

Office of Inspector General  
The School District of Palm Beach County

Case No. 13-112

*Physical Education – South Olive Elementary*

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Office of Inspector General  
The School District of Palm Beach County

Case No. 13-112

*Physical Education – South Olive Elementary*

**EXECUTIVE SUMMARY**

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The Office of Inspector General (OIG) initiated an investigation in response to a complaint regarding the reporting of physical education time provided to students at South Olive Elementary School (South Olive).

Florida Statute applicable to students at South Olive requires 150 minutes of physical education each week and at least 30 consecutive minutes per day. The complainant asserted that during School Year's 2011 and 2012, South Olive students received less than the mandated number of physical education minutes.

The complainant alleged that 1) the District did not investigate the physical education issue at South Olive despite the complainant's several requests; 2) the matter is substantively important and impacts FTE funding received by the District; and, 3) the former South Olive Principal submitted false and fraudulent reports to the District regarding the amount of physical education time provided.

In response to the allegations, the OIG concluded the District had addressed the issue of physical education at South Olive. Additionally, we concluded there was no impact to FTE funding with regard to this issue.

Although we did determine there were inconsistencies in the physical education time reported on the school's official master schedule vs. the school's operational schedule, the Principal maintained that previous District administration had sanctioned operational adjustments in physical education scheduling.

There was insufficient evidence to conclude the Principal submitted "false and fraudulent" documents to the District and the allegation was unsubstantiated.

Office of Inspector General  
The School District of Palm Beach County

Case No. 13-112

*Physical Education - South Olive Elementary*

**INVESTIGATIVE REPORT**

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**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.

**Allegations.** The Office of Inspector General (OIG) initiated an investigation in April 2014 in response to a complaint received regarding the reporting of physical education time provided to students at South Olive Elementary School (South Olive).

The complainant alleged that:

- 1) the District has yet to investigate the physical education issue at South Olive despite complainant's several requests, and that an investigation conducted by the Office of Professional Standards "wholly failed" to address the physical education issue of whether the former Principal submitted false *Master Schedules*;
- 2) the matter is substantively important as physical education minutes impact the FTE funding received by the District; and,
- 3) the former South Olive Principal submitted to the District false and fraudulent reports regarding the amount of physical education time provided to students.

The complaint is attached hereto as Exhibit 1 (pages 12 - 14).

**BACKGROUND**

*Florida Statute 1003.455(3) Physical Education; assessment requires that*

*“Each district school board shall provide 150 minutes of physical education each week for students in kindergarten through grade 5 and for students in grade 6 who are enrolled in a school that contains one or more elementary grades so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day.”*

The complainant stated that for the entire school years 2010-11 and 2011-12, students received 90 minutes per week of physical education, 60 minutes less than the State mandated 150 minutes.

**TIMELINE OF EVENTS <sup>1</sup>**

**September 14, 2011** - The then Chief Academic Officer sent a Bulletin to all Elementary School Principals regarding Physical Education Mandates. Among other things, the bulletin states:

*“Each week, students in grades K-5 are required to receive 150 minutes of physical education for a minimum of thirty consecutive minutes. Sixth grade students who are enrolled in a school with one or more elementary grades will receive 150 minutes of physical education per week . . .”*

**September 16, 2011** - The complainant, responding to a request from South Olive for parent volunteers, sent an email to the then South Olive Principal, now retired (Principal) as follows:

*I will sign up to volunteer. My kids aren't getting recess every day. Seems to depend on whether they finish math. What, if any, guidance do teachers get from you on this or is it left to the sole discretion of the teacher? Note: We are going to have a workshop on PE and Recess on the 28<sup>th</sup> and I'm pretty confident my colleagues and I will support daily physical activity for elementary kids, esp[ecially] the younger kids.*

The Principal responded via email:

*I would love to show you something about this before your workshop. How about Monday? It is a unique problem to Florida and you'll be on top of it.*

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<sup>1</sup> The OIG Review of this case involved a significant amount of documentary evidence, including the Office of Professional Standards 692-page file, documents provided by the complainant, and other relevant documentation. The timeline of events provided herein is not a comprehensive listing of all events concerning issues at South Olive, but rather those events that assisted the OIG in making a conclusion regarding the above-stated allegations.

**September 20, 2011** - The complainant met with the Principal and asserted that during the meeting, the Principal 1) provided the complainant with two schedules – an *Operational* Schedule representing the physical education schedule that was actually used; and, an *FTE* Schedule representing South Olive to be in compliance with the 150 minute physical education requirement (*Master Schedule*); 2) stated that previous administration had given permission to be off by 15 minutes between the Official FTE Schedule and the Operational Schedule; and, 3) stated “students at [South Olive] get 90 minutes of PE and 90 minutes of ‘fake’ PE.”

On or about **September 30, 2011** - The complainant spoke with the Principal regarding physical education compliance.

**October 10, 2011** - The Principal emailed the complainant:

*“Please note the new master schedule that is in compliance with the PE standard. This schedule is effective today and no other schedules are in effect. I’ll be meeting with you to resolve any issues.”*

**April 23, 2012** - The District addressed the physical education issue in a meeting with the Principal, complainant, and the then Area Superintendent.

**July 29, 2012** - The then Area Superintendent transmitted to the then Chief Academic Officer the April 23, 2012 meeting summary.

**October 18, 2012** - The District readdressed the physical education issue in a meeting attended by the Principal, the Area Superintendent, two Instructional Team Leaders and the Director of FTE & Student Reporting. “Notes from South Olive Master Board Meeting,” include the stated purpose to “move forward and resolve the issue of PE minutes.”

**November 29, 2012** - The Office of Professional Standards opened an administrative investigation (Case #12/13-064) initiated by a complaint (not the same complainant referenced in this report) filed on or about October 30, 2012, with the Area 5 Office in reference to South Olive. The complaint encompassed several issues, including physical education at South Olive as follows:

*“the principal would deny students the required Physical Education times, or limiting the amount of PE they would receive.”*

**January 8, 2013** - Complainant's letter to the Superintendent that included the following allegations against the Principal with regard to physical education:

*. . . submitting documentation to falsely report that students at South Olive were receiving the required number of physical education minutes per week;*

*In [the Principal's] effort to act in a punitive and retaliatory manner towards me. . . adopting a PE schedule that provided 90 minutes more weekly Physical Education than the state mandated 150-minutes <sup>2</sup>*

**February 6, 2013** - The Office of Professional Standards issued an *Administrative Review Report* regarding the investigation into various issues at South Olive ("*Administrative Review*") attached hereto as Exhibit 2 (pages 15 - 36).

**February 26, 2013** - As a result of the *Administrative Review*, the Office of Professional Standards prepared an *Allegation Summary* summarizing numerous allegations made in connection with the Principal ("*Allegation Summary*") attached hereto as Exhibit 3 (pages 37 - 43).

**May 2, 2013** - The District's Employee Investigation Committee determined all allegations with regard to the Office of Professional Standard's Case #12/13-064 to be unsubstantiated.

**May 7, 2013** - The District issued a Written Notification of a Verbal Reprimand to the Principal for issues related to Professional Standards Case #12/13-064, but unrelated to the physical education issue, closing the investigative file.

**May 15, 2013** - The Principal's legal counsel filed a rebuttal to the Verbal Reprimand. The rebuttal addressed the physical education issue under the heading "Six Charges Which Failed."

**May 30, 2013** - Upon conclusion of the investigation, the District's Office of Professional Standards transmitted to the Florida Department of Education's (FDOE) Department of Professional Practice Services the entire case file including "all investigative materials, reports, evidence, documents or related materials."

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<sup>2</sup> Complainant's allegations as summarized herein are included in the attached December 18, 2013 letter to the OIG. Complainant also provided a 29-page "Details Regarding Investigation into South Olive Principal. . ." That document encompasses several issues and allegations unrelated to physical education. Although not included in Complainant's letter to the OIG, the backup documents do include a physical education allegation that the Principal acted in punitive and retaliatory manner by adopting a physical education schedule with 90-minutes more weekly minutes than required.

**July 3, 2013** - The FDOE Chief of Professional Practice Services responded to the District (Exhibit 4, pages 44 – 45), as follows:

*The Office of Professional Practices Services has received your report that was submitted regarding the above referenced educator. Upon completion of the initial inquiry, this office has determined that further investigation is not warranted.*

**December 18, 2013** - The complainant filed a formal complaint with the OIG, citing a recommendation from the District's General Counsel that "this matter be brought to the Inspector General."

## **REVIEWS PERFORMED**

### **Document Review**

- *Florida Statute 1003.455*
- School Board Policy 8.025 *Physical Education*
- District Discipline Process Flowcharts
- January 8, 2013 letter from complainant to the District Superintendent
- July 3, 2013 letter from the Florida Department of Education's Chief of Professional Practice Services to the Director of Employee Relations
- December 18, 2013 letter and supplemental documents from Complainant to the OIG
- District email records between Principal/complainant; District staff/complainant
- February 26, 2013 Professional Standards Case #12/13-064 Allegation Summary
- November 29, 2012 *Office of Professional Standards Administrative Review Report*
- May 2, 2013 Employee Investigation Committee Findings and Recommendations
- Other related documentation

### **Interviews**

- Area 2 Superintendent
- Chief of Human Resources
- Current and former principal division chairs (PBC School Administrators Association)
- Director, Office of Professional Standards
- Director, FTE & Student Reporting
- District's Physical Education Administrator
- HR Relationship Manager
- School Police Detective/Investigator
- State of Florida, Auditor General's Office
- Other District staff

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

## **RESULTS OF REVIEW AND CONCLUSIONS**

**Allegation #1:** *The District has yet to investigate the physical education issue despite complainant's several requests and an investigation conducted by the Office of Professional Standards "wholly failed" to address the physical education issue of whether the former Principal submitted false Master Schedules.*

### The Office of Professional Standards Administrative Review Report

The OIG has reviewed the Office of Professional Standards *Administrative Review* and noted that the physical education issue was addressed throughout the report. Further, the allegation that the Principal falsified *Master Schedules* was specifically addressed, as follows:

*If [the] Principal . . . denied students their right to participate in physical education, he would have done so contrary to School District policy and Florida State Statutes. I looked further into the allegation that [the] Principal . . . did not allow students to have the required physical education time that is required by the State of Florida. Current records show that this school year, South Olive Elementary School was in compliance with the mandated requirements for PE for its students as prescribed by the state.*

While the *Administrative Review* addressed the physical education issue, it did not specifically conclude as to whether the Principal submitted false *Master Schedules*. However, the Office of Professional Standards stated purpose in performing an Administrative Review was to bring forward factual information, so that the Employee Investigation Committee (EIC), as discussed below, has sufficient evidence to conclude on the allegation(s).

### Conference Notes and the Allegation Summary

The *Administrative Review* contains backup documentation, labeling an April 23, 2012, meeting summary as "conference notes" attached hereto as Exhibit 5 (pages 46 - 50). The Area Superintendent, who issued the meeting summary, confirmed the documentation issued is correctly characterized as conference notes.



District documentation "*What is Pre-Discipline?*" indicates conference notes represent a pre-discipline proactive measure for correcting employee misconduct. Consequently, the conference notes were not considered disciplinary action, but a pre-disciplinary action.

The meeting was attended by the then Area Superintendent, Principal and complainant, specifically addressed the complainant's concern:

*The PE policy has been violated at South Olive. The schedule that is in the computer is not being followed.*

and the Principal's response:

*The schedule that is in place for students in PE is what they follow. No policies are being violated when it comes to PE or recess. Any issues that may have existed earlier in the year have been addressed.*

We noted that unlike other conference notes included in the file, the meeting summary did not contain the words "conference notes," or the signature of the Principal. Further, the meeting summary contained no conclusion as to whether the Principal had violated any District policy or had otherwise engaged in misconduct. This is significant, because the April 23, 2012, meeting summary was the basis for the District not to further pursue the physical education issue from a disciplinary or misconduct perspective, as discussed below.

The Office of Professional Standards' February 26, 2013 *Allegation Summary* addressed the physical education issue as follows:

*It was alleged that [the] Principal did not allow for the minimum number of Physical Education hours during the previous school year (FY12) and kept two separate master schedules, in order to conceal this fact from the department providing oversight. The allegations regarding the Physical Education hours at South Olive [were] previously addressed by the Superintendent and Area Superintendent. [The Principal] is in compliance with the Physical Education requirements for the current school year (FY13).*

According to the Office of Professional Standards, the physical education issue was not discussed in more depth in the *Allegation Summary*, because the April 23, 2012, meeting and subsequent issuance of the meeting summary, was considered a personnel action and effectively prohibited any disciplinary action for the same misconduct.

This position appeared to be supported by the Summary Notes from a March 6, 2013 Pre-Determination meeting attended by the Principal, the Principal's attorney, Staff Association Representative, School District Counsel, and Office of Professional Standards staff. During that meeting, there was consensus that those items previously addressed in the April 23, 2012 meeting would not be readdressed, as follows:

Principal's attorney - *It has been resolve[d] by the school district by the Area Superintendent - it's gone.*

Staff Association Representative - *It's considered double jeopardy.*

School District Counsel - *The meeting took place on April 23, 2012, it's referenced in the [Administrative Review] report on page 5. That is in his report. It's not on the allegation summary as an allegation that you have to rebut.*

#### The Disciplinary Process and the Employee Investigation Committee

On May 2, 2013, a six-person committee plus a District Representative, Professional Standards Representative, and School District Counsel met to consider allegations against the then South Olive Principal. Although the EIC received the full file which encompassed the physical education issue, the alleged falsification of the *Master Schedule* was not specifically included in the allegations brought forward for consideration. The results of the EIC Findings and Recommendation found all allegations to be unsubstantiated (Exhibit 6, pages 51 - 52). Those allegations included:

- Professional Misconduct regarding the Educator's Obligation to the Public
- Ethical Misconduct
- Failure to Follow Policy, Rule, Directive

**Conclusion as to Allegation #1:** Records exist that the District did address the physical education issue in the *Administrative Review*, the *Allegation Summary*, and the April 23, 2012 and October 18, 2012 meetings. The allegation that *the District has yet to investigate the physical education issue despite the complainant's several requests and an investigation conducted by the Office of Professional Standards "wholly failed" to address the physical education issue of whether the former Principal submitted false Master Schedules* is **unfounded**.

**Allegation #2:** *The matter is substantively important as Physical Education minutes impact the FTE funding received by the District.*

The Director of FTE & Student Reporting stated that a misrepresentation, if any, regarding physical education minutes at South Olive would not result in financial consequences to the District (i.e., repayment of FTE funding). Further, the PE Administrator wrote in a September 23, 2011 email that the Department of Education advised “that there are no specific monetary fines sanctioned on a School District or principal if what is reported on the FTE is not actually happening (Exhibit 7, pages 53 - 56). There is also no loss in FTE dollars to the School District.”

The OIG independently confirmed the above with the State of Florida Auditor General’s Office. An auditor specializing in the Florida Education Finance Program stated their focus is on the school’s bell schedule, and confirmed that the District would not have been financially impacted should a misrepresentation of physical education minutes have occurred.

**Conclusion as to Allegation #2:** Based on staff reports and the independent confirmation by the Auditor General’s Office, the allegation with respect to physical education minutes impacting FTE funding is **unfounded**.

**Allegation #3:** *The former school Principal submitted to the district “false and fraudulent” reports regarding the amount of physical education time provided to students.*

Discrepancies were noted by the OIG as to physical education scheduling between the School’s *Operational Departmentalized Scheduling Worksheets*, indicating the students received one 15-minute increment of PE (Exhibit 8, page 57) and the *Master Schedule*, indicating the students received two fifteen-minute increments of PE (Exhibit 9, page 58). The discrepancies between the two schedules are consistent with the complainant’s assertion that the students received less than the required amount of physical education minutes.

The November 29, 2012, *Administrative Review* included an interview with the Principal that directly addressed the physical education issue, as follows (emphasis added):

*I asked [the] Principal if there ever was a time at South Olive Elementary School when it did not meet the required amount of PE time as specified by the State. [The] Principal . . . responded by stating that the school always met the requirements, plus or minus the fifteen minutes they were permitted for adjustments. [The] Principal conceded that at one time South Olive did not concretely get 30 minutes each day to meet the requirements but that is no longer an issue.*

*I addressed with [the] Principal . . . the issue about his falsely reporting that students were receiving PE at his school. [The] Principal responded to this by saying that every master schedule submitted to the District was approved by the district and met the requirements. [The] Principal . . . went on to say that the schedules were adjusted operationally, plus or minus 15 minutes, but took into consideration different circumstances that occur during the day.*

*[The] Principal admitted that there was a time when South Olive was deficient in the PE minutes but it has since been corrected.*

As discussed herein, the matter of physical education minutes at South Olive was both investigated and addressed by the District. However, we found no determination or conclusion by the District regarding the Principal submitting false and fraudulent documentation. Further, it does not appear that the District made any conclusion as to what extent and over what period of time South Olive was non-compliant with mandated physical education requirements.

On more than one occasion, the Principal indicated that previous District administration sanctioned flexibility in the actual number of physical education minutes allowed. The complainant submitted documentation that during their September 20, 2011 meeting with the Principal, the Principal spoke of “*permission given by administration to be off 15 min[utes] between the FTE schedule (the official one with the district/state) and the Operational schedule (the one used at the school).*” Further, the *Administrative Review* referenced the Principal alluding “*that he was given permission by a former Chief Academic Officer . . . to adjust his PE scheduling to suit the needs*” of South Olive.

The OIG obtained corroboration of the Principal’s assertion that adjustments to the PE schedule were verbally sanctioned by previous District administration. As confirmed by District staff, former District Administration had allowed Principals to reduce PE scheduling in exchange for increased time for core academics.

The Principal declined to be interviewed by the OIG for this investigation citing concern over his ability to fully and accurately recollect events that happened nearly three years ago.

**Conclusion as to Allegation #3:** There is sufficient documentation and statements attributable to the Principal to conclude that there were inconsistencies in PE time between the *Master Schedule* and the *PE Operational Schedule* actually carried out at South Olive.

However, there is insufficient evidence to substantiate the allegation that the Principal knowingly submitted “false and fraudulent” reports. Further, there is insufficient evidence that the Principal intended to deceive the District or conceal the actual physical education time at South Olive. The OIG has obtained verification consistent with the Principal’s assertion that flexibility in the amount of PE minutes was sanctioned by former District Administration. As a result, the allegation regarding the Principal submitting false and fraudulent reports is **unsubstantiated**.

#### **FURTHER ACTION**

No further action by the OIG is required.

The OIG has provided a draft copy of this report to the appropriate parties, who were given the opportunity to respond. No responsive comments were received.

# **EXHIBIT 1**

# **COMPLAINT LETTER**

December 18, 2013

Ms. Joni Loerhing  
Office of Inspector General  
School District of Palm Beach County

Joni:

Pursuant to our conversation in your office on December 16, 2013, and upon the recommendation of General Counsel JulieAnn Rico, I ask that the IG investigate a matter that was presented to Professional Standards for investigation, but was not addressed. Specifically, I am concerned that then-Principal Hank Smith submitted to the district false and fraudulent reports and that this District has not yet investigated that matter despite several requests from me that it do so.

In September 2011, then-Principal Hank Smith handed me documentation that I believe establishes that he submitted false and fraudulent reports regarding the amount of Physical Education time provided to students at South Olive Elementary School.

In March 2012, I presented to Superintendent Gent at our weekly meeting a document entitled "Policy Concerns Regarding 3/6/12 Forum with SOE Principal Hank Smith." In that document and in my discussion with the Superintendent I pointed out that SOE was providing less than the state-mandated number of PE minutes, but the master schedule submitted to the district showed compliance. Mr. Smith used a different "operational" schedule that showed the true schedule.

In April or May 2012, I asked PJ d'Aoust to address this same issue.

On January 8, 2013, I presented to the Superintendent a list of matters that I thought should be included in the district's ongoing investigation of Mr. Smith. That same day, I met with Detective Ezra Dilbert and presented him with a document titled "Details Regarding Investigation into South Olive Principal Hank Smith." The number 1 item on that list is:

"1. Hank Smith submitting documentation to falsely report that students at South Olive were receiving the required number of physical education minutes per week."

Pages 2-7 of the "Details" document provide facts and information regarding this issue. I was interviewed at length by Det. Dilbert about this issue.

Despite these numerous reports and information provided, the Allegation Summary for Professional Standards Case 12/13-064 fails to address this issue with any specificity. The entire treatment of this issue is as follows: "It was alleged that principal Hank Smith did not allow for the minimum number of Physical Education

hours during the previous school year (FY12) and kept two separate master schedules, in order to conceal this fact from the department providing oversight. The allegations regarding the Physical Education hours at South Olive was previously addressed by the Superintendent and Area Superintendent. Mr. Smith is in compliance with the Physical Education requirements for the current school year (FY13)."

Earlier this academic year, I met with HR Chief Sandi Gero and again later with Ms. Gero, Vince Caracciolo, GC Julie Ann Rico and members of the legal department. There seemed to be a general recognition that **Professional Standards wholly failed to address the issue of whether Smith submitted false master schedules. Also, neither the Superintendent nor the Area Superintendent has addressed this issue.** It is important to note that these schedules, as they relate to PE minutes provided, impact the FTE funding received by the district; i.e., they are substantively important, not mere formalities.

Given the seriousness of this issue, we discussed whether Professional Standards should go back and correct its report. GC Rico's opinion was that the Professional Standards investigation was closed and could not be re-opened. Instead, she recommended that I bring this matter to the Inspector General. Accordingly, I submit this matter for your consideration.



# **EXHIBIT 2**

## **OFFICE OF PROFESSIONAL STANDARDS ADMINISTRATIVE REVIEW REPORT (*REDACTED*)**



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Office of Professional Standards Administrative Review Report

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Office of Professional Standards  
File Number: 12/13 - 064  
Investigator: E. Dilbert  
Subject: South Olive Elementary School  
Investigation Date: November 29, 2012

Background

On or about the 30th day of October 2012, the Palm Beach County School District's Area 5 Office received a complaint from an individual who was identified as [REDACTED]. In her complaint, Ms. [REDACTED] wrote that she had an unpleasant encounter outside of school with Kerry Van Weddingen, Teacher, South Olive Elementary, in which Ms. Van Weddingen spoke unflatteringly toward a member of the South Olive Elementary Parent Teacher Organization, and a member Palm Beach County School Board. In addition, Ms. [REDACTED] inferred that she knew of misconduct by Hank Smith, Principal of South Olive Elementary School. [REDACTED] stated in her complaint that she was a full time class volunteer, an office volunteer, and an ESOL helper at South Olive Elementary School when her daughter attended. Ms. [REDACTED] wrote that she stopped volunteering because she became frustrated, disappointed, and intimidated by some of the things she witnessed at the school. Ms. [REDACTED] went on to say that she did not initially report what she saw because she feared retribution towards her daughter so she kept silent. However, Ms. [REDACTED] said that an incident which occurred on October 24, 2012, propelled her to report the behavior of a teacher from South Olive who she felt was being misguided by the principal.

Interview with

On November 29, 2012, the Palm Beach County School District Office of Professional Standards opened an administrative investigation regarding the complaint that was filed with Area 5 Office in reference to South Olive Elementary School. On November 30, 2012, I interviewed [REDACTED] in the conference room of suite A-128 at the Fulton-Holland Educational Center. I began the interview by asking Ms. [REDACTED] to identify herself and her association with South Olive Elementary School. Ms. [REDACTED] was then asked about the email she sent to the School District's Area 5 office which contained her complaint. Ms. [REDACTED] said that she was told that the Area 5 Office would be the place to address any concerns that she may have regarding the school so she sent them an email. Ms. [REDACTED] said that she was very apprehensive about voicing her concerns earlier because she feared retribution would be taken against her daughter while she attended the school. Ms. [REDACTED] said that her daughter is now in the eighth grade at BAK Middle School of the Arts and she thought that things would have changed at South Olive.

Ms. [REDACTED] said that she is still concerned about retribution against her daughter by the principal for speaking to the District about what she perceives to be unfair practices at South Olive Elementary. Ms. [REDACTED] said the incident she had on October 24, 2012, with Kerry Van Weddingen made her realize that things were the same at the school and she felt that she could no longer stay silent. Before I began to ask Ms. [REDACTED] any questions, I alleviated her concerns as it pertained to any retribution against her daughter by any School District personnel. I explained to Ms. [REDACTED] that School Board Policy 3.28 Whistleblower Protection Policy affords her the protection against any adverse actions by any school district employee as a result of her good faith revelation or participation in this investigation. I then asked [REDACTED] to share with me what happened on the 24th of October and she stated that while she was at the Bella Cafe waiting for her daughter to come out of the Lake Worth Playhouse; she was sitting outside with a friend having an espresso and talking when Kerry Van Weddingen walked by. Ms. [REDACTED] said that after exchanging pleasantries with Ms. Van Weddingen, she asked Ms. Van Weddingen how were things at South Olive. According to Ms. [REDACTED] Ms. Van Weddingen went off on a tirade about how [REDACTED] and [REDACTED] are ruining the school. Ms. [REDACTED] said that Kerry Van Weddingen was talking very loudly and using profanity when she was speaking about [REDACTED]. In her e-mail Ms. [REDACTED] wrote that Ms. Van Weddingen said "Don't f[REDACTED] get me started, I hate that f[REDACTED]. she is a [REDACTED]"

REDACTED



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Office of Professional Standards Administrative Review Report

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she needs to disappear from our school she is ruining everything. I hate that [REDACTED]". Ms. [REDACTED] said that initially she did not know who Ms. Van Weddingen was referring to as [REDACTED] so she asked her who that was and she replied "F [REDACTED] she is no good; she is a [REDACTED] and all those parents who side with her." [REDACTED] said what really bothered her was the offensive and nasty tone that Ms. Van Weddingen, a representative of the school, had while talking about parents and her students in public. Ms. [REDACTED] went on to state that Kerry Van Weddingen stated to her that if those kids, referring to the children of Ms. [REDACTED] and Ms. [REDACTED] were in her class she would not teach them. Ms. [REDACTED] went on to state that Ms. Van Weddingen continued on to include the district in her tirade; Ms. Van Weddingen went on to say "F [REDACTED] the District, I'm not going to do what they say." Ms. [REDACTED] said that what really concerned her was the comment by Ms. Van Weddingen in which she told her that she should be careful of her daughter. Ms. [REDACTED] said that when she asked Ms. Van Weddingen where did she get her information from she said from Hank Smith.

I addressed the concern that Ms. [REDACTED] had in regards to her daughter being "red flagged" by the principal or any other district personnel. I asked Ms. [REDACTED] where she had heard the term "red flag", and she said she heard it from some parents at South Olive. I explained to Ms. [REDACTED] that not all employees have access to student records and those who are authorized to access student records must do so by signing in to the system with their personal access code allowing us to identify all users of the database, thus the system tracks all changes and who makes them.

[REDACTED] also described how the principal treats students unfairly and how the school was divided. I asked Ms. [REDACTED] what did she mean by unfair treatment by the principal towards the students and she said that Principal Hank Smith favors the gifted students over the other students. Ms. [REDACTED] said that the school's administration has two sets of rules, one for the gifted students, and another for the general population. Ms. [REDACTED] said that Principal Hank Smith re-assigns students into his school's gifted program from the SAC area of Palm Beach Public Schools' area, which has its own gifted program. Ms. [REDACTED] also stated that the principal would deny students the required Physical Education times, or limiting the amount of PE they would receive. [REDACTED] also stated that when she was a member of the South Olive School Advisory Council, she stopped attending the meetings but she gave her permission for her name to be signed, to reflect as though she was in attendance to the head of the SAC committee. The entire interview with [REDACTED] was digitally recorded, copied to a compact audio disc, and will be submitted with this report.

#### Investigation

South Olive Elementary School is located at 7101 South Olive Avenue, in the city of West Palm Beach Florida; as per the 2012 eleven day count, the school has a student population of 703 students and serves grade level K thru 5. Hank Smith has been assigned as the Principal of South Olive Elementary School since July 3, 2006. According to the May SY12 Gold Report Summary, 43% of the school's students were in the South Olive Elementary School gifted program. Thirty five percent were male students, comprising of 111 students; forty nine percent were females comprising of 178 students, for a total of 289 students. Sixty one percent (6.1%) of the students in the gifted program were white, thirty nine percent (39%) were black, and twenty four percent (24%) were Hispanic.

The School Advisory Council (SAC) Area Planning Boundary is created to help identify where a student lives and to assist the School District in keeping student capacity within the required numbers. The boundaries of South Olive begin east of the school from the ocean, north to Southern Blvd, then west to Norton Avenue, south along Norton Avenue to Arlington Road then east to the ocean. According to the Palm Beach County School District Planning Department, SAC areas are re-aligned when necessary to keep the District in compliance. School Board Policy 2.09 (3) *School Advisory Councils, Composition of Councils*, suggests that membership of the SAC shall meet the requirements within Florida Statutes.

REDACTED



Office of Professional Standards Administrative Review Report

These requirements include that the SAC be composed of the school principal/director, who pursuant to the statutes must provide instructional leadership in the development, revision, and implementation of the school improvement plan, and an appropriately balanced number of teachers, education support employees, parents, business and community representatives. stated in her interview that she did not attend the SAC meetings, yet she gave permission for her name to be signed as though she was in attendance. School Board Policy, 2.09(5)(B)(iv) *School Advisory Councils, SAC Governance*, states, "Each SAC will adopt bylaws, including membership selection procedures that meet the requirements of Florida Statutes, State Board of Education Rule, and Board Policy; the bylaws must establish procedures for replacing any member who has two consecutive unexcused absences from SAC meetings scheduled according to the procedures in the bylaws." South Olive Elementary School SAC Bylaws, Article 4, *Membership Composition*, Section 6, states "No SAC member may miss more than three (3) SAC meetings during the South Olive Elementary School year." By her own admission, missed over three SAC meetings. Both the School Board Policy and the South Olive Elementary School SAC Bylaws mandate that she should have been replaced.

also stated that the principal of South Olive Elementary School populated the gifted program with students who reside in the SAC area of Palm Beach Public Elementary School. The School District of Palm Beach County has established policies and procedures for schools to follow in regards to gifted students. All schools that have a gifted program, full or part time, are broken down into five (5) areas with their feeder schools. South Olive has a full time gifted program and is listed in area 5; its feeder schools are the following; Berkshire, Cholee Lake, Forest Hill, C/O Taylor Kirklane, Meadow Park, Melaleuca, Palmetto and Pine Jog Elementary Schools. The School District defines a gifted student as one who has superior intellectual development and is capable of high performance. The District's established eligibility criteria state that a student is eligible for special instructional programs for the gifted from kindergarten through grade 12, if the student meets the following:

1. The student demonstrates:
  - a. The need for a special program
  - b. A majority of characteristics of gifted students according to a standard scale or checklist
  - c. Superior intellectual development as measured by an intelligence quotient of two (2) standard deviations or more above the mean on an individually administered standardized test of intelligence.
2. The student is a member of an underrepresented group and meets the criteria specified, in an approved school district plan for increasing the participation of underrepresented groups in programs for gifted students.

Reviewing the South Olive Elementary School gifted student roster for the present school year showed that two student's home school was Palm Beach Public School. These two students are a second and third grade student whose reason for re-assignment was listed as other. At first glance, the other students who are on the list appear to be in accordance with School District procedures and do not appear to support the allegation that was made by . However, closer scrutiny of School District records regarding the South Olive Elementary School gifted students roster revealed what appears to be an inordinate amount of student re-assignments. An analysis revealed that students currently attending South Olive Elementary School who are out of district totaled 30; while students currently attending South Olive Elementary School coded out of district 'E' for gifted totaled 32, bringing the total amount of reassigned out of district students at South Olive Elementary School to 62 students. School Board Policy 5.015, *Student Re-assignment* establishes the procedures for student reassignment and it covers all aspects concerning such requests.

In her complaint, also mentioned that the principal of South Olive Elementary School was not allowing students to participate in Physical Education; Ms. did not produce any documentation to

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substantiate her claim. School Board Policy 8.025, Physical Education, states that this policy is intended to fulfill the requirement under Florida Statutes Section 1003.453 and 1003.455 that school districts shall have a physical education policy to promote student health and wellness and the reduction of childhood obesity.

The District will follow State and Federal requirements for providing to students physical education, as defined within Florida Statutes Section 1003.01 (16) and encourage all students in pre-kindergarten through grade 12 to participate in physical education.

The 2008 Legislature passed Senate Bill 610 which was signed into law by the Governor of Florida on June 2, 2008. Senate Bill 610 requires the equivalent of one class per day of physical education for one semester of each year for students in grades 6 through 8.

1003.455(1), F.S. *Public K-12 Education, Physical Education*, states "It is the responsibility of each district school board to develop a physical education program that stresses physical fitness and encourages healthful, active lifestyles and to encourage all students in prekindergarten through grade 12 to participate in physical education"; 1003.455(3), F.S. states "Each district school board shall provide 150 minutes of physical education each week for students in kindergarten through grade 5 and for students in grade 6 who are enrolled in a school that contains one or more elementary grades so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day." If Principal Hank Smith denied students their right to participate in physical education, he would have done so contrary to School District policy and Florida State Statutes. I looked further into the allegation that Principal Smith did not allow students to have the required physical education time that is required by the State of Florida. Current records show that this school year, South Olive Elementary School was in compliance with the mandated requirements for Physical Education for the students as prescribed by the state. However, South Olive Elementary may have opted to exchange recess time, for extended educational instruction. School Board Policy, Chapter 2, General Administration, is intended to fulfill the requirement of Public Law and Florida Statutes that directs school district to have local school wellness policies to promote student health, safety and the reduction of childhood obesity, as well as to promote wellness for District employees. The policy does not specifically mentions recess, but Section 2.035(10) *Wellness Promotion*, states "Schools should instill patterns of meaningful physical activity connected to students' lives outside of physical education; and all school-based activities, to the extent practicable, should be consistent with the wellness goals of this policy and Policy 8.025 on Physical Education."

Interview with

On December 5, 2012, I interviewed \_\_\_\_\_ President, Parent Teacher Organization, South Olive Elementary School. Ms. \_\_\_\_\_ was mentioned in \_\_\_\_\_ email as one of the persons that Kerry Van Weddingen, Teacher, South Olive Elementary School, was talking unflatteringly about. I asked Ms. \_\_\_\_\_ if there was anything she would like to share with me in regard to South Olive Elementary School and she said yes there were things she would like to discuss. Ms. \_\_\_\_\_ began by saying that she is a parent and PTO President at South Olive Elementary; Ms. \_\_\_\_\_ has two children who attend the school. Ms. \_\_\_\_\_ said she basically got along with the principal until recently when Mr. Smith accused her of saying harmful things about the school at a SAC meeting. Ms. \_\_\_\_\_ went on to state that her experience at the SAC meetings with \_\_\_\_\_ has been that of parent to parent.

Ms. \_\_\_\_\_ said that last year, South Olive was not giving kids Physical Education and that Principal Smith told her he felt that Physical Education took away from instructional time. Ms. \_\_\_\_\_ said that

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Ms. . brought up the Physical Education issue to Principal Smith and he grudgingly changed it.

Ms. . went on to say that ever since this issue was brought to Hank Smith's attention by their relationship has been a contentious one. Ms. . went on to describe an atmosphere at the school that can best be described as divisive.

Ms. . indicated that Principal Smith fosters an environment of intimidation towards any parent who doesn't agree with him, and to certain staff members, as well as giving out misinformation as it pertains to her and Ms. . Ms. . went on to share with me emails that she felt were inflammatory and directed at . but not naming her specifically, accusing Ms. . of causing problems for South Olive Elementary School. Ms. . also indicated that she was aware of the comments that were made by Ms. Van Weddingen but she elected to ignore them; the entire interview with . was digitally recorded.

During the course of my investigation I spoke to other parents of South Olive Elementary School who shared similar experiences in regard to their dealings with Principal Smith. The common complaint made by the parents was that Principal Smith has created a climate of bullying, fear, and intimidation for parents who did not agree with him. The parents were afraid to come forward and have their names revealed because they feared retaliation by Hank Smith and held no trust in the School District to correct the situation at the school. Several of the parents claimed that they contacted the Central Area Office last school year, and the Area 5 Office, this school year with their concerns. I went to the Area 5 office and had copies made of all correspondences that they had regarding South Olive Elementary School. My review of the correspondences revealed parental complaints about issues such as the new grading system and concerns about their children; and a teacher's concern about the actions of the principal. Principal Smith corresponded with the Area 5 office mostly regarding personnel issues. I did not see a specific correspondence by Principal Smith to the area office addressing any potential problems he may have been experiencing with School Board Member . However, there was some correspondence from . as a Board Member, to the Area 5 office in regards to certain concerns that she had pertaining to incidents at South Olive Elementary School. One of the documented concerns that Ms. . had, was about being misquoted at a South Olive PTO meeting; another was in regards to her children who are students at South Olive Elementary School and a letter they were told to write; also there was an incident regarding a teacher in which Ms. . was misquoted; teacher training issues, and a response to a parent who had emailed her. Ms. . did not mention any specific incident which she felt needed to be addressed in regards to Principal Smith, but Ms. .

. was concerned that Mr. Smith was using the incidents politically. The Area 5 office did address the Physical Education issue at the school in a meeting with Principal Hank Smith that was held on or about October 18, 2012. During this meeting, which was attended by various School District representatives, guidelines were established to ensure that the students of South Olive Elementary were receiving the required amount of Physical Education as mandated by Florida Statute and District Policy.

In addition to the complaints documented by the area 5 office, I reviewed a correspondence from the central area office regarding Hank Smith and South Olive Elementary School. The correspondence, dated April 23, 2012, indicated that the Area Superintendent, Rod Montgomery, met with . and Hank Smith, to re-establish a positive relationship that the two previously shared.

During this meeting . expressed her concerns about some things such as, her children have been intimidated and harassed; the P.E policy was violated at South Olive; students were given gold coins equivalent to \$1 as an FCAT incentive, and her disappointment in Principal Smith for his



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unprofessionalism. Principal Hank Smith rebutted by saying that Ms. \_\_\_\_\_ children have not been discriminated against; a schedule is in place for Physical Education and any earlier issue has been addressed; providing incentives for students is allowed by the District. Principal Smith concluded his rebuttal by saying that Ms. \_\_\_\_\_ should be more cognizant of her influence as a Board Member and it was her inability to separate her various roles that has created issues with staff and members of the School Advisory Council.

Interview with,

On January 8, 2013, I interviewed Palm Beach County School District Board Member \_\_\_\_\_ at the Fulton-Holland Educational Service Center in the conference room of Suite A-128. Ms. \_\_\_\_\_ agreed to be interviewed without legal representation present. I informed Ms. \_\_\_\_\_ that she was not the subject of this investigation, but she had some involvement. I went on to explain to Ms. \_\_\_\_\_ that during the course of my investigation it was reported that her professional relationship with Principal Smith was a contentious one. Ms. \_\_\_\_\_ stated that her children attend South Olive Elementary School where Hank Smith is the Principal. Ms. \_\_\_\_\_ went on to explain that South Olive is her home school and she is an active parent at the school. Ms. \_\_\_\_\_ went on to say that as a parent she attends the Parent Teacher Organization meetings and the School Advisory Council meetings. Ms. \_\_\_\_\_ acknowledged that as a School Board member, South Olive is also one of the schools in her district. I asked Ms. \_\_\_\_\_ when she attends a PTO or SAC meeting, is she attending as a parent or as a Board Member. Ms. \_\_\_\_\_ stated that she attends the meetings, whenever she can, as a parent. When I asked Ms. \_\_\_\_\_ if she ever visited South Olive Elementary as a School Board Member, she acknowledged that she only went to South Olive as a Board Member on occasions when she was invited to at the school as a Board Member. Otherwise, Ms. \_\_\_\_\_ said that she is at South Olive Elementary School primarily as a parent. Ms. \_\_\_\_\_ acknowledged that there were times when she was at the school and she was posed with a question that required an answer in her official capacity as a representative of the School District. I asked Ms. \_\_\_\_\_ to share with me what she has experienced at South Olive, as a parent, and a School Board member; the following is what I learned. Ms. \_\_\_\_\_ said that initially, she and Principal Smith got along very well and were able to work hand in hand on issues to improve the quality of learning at South Olive. Ms. \_\_\_\_\_ stated that she really does not know when the relationship between herself and Hank Smith started to sour, but it happened over time. I pressed Ms. \_\_\_\_\_ to try and remember an incident that took place which she could point to as the start of the deterioration of their relationship.

Ms. \_\_\_\_\_ told me that the first disagreement between her and Principal Smith was over his scheduling of Physical Education for the students. Ms. \_\_\_\_\_ went on to explain that around September 2011, the Board had a workshop regarding Physical Education in the schools. Later, Principal Smith asked her if she could meet with him because he wanted to show her something. When she met with him, Principal Smith handed her two master schedules and proceeded to explain to her that one was his operational schedule, which he uses at the school, and the other was the Full Time Equivalent (FTE) schedule that he turned into the District. Ms. \_\_\_\_\_ said that initially she did not think much of what was handed to her because Principal Smith was so efficient in explaining everything about the schedules, even indicating that he had permission from the School District to adjust his scheduling in this manner. Ms. \_\_\_\_\_ said that the very next week she had a meeting some top level administrators of the District regarding the failure of schools to comply with the State's mandate on physical education. Ms. \_\_\_\_\_ stated it was at this meeting that she brought up that some principals have two schedules and learned that you cannot have two sets of scheduling. Ms. \_\_\_\_\_ went on to say that Judy Klinek, who was the Chief Academic Officer of the School District, explained to her that the FTE schedule is a legally binding document and it must be accurate. Ms. Klinek also told Ms. \_\_\_\_\_ that the Full Time Equivalent and Student Reporting Office of the School District monitors this and it is their responsibility to make sure that everyone is in compliance. Upon learning this, Ms. \_\_\_\_\_ said



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that she began to think about whether she should she tell them about Hank Smith or keep quiet. Ms. [redacted] said that at the meeting she did not tell them about what Hank Smith was doing. Ms. [redacted] instead approached Principal Smith a few days later and shared with him what she had learned about the FTE scheduling. Ms. [redacted] said that Principal Smith did not want to hear what she was saying and was adamant that he had permission from the District to do this. Ms. [redacted] indicated to me that Principal Smith was very angry with her for bringing the Physical Education issue up and he refused to budge from his position. Ms. [redacted] went on to show me some written notes that she took during her discussions with Principal Smith which quoted him saying "at South Olive we have 90 minutes of PE, and fake PE". Ms. [redacted] explained that the fake PE was scheduled for fifteen minutes in homeroom at the beginning of the day. During this time the students would do what was called their morning work, but nothing in the form of an exercise that would resemble physical education. Ms. [redacted] stated that she received the two different schedules from Principal Smith when they were on good terms with one another and he approached her with the schedule as a Board Member. Ms. [redacted] said that she felt she was being fair with Principal Smith by not reporting him immediately and giving him the opportunity to correct his error; but after a few months went by without him making any adjustments she felt that she had to act. Ms. [redacted] explained to me that because Hank Smith was the Principal of the school where her children attended, he had increased access to her. Ms. [redacted] explained that when she initially started as a member of the School Board she did not know anyone at the School District that would help guide her around and make her knowledgeable about the inner workings of the school district. Ms. [redacted] felt that Hank Smith would make a perfect fit for her and he was someone she could trust, right up to the point where they had a falling out.

When I asked Ms. [redacted] if there were any other incidents between herself and Principal Smith, she told me that there were. Ms. [redacted] showed me a paper which she had prepared which detailed her interactions with Principal Smith. The paper that Ms. [redacted] prepared had the following:

- Hank Smith submitting false documentation in regards to South Olive students PE
- Hank Smith's public discussion of a private email that Ms. [redacted] sent as a parent to her daughter's teacher
- Hank Smith's abuse of re-assignments of students
- Hank Smith's conduct at a meeting with the 4<sup>th</sup> grade class in which he talked about sex
- Hank Smith's improper comments after a April 17, 2012, SAC meeting & the December 4, 2012, PTO meeting
- Hank Smith's intimidation of select parents
- Standards Based Report Cards

Addressing the allegation that Principal Smith submitted false documentation regarding the actual minutes that the South Olive Students received PE, addition to what we already discussed, Ms. [redacted] provided this office with the following:

- Bulletin # BP-2001-C/K12C, dated September 14, 2011, from Judith Klinek, Chief Academic Officer to all elementary school principals, the subject was Physical Education Mandates. The bulletin indicates what 1003.455, F.S. requires. Ms. [redacted] also provided two scheduling charts that she said were given to her by Principal Hank Smith when he asked to meet with her about a workshop; the charts were clearly different. Ms. [redacted] also submitted an email which showed Principal Smith requesting to meet with Ms. [redacted] prior to the workshop. Ms. [redacted] also submitted her notes that she took at her meeting with Hank Smith. In addition, Ms. [redacted] also submitted an email from Principal Smith that indicated he made the appropriate changes in his master schedule to allow for the required amount of PE minutes. It





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is Ms. [redacted] contention that Principal Smith never employed the changes as he indicated and the children of South Olive still did not get the required amount of Physical Education minutes.

- A copy of an email that was sent to [jillian.baker@palmbeachschools.org](mailto:jillian.baker@palmbeachschools.org) from [redacted]@hotmail.com, the email included Ms. [redacted] cellular phone number, home number, and fax number. The contents of the email indicate that Ms. [redacted] was addressing with the teacher her child being withheld recess as a disciplinary action. [redacted] stated that as a parent she sent to her daughter's teacher a private email regarding a disciplinary matter. Ms. [redacted] said that Principal Smith publicly discussed her private email at the April 17, 2012, School Advisory Council meeting. Ms. [redacted] indicated that Principal Smith did not mention her name but referred to her as "external forces" or "forces".
  
- A copy of School Board Policy 2.035, Wellness Promotion, which is intended to fulfill the requirement under Public Law 111-296 and Florida Statutes Section 1003.453(1) that school districts shall have a local school wellness policy to promote student health, safety and the reduction of childhood obesity, as well as to promote wellness for District employees. Section 5 of this policy states that Food and/or physical activity should not be used as a reward unless for behavior management. Additionally, food and/or physical activity must not be used as punishment. It goes on to state that these statements are not intended to prohibit or limit such school activities as student recognition activities or events, or extra physical activities such as field trips that would involve a student's participating in physical activity. The verbiage of the school board policy does not specifically indicate if *withholding* physical activity is considered punishment, but it does say that it is not intended to prohibit or limit activities.

Ms. [redacted] also stated that sometime last year around November, before the end of the first trimester, Principal Smith had an assembly with the entire fourth grade class. At this assembly Principal Smith spoke to the students about sex and sexual positions. Ms. [redacted] said that subsequent to the assembly she approached Principal Smith and asked him if he was okay. Ms. [redacted] said that she told Principal Smith that it was not like him to talk to the students in that manner. During the course of this investigation I spoke to several parents who expressed their concerns with this incident but they were too afraid to speak out and complain to Principal Smith about it; the parents stated that they feared retribution against their children if they spoke up.

Ms. [redacted] registered her concern of Principal Smith enabling a select group of out of district families to attend South Olive Elementary School. Unknown to Ms. [redacted] the Office of Professional Standards had earlier conducted an inquiry into this very matter. During this inquiry it was learned that South Olive Elementary School does have an inordinate amount of re-assigned students. This investigation also revealed that some of Principal Smith's most vocal supporters are those parents whose children have benefitted from a re-assignment into South Olive Elementary School, currently and in the past.

Ms. [redacted] indicated that during the April 17, 2012, School Advisory Council meeting, Principal Smith, made improper public comments. Reviewing the minutes of the South Olive Elementary School Advisory Council meeting that was held on April 17, 2012, showed that Principal Smith addressed issues such as a motivation program for the students of the school; the school's budget; teacher allocation; PE scheduling; recess time and recess being used as a discipline, (*the minutes said that recess time discipline is now being dictated to him*); the Basic Angels Program; field trips, and the post Principal's Forum



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communications (the minutes said we currently have a new phase of external forces now pressuring upper level management at the District to get involved with South Olive's school based decisions).

Also, at the December 4, 2012, PTO meeting at South Olive Elementary School, Ms. \_\_\_\_\_ said that Principal Smith made some improper comments after the meeting.

\_\_\_\_\_ also expressed her concern about Principal Hank Smith's systematic intimidation of his staff, and select parents who disagree with him. Ms. \_\_\_\_\_ readily admitted that initially, she and Principal Smith shared mutual admiration for one another. Ms. \_\_\_\_\_ stated that when she first started in her position as a School Board member, Hank Smith had increased access to her because he was helpful and she felt as though he was trustworthy. Ms. \_\_\_\_\_ said that it wasn't until the issue about PE and Mr. Smith's belief that she reported on him about the FCAT prompt that the relationship started to sour. Ms. \_\_\_\_\_ said that for the greater good, she attempted on numerous occasions to put her differences with Principal Smith aside. Ms. \_\_\_\_\_ said that she met with Principal Smith along with other District officials in order to come up with a resolution but the efforts appeared to be in vain.

Ms. \_\_\_\_\_ also made an assertion that Principal Smith orchestrated a letter writing campaign against her through select parents. It was verified that the children of the parents who did send emails were on re-assignment to South Olive. However, this office was unable to establish with absolute certainty if the individuals acted on the behalf of the principal Hank Smith.

Ms. \_\_\_\_\_ also spoke about her belief that Principal Smith, in his effort to act in a punitive and retaliatory manner towards her; took actions that hurt the students. Ms. \_\_\_\_\_ cited Principal Smith's implementing usage of the Standards Based Reporting for grades 2 through 5, and instituting, ninety more minutes than the required one hundred and fifty minutes of Physical Education during the current school year. During my interview of Ms. \_\_\_\_\_ I asked her if she was ever put in a position where she was asked a question and had to answer as a school board member when she attended South Olive Elementary School PTO or SAC meetings as a parent. Ms. \_\_\_\_\_ stated, "yes" and explained to me that in the first SAC meeting of this school year Principal Smith asked the SAC to give their approval to roll out the usage of the Standards Based Reporting for grades 2 thru 5. Ms. \_\_\_\_\_ said that she found this to be unusual because since she has known Principal Smith he has been against the Standards Based Reporting. Ms. \_\_\_\_\_ said that Principal Smith has said that Standards Based Reporting is awful and the ruin of education. Ms. \_\_\_\_\_ stated that Principal Smith had his teachers vote on the usage of the Standards Based Reporting a year ago and they unanimously agreed that it was something they did not want to use. Based on this knowledge, Ms. \_\_\_\_\_ said that she thought it was strange that Principal Smith had completely reversed his position on Standards Based Reporting.

Ms. \_\_\_\_\_ explained that the School District had implemented a pilot program for usage of the Standards Based Reporting in elementary schools, only for Kindergarten and First grade. According to Ms. \_\_\_\_\_ Principal Smith asked the School Advisory Council to approve it for grades 2 through 5, saying that he wanted to get out in front of the District because it was inevitable that the district would move in that direction. Ms. \_\_\_\_\_ said that \_\_\_\_\_, School Advisory Council Chairman, South Olive Elementary School, asked her about it and she responded by telling him that she did not believe it was inevitable. Ms. \_\_\_\_\_ stated that she told him that the School Board was having a workshop on Standards Based Reporting, and that her mind was open on the issue.

I asked Ms. \_\_\_\_\_ what made Principal Smith reverse his initial position about Standards Based Reporting. Ms. \_\_\_\_\_ said that she did not know, but she believed that Principal Smith never



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changed his opposition to Standards Based Reporting, and that she thinks that he still believes that it is not good for the kids. Ms. \_\_\_\_\_ said that before she was elected to the School Board, it was Principal Smith who "spun her up" on the issue of Standards Based Report Cards. Ms. \_\_\_\_\_ went on to say that she believes that Principal Smith has great experience and skill in the educational field and knows how to set things up to be successful; he also knows how to set things up for failure and it is her belief that Principal Smith wants the roll out of the Standards Based Reporting at South Olive to fail.

Ms. \_\_\_\_\_ further explained that for the current school year the district expanded the use of Standards Based Reporting from twenty elementary schools to all, but just for use in Kindergarten and first grade. Training was provided for the Kindergarten and First Grade teachers in regards to the usage of the Standards Based Reporting. Ms. \_\_\_\_\_ said that because Principal Smith chose to implement the School Based Report Cards in his school for grades 2 through 5, he was responsible for the additional grade level teachers to receive training. Principal Smith did not get his teachers trained in Standards Based Reporting so they had no idea how to use it.

According to the Area 5 Office, a meeting was held with Principal Smith in regards to his school wide implementation of Standards Based Reporting. As a result of this meeting, Principal Smith subsequently scaled back his implementation of the Standards Based Reporting to what the District initially suggested. Also, in regard to Principal Hank Smith providing ninety additional minutes of physical education to the students of South Olive Elementary; the statute mandates a minimum standard of 150 minutes per week for elementary schools, but does not stipulate that this number should not be exceeded.

#### Investigation

Previously, I mentioned in this report that there were parents of South Olive Elementary students who were initially hesitant to come forward and speak because of the fear of retaliation by the principal. On January 8, 2013, South Olive Elementary PTO had a scheduled meeting with Principal Hank Smith; at this meeting they discussed several issues concerning the school.

It was reported to this office that when a parent asked Principal Smith what he was going to do with money the school received from the First Baptist Church of West Palm Beach, Principal Smith allegedly became enraged and refused to talk about the money, telling the parent to go get a public records request. This caused some concern with the parents and they reached out to report this incident to the District.

#### Interview with Parents

On January 11, 2013, I interviewed the following parents collectively at the Fulton-Holland Educational Service Center:

and \_\_\_\_\_ The following information is what was learned from this meeting.

The parents told me that during PTO meetings they discuss issues that concern the well being of the school as a whole. After these items are addressed, at the end, a brainstorming session is held to cover ideas and other items not on the agenda. It was during this brainstorming session that \_\_\_\_\_ asked Principal Smith about the \$20,000 that the school received from the First Baptist Church of West Palm Beach. Ms. \_\_\_\_\_ asked the Principal if the entire school population was aware of this donation and what was it going to be used for. Principal Smith's response was "if you want to know how this money is used you could pull a public records request". I asked the parents if they felt that Principal Smith was doing something illegal with the money and they simultaneously and unanimously responded no. The parents were concerned that they feel as though they are no longer able to work together with Principal Smith because he has created a climate of hostility at the school. They said that over the years the climate at the school has been one of intimidation by the principal; if you do not agree with him he considers you against him. \_\_\_\_\_ stated that she experienced this first hand from Principal Smith when she



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refused to have her child, who is a first grader, placed in a second grade class and do the second grade work, so that Principal Smith can accommodate a class size reduction in the first grade class. Ms. said that she refused to allow the principal to do this and he became very upset with her. The parents said that they did not come forward years ago because they love the school and the teachers, and they were afraid of Mr. Smith removing their children from the school.

stated that she is new to the PTO and the January 8, 2013, session was her first PTO meeting. Ms. said that she asked Principal Smith to explain what the \$20,000 was being used for. Ms. said that he responded to her by saying "that if we wanted to know how the money was being spent you could meet with me privately and I'll discuss it or you can do a public records request. It's a different a day at this school now". Ms. said that she was offended by the way Principal Smith responded because as a taxpaying citizen who has her children in a public school, she feels that she has a right to know how her child's school is spending money regardless of where the school receives the money from. I asked the parents why they feel that Principal Smith tries to control the PTO funds; the PTO President, who was present, stated that in the past the SAC and PTO were rubber stamping whatever Principal Smith wanted without question; Ms. said that this is no longer the case.

I asked the parents about First Baptist Church and Project Christmas. The parents said that Project Christmas was a benefit concert that was held by the church and the proceeds of the concert were going to be donated to South Olive Elementary School to help its needy students. The PTO President said that the church has always been involved with the school trying to do things to help the students. I asked the parents if they were aware of the video that was produced by the church promoting Project Christmas. Most of the parents did not know about the video, of the ones who were aware, some saw the video, others did not. Collectively they all agreed that they did not know about the filming of the video and did not give parental permission to have their children videotaped. The parents said that Principal Smith did not come to them after the video was made to let them know that their children might be on film.

I reviewed and downloaded the video off of the internet. The video begins with Principal Smith talking about his school and the prospective needs of its students. The video goes on to show clearly identifiable video shots of the students engaged in various activities throughout the school's campus, as a male voice does the talk over. Two of the parents who were at the January 11, 2013, interview stated to me that their children were in the video and they did not give permission for their appearance. The parents acknowledged that the video was for a good cause and support it; they just wish that the principal had asked them for their permission before allowing the taping of their children. School District protocol for the release of student's photograph and information can be found on page four (4) of form PBSB 0636, New and Returning Student Registration.

Parent stated that her daughter was in the fourth grade when Principal Smith gathered the entire fourth grade class and had an assembly in December of 2011. According to Ms. Principal Smith told the class that some of the fourth grade boys were downloading inappropriate sexual material on their cellular phones and sharing it with their friends. Ms. said that Principal Smith talked about sexual positions and sexual development. The parents voiced their displeasure about Principal Smith's reluctance to inform them about his intentions to hold the assembly giving the contents of his speech.

There was a strong persistent belief by the parents that the principal uses certain parents to attack Ms. and anyone who agrees with her. One parent said to me that she used to be best friends with another parent who is very vocal in her support of Principal Smith. The parent said that she limits her contact with her friend because of text messages she received which attacked Ms. I asked



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the parent if she still had the text messages on her phone and she indicated that she did. As I viewed the email, I asked the parent if I could view the message and send it to my email address; the parent indicated that she had no objections to me doing that. A copy of the text message was printed out and will be submitted with this report.

The parents also claimed that Principal Smith condones a climate of bullying and intimidation at the school, especially to those who do not agree with him. They said that this has been going on for years but the incident at the January 8, 2013; PTO meeting was a bit too much.

The parents indicated that over the past two years they have reached out to the Area Offices with their complaints but the issues have not been resolved. When I asked the parents if they had other individuals who would come forward to support their claims, they told me that most people are too afraid to come forward and speak out. The parents said that for the most part they agree with Principal Smith and some of the things that he does for the children, but his behavior over the past two years leaves them to feel concerned.

Investigation

Records from the School District's Accounting Services Department show that South Olive Elementary activity funds account indicate that the \$20,000 from the First Baptist Church of West Palm Beach, was deposited on the 19<sup>th</sup> of December 2012. I was also able to obtain an undated letter with the First Baptist Church letterhead which was written to South Olive Elementary School describing the donation to the school.

I also obtained a letter written by Principal Smith to the South Olive parents explaining about Project Christmas and the association between the school and the church. This letter was dated November 19, 2012, and was written on South Olive stationery.

The most recent School Effectiveness Questionnaire (SEQ) indicated that Principal Smith received a high overall rating from staff, parents, and students for his performance as Principal of South Olive Elementary School. During this investigation I asked \_\_\_\_\_, and some parents about the environment at the school. They all agreed that the school was split, teachers and parents alike, between those who are supportive of Principal Smith, and those who are not.

When I asked Ms. \_\_\_\_\_ what was the cause of her contentiousness with Principal Smith, she said that they mainly clash because she refuses to rubber stamp whatever he wants in regards to PTO fund expenditures at South Olive. Ms. \_\_\_\_\_ said that initially she and Principal Smith got along famously until she brought to his attention his oversight on the issue of physical education, and his misconception that she turned him in over the FCAT writes prompt. Both individuals stated that teachers at South Olive had approached them in one way or another and privately expressed their concerns in regards to Principal Smith and the climate of the work environment at the school.

Interview with Kerry Van Weddingen

I interviewed Kerry Van Weddingen, Teacher, South Olive Elementary, in regard to the comments that she allegedly made to \_\_\_\_\_. On January 15, 2013, Ms. Van Weddingen was interviewed at the Fulton-Holland Educational Services in the presence of her Classroom Teachers Association Representative Tony Hernandez. During this interview Ms. Van Weddingen displayed an aversion to being recorded on taped and requested to write out a statement. I had a series of questions that I requested Ms. Van Weddingen to answer beginning with if she knew \_\_\_\_\_ or \_\_\_\_\_ Ms. Van Weddingen stated that she knew Ms. \_\_\_\_\_ as a parent from South Olive but she did not know Ms. \_\_\_\_\_

When she was asked when was the last time she saw Ms. \_\_\_\_\_ Ms. Van Weddingen said that



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she saw her a few months ago in Lake Worth. I repeated to Ms. Van Weddingen each allegation, exactly as what Ms. . had written in her complaint, and asked her if she remembers saying any of it. Ms. Van Weddingen denied some of the statements and she said it or did not recall some of the other statements. Ms. Van Weddingen did say to me that she does remember saying that was trying to run South Olive and that the morale at the school was horrible. Ms. Van Weddingen said that they support Hank Smith at the school, but she did not recall saying that we will get rid of those who don't or that she won't teach certain children.

When I asked Ms. Van Weddingen why would say that you told her this; Ms. Van Weddingen said that she had no idea why. Ms. Van Weddingen went on to say that Ms. was a parent of a child that she never taught and she did see her a couple of months ago and they had a conversation about what was going on at South Olive.

Ms. Van Weddingen said that she told Ms. that morale was horrible because was telling the principal and teachers what to do. Ms. Van Weddingen concluded her statement by saying that it is her belief that Ms. is doing this because she is a supporter of Ms. and she is disgruntled with Hank Smith.

On December 17, 2012, Victoria DelValle wrote an email to Principal Smith in which she expressed concerns of being bullied, humiliated and was in fear of retaliation. Victoria DelValle has been employed by the Palm Beach County School District since August 9, 1999. Ms. DelValle is currently assigned to South Olive Elementary School where she is a teacher. In her complaint to Principal Smith, Ms. DelValle explained that on December 14, 2012, she learned about rumors spreading around the school that she was involved with some comment that was posted in a blog on the Palm Beach Post webpage. Ms. DelValle told Principal Smith that in response to an article, someone using an old email address of hers posted some mean spirited things about him. Ms. DelValle went on to say that one of the staff members at South Olive posted the comments on her office door along with a drawing of two sheep, a black sheep and a white sheep. Ms. DelValle indicated that she knew it was a staff member because on the morning of December 17, 2012, she returned to school to find the picture of the two sheep taped to her classroom door and she also found an identical sheep drawing inside of her classroom. Ms. DelValle stated that she always leaves her classroom door locked, so someone had to gain access to her room to do this. Ms. DelValle went on to express to Principal Smith that she should not have to be subjected to blatant bullying by his staff members and that she did not feel safe working at the school. Principal Smith forwarded the email to the Office of Professional Standards. This complaint was forwarded to the School Police Department for investigation.

Interview with Victoria DelValle

On December 20, 2012, I interviewed Victoria DelValle at the Fulton-Holland Educational Services Center. Prior to asking Ms. DelValle any questions, I explained to her that I was interviewing her in regard to the email that she sent to Principal Smith and the subsequent police report that she made as a result of the incident she described in her email. Ms. DelValle told me that she has been the ESOL Teacher at South Olive Elementary School for the past 2 ½ years. Ms. DelValle went on to state that on December 17, 2012, she arrived at work at 6:30 A.M. When she went to her office (Rm. 201) she noticed a sign with a white sheep and a black sheep taped to her door. Ms. DelValle told me that she still had the sign so I asked her to show it to me. I examined the sign and it had a sheep on the left (not colored in so it depicts a white color) pointing at a sheep on the right (darken in to appear black in color). The sheep on the left has the wording "WE KNOW" on top of it, and underneath the sheep on the right was the wording "Black sheep". The wording appeared to be cut out and placed over the drawings. I asked Ms. DelValle what inference did she take from receiving the drawing and she indicated to me that the drawing has



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racial overtones. Ms. DelValle said that initially when she received the drawing she knew it had to do with what was going on at the school.

Ms. DelValle explained that someone had used her email to voice their opinion about the

Hank Smith controversy in the blog section of the Palm Beach Post and the blog had a reference to sheep. However, the more she thought about it the more she felt that it was also racially motivated. Ms. DelValle said that the staff at South Olive Elementary School is primarily Caucasian and there are less than a handful of minorities who work at the school. Ms. DelValle went on to state that the Classroom Teacher Association Representative of the school had posted the blog outside her office door and had written on it "Thanks Vicky". Ms. DelValle said that someone came up to her office and told her that there was a big commotion going on downstairs about her. Ms. DelValle would not give me the name of the CTA representative of the school who posted the blog, but I subsequently learned that the representative for the school is

Knowing that Ms. DelValle was a current teacher at South Olive, I utilized the opportunity to ask her some questions about the work environment at the school and what her personal experiences were other than this recent one. I went on to ask Ms. DelValle if the school was divided about what was going on. Ms. DelValle stated that the teachers she has talked to are supportive of Hank Smith but they do not know what is going on, they just follow him blindly. I asked Ms. DelValle if she knew of any instance where

came to South Olive as a Board Member and tried to impose her will on anyone. Ms. DelValle stated that Ms. just wanted Principal Smith to follow the rules about PE. When I asked Ms. DelValle if Principal Smith treats the gifted students at South Olive differently than the regular population, she said that she does not think that he does it consciously, but the most vocal parents at the school are the ones with children in the gifted program. Ms. DelValle said that all everyone else wants is to be treated fairly. Ms. DelValle stated to me that I would be very hard pressed to find a teacher that would be not afraid to talk to me. Ms. DelValle stated that it was not true when Principal Smith said that Ms.

was picking on his teachers. Without mentioning names, Ms. DelValle said that Ms. picked on two of Principal Smith's favorite teacher whom he goes out and socializes with and that's why he got so upset. Ms. DelValle said that if Ms. had picked on her it would not have been an issue. I asked Ms. DelValle if she felt threatened being in the school and she said that she did. She also said that she went to Principal Smith and told him her concerns for her safety. Ms. DelValle did not say that anyone has physically threatened her, but she is just worried about what could happen.

Ms. DelValle acknowledged the fourth grade assembly incident where Principal Smith spoke to the class about sex. Ms. DelValle also shared with me an incident in which she felt as though she was bullied by Principal Smith. Ms. DelValle said that a year ago she was absent a lot from work due to illness. Principal Smith told her that either she corrects the problem or he will make sure that it is reflected in her evaluation and put her back on an annual contract. Ms. DelValle said that Principal Smith stated to her that he can easily do that through the Marzano observations. Ms. DelValle was so concerned about losing her job that she had a baby by on September 12, and was back to work by September 27. I asked Ms. DelValle if she knew of other teachers who may be willing to come forward with whatever grievances they have regarding Principal Smith. Ms. DelValle did not say no, she answered by saying that she seriously doubts it. I stated to Ms. DelValle that if it were not for this incident with the drawing being placed on her door, she would not have come forward either, Ms. DelValle agreed with my assessment.

Ms. DelValle indicated that the atmosphere at the school is very tense because they fear retaliation from the principal if they go against whatever he wants or says. Ms. DelValle said that Principal Smith targets teachers who he feels that are not "South Olive" quality teachers and that she herself was once a target. Ms. DelValle said that she is in fear of Principal Smith affecting her career aspirations because she feels



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that he is influential in the District and that he would find a way to get rid of employees if he does not like them.

Interview with Hank Smith

On January 25, 2013, I conducted an interview of Principal Hank Smith at the Fulton-Holland Educational Services Center. Present with Mr. Smith were Ben Marlin, Staff Association Representative, and Thomas Earl Eifers, counsel to Hank Smith. Prior to asking Mr. Smith any questions I advised him that I was going to extend to him Garrity Rights which were read into the record and Mr. Smith acknowledged that he understood. Principal Hank Smith stated that he has been the Principal at South Olive for the past nine years. I asked Principal Smith if he knew why he was here and he indicated that he did not know. I told Mr. Smith that he was here to address certain allegations that were made in a complaint which was lodged with the District. I explained to Mr. Smith that I was going to divulge to him the names of the person(s) who made a complaint against him, but prior to doing so I asked him if he was aware of School Board Policy 3.28(7) *Whistle Blower Policy, Protection from Adverse Personnel Action or Retaliation*; Principal Smith indicated that he is aware of the policy.

When asked if he knew [redacted] or Kerri Van Weddingen, Mr. Smith said, "yes" and went on to explain that [redacted] is the parent of a former student at his school and Kerri Van Weddingen is currently a teacher on his staff. I explained to Mr. Smith the conversation that took place between Ms. [redacted] and Ms. Van Weddingen, and what Ms. [redacted] had said regarding how Ms. Van Weddingen obtained her information. Principal Smith said he did not have any issues with Ms. [redacted] that he could recall and he has no knowledge about the email Ms. [redacted] sent; nor what Ms. [redacted] or Ms. Van Weddingen talked about. Principal Smith said he did not say anything negative about anyone to Ms. Van Weddingen. Mr. Smith said he attends most of the PTO and SAC meetings and he feels as though he has a good relationship with both.

When asked if he remembered what was discussed at the April 17, 2012, SAC meeting; Mr. Smith said he could not recall. I specifically asked him if he talked about denying recess as a form of punishment at this meeting. Mr. Smith replied that he did not remember. On the issue of how many re-assigned students were at South Olive Elementary, Principal Smith said that he did not know how many students were re-assigned to his school because the re-assignments are done by the Choice Programs Department at the District. An allegation was made that Principal Smith, in order to meet class size reduction, wanted to put first grade students into the second grade to make room in the first grade. When asked about this Principal Smith said that he only moved students that were in a split class. Principal Smith explained that if he had a split class of first and second graders he would move those students around if it was necessary to reduce that class size. I went on to ask Principal Smith what his feelings about the Standards Based Report card. Principal Smith said that it was a good tool to judge the progress of a student.

When asked if Physical Education detracts from instructional time, Principal Smith left no doubt on where he stood on this subject, he explained that the time which is mandated by the State for Physical Education can be better utilized to give students valuable instructional time.

I asked Principal Smith if there ever was a time at South Olive Elementary School when it did not meet the required amount of Physical Education time as specified by the State. Principal Smith responded by stating that the school always met the requirements, plus or minus the fifteen minutes they were permitted for adjustments. Principal Smith conceded that at one time South Olive did not concretely get thirty minutes each day to meet the requirements but that is no longer an issue.

Principal Smith was asked since he runs a very tight ship, does it upset him when someone does not toe the line of expectation. Principal Smith said that is a challenge of administration that he has always faced.





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Principal Smith said that he considers his relationship with the parents of South Olive Elementary to be excellent but there are some parents that he cannot please. I asked Principal Smith how he considers his professional relationship with School Board member . Principal Smith said that she is no different than any other parent at the school. Principal Smith went on to say that she is a parent at the school that should be respected as such, communicated with and listened to as a parent. Principal Smith said that Ms. is not a School Board member in authority until she is sitting up on the dais during school board meetings. I asked Principal Smith if as a School Board member, attempted to interfere with the day to day operation of South Olive Elementary School; Principal Smith answered yes, but did not go into the details of how she may have interfered. Principal Smith cited his complaint which he has filed with the Office of Investigator General as the reason why he won't elaborate.

Principal Smith said that he has tried to work through his differences with Ms. but he has not seen or experienced a difference. Principal Smith agreed that the relationship with Ms. is a contentious one but it was not always like this. Principal Smith acknowledged that in the beginning everything seems to be fine but things gradually declined. Principal Smith indicated to me that it appears that his relationship with Ms. really went downhill over the issue of recess. I addressed with Principal Smith the issue about his falsely reporting that students were receiving Physical Education at his school. Principal Smith responded to this by saying that every master schedule submitted to the District was approved by the district and met the requirements. Principal Smith went on to say that the schedules were adjusted operationally, plus or minus 15 minutes, but took into consideration different circumstances that occur during the day.

Also addressed with Principal Smith was the allegation that he discussed a private email that was sent by Ms. to her daughter's teacher publicly; Principal Smith denied doing so.

As for the allegation that he has allowed a select group of out of district parents to attend South Olive Elementary; Principal Smith said that is not true because he does not approve reassignments, the District does. When asked if he implemented Standards Based Reporting for the entire school so that it could fail, Principal Smith denied that was his intention and he feels that the Standards Based Reporting is a useful tool.

The assembly with the fourth grade was brought up and Principal Smith was asked if he remembered what he said to the fourth grade class. Principal Smith said that he explained to the students what behavior was not acceptable behavior and he did not talk to them about sex or sexual positions.

I asked Principal Smith about Project Christmas video with the First Baptist Church of West Palm Beach and if the school had releases from the parents whose children appeared in the video. I explained to Principal Smith that some parents complained that they were not aware of their child being in the video and did not give their permission for their image to be used. Principal Smith said that the parents give permission by checking a release in the back of the student handbook at the beginning of the school year and his teachers are responsible to gather the information from their students. Principal Smith said he does not have a list of who signed the release or not and it may be possible that some parents did not sign the release. In regards to the PTO meeting that was held on January 8, 2013, when some parents questioned what the school was going to do with the money. Principal Smith said that he was approached by some parents who kept asking him about the money and he had told them that he did not have his folder with him so he didn't want to answer any questions without it. Principal Smith said that he told them that the money was already deposited and he didn't have his folder to answer any further questions. Principal Smith went on to say that the parents kept questioning him after he explained that he did not have his folder so he told them they could always make a public records request if they didn't trust him.



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I asked Principal Smith if he felt that his staff or the parents were divided and he said that he did not. Principal Smith was asked if he socializes with his staff members outside of school and he said that he does not. I concluded my interview by asking if he was familiar with the complaint that was filed by Victoria DeValle, a teacher at his school. Principal Smith said that he was aware of the complaint that Ms. DeValle filed with the School Police about her incident. Principal Smith was asked if he were aware that Ms. DeValle's incident is directly related to the ongoing issue between Ms. [redacted] and him. Principal Smith said that he does not know what the motivation of the person who sent the drawings had; he said that when he received the complaint from Ms. DeValle he immediately notified the School District.

Interview with:

On February 1, 2013, I interviewed [redacted] and [redacted] parents of two students who currently attend South Olive Elementary School; the interview took place at the Fulton Holland Educational Services Center. Mr. & Mrs. [redacted] met with me because they were concerned with a letter that they had received from Principal Smith regarding their residency issues. I asked the [redacted] what involvement, other than as parents of two students, did they have with South Olive Elementary School. Mr. [redacted] said that he is the Vice-Chairperson of the South Olive School Advisory Council and Mrs. [redacted] said that she is the Vice President of the South Olive Elementary School Parent Teacher Organization. The [redacted] stated that they have been working with the school for years and have a great relationship with Principal Hank Smith. Mr. & Mrs. [redacted] also stated that for the past four (4) years they have used the address of their business which is located at [redacted], to establish eligibility to Palmetto Elementary School which feeds into South Olive. The [redacted] went on to state that it was not their intent to commit any fraud and they were forthcoming with school officials that [redacted] was not their residence. I checked in T.B.R.M.S and confirmed that [redacted] and [redacted] have two girls enrolled in the gifted program at South Olive Elementary School.

[redacted] is a third grade student who has been at South Olive since August 18, 2009, when she entered Kindergarten and [redacted] is a second grader who has been at South Olive since August 17, 2010, when she entered Kindergarten. This information which was taken directly from the demographics, assignment history, and special programs screen of T.B.R.M.S; appear to contradict the claim of the [redacted] that they were forthcoming with the school officials at Palmetto Elementary School. According to T.B.R.M.S, [redacted] student identification number [redacted] and [redacted] student identification number [redacted], never attended Palmetto Elementary School. I asked the [redacted] if Principal Smith was aware that they did not reside within the South Olive boundaries; Mr. [redacted] said that the principal became aware of this approximately a year ago and told him that he doesn't see where it's a problem. Mrs. [redacted] added that everyone knew because they did not try to hide it. The [redacted] were asked to describe their working relationship with Principal Smith as the SAC vice chairperson and as the vice president of the PTO. Mr. [redacted] said that his relationship with the principal is very good and he thinks very highly of the way he runs the school; Mrs. [redacted] also agreed to the same. I asked the [redacted] if they were aware of the turmoil that is currently going on at South Olive Elementary School, they said that they have heard about what was happening but they really don't know what is going on between Hank Smith and [redacted]. The [redacted] said that regardless of what was going on; they support Hank Smith and the way he runs the school. Mr. [redacted] Mrs. [redacted] went on to state that there are some parents who have taken sides and it has created a divisive environment at the school. I went on to ask Mr. [redacted] if the divisive environment at the school has affected any SAC meetings; Mr. [redacted] said that it has not but he said that about a year ago, at the April 2012 SAC meeting it was brought up that the principal's prerogative to manage the school being taken away by the pressure of [redacted]. Mr. [redacted] said that at this meeting he made a

REDACTED



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motion to support Principal Smith and her school based decisions and the motion passed unanimously. I asked Mr. [redacted] when he was at a SAC meeting as the vice chairperson, if he ever felt any pressure from [redacted] as a School Board member. Mr. [redacted] said that he would not say so but he did defer to her during a meeting, as a School Board member for her input. I went on to ask Mr. [redacted] if Principal Smith ever shared with him any information as it pertained to the interference and/or pressure that he has claimed he has experienced from [redacted]. Mr. [redacted] said that Principal Smith never said what Ms. [redacted] has done; the only thing that Principal Smith discussed was the PE issue at a SAC meeting. I specifically asked the [redacted] if they have any direct knowledge of [redacted] using her position as a Palm Beach County School Board Member to influence a SAC or PTO meeting. Mrs. [redacted] stated that Ms. [redacted] has not been attending the recent meetings but she remembered one meeting there was an issue up for discussion and when they asked Ms. [redacted] what the School Board thinks about the issue, Ms. [redacted] replied that she was not there as a School Board Member, but as a parent. The [redacted] stated that Ms. [redacted] has always been clear about when she is a parent and when she is acting as a school board member. The [redacted] said that the parents of South Olive have their own perception of what is going on between Principal Smith and [redacted] and they have divided themselves along those lines.

The [redacted] agreed that the overall climate at the school has gotten to the point where it is becoming detrimental to the learning environment. The [redacted] felt that as a result of what is going on at South Olive Elementary, they are being targeted because there are other families at the school who are also out of district.

Prior to concluding my interview with the [redacted] I brought back up the April 17, 2012, SAC meeting; I asked Mr. [redacted] if he can recall what was discussed at the meeting. Mr. [redacted] said that he recalled that they talked about school based decisions were being curtailed. Mr. [redacted] said that Principal Smith felt that he was not being allowed to have the discretion or leeway to do things the way he has been doing them before. Mr. [redacted] said that Principal Smith blamed [redacted] for this and felt that she was overstepping her authority as a school board member. Mr. [redacted] went on to explain that this all stemmed from the PE and recess issues. He stated that he didn't recall if the PE and recess issue was specifically spelled out in the meeting but everyone who were in attendance at the meeting knew that Principal Smith did not let [redacted] daughter out for recess one day because she did not finish her assignment. Mr. [redacted] went on to say that Principal Smith had asked the teachers not to allow recess if the children did not finish their work. Mr. [redacted] said that this PE and recess issue is one where he would say that [redacted] used her influence as a School Board member. I explained to the [redacted] that the PE policy is something that is mandated by the State of Florida and that all School Districts must abide by it. I concluded my interview with the [redacted] by asking them how they stay neutral with everything that's been going on at the school. Mr. [redacted] said that staying neutral has become a challenge with the circus like atmosphere at the school and the parents taking sides. Mrs. [redacted] added that the whole school is walking on eggshells; she explained that there are teachers who feel like they can't trust anyone because they are afraid to be perceived as being aligned with Principal Smith or [redacted]. The entire interview with [redacted] and [redacted] was digitally recorded and copied to an audio disk.

During the investigation, the Office of Professional Standards learned that Legal Aid Attorney Barbara Briggs, on behalf of a client, had previously filed a discrimination complaint against Principal Smith. In the complaint it was alleged that Principal Smith possibly subjected a student to disability and national origin discrimination. The complaint was investigated by School District ADA/504 Specialist Debra Neeson Okell, (complaint # 06-21-12), the investigation was inconclusive as to determining if Principal Smith committed a violation or not.

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In her report, Ms. Okell wrote that Principal Smith said that when he receives a complaint about the residency of a student, he sends the parent a letter requesting verification of domicile. Principal Smith stated that many times the calls are regarding students who are either discipline problems who display bullying behavior or are threatening to other students. As a result of this complaint, other parents of students were found to have received Proof of Residency letters from Principal Smith that the parents seem to question. These parental concerns were addressed by the Human Resources Relationship Manager, Vince Caracciolo, who subsequently turned over the complaint to the Area Superintendent Jan B. Saltzman. In a letter dated September 6, 2012, the area superintendent sent to Principal Smith a letter titled conference notes for Principal Hank Smith. In this letter the area superintendent wrote in part, "Although I believe your intention was to strictly follow School District Policy 5.011, by sending letters to parents whose children may have been the subject of retaliation, you unintentionally sanctioned this retaliation." Principal Smith responded back in a letter dated September 12, 2012, that he strictly followed School District Policy 5.011 and never retaliated or sanctioned retaliation against any student or parent at South Olive Elementary School.

The Palm Beach County School District Office of Professional Standards acquired the names of the students that were sent Proof of Residency letters from South Olive Elementary School. Of the twelve notifications for residency verification that were sent in the 2011 school year, eight (8), had addresses that were within the boundaries of South Olive Elementary School. Of the five notifications for residency verification (5) that were sent in the 2012 school year three (3) lived within the boundaries of South Olive Elementary School. With the exception of one, all of the students whose parents were sent this letter were not in the gifted program at South Olive Elementary School. The addresses that were checked are listed as home addresses in T.E.R.M.S which is used to by the School District to maintain student records.

SUMMARY

As a parent of children attending a Palm Beach County School, School Board member, [redacted] is entitled to the same rights afforded to every parent at any school, including the same accessibility to the Principal that is given to the other parents. (Ref: DOAH Case # 09-388EC, Final Order # 09-241) As the Principal of a school, Hank Smith, unless warranted, should be able to administer his responsibilities as a principal without undue oversight. Both, Principal Hank Smith and School Board Member [redacted] agreed that their professional relationship began as a friendly working one and slowly deteriorated to the point where it is today. As a result of the contentiousness, South Olive Elementary School currently exists in a fractured environment with parents taking sides. Some South Olive parents are in discord with the school's principal, and others support him wholeheartedly. Some issues that were presented by the parents against Principal Smith have merit, while others are just misinformation or a misunderstanding. After several attempts of mediation, Ms. [redacted] and Principal Smith still have not resolved their differences.

The perception that [redacted] uses her position as a Palm Beach County School Board member to foster her will at the school is at best an inference of the individual. No evidence was uncovered as a part of this investigation which suggests that [redacted] abused her authority as a School Board Member.

During her interview, [redacted] stated that Principal Hank Smith was not giving the students of South Olive Elementary School the required amount of physical education. Principal Smith admitted that there was a time when South Olive was deficient in the PE minutes but it has since been corrected. [redacted] indicated that Principal Smith in his effort to act in a punitive and retaliatory manner towards her has taken actions that she felt hurts the students that he serves. Ms. [redacted] cited Principal Smith's decision to adopt a PE schedule that provided 90 minutes more weekly PE than the State mandated 150 minutes. The State mandates that 150 minutes of PE must be met, but it does not say



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that 150 minutes cannot be exceeded. However, during his interview Principal Smith was asked if Physical Education detract from instructional time and he answered very much so. Principal Smith went on to say that the PE time should be utilized for more valuable instructional time, but did not discuss why he has allotted more than the required minimum time for this school year.

Principal Smith alluded that he was given permission by Jeffrey Hernandez, Chief Academic Officer, of the District at the time, to adjust his PE scheduling to suit the needs of his school. In bulletin # EP-2001-C/K12C, dated September 14, 2011, issued by Judith Klinek, Chief Academic Officer, to all elementary school principals, Ms. Klinek addressed what was expected of the principals in regards to Physical Education Mandates. The bulletin did not cover if any time adjustments were permitted to be made to the scheduling. If Principal Smith did have some type of agreement with then CAO Jeffrey Hernandez to adjust the PE minutes at South Olive, this agreement would be negated by the bulletin which was issued by Judith Klinek, who succeeded Mr. Hernandez.

As for Principal Smith allowing "out of district" students to attend his school, South Olive Elementary School is a school with a gifted program which has approximately sixty students who are reassigned there. When asked about the reassignments, Principal Smith said that he does not make the reassignments, the District does. Technically, he is correct with this assertion, that the reassignments were approved by the Office of Choice Programs, however, checking with the School District's Choice Program, it was learned that in the past, the previous administration at Choice Programs liberally approved requests from South Olive in regards to who apply for reassignment there (see Exhibit 1). Records show that there are students enrolled in South Olive Elementary School's gifted student program that should be in other gifted programs that are closer to where they reside. The current administration at Choice Programs has made corrections going forward in regard to the proper protocol for reassigned students.

When asked, Principal Smith said that he considered his relationship with the parents and the PTO to be a good one. During the course of the investigation it was learned that Principal Smith and the South Olive PTO did enjoy a closer relationship than it currently does and his relationship with the members of the School Advisory Council remains the same, basically because the majority of the committee are the same people.

I spoke at length with the current PTO President, \_\_\_\_\_ who indicated that the disagreements between the current PTO and Principal Smith stem from the PTO's unwillingness to just blindly rubberstamp whatever he requests. Ms. \_\_\_\_\_ said that in the past, Principal Smith would request PTO funds for items for the school and the PTO would give him whatever he requested. The current PTO asks questions of the principal as to the necessity of the request regarding the use of PTO funds and this seems to have rankled Mr. Smith.

Some parents, even though they agreed that the Project Christmas Program is noble and beneficial to the school, complained that they did not give specific permission for their children to be filmed. Video footage for Project Christmas that was sponsored by the First Baptist Church of West Palm Beach was filmed on the South Olive campus; in the video, the children shown are clearly identifiable. When interviewed, Principal Smith conceded that some parental permission may have been an oversight.

Regarding their work relationship, \_\_\_\_\_ felt as though they have reached a point where it is irreparably damaged, and Principal Smith stated that he has tried to come to a resolution but he has not seen any improvement. I asked Principal Smith when he thought his relationship with Ms. \_\_\_\_\_ went awry, Principal Smith stated that it started around the time of the recess issue.




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When asked if he discussed publicly a private email of Ms. \_\_\_\_\_ which was sent to her daughter's teacher, Principal Smith said that he did not. The email in question was sent by Ms. \_\_\_\_\_ to her daughter's teacher Jillian Baker. In the email Ms. \_\_\_\_\_ tells the teacher that her daughter told her that she did not participate in recess for ten (10) minutes because of misbehavior. Ms. \_\_\_\_\_ asked the teacher to let her know if her daughter was misbehaving and left her contact information for the teacher. Ms. \_\_\_\_\_ also referred the teacher to School Board Policy 2.035.

At the April 17, 2012, SAC meeting the topic of recess discipline was discussed by Principal Smith. From the minutes of the SAC meeting that was prepared by the secretary \_\_\_\_\_, under Principal's Report, bullet point number 7, starts with Recess Time and Recess being used as a discipline. Mr. Smith said that he does not dictate the time or schedule to the teachers. The issue came up because of one time where a teacher kept four children from five minutes of their recess time for not listening to the teacher when it was time to line up. Now recess time discipline is now a big issue and policy is being dictated to Mr. Smith. It ends with Mr. Smith continuing to note that our children are learning in the moment. Also in the minutes under Principal's Report, bullet point # 5, Principal Smith is credited with saying "We currently have a new phase of external forces now pressuring upper level management at the District to get involved with South Olive's school based decisions.

In her interview stated that Principal Smith treated the gifted students differently than the rest of the student population of South Olive. Ms. \_\_\_\_\_ did not provide any specific details that would substantiate her allegation. During her interview, Victoria DelValle, a teacher at South Olive, was asked why someone might think that Principal Smith treats the gifted students differently from the rest of the student population. Ms. DelValle said that she does not think Principal Smith does it consciously; also during her interview she stated that if Principal Smith does not like you he will find a way to get rid of you.

The discord that has been expressed by parents of the South Olive Elementary community, regardless of which side of the issue they are on, lends itself to a divisive environment. Regardless of what the motivation may be, some parents want change and are vocal about it, others want things to remain as they are, while the rest are just sitting back waiting, and observing what the District will do, because they are too apprehensive to voice their opinion on the matter. I was unable to interview staff members of South Olive, other than Victoria DelValle, because they were too afraid to go on record with a statement of what they have experienced at the school. There must be a resolution to this issue, and whatever remedies are visited by the School District; someone will be left with a feeling of disservice.

This concludes the report from the investigator of the Palm Beach County School District Office of Professional Standards as set forth on this 6<sup>th</sup> day of February 2012.

# **EXHIBIT 3**

## **OFFICE OF PROFESSIONAL STANDARDS ALLEGATION SUMMARY (*REDACTED*)**



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Allegation Summary

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Professional Standards Case: 12/13-064  
Employee Name: Hank Smith  
EID: 1016768  
Position: Principal  
Hire Date: 08/04/2004  
School/Work: South Olive Elementary School  
Principal/Supervisor: Ian Saltzman, Area Superintendent  
Report Prepared by: Britoni Garson  
Date Prepared: 02/26/2013

On February 6, 2013, Investigator Ezra Dilbert submitted an investigation conducted into allegations that were made concerning South Olive Elementary School. Detective Dilbert interviewed several parents, former parents, two staff members from South Olive Elementary; School Board Member Jennifer Prior-Brown and Principal Hank Smith regarding these allegations. During the course of the investigation, there were many issues which were disclosed to Detective Dilbert. These issues include:

Issue A: It was alleged that Principal Hank Smith allowed several out of area gifted students to attend South Olive Elementary School. Detective Dilbert's report confirms that there are a large number of gifted students attending South Olive. However, these students proved to be either part of the feeder pattern for the school or placements which were approved by the Office of Choice Programs.

Issue B: It was alleged that Principal Hank Smith did not allow for the minimum number of Physical Education hours during the previous school year (FY12) and kept two separate master schedules, in order to conceal this fact from the department providing oversight. The allegations regarding the Physical Education hours at South Olive was previously addressed by the Superintendent and Area Superintendent. Mr. Smith is in compliance with the Physical Education requirements for the current school year (FY13).





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Allegation Summary

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**Issue C:** It was alleged that Principal Hank Smith had an assembly with the fourth grade students where he discussed sex and sexual positions, which many parents considered to be inappropriate. In his interview with Detective Dilbert, Mr. Smith denied that he made any reference to sex or sexual positions at the assembly. There is no record of exactly what was said at the assembly. Further, though this activity was recounted by several of the parents, there is no way to independently corroborate the parents' accounts of the assembly because they have had access to each other and opportunity to discuss what was heard. Therefore, it would be difficult to develop the preponderance of evidence necessary for disciplinary action regarding this charge.

**Issue D:** It was alleged that Principal Hank Smith initiated the use of Standards Based Report Cards for grades 2-5, prior to the District implementing that standard, in order to set the school up for failure. He is alleged to have done this in spite of his opposition to the use of Standards Based Reporting. During his interview, Mr. Smith stated to Detective Dilbert that he feels that Standards Based Reporting is a good tool to judge the progress of a student. Though Ms.

stated that Mr. Smith was initially totally against this method of reporting, they both admit that their relationship has deteriorated. Therefore, it is possible that Mr. Smith learned something during the roll-out of this system that changed his initial position and he did not inform Ms.

It should also be noted that Standards Based Reporting is currently being used for grades K-1 in all elementary schools and there are other schools within the District which have expanded the adoption of this grading system for all grades (K-5).

**Issue E:** It was alleged that Principal Hank Smith allowed students to be videotaped for the *Project Christmas* fundraiser, held by the First Baptist Church without parental permission. Detective Dilbert interviewed several parents who stated that they did not give permission for their child to be videotaped for this event. A review of the student data in TERMS, however, revealed that each of the parents interviewed had indicated consent for the use of their child's photograph and video image at the time of registration by checking, "I give permission" on the student registration form (PBSD 0636). Though Mr. Smith did not have specific permission for the *Project Christmas* video, the previous authorization from the initial release would have been sufficient for videotaping the event.



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Allegation Summary

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Issue F: It was alleged that the climate of the school was negatively impacted by the conflict between Hank Smith and [redacted]. All of the witnesses who were interviewed describe the climate of South Olive Elementary School as divided, with open hostility and suspicion. The only exception was Mr. Smith, who stated that he did not believe that the school was divided. The majority of those who were interviewed described the divide as those who sided with Hank Smith and those who sided with [redacted]. There were others, however, who described the divide as those who were "with" Hank Smith and those who were "against" him. Detective Dilbert's interviews contained several anecdotes from parents describing their experiences at the school. Documented incidents which impact the school climate are described below.

Summary of Documented Incidents

On April 12, 2012, Ms. [redacted] sent a personal email to her daughter's teacher regarding an incident which had occurred in class. Ms. [redacted] stated in the email that her daughter had reported that she missed ten minutes of recess, as a consequence for misbehavior in the classroom. In that email, Ms. [redacted] referred the teacher to School Board Policy 2.035, which prohibits the utilization of recess periods for punishment or rewards.

On April 17, 2012, five days after the email was sent, a School Advisory Council (S.A.C.) Meeting was held at South Olive Elementary School. The minutes of that meeting included comments by Principal Hank Smith that, "We currently have a new phase of external forces now pressuring upper level management at the District to get involved with South Olive's school based decisions" and "Now recess time discipline is now a big issue and policy is being dictated to Mr. Smith." Though Mr. Smith later said in the interview with the Detective that he did not recall what was said at this meeting, the minutes of the SAC Meeting were approved at the May 15, 2012 SAC Meeting, without objection of Mr. Smith, who was in attendance.

On December 4, 2012, during a PTO meeting which was held with parents and media in attendance at the school, Mr. Smith issued a statement, which was also presented to the participants of the meeting in a written format. Mr. Smith's remarks included:



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Allegation Summary

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*"For eighteen months, and this school year with much more intensity, I have experienced South Olive and its Principal being subject to selective enforcement, public threat with my supervisors, public comment on a teacher's performance, interference, micromanagement and hours of time spent on unproductive issues instead of with education. The actions were the result of a school board member completely out of their role and responsibilities. Therefore last Friday, I submitted to my Area 5 Superintendent, my letter of retirement as Principal of South Olive Elementary School, effective July 1, 2013."*

Though Mr. Smith did not specifically name the Board Member, many of the parents who were in attendance were aware that Ms. [redacted] was the Board Member who had been involved at the school due to her dual role as a parent. Further the identity of the Board Member is indicated in the distributed remarks which state, *"I have endured directing a teacher to Board Policy on Discipline, without following the chain of command, in order to intimidate the teacher."* This statement appears to be a direct reference to Ms. [redacted] email to her daughter's teacher.

On December 17, 2012, teacher Victoria DelValle contacted Hank Smith via email to inform him of actions which had been taken against her, after staff members at South Olive Elementary School, credited her with a blog posting on a news article regarding the conflict at the school. Ms. DelValle wrote that she, *"does not feel safe at this school site."* Mr. Smith referred Ms. DelValle to School Police and an investigation was conducted. Ms. DelValle reported to School Police that she arrived at the school at 6:30 A.M. to find that someone had posted a sign on the door of her room depicting a white sheep, pointing at a black sheep, with the words, *"We know"* written across the top. Ms. Delvalle also reported that she found another identical sign inside her locked classroom on the table. Ms. DelValle felt this was a retaliatory act for the blog posting, as the poster used the name, *"one of the sheep"* and referred to Mr. Smith as a *"wolf in sheep's clothing."* School Police was unable to identify a suspect in the case.

Policy or Rules Regarding this Issue

As a parent of a student in the Palm Beach County School District, Ms. [redacted] is encouraged to be involved in her children's education in a collaborative environment, (School



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Allegation Summary

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Board Policy 1.015). Additionally, due to her role in creating and approving School Board Policy, she is likely to be more informed than most of the parents and even many of the employees in a school setting, regarding these rules. That being said, all Board Policies are publically available via the School District's Website, and any parent who feels that policies are being violated, would be entitled to discuss this with school faculty and staff. School Board Policy 1.015(3)(a), states, "*Regular parent/teacher dialogue is encouraged at all grade levels.*" Although it may be intimidating for a teacher to disagree with a parent, who also serves on the School Board, there is nothing inappropriate about Ms. [redacted] citing Board Policy when addressing her concerns as a parent. Further, School Board Policy 1.015(e) states, "*The Board encourages the involvement of parents as full partners in the decisions and practices of the school that affect children and families through the school improvement process, the School Advisory Council (SAC), PTA, PTO, and other decision-making groups as appropriate.*" This policy clearly indicates that as a parent, Ms. [redacted] would be able to vocalize her opinions regarding the decisions and practices of the school and to directly communicate with her child's teacher.

As to the climate of the school, there are thirty-six different School Board Policies that specifically include language regarding the School Board's intent to promote a positive learning environment. These policies utilize words like, *safe, supportive, civil, and respectful*, to describe the expectation of what a school should be. Many of these policies also use words like *intimidating, hostile, offensive, and disruptive* to describe what schools should not be. Mr. Smith's actions, making his dispute with the Board Member/Parent public, damaged the environment of the school. This is evidenced by the number of people interviewed who described the climate of the school negatively, and the retaliatory act which was perpetrated against a teacher, whom the staff believed had publically declared herself to be against the Principal.

As an educator, Mr. Smith, would be subject to the *Principles of Professional Conduct for the Education Profession in Florida*, 6B-1.006(4)(a) and (4)(b), F.A.C., which states, "*Obligation to the public requires that the individual: (a) Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the*



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Allegation Summary

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*individual is affiliated” and (b) “Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.” This is reflected in School Board Policy 0.02 (2)(a) and (2)(b) which states, “*In fulfilling his obligation to the public, the educator (a) shall not misrepresent an institution or organization with which he is affiliated, and shall take adequate precautions to distinguish between his personal and institutional or organizational views; and (b) shall not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expression.*”*

As a School District employee, Mr. Smith is subject to School Board policy 3.02, *Code of Ethics*. On April 15, 2010, Mr. Smith electronically signed an Acknowledgment Form for the Code of Ethics which states that he has read, understood and agrees to comply with this policy. As condition of this policy in 3.02(4), “*Each employee agrees (a) to provide the best example possible; striving to demonstrate excellence; integrity and responsibility in the workplace; (d) to treat all students and individuals with respect and to strive to be fair in all matters, and (f) to take responsibility for and be accountable for his or her acts or omissions.*

Further, School Board Policy 3.02(5)(i) addresses Professional Conduct and states, “*We are committed to ensuring that our power and authority are used in an appropriate, positive manner that enhances the public interest and trust. Employees should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is...a pattern of behavior or conduct that is detrimental to the health, welfare, discipline or morals of students or the workplace.”*

Finally, violations of the above mentioned School Board Policies and Florida Administrative Codes are prohibited by School Board Policy 1.013 which states: *It shall be the responsibility of the personnel employed by the district school board to carry out their assigned duties in accordance with federal laws, rules, state statutes, state board of education rules, school board policy, superintendent's administrative directives and local school and area rules.*

# **EXHIBIT 4**

## **FDOE OFFICE OF PROFESSIONAL PRACTICES SERVICES LETTER**

# FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

GARY CHARTRAND, *Chair*  
JOHN R. PADGET, *Vice Chair*  
*Members*  
ADA G. ARMAS, M.D.  
SALLY BRADSHAW  
JOHN A. COLÓN  
BARBARA S. FEINGOLD  
KATHLEEN SHANAHAN

Dr. Tony Bennett  
Commissioner of Education



July 3, 2013

Ms. Vivian M Green  
Director, Employee Relations  
3370 Forest Hill Boulevard, Suite A-115  
West Palm Beach, Florida 33406-5870

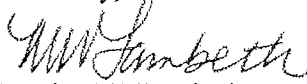
Re: Hank Smith  
DOE No.: 928043

Dear Ms. Green:

The Office of Professional Practices Services has received your report that was submitted regarding the above referenced educator. Upon completion of the initial inquiry, this office has determined that further investigation is not warranted.

If this office can be of further assistance, please do not hesitate to contact us at 850-245-0438.

Sincerely,

  
Marian W. Lambeth

MWL/vg

Marian W. Lambeth, Chief  
Professional Practices Services

# **EXHIBIT 5**

## **AREA SUPERINTENDENT CONFERENCE NOTES**



CONFERENCE NOTES FROM  
AREA SUPERINTENDENT

REDACTED

4/23/12

Meeting Summary for:

Rod Montgomery, Area Superintendent  
Parent and School Board Member  
Hank Smith, Principal, South Olive Elementary School

The meeting was held in an attempt to re-establish the positive relationship that had previously existed between Ms. [redacted] and Mr. Smith. The meeting began with Mr. Montgomery stating the purpose of the meeting and indicating that he saw the meeting as a tremendous opportunity. He stated that although it was necessary to review the circumstances that had brought us together it was more important that we establish some agreed upon guidelines for communicating moving forward. Mr. Montgomery indicated that although there would not be agreement on many of the issues or how they came about, we should respect each others perceptions and positions because ones perception is their reality.

Mr. Montgomery asked Ms. [redacted] if she would share her concerns first. Following Ms. [redacted] sharing her concerns, Mr. Smith was given an opportunity to respond and share his views.

Ms. [redacted] concerns were as follows:

1. Her children have been intimidated and harassed. Ms. [redacted] has 2 children that attends South Olive.
2. The P.E. policy has been violated at South Olive. The schedule that is in the computer is not the schedule that is being followed. Ms. [redacted] expressed that as a School Board member, she has an obligation to address issues when she is aware of them.
3. Students receive gold coins equivalent to \$1 as an FCAT incentive. Ms. [redacted] stated that students should not be receiving monetary incentives for the FCAT. She stated that as a PTO parent, she deserves a voice on how the money will be spent. The money that is raised would be better suited going back into the classroom for teacher resources or possibly to fund fieldtrips. She is also concerned from a liability standpoint. Mr. Montgomery shared that the subject of incentives is a District issue and the Superintendent is committed to reviewing what is occurring in schools and give direction.
4. At the last SAC meeting, topics that could be associated with Ms. [redacted] were discussed. The topics had been discussed with Mr. Smith and discussing them in that forum was in an effort to turn parents and staff against her.
5. Ms. [redacted] expressed that she was being blamed for reassignments being addressed recently and the investigation of testing improprieties during Florida Writes.
6. There was no response to an email that Ms. [redacted] had sent to her daughters teacher [redacted] regarding recess being withheld due to an incident and

REDACTED

this reflected Mr. Smith's influence on staff. Ms. [redacted] was passionate in expressing that she did not want he kids affected by Mr. [redacted] and his issues.

Ms. [redacted] expressed her disappointment in Mr. Smith's behavior and indicated that he has been extremely unprofessional.

Mr. Smith's rebuttal (correlates with Ms. [redacted] concerns):

1. Ms. [redacted] children have not been discriminated against and that all students at South Olive are treated fairly.
2. The schedule that is in place for students in P.E. is what they follow. No policies are being violated when it comes to P.E. or recess. Any issue that may have existed earlier in the year have been addressed.
3. Providing incentives for students is allowed by the District and the gold coins have been approved by SAC. Mr. Smith expressed that he has the authority to provide incentives as the instructional leader of South Olive and that Ms. [redacted] should not use South Olive as examples when moving her agendas as a School Board member.
4. He did not reference her in the SAC meeting and the topics that were discussed was of interest to others as well. Mr. Smith apologized for any misunderstanding and stated the last SAC meeting was not directed toward her personally.
5. Mr. Montgomery clarified to Ms. [redacted] and Mr. Smith what had occurred with the reassignment issue in the spring. Mr. Montgomery accepted responsibility for initiating conversations with the District and South Olive regarding students reassigned to South Olive. Lack of capacity is what prompted the conversation. Mr. Montgomery also shared what had occurred with the Florida Writes investigation and indicated that based on written communications that he had seen Ms. [redacted] was not involved.
6. Mr. Smith stated that it was his decision not to allow Ms. [redacted] daughter to have recess, not Ms. Baker. Mr. Smith stated that Ms. [redacted] children are good kids and should not be treated any differently than other students. What had occurred would warrant missing a few minutes of recess according to South Olive practices. Mr. Smith shared that recess is not a requirement and schools do not have to offer it. Mr. Smith stated that he had told Ms. Baker not to respond to Ms. [redacted] and that it was inappropriate for her to state policy to his teachers. Policy questions should be directed to Mr. Smith. Mr. Montgomery produced School Board Wellness Policy 2.035 and went over it's goals and objectives.

Mr. Smith indicated that Ms. [redacted] should be more cognizant of her influence as a Board Member and it is her inability to separate her various roles that has created the issues with staff and members of the School Advisory Council.

REDACTED

Conclusion:

Ms. [REDACTED] would address her concerns regarding possible issues with South Olive adhering to policy to Mr. Montgomery and he would address with Mr. Smith.

Ms. [REDACTED] does not forfeit her rights and responsibilities as a parent due to the fact that she is a School Board member and should actively participate in SAC, PTO and other activities that parents are involved in.

Inquiries related to academic progress or discipline would be handled by phone or through parent/teacher conference. Ms. [REDACTED] is permitted to request a teacher's phone number via email.

Although there was not, as expected, agreement on the circumstances surrounding the issues both Mr. Smith and Ms. [REDACTED] stated they would like to move forward and have a positive relationship.

A follow-up meeting will be scheduled at South Olive Elementary School when Ms. [REDACTED] returns from vacation.

REDACTED

# **EXHIBIT 6**

## **EIC FINDINGS & RECOMMENDATIONS**



**EMPLOYEE INVESTIGATION COMMITTEE FINDINGS AND RECOMMENDATION**

Employee Name: Frank Smith	Case Number: 12/13-064	Committee Review Date: May 2, 2013
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The Employee Investigation Committee (EIC) meeting held on the above referenced date considered the following allegation(s) associated with the case number also referenced above.

**Alleg 1: Professional Misconduct regarding the Educator's Obligation to the Public**  
Policies or rules regarding the allegations include:

Substantiated    Unsubstantiated    Unfounded

- School Board Policy 0.02(2)(a), Commitment to the Public, Principle II
- 6A-10.081 F.A.C. (4)(a), Principles of Professional Conduct for Educators in Florida
- School Board Policy 0.02(2)(b), Commitment to the Public, Principle II
- 6A-10.081(4)(b), F.A.C., Principles of Professional Conduct for Educators in Florida

	✓	
	✓	
	✓	
	✓	

**Overall finding of the allegation:**  
Professional Misconduct regarding the Educator's Obligation to the Public

	✓	
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**Allegation 2: Ethical Misconduct**

Policies or rules regarding the above allegations include:

- School Board Policy 3.02(4)(a), Code of Ethics
- School Board Policy 3.02(4)(d), Code of Ethics
- School Board Policy 3.02(4)(f), Code of Ethics
- School Board Policy 3.02(5)(i), Code of Ethics

✓	✓	
	✓	
	✓	
	✓	

**Overall finding of the allegation:**  
Ethical Misconduct

	✓	
--	---	--

**Allegation 4: Failure to Follow Policy, Rule, Directive**

Policies or rules regarding the above allegations include:

- School Board Policy 1.013(1), Responsibilities of School District Personnel and Staff

	✓	
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**Overall finding of the allegation:**  
Failure to Follow Policy/Rule or Directive

	✓	
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**RECOMMENDED DISCIPLINE**

The consensus of the committee was to recommend: *Mediation w/ safe schools*

**SKIPPING STEPS OF DISCIPLINE**

In order for the committee to recommend any discipline higher than a **Verbal Reprimand**, you should establish that it meets **one** of the criteria for skipping steps of progressive discipline which is supported by a *preponderance* of evidence.

Substantiated    Unsubstantiated    Unfounded

- Creates a real and immediate danger to the District:
- Flagrant violation of School Board Rules


**SUSPENSION OR DISMISSAL FOR EDUCATORS OR ADMINISTRATORS**

In order for the committee to recommend *Suspension or Termination* you must establish that it meets **at least one** of the following criteria:

- 6A-5056 (2), *Misconduct in Office*

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**Committee Member:**

- David Alfonso
- Camille Coleman
- Mario Crocetti
- Mari Dornbusch
- Don Hoffman
- Sharon Swan
- Vivian Green, District Representative
- Brenda Lora, Professional Standards Representative
- A. Denise Sagerholm, Legal Representative

In Attendance	Absent
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	REDACTED
✓	

# **EXHIBIT 7**

## **PHYSICAL EDUCATION ADMINISTRATOR EMAIL**

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**From:** Janis Andrews <janis.andrews@palmbeachschools.org>  
**Sent:** Friday, September 23, 2011 4:17 PM  
**To:** Ian Saltzman; Janice Cover; Matthew Shoemaker; Nora Rosensweig  
**Subject:** Fwd: PE Mandate

**Categories:** Red Category

Area Supt's,

See the email below and link in Eric's email. If you would please remind your principals during your Area Meetings of the importance of their master schedule reflecting the State Mandates and also following what they have on paper.

Thanks,  
Janis

*Dr. Janis Andrews  
Assistant Superintendent Curriculum and Learning Support  
3300 Forest Hill Blvd., C-214  
West Palm Beach, FL 33406-5813*

*PHONE: (561) 357-1113 (PX 21113)  
FAX: (561) 357-1112 (PX 21112)*

*Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.*

----- Forwarded message -----

**From:** Liz Perlman <liz.perlman@palmbeachschools.org>  
**Date:** Fri, Sep 23, 2011 at 4:08 PM  
**Subject:** Fwd: PE Mandate  
**To:** "Janis Andrews (West Area)" <janis.andrews@palmbeachschools.org>

This is information that Judy may wish to have regarding the PE mandate and how the State handles violations.

*Liz Perlman  
District Director, Curriculum  
School District of Palm Beach County  
Phone: (561) 434-8255 (PX 48255)  
Fax: (561) 434-8091 (PX 48091)*



Email: [liz.perlman@palmbeachschools.org](mailto:liz.perlman@palmbeachschools.org)

----- Forwarded message -----

From: **Eric Stern** <[eric.stern@palmbeachschools.org](mailto:eric.stern@palmbeachschools.org)>  
Date: Fri, Sep 23, 2011 at 3:50 PM  
Subject: PE Mandate  
To: Liz Perlman <[liz.perlman@palmbeachschools.org](mailto:liz.perlman@palmbeachschools.org)>  
Cc: Nancy Kinard <[nancy.kinard@palmbeachschools.org](mailto:nancy.kinard@palmbeachschools.org)>

Hi Liz, FYI,

I spoke with someone at the state Department of Education today inquiring about penalties if any regarding the physical education mandate. The answer I received is that there are no specific monetary fines sanctioned on a School District or principal if what is reported on the FTE is not actually happening. There is also no loss in FTE dollars to the School District. The DOE contact stated that if the DOE finds a school to be out of compliance then they can recommend discipline steps for the School District to follow.

There was recently a principal from Orange County (Florida) demoted by the School District for not accurately following what was reported during the FTE period. Here is the link to the Sun Sentinel news article [http://articles.orlandosentinel.com/2011-03-04/features/os-ivey-lane-pe-violation-20110304\\_1\\_physical-education-investigation-pe](http://articles.orlandosentinel.com/2011-03-04/features/os-ivey-lane-pe-violation-20110304_1_physical-education-investigation-pe)

Eric

--

**Eric Stern**

**Physical, Health, and Driver Education Administrator**

**President-Florida Alliance for Health, Physical Education, Recreation, Dance and Sports (FAHPERDS)**

**3300 Forest Hill Blvd, West Palm Beach, FL, 33406 C-225**

**(O) 561-434-7450**

**(C) 561-629-6820**

**Email:** [eric.stern@palmbeachschools.org](mailto:eric.stern@palmbeachschools.org)

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# **EXHIBIT 8**

# **OPERATIONAL SCHEDULE**

**Source: Office of Professional Standards Case File**

# 9. Master Schedule - (Attachment G)

OIG Comment:  
Indicates one 15  
minute PE  
session was

## SOUTH OLIVE DEPARTMENTALIZED SCHEDULING WORKSHEET - FY 12

OPERATIONAL

Subjects

		OPERATIONAL												Updated: 2/27/12											
		W	MA	SC	SS	FA	PE	III	LU																
Rdg	Wr	Math	Sc	SS	FA	PE/II	III	LU																	
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
8:00	8:15	8:30	8:45	9:00	9:15	9:30	9:45	10:00	10:15	10:30	10:45	11:00	11:15	11:30	11:45	12:00	12:15	12:30	12:45	13:00	13:15	13:30	13:45		
8:15	8:30	8:45	9:00	9:15	9:30	9:45	10:00	10:15	10:30	10:45	11:00	11:15	11:30	11:45	12:00	12:15	12:30	12:45	13:00	13:15	13:30	13:45	14:00		
5th	Grat	216	PE	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
5th	Beaufort	214	PE	FA	FA	FA	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC		
5th	Bohannon	218	PE	FA	FA	FA	MA	MA	MA	MA	W	SS	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA		
5th G	Malk	222	PE	FA	FA	FA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA		
5th G	Everman	226	PE	FA	FA	FA	SC	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD		
4th	VanWard	212	PE	SS	SS	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA		
4th	Schneider	211	PE	SS	SS	W	W	SC	SC	SC	W	W	III	III	LU	LU	RD	RD	RD	RD	RD	RD	RD		
4th	Fernandez	213	PE	SS	SS	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA		
4th	Navigan	214	PE	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD		
4th G	Gallant	205	PE	W	W	W	W	SS	SS	W	W	W	W	SS	SS	LU	LU	W	W	SS	SS	W	W		
4th G	Horten	203	PE	W	W	W	W	SS	SS	W	W	W	W	SS	SS	LU	LU	W	W	SS	SS	W	W		
4th G	Ceslins	209	PE	SC	SC	SC	MA	MA	MA	MA	SC	SC	MA	MA	MA	MA	SC	SC	MA	MA	MA	MA	MA		
3rd	Bonoff	215	PE	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD		
3rd	Powers	217	PE	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD		
3rd	Lake	221	PE	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD		
3rd U	Davidson	204	PE	SC	SC	SC	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W		
3rd U	Rutrow	202	PE	SC	SC	SC	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA		
3rd U	Creskille	210	PE	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD		
2nd	Ericks	117	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
2nd	Hoppe	114	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
2nd	Johnson	109	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
2nd	Trudisly	106	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
2nd	Dee	116	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
2nd	Reed	118	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
2nd	Shelton	119	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Ericks	117	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Hoppe	114	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Johnson	109	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Trudisly	106	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Dee	116	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Reed	118	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
1st	Shelton	119	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	Trull	115	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	Trull	115	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	Hobson	110	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	Alford	110	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	Murphy	107	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	M. Hall	104	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		
KG	Lambert	102	PE	W	W	W	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA	FA		

# **EXHIBIT 9**

# **MASTER SCHEDULE**

**Source: Office of Professional Standards Case File**

Exhibit 9  
Operational Schedule

OIG Comment:  
Indicates two 15 minute PE sessions were provided

SOUTH OLIVE DEP ARTMENTALIZED MASTER SCHEDULE - FY 2012

FY1:2 - 2/07/12

Subjects

W	MA	SC	SS	FA	PE/L	iii/E	LU
Rdg	Wr	Math	Sci	SS	FA	PE/L	iii/E Lunch

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
8:00	8:15	8:30	8:45	9:00	9:15	9:30	9:45	10:00	10:15	10:30	10:45	11:00	11:15	11:30	11:45	12:00	12:15	12:30	12:45	13:00	13:15	13:30	13:45
8:15	8:30	8:45	9:00	9:15	9:30	9:45	10:00	10:15	10:30	10:45	11:00	11:15	11:30	11:45	12:00	12:15	12:30	12:45	13:00	13:15	13:30	13:45	14:00

Team	Teacher	Room	FA	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
5th	502	Graat	216	0304	PE/L	PE/L	FA	FA	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	LU	LU	RD	RD	RD	RD	RD	RD	
5th	504	Beaufort	214	0304	PE/L	PE/L	FA	FA	SC	SC	SC	SC	iii	iii	iii	iii	iii	iii	iii	LU	LU	SC	SC	SC	SC	SC	SC	
5th	503	Bohlman	218	0304	PE/L	PE/L	FA	FA	MA	MA	MA	MA	W	SS	LU	LU	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	
5th G	500	Maik	222	0304	PE/L	PE/L	FA	FA	MA	MA	MA	MA	SS	SS	W	W	MA	MA	MA	MA	MA	LU	LU	SS	SS	W	W	
5th G	501	Burks	220	0304	PE/L	PE/L	FA	FA	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
4th	404	VanWed	212	2324	SS	SS	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	LU	LU	iii	iii	PE/L	PE/L	FA	FA	
4th	400	Schneider	211	2324	SS	SS	W	W	SC	SC	SC	SC	W	W	SC	SC	W	W	SC	SC	LU	LU	W	W	PE/L	PE/L	FA	FA
4th	405	Fernandez	213	2324	SS	SS	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	LU	LU	MA	MA	PE/L	PE/L	FA	FA
4th	403	Havican	219	2324	SS	SS	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	LU	LU	iii	iii	PE/L	PE/L	FA	FA	
4th G	401	Galliani	205	2324	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD
4th G	402	Horton	203	2324	W	W	W	W	SS	SS	SS	SS	W	W	SS	SS	LU	LU	W	W	W	SS	SS	PE/L	PE/L	FA	FA	
4th G	406	Coggins	209	2324	SC	SC	MA	MA	MA	MA	MA	MA	LU	LU	SC	SC	MA	MA	MA	MA	MA	MA	MA	PE/L	PE/L	FA	FA	
3rd	303	Bennett	215	0910	SC	SC	W	W	SS	SS	PE/L	PE/L	FA	FA	LU	LU	SC	SC	W	W	SS	SS	SC	SC	W	W	SS	
3rd	305	Powers	217	0910	PE/L	PE/L	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
3rd	304	Lake	221	0910	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	MA	
3rd G	302	Donaldson	204	0910	SC	SC	SC	SS	W	W	PE/L	PE/L	FA	FA	LU	LU	SC	SC	SS	W	W	SC	SC	SC	SS	W	W	
3rd G	301	Matrow	202	0910	MA	MA	MA	MA	W	E	E	E	PE/L	PE/L	FA	FA	LU	LU	MA	MA	MA	E	E	MA	MA	MA	MA	
3rd G	300	Cronkhite	210	0910	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
2nd	204	Crooks	137	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
2nd	203	Haines	134	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
2nd	205	Abrams	166G	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
2nd	206	Finnerly	P306	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
2nd G	200	Y. Bell	132	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
2nd G	201	Rose	135	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
2nd G	202	Silvers	130	0607	W	W	W	PE/L	PE/L	FA	FA	MA	MA	MA	MA	MA	SS	LU	LU	RD	RD	RD	RD	RD	RD	RD	RD	
1st	105	Raymond	P301	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st	102	Grieme	P302	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st	103	Sampson	P303	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st	106	Reves	P304	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st	107	Parsons	P305	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st G	108	Hetu	143	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st G	101	Baker	141	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
1st G	104	Hilinski	145	1213	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
K	004	Dull	140	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
K	003	Frutos	138	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
K	002	Bleimeyer	142	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
K	006	Akrish	136	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
KG	005	Murphy	147	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
KG	001	M. Bell	144	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
KG	007	Lambert	139	2021	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	