



Before the Education Practices Commission of the State of Florida

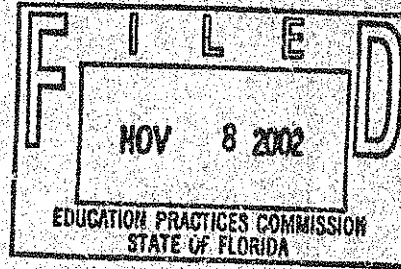
TOM GALLAGHER, as
Commissioner of Education,

Petitioner,

vs

ANTONIO WHITE,

Respondent.



CASE Nº 00-0827-RT
EPC INDEX Nº 02-303 -FOI

Final Order

Respondent, ANTONIO WHITE, holds Florida educator's certificate no. 726350.

Petitioner has filed an Administrative Complaint seeking suspension, revocation, permanent revocation or other disciplinary action against the certificate. A copy of the Administrative Complaint is attached to and made a part of this Order.

Respondent has chosen not to dispute the allegations of the Administrative Complaint and has requested an informal hearing to present evidence and testimony in mitigation.

This cause came before a teacher panel of the EPC on October 25, 2002, in Orlando, Florida. Petitioner was represented by Heidi Maynard, Attorney at Law. Respondent was present and represented by Leslie Meek, Attorney at Law.

Paragraphs 1. Through 3 of the Administrative Complaint were adopted by the EPC as its findings of fact. Counts 1 through 3 of the Administrative Complaint were adopted by the EPC as its conclusions of law.

Upon consideration of the facts and conclusions of law in this case, it is

ORDERED:

A. Respondent shall be issued a letter of reprimand;

B. Respondent's Florida educators Certificate is hereby SUSPENDED from the day following the end of the 2002-2003 Dade County school year until the day before the beginning of the 2003-2004 Dade County school year and also from the day following the end of the 2003-2004 Dade County school year until the day before the beginning of the 2004-2005 Dade County school year.

C. Upon employment in a position requiring a Florida educator's certificate, Applicant shall be placed on three employment years of probation with the conditions that during that period, he shall:

1. Notify EPC immediately upon employment, and upon termination of employment, as an educator in any public or private Florida school.
2. Have immediate supervisor submit annual performance reports to the EPC.
3. Within the first sixty days of probation, engage in counseling with a Recovery Network for Educators approved Florida licensed psychologist, psychiatrist or mental health counselor, continue until discharged from treatment and have that professional submit quarterly progress reports to the EPC
4. Do not consume, inject or ingest any alcohol or controlled substance unless prescribed or administered for legitimate medical purposes.
5. For the purpose of ascertaining compliance with the conditions of probation, submit to random substance abuse testing as directed by the EPC, the Recovery Network or his employer and authorize direct reporting of results to each entity.
6. Violate no law and fully comply with all district school board regulations, school rules and State Board of Education Rule 6B-1.006.
7. Satisfactorily perform all assigned duties in a professional manner.

8. During the first six months of each probation year, pay to the EPC the sum of \$150.00 to defray the costs of monitoring probation during that year.

All costs of complying with probation terms will be borne by Applicant.

This Order becomes effective upon filing.

DONE AND ORDERED, this 5th day of November, 2002.

Margaret A. Wolfe
MARGARET WOLFE, Presiding Officer

COPIES FURNISHED TO:

Bureau of Educator Standards

Bureau of Teacher Certification

Florida Administrative Law Reports

Assistant 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

Ronald G. Stowers, Attorney at Law

Recovery Network Program
for Educators
325 W. Gaines Street, Suite 224-D
Tallahassee, FL 32399
850/922-9733

Probation Officer, 850/488-0548

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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of Tom Gallagher vs. Antonio White, was furnished to Leslie A. Meek, Attorney at Law, United Teachers of Dade, 2200 Biscayne Boulevard, Miami, FL 33137, this 8th day of November, 2002, by U.S. Mail.

Kathleen M. Richards

KATHLEEN RICHARDS, Clerk



KATHLEEN M. RICHARDS
Executive Director

**EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA**

MARGARET WOLFE
Chairperson

RIVERS BUFORD
Counsel

GRACE WILLIAMS
Co-Chairperson

October 25, 2002

Antonio White
[REDACTED]

Miami, Florida 33056

Re: Tom Gallagher vs. Antonio White
EPC No.: 00-0827-RT; Social Security [REDACTED]

Dear Mr. White:

As you know, the teacher panel of the Education Practices Commission reviewed the matter pending against you. The panel concluded that you violated the Principles of Professional Conduct for the Education Profession prescribed by the State Board of Education rules and hereby reprimands you for the conduct alleged in the Administrative Complaint which is incorporated herein.

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 Dade County School Board for placement in your personnel file.

Sincerely,

Peggy Wolfe

Peggy Wolfe
Presiding Officer

ELECTION OF RIGHTS

Petitioner,
TOM GALLAGHER, Commissioner of Education,

vs.

ANTONIO WHITE
Respondent

File No.: 950-1591-V

Signify your election by checking the appropriate 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 allegations I dispute are:

a. _____

b. _____

c. _____

Attach additional sheet(s) if needed.

2. ☐ **INFORMAL HEARING OPTION** I do not dispute the allegations of the Administrative Complaint and request an Informal Hearing before the Education Practices Commission.

3. ☐ **SURRENDER OPTION** I voluntarily surrender my certificate(s) for permanent revocation.

4. ☒ **SETTLEMENT OPTION** I request a forty-five (45) day period of time to try to negotiate a settlement with the Office of Professional Practices Services at (850) 488-2481. If an agreement is not reached within the forty-five (45) day period, the case will be scheduled for an ☒ Informal or ☐ Formal Hearing (if Formal Hearing is checked, please list the disputed allegations in 1a, b, and c). If neither Informal nor Formal is checked above, the action will be scheduled for an Informal Hearing.

I understand that I will be given notice of any date set for a Formal or Informal Hearing. I have read the Explanation of Rights, fully understand and/or have been advised of my legal rights. (If you do not understand your options, contact the Office of Professional Practices Services at (850) 488-2481.)

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

Signature of Respondent

Street Address

City

Telephone No.

STATE OF FLORIDA

COUNTY OF DADE

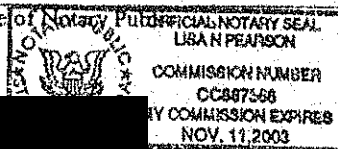
The foregoing instrument was acknowledged before me this 1 day of Nov., 20 00.

by

Antonio White

(Print Respondent's Name)

Signature of Notary Public



Personally Known FDL or Produced Identification

Type of Identification Produced _____ Print, Type or Stamp Commissioned Name of Notary Public

6.

**STATE OF FLORIDA
EDUCATION PRACTICES COMMISSION**

**TOM GALLAGHER, as
Commissioner of Education,**

Petitioner,

vs.

CASE NO. 990-1591-V

ANTONIO WHITE,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, Tom Gallagher, as Commissioner of Education, files this Administrative Complaint against Antonio White. The Petitioner seeks the appropriate disciplinary sanction of the Respondent's educator's certificate pursuant to Sections 231.262 and 231.28, Florida Statutes, and pursuant to Rule 6B-1.006, Florida Administrative Code, Principles of Professional Conduct for the Education Profession in Florida, said sanctions specifically set forth in Sections 231.262(6) and 231.28(1), Florida Statutes.

The Petitioner alleges:

JURISDICTION

1. The Respondent holds Florida Educator's Certificate 726350, covering the area of Business Education, which is valid through June 30, 2001.
2. At all times pertinent hereto, the Respondent was employed as a Business Education teacher at Jose Marti Middle School, in the Dade County School District.

MATERIAL ALLEGATIONS

3. On or about February 15, 2000, Respondent was in possession of a controlled substance, Cocaine. Respondent was observed by a police officer buying cocaine from an unknown person and found crack cocaine in his car. Respondent was arrested and charged with Possession of Cocaine. On or about March 15, 2000, adjudication was withheld by the court after Respondent was placed in a Deferred Drug Program by the court.

STATUTORY VIOLATIONS

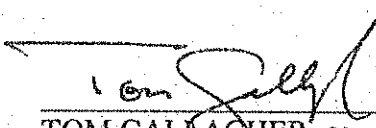
COUNT 1: The allegations of misconduct set forth herein are in violation of Section 231.28(3)(c), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude.

COUNT 2: The allegations of misconduct set forth herein are in violation of Section 231.28(1)(f), Florida Statutes, in that Respondent, upon investigation, has been found guilty of personal conduct which seriously reduces his effectiveness as an employee of the school board.

COUNT 3: The allegations of misconduct set forth herein are in violation of Section 231.28(1)(j), Florida Statutes, in that Respondent has otherwise violated the provisions of law, the penalty for which is the revocation of the teaching certificate.

WHEREFORE, the Petitioner recommends that the Education Practices Commission impose an appropriate penalty pursuant to the authority provided in Sections 231.262(6) and 231.28(1), Florida Statutes, which penalty may include a reprimand, probation, restriction of the authorized scope of practice, administrative fine, suspension of the teaching certificate not to exceed three years, permanent revocation of the teaching certificate, or combination thereof, for the reasons set forth herein, and in accordance with the Explanation and Election of Rights forms which are attached hereto and made a part hereof by reference.

EXECUTED on this 21ST day of August, 2000.



TOM GALLAGHER, as
Commissioner of Education,
State of Florida