in a position requiring a Florida educator's certificate or upon termination from such a position. If currently employed in such a position, Respondent shall contact the Department of Education within ten (10) days of the issuance of the Final Order accepting this Settlement Agreement and Respondent shall provide the Department of Education with the name and address of his work site as well as the name, address and telephone number of his immediate supervisor;
- b. shall make arrangements for his immediate supervisor to provide the EPC with a true and accurate copy of each written annual performance evaluation or assessment prepared by his supervisor within ten (10) days of its preparation;
- c. shall pay to the EPC \$150.00 within the first six (6) months of each probation year to defray the costs of monitoring probation;
- d. shall have the scope of his employment restricted to not transporting students in or on any motor vehicle;
- e. shall violate no law and fully comply with all district school board regulations, school rules, and State Board of Education Rule 6A-10.081; and
- f. shall satisfactorily perform his duties in a competent, professional manner.

6. **Fine.** Respondent agrees to pay a fine in the amount of \$750.00 to the EPC within the probationary period.

7. **Violation.** In the event Respondent fails to comply with each condition set forth herein, he agrees that the Petitioner shall be authorized to file an Administrative Complaint or a Notice of Violation with the EPC seeking sanctions against his Florida educator's certificate up to and including permanent revocation of his 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.

8. **Costs and Fees.** Respondent agrees that any costs associated with the fulfillment of the terms of this Settlement Agreement shall be his 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.

9. **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 has no force or effect unless executed by all parties. Upon execution by the parties, this Settlement Agreement is a binding contract and neither party may withdraw prior to consideration of this Settlement Agreement by the EPC. Approval of this Settlement Agreement by the EPC is a condition subsequent. If the executed Settlement Agreement is rejected by the EPC, it becomes void. 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.

10. **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.

11. **Waiver of Rights.** Respondent understands provisions of this Settlement Agreement, their legal effect, and his 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 his right to both a formal and an informal hearing, except he may appear before the EPC in order to urge the adoption of this Settlement Agreement. Respondent further acknowledges that he is under no duress, coercion or undue influence to execute this Settlement Agreement and that he has had the opportunity to receive the advice of legal counsel prior to signing this Settlement Agreement.

12. **Approval.** The parties intend to be bound by this Agreement. When fully executed, this Settlement Agreement is a binding contract and 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.

13. **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)

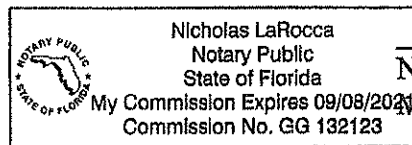
IN WITNESS WHEREOF, the parties have executed this Settlement Agreement on this
11th day of Jan, 2021.

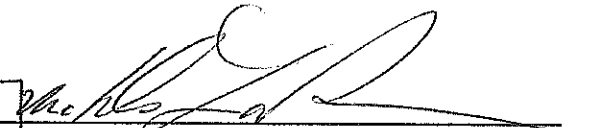


BEAU MYERS

STATE OF FLORIDA
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 11th day of
January, 2021, by Beau Myers,
who is personally known or produced FL driver license
as identification [type of identification produced].






NOTARY PUBLIC
My commission expires:

/s/ Bonnie Wilmot

BONNIE WILMOT
Deputy General Counsel
Suite 1544, Turlington Building
325 West Gaines Street
Tallahassee, Florida 32399-0400
Telephone (850) 245-0443
Facsimile (850) 245-9425

ATTORNEY FOR PETITIONER



STEVE ROSSI, ESQUIRE
The Law Offices of Steve Rossi, P.A.
533 Northeast Third Ave., Suite 2
Fort Lauderdale, Florida 33301
Telephone (954) 524-0506

ATTORNEY FOR RESPONDENT

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

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

Petitioner,

vs.

CASE NO. 189-2472

BEAU MYERS,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, Richard Corcoran, as Commissioner of Education, files this Administrative Complaint against BEAU MYERS. 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 1239587, covering the areas of Exceptional Student Education (ESE) and Social Science, which was valid through June 30, 2019.
2. At all times pertinent hereto, the Respondent was employed as a Teacher at Dr. W.J. Creel Elementary School in the Brevard County School District.

MATERIAL ALLEGATIONS

3. On or about April 6, 2019, Respondent was illegally operating a motor vehicle when he became involved in an accident. Respondent was arrested and charged with Driving under the Influence with Property Damage. On or about October 14, 2019, Respondent pled nolo contendere to the charge and the court adjudicated him guilty.

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 of or found guilty, has had adjudication withheld for, or has pled guilty or nolo contendere to 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 14th day of October, 2020.



RICHARD CORCORAN, as
Commissioner of Education
State of Florida



EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

LISA FORBESS
Executive Director
TIMOTHY FRIZZELL
Legal Counsel
FAITH LENZO
Clerk of Court

ANN COPENHAVER
Chairperson
AADIL AMEERALLY
Co-Chairperson

June 11, 2021

Beau Myers



Melbourne, Florida 32935

Re: Richard Corcoran vs. Beau Myers
EPC No.: 21-0036-RT; DOE No.: 1239587

Dear Mr. Myers:

As you know, a hearing panel of the Florida Education Practices Commission reviewed the matter pending against you in its entirety. Based upon the panel's full consideration and upon the panel's acceptance of your Settlement Agreement at a public hearing, you are hereby reprimanded.

The Commission, composed of teachers, administrators, parents, law enforcement officials, former school board members and former superintendents, believes that educators must exercise a measure of leadership beyond reproach. The Commission cannot condone any act that bears negatively on the profession's integrity, nor can the public who employ us.

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

Sincerely,

A handwritten signature in blue ink that reads "Ann Copenhaver".

Ann Copenhaver
Presiding Officer