



RON DESANTIS
GOVERNOR

STATE OF FLORIDA
Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

THE FLORIDA SENATE

In re: Executive Order of Suspension, Number 19-13
Suspension of Ms. Mary Beth Jackson, Superintendent of Schools
Okaloosa County, Florida

GOVERNOR DESANTIS' BILL OF PARTICULARS

COMES NOW, the Executive Office of Governor Ron DeSantis, by and through Deputy General Counsel, Nicholas Primrose, and files this Bill of Particulars pursuant to Florida Senate Rule 12.9(4) and Special Master Dudley's letter dated February 4, 2019, and states as follows:

INTRODUCTION

On January 11, 2019, Governor DeSantis issued Executive Order 19-13 suspending Ms. Mary Beth Jackson ("Ms. Jackson") from her public office as Superintendent of Schools for Okaloosa County, Florida, after numerous criminal charges of child abuse/neglect by instructional personnel, numerous criminal charges of failing to report suspected child abuse by instructional personnel and administrators, a failure of leadership in training and requiring instructional personnel and administrators to report suspected child abuse/neglect and failing her paramount duty as the Superintendent to protect the health, safety and welfare of the students of the Okaloosa School District ("Okaloosa Schools").

Article IV, Section 7 of the Florida Constitution provides the authority of the Governor to suspend a county official for “neglect of duty” and “incompetence.” The Florida Supreme Court has defined “neglect of duty” as “the neglect or failure on the part of a public officer to do and perform some duty or duties laid on [them] as such by virtue of [their] office or which is required of [them] by law.” *State ex rel. Hardie v. Coleman*, 155 So. 129, 132 (Fla. 1934). The Court further explained, “[i]t is not material whether the neglect be willful, through malice, ignorance, or oversight.” *Id.* The Florida Supreme Court has defined “incompetence” as “intellectual quality, the lack of which incapacitates one to perform the duties of his office” that “may arise from gross ignorance of official duties or gross carelessness in the discharge of [the duties].” *Id.* at 133. The Court further explained “incompetence” includes a lack of judgment and discretion. *Id.* Executive Order 19-13 suspended Ms. Jackson from her public office for neglect of duty and incompetence.

FACTUAL ALLEGATIONS

As outlined below, Ms. Jackson failed in protecting the health, safety and welfare of the students at Okaloosa Schools. The factual allegations and specific statutory charges below rise to the level of neglect of duty and incompetence.

I. Teacher Frazier Incident

Silver Sands School within Okaloosa Schools is a special day school that provides a unique learning experience for students with varying mental functions. Students at Silver Sands School require additional attention and specialized teaching methods. On February 24, 2016, Arden Farley (“Investigator Farley”), a human resource specialist at Okaloosa Schools, initiated an internal investigation into allegations of child abuse/neglect against Roy Frazier (“Teacher

Frazier”), an exceptional student teacher at Silver Sands School. The allegations against Teacher Frazier included: (1) inappropriate physical contact with exceptional students; (2) picking up and dropping an exceptional student on the ground; (3) placing exceptional students in a large box so they could not move; (4) strapping an exceptional student onto an exercise bicycle to restrict movement around the classroom; (5) using off-campus trips with students to do personal shopping at estate and garage sales, dropping off items at his house and using class time to fix/repair items for personal sales; and (6) bringing a BB gun to school by concealing it in an umbrella. Investigator Farley received notice of these allegations, and Ms. Jackson knew or should have known them. Teacher Frazier was not immediately suspended from his duties or reassigned to avoid interaction with additional students during the investigation. Despite the allegations that were confirmed by Investigator Farley, Ms. Jackson never reported the suspected child abuse/neglect to the parents of the children, Department of Children and Families (“DCF”) or Okaloosa Sheriff’s Office.

Investigator Farley completed the internal investigation report on or about March 5, 2016. The report found sufficient evidence that Teacher Frazier violated the Code of Ethics and Principles of Professional Conduct for the inappropriate physical conduct with exceptional students, brought a BB gun to school and took unauthorized off-campus trips for personal benefit. The report recommended that Teacher Frazier receive disciplinary actions and be evaluated on whether he should continue to work with “disabled students.” The report also recommended that it be forwarded to the Office of Professional Practices at the Department of Education (“DOE”). The report was never shared with the parents of the children, DCF or the Okaloosa Sheriff’s Office. The report was shared with Stacie Smith (“Ms. Smith”), the Assistant Superintendent of Human Resources at Okaloosa Schools. On March 17, 2017, upon the advice

of Ms. Smith, Ms. Jackson recommended to the Okaloosa School Board that Teacher Frazier be suspended without pay for three days for “not following a student’s Behavior Intervention Plan” and “not listing all traveled locations on [his] field trip forms.” The full extent of the report was not provided to the Okaloosa School Board for proper evaluation as to the serious child abuse/neglect findings. Ms. Jackson decided not recommend the termination of Teacher Frazier. Teacher Frazier was never evaluated on whether he should continue to work with exceptional students because he was going to retire at the end of the 2015-2016 school year. Teacher Frazier was kept in the classroom for the remainder of the 2015-2016 school year.

Teacher Frazier was subsequently investigated by DOE’s Office of Professional Practices, and ultimately, he surrendered his teaching certificate in June 2017, after he had already retired from teaching.

II. Teacher Stillions Incident

Approximately one month after the Frazier report, on or about April 26, 2016, Investigator Farley initiated an investigation into allegations of suspected child abuse/neglect against Marlynn Stillions (“Teacher Stillions”). Teacher Stillions was an exceptional student teacher at Kenwood Elementary Schools in the VPK program. The allegations against Teacher Stillions included: (1) inappropriate physical conduct towards exceptional students, ranging from 3-to-5 years old; (2) negative motivation and yelling at exceptional students; (3) intentionally tripping an exceptional student; and (4) spraying a vinegar solution on the hands and mouths of exceptional students. Investigator Farley received notice of these allegations. Ms. Jackson knew of or should have been aware of them. Teacher Stillions was not immediately suspended from her duties. Despite the allegations, Investigator Farley never reported the suspected child abuse/neglect to the parents of the children, DCF, DOE or the Okaloosa Sheriff’s Office.

Investigator Farley completed the internal investigation report on or about June 17, 2016. The report found sufficient evidence that Teacher Stillions violated the Code of Ethics, “treated some of her students inappropriately” and exercised poor judgment in how she handled and interacted with students. The report also found that “at least eight employees have had concerns ranging from minor to major in regard to how Teacher Stillions interacted with some of her disabled students.” In fact, the principal of Kenwood Elementary School had knowledge of allegations of suspected child abuse/neglect prior to the investigation and did not report to the DCF hotline, as mandated, nor to the parents of the children, DOE or Okaloosa Sheriff’s Office. Additionally, the report found it “problematic that employees did not make an immediate report of alleged inappropriate interactions/procedures between Teacher Stillions and the Pre-K disabled student” because “all employees are required to report any actual or suspected cases of child abuse, abandonment or neglect.”

The report recommended that Teacher Stillions receive disciplinary actions for violating the Code of Ethics and Principals of Professional Conduct for Educators for the inappropriate interactions with exceptional students. The report also recommended that she not return to Kenwood Elementary because her actions deteriorated the classroom environment. In addition, the report recommended that a copy be forwarded to DOE’s Professional Practices for further investigation. With regards to the reporting of child abuse, the report recommended “staff personnel be briefed that they are mandated reporters and should immediately report abuse/neglect.”

The “Kenwood Elementary School Faculty & Staff Handbook for 2015-2016” contains no mention of the mandatory reporting requirement of all school personnel to notify the DCF hotline of suspected child abuse/neglect. Furthermore, it has been reported that Kenwood

Elementary School did not have the mandatory posters/notices on reporting suspected child abuse/neglect, as required by Florida Statute § 39.201.

Investigator Farley sent the internal investigation report to Ms. Smith on or about June 17, 2016. The report was never shared with the parents of the abused children, DCF, DOE or Okaloosa Sheriff's Office. Ms. Smith, upon review of the report, discussed in general terms the investigation with Ms. Jackson. Ms. Jackson never recommended to the Okaloosa School Board suspension and/or termination of Teacher Stillions. In fact, Ms. Jackson never apprised the Okaloosa School Board of the report's findings or recommendations. Ms. Jackson never forwarded the report to DOE's Office of Professional Practice for review and action, despite the report's recommendation. Ms. Jackson never forwarded the report or otherwise notified the parents of the abused children. Ms. Jackson never notified DCF or the Okaloosa Sheriff's Office. Instead, Ms. Jackson took no disciplinary action against Teacher Stillions and recommended to the Okaloosa School Board that she be transferred to Silver Sands School where she would continue to work with exceptional students during the 2016-2017 school year.

Ms. Jackson deliberately took no action due to a purported violation of the Master Contract between Okaloosa Schools and the Okaloosa Teachers' Union. The Master Contract required certain notice and timeframes be afforded to teachers who were under investigation and subject to disciplinary actions. These requirements were not followed by Investigator Farley, and, as a result, the investigation was closed without recourse.

Approximately one year after the investigation started, a parent of one of the abused children was told his child was a subject of the investigation. The parent eventually received a copy of the report and forwarded it to Okaloosa Sheriff's Office for investigation. After the initiation of a criminal investigation became public, Ms. Jackson finally recommended to

Okaloosa School Board that Teacher Stillions be suspended. After the initiation of a criminal investigation became public, Ms. Jackson finally forwarded the internal investigation report to DOE's Office of Professional Practices.

As a result of the criminal investigation and grand jury proceeding, Teacher Stillions was arrested on four felony counts of aggravated child abuse. The principal of Kenwood Elementary School ("Principal Vaughan"), Investigator Farley and Ms. Smith were arrested for failure to report suspected child abuse/neglect. In December 2018, Teacher Stillions was convicted of three felony counts of willful child abuse in violation of Florida Statute § 827.03 and sentenced to seven years in prison. Principal Vaughan, Investigator Farley and Ms. Smith plead guilty to the charges of failure to report suspected child abuse/neglect, in violation of Florida Statute § 39.201. DOE's Office of Professional Practices has issued a probable cause finding against Teacher Stillions, which may lead to a revocation of her teaching certificate. Ms. Jackson did not cooperate with the criminal investigation or the grand jury.

III. Teacher Wolthers Incident

In November 2018, allegations of suspected child abuse at Silver Sands School were brought to the attention of Okaloosa Sheriff's Office. Multiple classroom aides at Silver Sands School provided statements indicating that between September 1, 2018 and November 14, 2018, Margaret Wolthers ("Teacher Wolthers"), Diana Lacroix ("Aide Lacroix") and Carolyn Madison ("Aide Madison") intentionally blew a whistle into the ear of a "low-sensory" exceptional student, threatened continued use of the whistle and placed multiple exceptional students in a dark bathroom for up to ninety minutes as a form of punishment. Teacher Wolthers, Aide Lacroix and Aide Madison were formally charged with a felony aggravated child abuse in

January 2019. The criminal case is pending; however, the Okaloosa School Board has suspended all three individuals from their duties.

IV. Counselor Burt Incident

In January 2019, Shalimar Elementary School guidance counselor, Sharen Burt (“Counselor Burt”), was arrested for failure to report suspect child abuse in violation of Florida Statutes § 39.201 and § 39.205. An investigation by the Okaloosa Sheriff’s Office revealed that in October 2018, Counselor Burt had actual knowledge of suspected sexual abuse allegations involving a five-year-old student at Shalimar Elementary School. Counselor Burt failed to report the suspected sexual abuse to the DCF hotline. The criminal case is pending; however, the Okaloosa School Board has suspended Counselor Burt from her duties.

SPECIFIC CHARGES

1. Ms. Jackson neglected her duty and/or was incompetent in failing in the administration and management of Okaloosa Schools, including supervising the instruction of children, as required by Florida Statute § 1001.32(3). Her neglect of duty and/or incompetence resulted in multiple instances of child abuse/neglect, as outlined above.
2. Ms. Jackson neglected her duty and/or was incompetent in failing to provide sufficient policies and procedures for the protection of the health, safety, and welfare of students of Okaloosa Schools, in violation of Florida Statute § 1001.41. Her neglect of duty and/or incompetence resulted in multiple instances of child abuse/neglect, as outlined above.
3. Ms. Jackson neglected her duty and/or was incompetent in failing to protect of the health, safety and welfare of students within Okaloosa Schools as outlined in the factual allegations surrounding Teacher Frazier.

4. Ms. Jackson neglected her duty and/or was incompetent in failing to immediately suspend and reassign Teacher Frazier upon the receipt of allegations of misconduct that affected the health, safety or welfare of students at Okaloosa Schools, in violation of Florida Statute § 1012.796(5).

- a. Florida Statute § 1012.796(5) states, “[W]hen an allegation of misconduct by instructional personnel ... is received, if the alleged misconduct affects the health, safety, or welfare of a student, **the district school superintendent** in consultation with the school principal ... **must immediately suspend the instructional personnel** ... from regularly assigned duties ... and reassign the suspended personnel ... to positions that do not require direct contact with students in the district school system.” (emphasis added).
- b. On or about February 24, 2016, Mr. Farley knew about allegations of misconduct by Teacher Frazier, requiring Ms. Jackson to immediately suspend and reassign Teacher Frazier.
- c. Ms. Jackson did not immediately suspend and reassign Teacher Frazier at the first documented allegations of misconduct.
- d. Ms. Jackson did not take appropriate measures to prevent future abuse.

5. Ms. Jackson neglected her duty and/or was incompetent in failing to protect of the health, safety and welfare of students within Okaloosa Schools as outlined in the factual allegations surrounding Teacher Stillions:

- a. Ms. Stillions was found guilty of three counts of felony willful child abuse, in violation of Florida Statute § 827.03, and sentenced to seven years in prison.

6. Ms. Jackson neglected her duty and/or was incompetent in failing to immediately suspend and reassign Teacher Stillions upon the receipt of allegations of misconduct that affected the health, safety or welfare of students at Okaloosa Schools, in violation of Florida Statute § 1012.796(5):

- a. Florida Statute § 1012.796(5) requires, “[W]hen an allegation of misconduct by instructional personnel ... is received, if the alleged misconduct affects the health, safety, or welfare of a student, **the district school superintendent** in consultation with the school principal ... **must immediately suspend the instructional personnel** ... from regularly assigned duties ... and reassign the suspended personnel ... to positions that do not require direct contact with students in the district school system.” (emphasis added).
- b. On or about April 26 or 27, 2016, Principal Vaughan and Mr. Farley knew about allegations of misconduct by Teacher Stillions, requiring Ms. Jackson to immediately suspend and reassign Teacher Stillions.
- c. Ms. Jackson did not immediately suspend and reassign Teacher Stillions at the first documented allegations of misconduct.
- d. Ms. Jackson did not take appropriate measures to prevent future abuse.

7. Ms. Jackson neglected her duty and/or was incompetent in failing to protect the health, safety and welfare of students within Okaloosa Schools as outlined in the factual allegations surrounding Teacher Wolthers:

- a. Teacher Wolthers, Aide Lacroix and Aide Madison were arrested for violating Florida Statute § 827.03, which criminalizes aggravated child abuse, in connection with incidents involving three exceptional students at Silver Sands

School that occurred between September 1, 2018, and November 14, 2018, while Ms. Jackson was the Superintendent.

8. Ms. Jackson neglected her duty and/or was incompetent in failing to protect the health, safety and welfare of students within Okaloosa Schools as outlined in the factual allegations surrounding Counselor Burt:

- a. Counselor Burt was arrested in January 2019 for violation of Florida Statutes § 39.201 and § 39.205 for failing to report child abuse/neglect to the DCF hotline. The abuse/neglect at issue related to incidents that occurred at Shalimar Elementary School in October 2018, while Ms. Jackson was the Superintendent.

9. Ms. Jackson neglected her duty and/or was incompetent in failing to adopt adequate policies and standards of conduct for reporting misconduct and alleged misconduct which affects the health, safety, and welfare of students in the Okaloosa School, in violation of Florida Statute § 1001.42(6):

- a. There was no policy requiring immediate disclosure of any allegations of child abuse to the parents of the abused children, Department of Children & Families (“DCF”), Department of Education (“DOE”), Okaloosa Sheriff’s Office or the Okaloosa Schools Superintendent.
- b. There was no policy requiring internal investigation reports to be immediately sent to the parents of the abused children, DCF, DOE, the Okaloosa Sheriff’s Office or the Okaloosa Schools Superintendent.
- c. There was no policy requiring all allegations of child abuse/neglect be immediately brought to the attention to Ms. Jackson.

- d. There was no policy requiring all internal investigation reports that have findings of child abuse/neglect to be delivered directly to Ms. Jackson for physical review.
- e. The “Kenwood Elementary School Faculty & Staff Handbook for 2015-2016” made no direct mention of the mandatory reporting requirements for instructional staff and school personnel to notify the DCF hotline, as required in Florida Statute § 39.201.
- f. During the 2015-2016 school year, Kenwood Elementary School did not maintain the required posters and/or displays providing notice to all instructional and school staff of the mandatory reporting requirements of Florida Statute § 39.201, in direct violation of Florida Statute § 1006.061.
- g. The internal investigation report of Teacher Stillions found “at least eight employees have had concerns ranging from minor to major in regard to how Teacher Stillions interacted with some of her disabled students.” Despite the concerns, none of the employees reported any of the suspected child abuse to DCF, DOE, the Okaloosa Sheriff’s Office or supervisors within Okaloosa Schools.
- h. The internal investigation found it “problematic that employees did not make an immediate report of alleged inappropriate interactions/procedures between Teachers Stillions and the Pre-K disabled students,” even though “all employees are required to report any actual or suspected cases of child abuse, abandonment or neglect.”
- i. The employees at Silver Sands School were not trained properly or did not know of the requirement to immediately report suspected child abuse/neglect, as

evidenced by the fact that none of the employees notified the DCF hotline. This situation placed multiple children at risk of continued abuse and/or injury over an undetermined period of time.

- j. The employees at Kenwood Elementary School were not trained properly or did not know of the requirement to immediately report suspected child abuse/neglect, as evidenced by the fact that none of the employees notified the DCF hotline. This situation placed multiple children at risk of continued abuse and/or injury over an undetermined period of time.
- k. The employees at Shalimar Elementary School were not trained properly or did not know of the requirement to immediately report suspected child abuse/neglect, as evidenced by the fact Counselor Burt did not notify the DCF hotline. This situation placed multiple children at risk of continued abuse and/or injury over an undetermined period of time.

10. Ms. Jackson neglected her duty and/or was incompetent in failing to instill a culture of diligence and prioritizing the protection of the health, safety and welfare of students, through the mandatory reporting of suspected child abuse, in violation of Florida Statute § 39.201:

- a. Principal Vaughan, Investigator Farley and Ms. Smith were charged with and plead to violating Florida Statutes § 39.201 and § 39.205 for failing to report child abuse/neglect—specifically, Ms. Stillions’s child abuse/neglect incidents—to the DCF hotline, while Ms. Jackson was the Superintendent.
- b. Counselor Burt faces charges for violating Florida Statutes § 39.201, 39.205 for in failing to report child abuse/neglect—specifically, the incidents that occurred at

Shalimar Elementary School in October 2018—to the DCF hotline, while Ms. Jackson was the Superintendent.

11. Ms. Jackson, as the Superintendent of Okaloosa Schools, is accountable for the training of all instructional personnel and school administrators on the standards of ethical conduct, policies and procedures, pursuant to Florida Statute § 1012.796(1)(d)3. She is also responsible for the failure of instructional personnel and school administration to follow the standards of ethical conduct, policies and procedures:
 - a. Ms. Jackson is accountable for Teacher Frazier’s violation of the Code of Ethics and Principles of Professional Conduct for Educators.
 - b. Ms. Jackson is accountable for Teacher Stillions’s violation of the Code of Ethics and Principles of Professional Conduct for Educators.
 - c. Ms. Jackson is accountable for Teacher Wolthers’ violation of the Code of Ethics and Principles of Professional Conduct for Educators.
 - d. Ms. Jackson is accountable for Aide Lacroix’s violation of the Code of Ethics and Principles of Professional Conduct for Educators.
 - e. Ms. Jackson is accountable for Aide Madison’s violation of the Code of Ethics and Principles of Professional Conduct for Educators.
 - f. Ms. Jackson is accountable for Principal Vaughan’s failure to report the allegations of suspected child abuse/neglect.
 - g. Ms. Jackson is accountable for the staff at Kenwood Elementary School failing to report the allegations of suspected child abuse/neglect related to Teacher Stillions.

- h. Ms. Jackson is accountable for Investigator Farley's failure to report the allegations of suspected child abuse/neglect related to Teacher Frazier and Teacher Stillions.
 - i. Ms. Jackson is accountable for Ms. Smith's failure to report the allegations of suspected child abuse/neglect related to Teacher Frazier and Teacher Stillions.
 - j. Ms. Jackson is accountable for Ms. Burt's failure to report the allegations of suspected child abuse/neglect.
12. Ms. Jackson neglected her duty and/or was incompetent in failing to instill a culture of diligence prioritizing the protection of the health, safety and welfare of students, through the mandatory reporting of suspected child abuse:
- a. There were no policies or procedures (written or otherwise) that required parents to be notified if their child was subject to an investigation related to suspected child abuse/neglect.
 - b. There were no policies or procedures (written or otherwise) that required the Okaloosa Sheriff's Office be notified if there were allegations of suspected child abuse/neglect.
 - c. There were no policies or procedures (written or otherwise) that required Ms. Jackson to be directly involved with all allegations and investigations into suspected child abuse/neglect.
13. Ms. Jackson, as the executive officer of Okaloosa Schools, neglected her duty and/or was incompetent in failing to properly advise against entering contracts that were not with the best interest of the health, safety and welfare of students as the primary objective, in violation of Florida Statute § 1001.41:

- a. No disciplinary action was taken against Teacher Stillions by Ms. Jackson due to purported violations of the Master Contract with the Okaloosa Teachers' Union, even though child abuse allegations were confirmed.
 - b. Florida Statute § 1001.42(6) makes any part of a contract that "has the purpose and effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student" void and unenforceable.
14. Ms. Jackson neglected her duty and/or was incompetent in failing to provide for the proper attention to the health, safety and welfare of students in Okaloosa Schools, in violation of Florida Statute § 1001.42(8):
- a. In March 2016, Ms. Jackson was aware of the child abuse findings within the Exceptional Student Education program at Okaloosa Schools.
 - b. After learning of the child abuse findings in March 2016, Ms. Jackson did not mandate additional training on protecting the health, safety and welfare of students.
 - c. After learning of the child abuse findings in March 2016, Ms. Jackson did not require or demand immediate notification about any and all allegations of child abuse within Okaloosa Schools.
 - d. During the 2015-2016 and 2016-2017 academic year, Ms. Jackson did not require all final internal investigations to be provided for her review.
 - e. Ms. Jackson claims she was never informed about the confirmed allegations of child abuse/neglect against Teacher Stillions.

- f. Ms. Jackson negligently and incompetently allowed Teacher Stillions to be reassigned to another school for exceptional students, placing more children at risk of abuse and neglect.
- g. Ms. Jackson never suspended or moved for termination of employment of Teacher Stillions, placing more children at risk of abuse and neglect.
- h. Ms. Jackson did not provide the internal investigation report related to Teacher Stillions to the Okaloosa School Board when requesting Teacher Stillions be transferred to another school.
- i. Ms. Jackson did not implement policies or procedures (written or otherwise) on how allegations, complaints, or internal investigation reports were to be reported to her for review.
- j. Ms. Jackson did not implement policies or procedures (written or otherwise) requiring her to read and review all allegations, complaints and internal investigation reports.
- k. Ms. Jackson did not implement policies or procedures (written or otherwise) requiring that any and all findings and/or determinations by DCF into suspected child abuse be sent to her for review.

15. Ms. Jackson neglected her duty and/or was incompetent in failing to recommend to DOE the revocation of Teacher Stillions's instructional certificate for good cause, in violation of Florida Statute § 1001.51(19).

16. Ms. Jackson neglected her duty and/or was incompetent for failing to report Teacher Stillions to DOE and Okaloosa Sheriff's Office, in violation of Florida Statute § 1001.51(12)(b).

17. Ms. Jackson neglected her duty and/or was incompetent in failing to report to DOE that Teacher Stillions has committed child abuse/neglect, which would be grounds for revocation or suspension of the teacher certificate, in violation of Florida Statute § 1012.796(5)(b):

- a. Investigator Farley's report recommended that it be "forwarded to Professional Practices for review and or action."
- b. Investigator Farley's report was not forwarded to DOE's Office of Professional Practices upon its receipt within Ms. Jackson's office in June 2016.
- c. Ms. Jackson personally made the decision not to forward Investigator Farley's report to DOE's Office of Professional Practices.
- d. Investigator Farley's report was only forwarded to DOE's Office of Professional Practices in September 2017, after criminal charges had been filed against Teacher Stillions, Investigator Farley, Principal Vaughan and Ms. Smith.

18. Ms. Jackson neglected her duty and/or was incompetent in failing to recommend to the Okaloosa School Board the revocation of Teacher Stillions's employment at Okaloosa Schools. By failing to make this recommendation, she placed more exceptional students at risk of abuse/neglect.

19. Ms. Jackson neglected her duty and/or was incompetent in failing to report the suspected or confirmed child abuse to the parents of the abused children, in violation of Florida Statute § 1012.27(5)(b).

20. Ms. Jackson neglected her duty and/or was incompetent in failing to report the suspected or confirmed child abuse to the Florida Department of Children and Families, contrary to the Florida Statute § 39.201.

21. Ms. Jackson neglected her duty and/or was incompetent in failing to report the suspected or confirmed child abuse to the Okaloosa Sheriff's Office contrary to the best interests of the health, safety and welfare of the students.

22. Ms. Jackson neglected her duty and/or was incompetent in failing to report the suspected or confirmed child abuse to the Florida Department of Education contrary to Florida law.

23. Ms. Jackson neglected her duty and/or was incompetent in failing to visit with sufficient regularity the schools within Okaloosa Schools to observe the management and instruction, in violation of Florida Statute § 1001.42(27).

- a. Ms. Jackson's failure to visit Silver Sands School and Kenwood Elementary School with sufficient regularity prevented her from witnessing or becoming notified of the allegations of child abuse/neglect against multiple instructional personnel.

24. Ms. Jackson neglected her duty and/or was incompetent in the staffing of instructional personnel at Kenwood Elementary School during the 2015-2016:

- a. Kenwood Elementary School had no Certified Intervention Professionals (CPI) during the 2015-2016.
- b. Teacher Stillions was the only CPI at Kenwood Elementary School in 2015-2016; however, Teacher Stillions let her certification lapse.
- c. There was no requirement that Kenwood Elementary School have, at all times, one CPI.
- d. There was no requirement that Teacher Stillions maintain her CPI status.

RESPECTFULLY SUBMITTED,



Nicholas A. Primrose
Deputy General Counsel
Executive Office of Governor Ron DeSantis

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 2019, a true copy of the foregoing has been e-mailed to counsel for Ms. Mary Beth Jackson: George Levesque, Esq. (George.levesque@gray-robinson.com).