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PALM BEACH COUNTY, FLORIDA

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MEMORANDUM

TO: Honorable Chair and Members of the School Board
Dr. Robert Avossa, Superintendent
Chair and Members of the Audit Committee

FROM: Lung Chiu, Inspector General ^{rlc}

DATE: November 10, 2015

SUBJECT: Transmittal of Final Investigative Report
Case # 15-241 Spanish River Community High School

In accordance with School Board Policy 1.092(6)(d), we transmit the above-referenced final investigative report.

The report involves the permanent removal of a student from a Choice Program after an alcohol-related incident during a school-sponsored fieldtrip. The report addresses two allegations that the student was: 1) improperly removed from the Choice Program; and 2) improperly denied an appeals process. Both allegations were substantiated.

Other related allegations, including an allegation that the Student was improperly left unattended at a public venue, are being addressed by the Office of Professional Standards.

In making our conclusions, the OIG relied upon four District documents, including the *Student Code of Conduct*; the *Procedures Manual for Choice Schools and Programs*; a *District Bulletin* addressing students who fail to meet Choice Program standards; and, the *Choice Program Contract for Students and Parents/Guardians*.

Although the student's removal from the Choice Program was not mandated, it appears to be allowed. However, a required review and recommendation by a diverse committee did not occur. Further, the parents' requests for an appeal related to the permanent exit from the Choice Program were denied.

We are aware that there is at least one other instance of a Choice Program student being placed on a "behavior contract" (i.e., allowed to remain in the Program) after an alcohol-related incident on a fieldtrip.

Due to the ambiguity in the published guidance as detailed in our report, we found there was no intentional violation of District policy, procedures, or rules by District staff with regard to the Student's removal from the Choice Program.

We recommend District administration determine their intent with regard to removal of students from choice programs due to disciplinary infractions, and consistently detail same in written policies and procedures.

cc: Dr. David Christiansen, Deputy Superintendent

Office of Inspector General
The School District of Palm Beach County

Case No. 15-241

Spanish River Community High School

INVESTIGATIVE REPORT

AUTHORITY AND PURPOSE

Authority. School Board Policy 1.092, Inspector General (4)(a)(iv) provides for the Inspector General to receive and consider complaints, and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the Inspector General deems appropriate.

Purpose and General Background. This investigation was initiated in response to a complaint regarding a student (Student) removed from the Gilder Lehrman American History & Law Academy (Choice Program) while attending Spanish River Community High School (School) as a junior during School Year 2014/15.

The Student participated in a field trip to Orlando, Florida which took place February 6, 7, and 8, 2015 (Fieldtrip). The stated purpose of the Fieldtrip was to attend the Florida Future Educators of America (FFEA) State Leadership Conference and network with other FFEA chapters. The Fieldtrip itinerary included an activity on Saturday, February 7, at 5:30 PM described as “dinner, Downtown Disney.” Downtown Disney is a non-ticketed venue with complementary admission described as a shopping, entertainment, dining, and special events venue.

While participating in the Downtown Disney Fieldtrip activity, the minor Student was involved in an incident regarding the transportation and consumption of alcohol, ultimately requiring the Student’s hospitalization (Incident). The Incident is considered a disciplinary infraction which resulted in the Student’s immediate and permanent removal from the Choice Program.

Further, the removal from the Choice Program resulted in the Student’s planned removal from the School for the 2015/16 School Year. District procedures require that a student exiting a choice program must return to their “boundary” school.

Allegations. The Office of Inspector General (OIG) received a complaint alleging, among other things, that the Student was:

- 1) Improperly removed from the Choice Program
- 2) Improperly denied an appeals process

Other related allegations received by the OIG, including an allegation that the Student was improperly left unattended at a public venue during a school sponsored Fieldtrip without the knowledge or agreement of the Student's parents, was also received by the Office of Professional Standards (OPS) via the Chief Academic Office. After discussion with OPS, it was determined the OIG would investigate the allegation regarding removal from the Choice Program, and that OPS would investigate the allegations related to the events of the Fieldtrip.

REVIEWS PERFORMED

Document Review

- *School Board Policy 5.016, Choice Schools and Programs*
- *Bulletin #P-15036-CAO/EAI/CCO, Student Exit Procedures for Parental Choice Programs*
- *Procedures Manual for Choice Schools and Programs 2014-2015*
- Student and Family Handbook 2014-2015
- Spanish River High School Student Handbook 2014-2015
- *Student Code of Conduct Handout*
- The Gilder Lehrman American History and Law Academy Contract
- Student Discipline Referral Form
- Choice Program removal letter dated February 11, 2015
- Parent/Staffing Conference Record
- Applicable District Emails
- Student Academic History for School Year 2014/15
- Fieldtrip Activity Report

Interviews

- Principal, Spanish River High School
- Assistant Principal, Spanish River High School
- Director, Choice and Career Options
- Manager, Choice Programs
- Instructional Support Team Leader, Area 1
- Parents of Student
- Student

Consultations

- School Police
- Department of Children and Families (reported to DCF by OIG)

This investigation was conducted in compliance with the *Quality Standards for Investigations* within the *Principles and Standards for Offices of Inspector General*, promulgated by the Association of Inspectors General.

RESULTS OF REVIEW

Student Removed from Academy

Events of Wednesday, February 11, 2015. On the Wednesday following the Incident, the Student and both of the Student's parents attended a conference at the School regarding the disposition of the Student related to the Incident. According to District records, also attending were three members of School administration -- the Principal, Assistant Principal, and the Academy Coordinator. The Academy Coordinator also served as one of the four Fieldtrip chaperones.

A Conference/Staffing Record (erroneously dated February 11, 2014), reflects a discussion: *due to the academy contract, [Student] violated the discipline clause...*, and a conclusion/recommendation: *[Student] will need to transfer to Olympic by the end of the quarter.*¹

Two days prior, on February 9, 2015, the Student received a ten-day suspension as a result of the Incident in accordance with the *District's Student Code of Conduct* (the suspension was reduced to five days as a result of Student's voluntary participation in a District-approved alcohol program).

A letter signed by the Academy Coordinator dated Wednesday, February 11, 2015 formally informed the parents of the Student's removal from the Choice Program:

After reviewing the academic/discipline progress for the 2014-2015 school year, I regret to inform you that you have not met the grade/behavior criteria to remain in the magnet program. Consequently, you have been removed from the History and Law Program at Spanish River Community High School...If Spanish River... is not your home school, you will need to register at your assigned high school...

A review of the Student's academic records indicated the Student maintained a 4.0 GPA during the School Year and had no previous disciplinary infractions.

Also on February 11, 2015, the School principal appeared to seek guidance from the Manager of Choice Programs regarding the disposition of the Student, and wrote:

We are trying to follow all procedures as I know that was in [sic] issue in the past at River but we are working hard on our compliance to make it easier for you to support our actions.

¹ Ultimately, due to reasons extraneous to this investigation, the Student was not transferred at the end of the quarter, completed the 2014/15 School Year at Spanish River High School, and currently continues to attend the School for the 2015/16 School Year, but was and remains permanently removed from the Choice Program.

District Procedures and Guidelines for Student's Removal from Choice Program

In evaluating whether the Student's removal from the Choice Program was within the authority provided by District policy and procedures, the OIG reviewed four related District documents as described below:

- 1) The *District's 2014-2015 Student Code of Conduct (Code of Conduct)* includes a Discipline Guide, described as a tool designed to offer consistency at all levels across the District so that students are disciplined fairly from school to school when their behavior requires discipline beyond the classroom. The *Code of Conduct* states:

When deciding what disciplinary action should be taken, the Principal or designee shall consider the student's age, exceptionality, ELL status, previous conduct, intent, and severity of the incident.

Administrators are asked to administer discipline in a progressive manner. The underlying principle is to use the least severe action that is appropriate for the misbehavior. Administrators will increase the severity of the action if the misbehaviors continue.

The *Code of Conduct* describes infractions related to alcohol as Level 3 Incidents. *These behaviors cause significant disruptions with the learning process. These incidents cause health and/or safety concerns. . .*

The *Code of Conduct* is clear that offenses may occur at any time, including, but not limited to, while on school grounds; while utilizing school transportation; or during a school-sponsored activity.

- 2) The *Procedures Manual for Choice Schools and Programs Section 10(c) (Procedures Manual)* addresses student exit procedures, as follows {emphasis added}:

*A student who fails to meet the standards established in the contract **will be placed on probation**. If concerns continue **or** a serious offense occurs, a diverse committee of school representatives will be established to review, discuss and recommend the appropriate action, as per the school program requirements.*

- 3) *District Bulletin #P-15036-CAO/EAI/CCO (Bulletin)*, requires that a student be placed on probation for a first time offense, as follows {emphasis added}:

*A student who fails to meet the standards established in the contract **will be placed on probation.***

*If the student **continues** to not meet the standards, a diverse committee of school representatives **must meet to discuss and recommend appropriate action...***

*Schools may only exit students at the end of a semester or the school year unless a serious offense (Discipline Level 3 or 4) **warrants a recommendation of removal during a semester by the School Review Committee.***

4) The *Gilder Lehrman American History and Law Academy Contract for Students and Parents/Guardians* (Contract) states {emphasis added}:

- *Student agrees to ... adhere to the rules stated in Spanish River Community High School's student code of conduct.*
- *We [Student and Parent] understand that [Student] **will be placed on probation** if [Student] does not adhere to the standards...*
- *Any violation of an ethical nature **will be regarded as grounds for removal from the academy.***
- *We [as signed by the Student and Parent] understand that Spanish River Community High School maintains high expectations for individual effort and student behavior. Attending the Gilder Lehrman American History and Law Academy is a privilege, not a right. As such, we understand that [Student] is expected to exhibit exemplary behavior.*

District Guidance Supports Probation as Discipline Measure

There is commonality between the *Procedures Manual*, *Bulletin*, and *Contract*, in that all three, in describing the choice program exit process, contain language that a student “will be placed on probation,” when referencing non-recurring disciplinary issues.

Probation, as a disciplinary measure, appears to be supported by the *Code of Conduct*, which encourages progressive discipline – “administrators are asked to administer discipline in a progressive manner;” and “the underlying principle is to use the **least severe action** that is appropriate for the misbehavior. Administrators will increase the severity of the action if the misbehaviors continue.”

Removal from Choice Program Optional, Not Mandated

There is commonality between the *Procedures Manual*, *Bulletin*, and *Contract*, in that all three, in describing the choice program exit process, ostensibly allow, but do not mandate, removal from the program for a non-recurring disciplinary offense.

The *Contract* states that “any violation of an ethical nature will be regarded as grounds for removal from the academy. The *Bulletin* contains language that references a recommendation of removal by a School Review Committee.” The *Procedures Manual* states “if concerns continue or a serious offense occurs, a diverse committee of school representatives will be established to review, discuss and recommend the appropriate action, as per the school program requirements.”

No Required Recommendation from Diverse Committee

As referenced above, District procedures require that if a serious offense occurs and the student is under consideration for removal from the Choice Program, a recommendation for appropriate action is required to be made by a diverse committee of school representatives.

Merriam-Webster’s dictionary defines “diverse” as *made up of people or things that are different from each other*. Limiting a committee to only those persons within the school, in this case inclusive of the Principal, the Assistant Principal, and the Academy Coordinator, appears to be contrary with the diversity requirement and potentially introduces bias into the process. Further, a diverse committee should not have included the Academy Coordinator, who was also a Fieldtrip chaperone charged with the oversight of the students when the Incident occurred.

There is no record as to whether the required elements, as stated in the *Code of Conduct*, were considered by School administration when making the decision to remove the student. The *Code of Conduct* does not address determining the severity of disciplinary action as an example to other students; although one of the Teachers (who was both a chaperone and Fieldtrip sponsor) opined as follows in an email to the Area Superintendent, Director of Choice and Career Options, and others dated March 26, 2015:

...As a current junior, allowing [the Student] to remain at Spanish River HS will ostensibly permit [the Student] as a future senior to choose the school that graduates [the Student]. Spanish River should not be that school! . . . Further, I feel that [the Student’s] presence on River’s campus is psychologically harmful to [the Student’s] former friends who will still be in classes with [the Student]. This district’s lack of action also sends the message that any dangerous or self-destructive student behavior has no accountability or consequences.

The OIG finds no evidence that a diverse committee was established, and no evidence that a required recommendation from the diverse committee for removal from the program was made. Instead, District documentation shows a decision was made on February 11, 2015 and that decision was formally communicated to the Student and the Student's parents on that date by School administration.

This conclusion is documented by an email exchange between the Student's parent and the School Principal:

On March 4, 2015, the Student's parent wrote to the School Principal:

I am requesting an appeal of the suspension concerning [Student]. I believe the consequences were too severe. Also, I do not believe the circumstances surrounding the matter were fully explored. We are in the process of attaining additional information that we wish the district to consider. Can you please let me know how soon we can meet to discuss this.

The Principal replied:

As stated the day we met on the issue with [Student], I confirmed that there was not [sic] appeal process after I spoke to the director of the Choice Program. The decision made was final at the time we met. If there is a concern with a decision made by me you have every right to discuss that with my boss... {emphasis added}

No Appeals Process for Student's Removal from Choice Program

Beginning on February 11, 2015, the Student's parents repeatedly requested and were denied any appeals related to the decision to permanently remove the Student from the Choice Program. The OIG found no District guidance that specifically either required or prohibited an appeals process.

The *Procedures Manual* for Choice Schools and Programs clearly provides for an appeal process related to auditions or eligibility for admission into a choice program; however, there is no written guidance regarding an appeals process in the case of an involuntary exit from a choice program. The procedure for appealing entrance into a choice program is written, detailed, and requires review by a "diverse group of professional educators and administrators with knowledge of Choice and Career Options programs and District policies." The diverse group of professional's currently includes several members from the Choice and Career Options department, representatives from two different schools, the ESE department, and legal services.

Limited Precedent for Student's Removal from Choice Program

In evaluating this issue, the OIG asked for examples of other Students who were exited from a choice program after a Level 3 infractions. The Director of Choice and Career Options cites two such cases, both in 2012. One involved a student removed for a first time offense who "broke into the computer of a high level TERMS user and changed information in the system." The second, a student who was removed after being found to have "illegal drugs on campus." The OIG does not find that these two infractions are commensurate with the alcohol related Incident.

CONCLUSIONS

1. Was the Student improperly removed from the Choice Program?

With regard to the allegation that the Student was improperly removed from the Choice Program, we conclude that the manner used to determine the Student's disposition, ultimately resulting in the Student's permanent removal from the Choice Program, was not supported by District guidelines, and is, therefore, substantiated.

In making our conclusion, the OIG considered the many factors discussed herein. Those factors included 1) the apparent requirement by three different District documents for probation as a result of a non-recurring disciplinary offense; 2) the absence of any mandate requiring a student's removal for a first-time offense; 3) the absence of documented consideration of the Student's academic record and disciplinary history; 4) the absence of any compelling precedent for the Student's removal; 5) the denial to the Student of any appeals process whatsoever; and, 6) the absence of a documented recommendation for permanent removal by a diverse committee.

2. Was the Student Improperly Denied an Appeals Process?

With regard to the allegation that the Student was improperly denied an appeals process, we conclude that absent any policy to the contrary, the same opportunity for an appeal afforded to a student attempting to enter a choice program could have, and should have, been afforded to the Student, and is, therefore, substantiated.

Considering there was an existing diverse committee familiar with Choice and Career Options programs and District policies, and considering the Student's parents requested an appeal, it is reasonable that a formal appeal would have been accommodated through the use of this established group.

Due to the vague nature and ambiguity in the published guidance and information gathered during the investigative interviews, the OIG did not find any intentional or purposeful violation of District policy, procedures, or rules by any District employee with regard to the Student's removal.

RECOMMENDATIONS

We recommend District administration make a determination as to their intent with regard to removal of students from choice programs due to disciplinary infractions, and detail same in written policies and procedures. How, when, and by whom such determinations will be made in the future, including the opportunity for an appeals process, should be clearly documented.

AFFECTED PARTY RESPONSE

The OIG provided a draft copy of this report to the appropriate affected parties. A response from the Director of Choice and Career Options was received and is attached hereto, in its entirety, as Exhibit A. No other responses were received.

OIG REBUTTAL TO RESPONSE FROM DIRECTOR OF CHOICE AND CAREER OPTIONS

The OIG has identified in our report the applicable District policies and documentation related to the allegations. The OIG has provided no interpretation other than restating the applicable language contained therein.

The OIG's conclusion that the student was improperly removed from the Choice Program is based on six factors, detailed on Page 8 of our report.

The issue under review involved a unique incident of alcohol poisoning, resulting in physical harm to the student only. The Levels 3 and 4 incidents listed in the response (sexual assault, arson, bomb threat, and homicide) jeopardize the "health, safety, and welfare of others."

Subsequent to the drafting of our report, we became aware that a student from another school was placed on probation, and not removed from the Choice Program, for an alcohol-related incident on a fieldtrip. As stated on Page 6 of our report, removal from a Choice Program for an alcohol-related offense is not mandated.

The respondent notes "confusion by the OIG when quoting a parent email about an appeal for suspension." There was no confusion on the part of the OIG, as the parent was referring to the exit from the Choice Program, not the mandated ten-day suspension for the alcohol related infraction. The principal's response, as quoted on page 7 of the report, confirmed the principal understood the parent's request. The respondent confirmed his understanding of the parent's

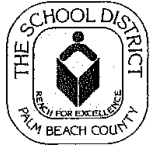
request for an appeal of the exit from the Choice Program when he wrote in an email on March 18, 2015 containing the reference line [Student] appeal:

Let it be known that this issues [sic] does not warrant an appeal as it was a clear violation of the choice procedures and procedures were followed.

The OIG reiterates the conclusion that no diverse committee was established. It is not reasonable to conclude that a truly diverse committee would be comprised of two members of school administration and the fieldtrip chaperone who was responsible for the oversight of the student when the incident occurred. Further, Choice Schools and Programs had, effectively, defined the makeup of a diverse committee in their *Procedures Manual*, outlined on Page 7 of our report.

By definition, a recommendation is a thing or course of action suggested as suitable or appropriate. The respondent states that the “PBSD form 1051 completed by school personnel clearly states at the bottom of the form has a direct recommendation that the student will need to transfer at the end of the quarter.” Although the completion of the form may reflect the decision of school administration, it is not a recommendation as evidenced by the fact that the decision was effectuated immediately.

Finally, we noted that there are no existing District guidelines mandating an appeals process related to the removal of a student from the Choice Program. However, we reiterate our conclusion that an appeals process should have been provided to the Student considering 1) the District’s code of conduct supports administering discipline in a progressive manner, using the least severe appropriate action; 2) the severity of permanently removing a student from a Choice Program; 3) the absence of a recommendation by a diverse committee; and, 4) the student’s parents requests for an appeal.



**THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL**

**PETER B. LICATA, Ph.D
DIRECTOR**

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September 28, 2015

MEMORANDUM

TO: Lung Chiu
Inspector General

FROM: Dr. Peter B. Licata, Ph.D
Director of Choice and Career Options

SUBJECT: IN RESPONSE TO DRAFT REPORT GENERAL CASE NO. 15-241 SPANISH RIVER H.S.

This memo is in response to the above-mentioned case and the draft findings. I look forward to meeting with you or your staff to finalize this response and work together to resolve this matter uniformly.

Response from Choice and Career - Dr. Peter B. Licata

I believe several facts and policies were misinterpreted in the processing of this case. This case is a result of a very unfortunate occurrence regarding the poor decision of a young adult student that nearly shortened her life. It would compound this circumstance by, without precedent, disregarding a common and documented practice that is written in procedure as well as school to student contracts. The interpretation of the incident is not in question, therefore, the following discipline applied should not be arbitrarily stricken due to a lack of educational practice knowledge in Palm Beach County. The two IOG noted areas of non-concurrence are addressed below. However, it must be understood that several facts are known and indisputable. This incident occurred and admitted to by the student. Similar incidents, within our district (provided to the OIG) resulted in the identical discipline of removing a child from the program and /or school by the administrators of that school. The principal, with other diverse staff, met with the parents to determine the action they will take. And finally, there is no policy for this action to require, or even offer, an appeal. The child was not denied due process, not denied a continuance of a free and appropriate education at her zoned school (which is an "A" rated school), and received the same discipline of other students in this district that behaved in similar manner.

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Page 2 of 4
September, 28, 2015
Letter to Lung Chiu, Inspector General

I respectfully disagree with the OIG report that concludes the student was improperly removed from the Choice program. The interpretation that three different documents (as cited on page 8 of original memo) is incredibly inaccurate. The procedure manual clearly states, separate from a probationary status, "If concerns continue or a serious offense occurs." These are separate statements and the issuance of probationary status for a serious offense by a student is illogical. The mere premise of "probation" for serious offenses is neither the interpretation nor the spirit of this policy. The "not meeting standards" refers to GPA/attendance/participation, not level three or four incidents. Attached is the discipline matrix of level three and four incidents. A quick look at some of the level three and four incidents (sexual assault, arson, bomb threat, and homicide to reference a few) show incidents that are far beyond a "probationary" status penalty.

The school contract clearly bullets "any violation of an ethical nature will be regarded as grounds for removal from the academy." Again, this statement stands alone and is not to be confused with standards of GPA/attendance/participation.

The third document, our Student Code of Conduct, never indicates the "probation" for level three and four incidents and specifically states mandatory suspension for alcohol.

In referencing the top of page six of the original OIG memo, the report indicates that all three documents apparently allow for the removal of a student from the program for a non-recurring disruptive offense. This is an acknowledgement from the Inspector General that the removal of this student is an accepted action. The next paragraph by the Inspector General's office furthermore supports the actions to be appropriate as the student committed a "violation of an illegal nature."

There was a Convening of a Diverse Committee.

The Inspector General's office indicates a definition of Webster's dictionary yet clearly interprets this in a broad perspective that lacks affinity with standard school district practice and interpretation. The diverse committee was established and did meet on 2/11/2015 and a document exists within the submission from the Inspector General. Diversity consists of things that are different per the definition. This committee at the school consisted of two males (one Caucasian and one African-American) and a Caucasian female. All three members are on different pay levels. Also, the female is the academy coordinator. This is an excellent choice as if this student were ELL or ESE, the committee would have needed to include the coordinator of those departments. Contrary to the Inspector General's opinion, the Academy Coordinator is a correct and logical component to the diverse committee. Historically, as a teacher, Principal, and District Administrator, diversity in this district has always referred to race and gender and not any other far-reaching element. The very existence of magnet and choice programs in our district were created out of a federal government demand for our district to create more "diversity" at some of our schools as those schools targeted were almost 100% homogeneous by race. Therefore, the broad interpretation by the OIG extends far beyond the

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Page 3 of 4
 September, 28, 2015
 Letter to Lung Chiu, Inspector General

institutional and historical reference. The federal government's actions directing us to diversify our schools reinforces that the school did establish a diverse committee.

A final note of the Inspector General's opinion that the committee lacked diversity is a reminder that discussion and disclosure of student information to anyone other than the teacher, coordinator, or administration could be a clear violation of FERPA and the student's rights, which also limits the committee attendees.

In reference to a teacher email stating her opinion, the teacher email included in the OIG report references the lack of action by the district and psychologically harmful effects to the other students on the Spanish River campus. It has been a longstanding practice of the district to transfer students to other campuses in such traumatic events to not distract from the learning process of other students involved in the issue.

What also must be noted is the confusion by the OIG when quoting a parent email about an appeal for suspension. An appeal for suspension is not within the jurisdiction of the Choice and Career Options department. Suspension of the student from school is not part of the Choice department realm, nor is it of any consequence to the dismissal of the student from the Choice program.

Was the Student Improperly Removed from the Choice Program? – Do not concur with the OIG opinion

The school conducted a meeting of a diverse community on 2/11/15 as per Choice procedure. The OIG report states that there was no recommendation by the administration. The PBSO form 1051 completed by school personnel clearly states at the bottom of the form has a direct recommendation that the student will need to transfer at end of the quarter. This completed form dismisses the statement in the OIG report that there was no recommendation. The Principal notified the Area Superintendent per bulletin # P-15036 CAO/EAI/CCO and informed the Choice Director via email of the removal of this student from the Choice program.

Was the Student Improperly Denied an Appeals Process? – Do not concur with the OIG opinion

The premise of an appeal being heard for this situation does not have any factual or logical support. The OIG substantiates a process that is not commensurate to this issue, but Board policy does not exist for an appeal in this circumstance and therefore does not substantiate an appeal. The procedures manual is a Board adopted policy and does not allow for individual adjustments and alterations to it. The appeals process that is mentioned is regarding auditions for our Arts schools. This is to determine whether there was a technical issue with the actual equipment, the IEP of the child was not met, or similar issues that are judged by a panel. An appeal in this case has parameters that are clearly worded in the policy. In this circumstance, there is no question of the child's action by admittance and even if there was an appeal process, there are no grounds to even consider an appeal. The student admittedly brought alcohol and consumed it. These actions are not of question.

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Page 4 of 4
September, 28, 2015
Letter to Lung Chiu, Inspector General

Conclusion

In an effort to objectively review this event, I appreciate and respect the professional staff of the OIG. They are truly an outstanding and professional staff and we, as a district, are fortunate to have them as a part of our district team. However, several items are very clear and have documentation or policy substantiating the Principal’s decision to remove the student from the Choice program and the Choice department to not allow a “precedent setting” appeal that is not in policy. Facts of the incident, proof of a diverse committee, a documented recommendation, multiple historical examples of comparable incidents that resulted in a program dismissal, and finally, no Board policy that allows for an appeal. I believe the two conclusions by the OIG are not only erroneously broad in the interpretation of the situation, but it is my opinion, based upon my 20+ years as an educational leader and the facts at hand, that the conclusions were inaccurately speculated.

Note

The Department of Choice and Career Options will add language to the Exit Procedure Bulletin/Procedure Manual that further states that any student that commits a level 3 or 4 offense will be immediately removed from the Choice program. This language does not change the meaning of the current policy, it only reinforces and prevents misinterpretation that “probation” is not a required element for dismissal from the program and/or school.

PBL:ct

c: