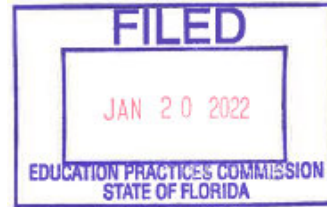




*Before the Education Practices Commission
of the State of Florida*

Final Order

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



CASE NO. 21-0313-RT
EPC INDEX NO. 22-001-FON

_____ /
An Amended Administrative Complaint seeking disciplinary action against the educator's certificate of Respondent, **Daniel Arnoux**, was filed by **Richard Corcoran**, as Commissioner of Education on, December 3, 2021.

Respondent, holder of Florida educator's certificate number 1014881, was served with a copy of the Amended Administrative Complaint. Respondent has filed an answer to the Amended Administrative Complaint stating that he did not wish to contest the charges, that he waived any further rights to due process or a public hearing, that he surrendered his certificate for permanent revocation, and that all his actions were free and voluntary.

The Amended 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, 1014881, held by, **Daniel Arnoux**.

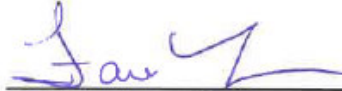
Reapplication will not be considered.

DONE AND ORDERED this 20th day of January 2022.

A handwritten signature in black ink, appearing to read "Aadil Ameerally".
AADIL AMEERALLY, Chairperson
Education Practices Commission

Final Order
Re: **Daniel Arnoux**
Page Two

I HEREBY CERTIFY that a copy of the foregoing Order in the matter of **RICHARD CORCORAN vs. DANIEL ARNOUX**, was furnished to **Daniel Arnoux**, at [REDACTED] [REDACTED], Sunrise, FL 33323 and Robert F. McKee, Esquire, Robert F. McKee, P.A., 1401 East 22nd Avenue, Tampa, FL 33605 on this 20th day of January 2022, by Certified U.S. Mail.



Faith Lenzo, Clerk
Education Practices Commission

COPIES FURNISHED TO:

Office of Professional Practices Services

Bureau of Educator Certification

Division of Administrative Hearings

Superintendent
Broward County
600 SE 3rd Avenue
Fort Lauderdale, Florida 33301-3125

Professional Standards
Broward County
600 SE 3rd Avenue
Fort Lauderdale, Florida 33301-3125

Diane Guillemette, Esq.
Assistant Attorney General
The Capital Plaza Level 1
Tallahassee, Florida 32399

Bonnie Wilmot, Esq.
DOE Assistant General Counsel
325 West Gaines Street, Suite 1544
Tallahassee, Florida 32399

REVISED ELECTION OF RIGHTS

Richard Corcoran, Commissioner of Education,
Petitioner,

vs.

File No.: 189-2802

DANIEL J ARNOUX
Respondent.

Signify 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:

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 _____

*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.

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]
Signature of Respondent

STATE OF FLORIDA
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 28 day of December, 2021.

[Redacted]
Street Address

by Daniel Arnoux
(Print Respondent's Name)

SUNRISE, FL 33323
City

[Signature]
Signature of Notary Public

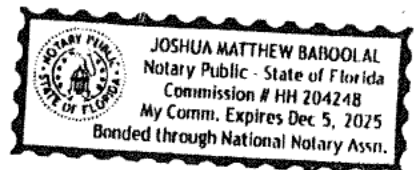
[Redacted]
Telephone No.

Personally Known or Produced Identification Type of FL Driver's License

Print, Type or Stamp Commissioned Name of Notary Public Joshua Baboolal

Your election of rights from must be fully executed, notarized and returned to:

FLORIDA DEPARTMENT OF EDUCATION
PROFESSIONAL PRACTICES SERVICES
325 WEST GAINES STREET, SUITE 224-E
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**

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

Petitioner,

CASE NO. 21-2554PL

vs.

DANIEL J. ARNOUX,

Respondent.

AMENDED ADMINISTRATIVE COMPLAINT

Petitioner, Richard Corcoran, as Commissioner of Education, files this Administrative Complaint against DANIEL J. ARNOUX. 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 1014881, covering the area of Social Science, which is valid through June 30, 2024.
2. At all times pertinent hereto, the Respondent was employed as a Social Science Teacher at Nova High School in the Broward County School District.

MATERIAL ALLEGATIONS

3. During the 2016-2017 school year Respondent formed a relationship with [REDACTED], a [REDACTED] grade female student to the extent he would always touch her arm or shoulder whenever she walked by. [REDACTED] became infatuated with Respondent and towards the end of the school year, [REDACTED] skipped her English class to sit in his classroom. Their first email exchange in a lengthy series of emails began on May 18th, 2017, concerning a letter of recommendation. Over the summer Respondent emailed exchanged emails. In one email, Respondent, using his district account, commented he was sorry he missed the last week of school and that he won't forget her.

4. [REDACTED] was in the [REDACTED] grade during the 2017-2018 school year. [REDACTED] was not in Respondent's class during this school year but attended his class with frequency during her study all and other curriculum classes. Respondent agreed to allow [REDACTED] to "hang out" in his classes. At no time did Respondent ever discourage [REDACTED] from missing other classes to hang out with him. To

the contrary, on October 11th, 2017, Respondent emailed [REDACTED] his personal email address instructing her to use his personal email address if she “ever want to email me with anything besides professional stuff.” She was advised not to use REMIND because the emails don’t get erased.

5. Respondent continued his inappropriately communications with [REDACTED] during the school year in ways that include but are not limited to the following:

- a. Communicating with [REDACTED] after 7pm on multiple occasions.
- b. Telling [REDACTED] "So glad you're feeling better! Made my night...".
- c. Telling [REDACTED] "Continue to feel better and I'll see that smile of yours this week! That smile....It does a little too much to me".
- d. Allowing [REDACTED] to contact him after midnight and/or call him "lovely";
- e. telling [REDACTED] "I miss you".
- f. telling [REDACTED] she’s the best.
- g. Asking her why don’t you come up and give me a hug?
- h. When [REDACTED] stated she was sick, Respondent stated, “I’m willing to get sick I if it’s from you”.
- i. Is it weird that I’m nervous when I’m alone with you?
- j. Biting his lip at when shown pictures of [REDACTED] or her outfits.
- k. Asking if she was single.
- l. Asking if she liked older men.
- m. Asking if she would wait for him.
- n. Telling [REDACTED] he wanted to “wait for her”.
- o. Coin in my donut hole remark-maybe after graduation.

6. On June 7th, 2018, [REDACTED] emailed Respondent noting that it was great being able to visit you and talk to you so often! I still owe you for all the times you’ve fed me. You are amazing to me... I will see you next year, and you BETTER NOT forget [REDACTED]

7. During the 2018-2019 school year, Respondent continued his inappropriate communications with [REDACTED] who was now a [REDACTED] grade female student, by discussing personal relationships with her.

8. On April 22nd, 2019, [REDACTED] tearfully confided in another teacher that Respondent had Respondent had inappropriately touched or hugged her on several occasions during the past two years, including pressing “his genitals on her shoulder”. [REDACTED] had been drawing when Respondent came up. Leaned over and pressed his crotch area against her arm for 5 to 10 seconds. Later, when [REDACTED] was leaving the classroom, he silently mouthed to her, “I wanted to kiss you”. Then he silently repeated it again. [REDACTED] subsequently provided both a written and recorded statement detailing the Respondent’s inappropriate actions.

9. The school district conducted an investigation which resulted in a finding of just cause for Respondent’s inappropriate conduct and recommended a one (1) day suspension. Respondent thereafter executed a Stipulated Discipline Agreement consisting of a one (1) day suspension.

The Petitioner charges:

STATUTE VIOLATIONS

COUNT 1: The Respondent is in violation of section 1012.795(1)(d), Florida Statutes, in that Respondent has been guilty of gross immorality or an act involving moral turpitude as defined by rule of the State Board of Education.

COUNT 2: 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 3: The Respondent is in violation of section 1012.795(l) (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 4: 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 5: The allegations of misconduct set forth herein are in violation of Rule 6A-10.081 (2)(a) 5, Florida Administrative Code, in that Respondent intentionally exposed a student to unnecessary embarrassment or disparagement.

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 3rd of December 2021.

Respectively Submitted,

/s/Charles T. Whitelock, Esq. _____

CHARLES T. WHITELOCK, ESQ.

FBN: 166020

Charles T. Whitelock, P.A.

Counsel to Commissioner

300 S.E. 13th Street

Ft. Lauderdale, FL 33316

Office: (954) 463-2001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Robert F. McKee, Esq., via email at yborlaw@gmail.com, this 3rd day of December 2021.

/c/Charles T. Whitelock, Esq. _____

CHARLES T. WHITELOCK, ESQ.