

## **Department of Education**

The Department of Education is the agency responsible for ensuring the quality provision of free education from pre-kindergarten through community college. The Department operates under the supervision of the Board of Education, which consists of seven members appointed by the Governor to staggered four-year terms. The Board of Education in turn appoints the Commissioner of Education.

### **Head of Agency:**

John Winn, Commissioner  
Office of the Commissioner  
Turlington Building, Suite 1514  
325 West Gaines Street  
(850) 245-0505  
(850) 245-9667 (fax)  
Commissioner@fldoe.org

### **Agency Clerk:**

Lynn Abbott  
Turlington Building, Room 1514  
325 West Gaines Street  
Tallahassee, Florida 32399  
(850) 245-9661  
(850) 245-9667 (fax)

### **Hours of Operation:**

8:30 a.m. - 5:30 p.m.

### **General Counsel:**

Daniel J. Woodring  
Florida Department of Education  
Turlington Building, Room 1244  
325 West Gaines Street  
Tallahassee, Florida 32399  
(850) 245-0442  
(850) 245-9379 (fax)  
daniel.woodring@fldoe.org

Mr. Woodring received his J.D. from the University of Florida in 1996. He has served as General Counsel for the Department since 2002. Prior to being appointed to his current position as General Counsel, Mr. Woodring served as counsel to Governor Bush from 1999-2002 and clerked for Judge Robert T. Benton, II of the First District Court of Appeal. Mr. Woodring especially enjoys his work with the Department because of the quality of the attorneys the Department employs and his ability to combine aspects of litigation with policy-making.

### **Number of Lawyers on Staff:**

12

### **Kinds of Cases:**

The Department handles a wide variety of cases before the Division of Administrative Hearings, including bid protests, rule challenges, disputes arising from the Division of Vocational Rehabilitation's determinations of employee qualification for retraining, and challenges to the Bureau of Rehabilitation and Reemployment Services' determinations regarding reemployment.

The Department also handles cases against teachers in administrative hearings before the Educational Practices Commission (EPC) for ethical and other violations that affect their licensure. The EPC serves the function of agency head in determining these license violations and corresponding penalties. These cases comprise the majority of the Department's caseload, with over 3,000 complaints filed against teachers.

Attorneys also litigate cases in state court including collection of liens for rehabilitation services provided by the Department, and collection of defaulted loans from student borrowers. In federal court, the Department is currently defending a constitutional challenge to its governing statutes.

In addition to their role as litigators for the Department, attorneys also serve as general counsel to the Commission on Independent Education, which oversees private two-year secondary educational facilities and consults with the Legislature and other state agencies on issues involving education law.

### **APA Interaction:**

While most of the cases the general counsel's office handles are not APA-related, the majority of their interaction with the APA comes through bid protests and rule challenges. The Department also handles some miscellaneous APA cases, such as disqualifying teachers for cheating on licensure exams.

### **Practice Tips:**

Practitioners representing teachers licensed through the Department should keep in mind the four levels of review a complaint must go through before a case is actually filed. The Commissioner of Education must himself make a probable cause determination before a case is permitted to proceed. This level of scrutiny means that a case is rarely brought that the Department cannot support.