



Duval County Public Schools

November 8, 2013, Special Board Meeting - Hearings

Mr. Fred "Fel" Lee, Chairman
Ms. Becki Couch, Vice-Chairman
Mr. Jacon Fischer
Ms. Cheryl Grymes
Dr. Constance S. Hall
Ms. Ashley Smith Juarez
Mr. Ms. Paula D. Wright
Dr. Nikolai Vitti, Superintendent

ATTENDANCE AT THIS SPECIAL MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present. Dr. Nikolai Vitti, Superintendent, and Ms. Karen Chastain, Chief of Legal Services, were also present.

Call Meeting to Order

[CALL MEETING TO ORDER - SPECIAL MEETING](#)

Minutes:

The Chairman called the Special Meeting to order at 12:34 p.m.

Comments From Audience

Reports

Approval of Agenda

[APPROVAL OF THE NOVEMBER 8, 2013, AGENDA](#)

Motions:

That the Duval County School Board approve the November 8, 2013, Agenda as submitted on November 5, 2013. - PASS

Vote Results

Motion: Rebecca Couch

Second: Connie Hall

Rebecca Couch - Aye

Jason Fischer - Aye

Cheryl Grymes - Aye

Connie Hall - Aye

Ashley Juarez - Aye

Fred Lee - Aye

Paula Wright - Aye

Approval of Minutes

Approval of Consent Agenda

Consent Agenda

Human Resource Services - Professional Standards

[1. FINAL ORDER RE: DUVAL COUNTY SCHOOL BOARD V. DONNA JAMES](#)

Minutes:

Ms. James was charged with failure to adequately supervise students under her direct supervision on numerous occasions, including without limitation: (1) leaving two first grade students on a playground while taking the rest of their classmates back to class; (2) permitting a kindergarten student, who was not a bus rider, to board a school bus; (3) leaving her classroom unattended, during which time one student stabbed a classmate; and (4) failing to adequately supervise her classroom so as to prevent two students from engaging in a sexual act.

In his July 23, 2013, Recommended Order, the Administrative Law Judge concluded that these charges were not supported, and in the

recommendation on page 19 of the Recommended Order, he stated: "...That a final order be entered by the Duval County School Board dismissing all charges and rescinding the termination of Employment contract of Donna James for the reasons set forth above."

Mr. Harold Lippes, attorney for Ms. James, presented her case to the Board.

Mr. David D'Agata, Office of General Counsel, presented on behalf of the school system.

After discussion, Board Member Juarez made the following motions. A copy of her statement is also attached to the Minutes.

Speakers:

- Mr. Fred "Fel" Lee, Board Chairman
- Ms. Karen Chastain, Chief of Legal Services
- Mr. Harold Lippes, Attorney for Ms. James
- Mr. David D'Agata, Office of General Counsel
- Dr. Constance S. Hall, Board Member
- Ms. Becki Couch, Board Vice-Chairman
- Ms. Paula D. Wright, Board Member
- Ms. Ashley Smith Juarez, Board Member
- Mr. Jason Fischer, Board Member
- Ms. Cheryl Grymes, Board Member

Motions:

The first motion addresses the filed exceptions. I move that Paragraphs 1, 2, and 3 of the Exceptions filed by the District's counsel be rejected, because there was competent substantial evidence to support the Administrative Law Judge's findings of fact. - PASS
However, I concurrently move that Paragraphs 4, 5, 6, and 7 of the Exceptions filed by the District's counsel be accepted.

Vote Results

Motion: Ashley Juarez

Second: Rebecca Couch

Rebecca Couch - Aye

Jason Fischer - Aye

Cheryl Grymes	- Aye
Connie Hall	- Aye
Ashley Juarez	- Aye
Fred Lee	- Aye
Paula Wright	- Aye

Motions:

The second motion addresses the Administrative Law Judge's Conclusions of Law. I move that this Board reject the Recommended Order of Administrative Law Judge McKibben, and that Donna James' employment with the Duval County Public Schools be terminated for cause, and that a Final Order be issued consistent with the findings stated in my comments which are attached to the Minutes. - PASS

Vote Results

Motion: Ashley Juarez

Second: Jason Fischer

Rebecca Couch	- Aye
Jason Fischer	- Aye
Cheryl Grymes	- Aye
Connie Hall	- Aye
Ashley Juarez	- Aye
Fred Lee	- Aye
Paula Wright	- Aye

[2. FINAL ORDER RE: DUVAL COUNTY SCHOOL BOARD V. SHARON SANDERS](#)

Minutes:

This case arises from the District's decision to reassign Sharon Sanders from the position of Principal to the position of Assistant Principal, with a corresponding adjustment in salary. The District's Notice of Discipline indicated that Ms. Sanders directed staff to violate testing protocols related

to the administration of the FCAT writing test, and that Ms. Sanders subsequently failed to report violations that were known to her at the time of the administration of the test. Finally, the District alleged that Ms. Sanders made inappropriate comments to staff regarding the investigation of the reported violations.

The Administrative Law Judge concluded that these charges were not supported, and in the Recommendation on page 92 of the recommended order, he stated: "...That the Duval County School Board enter a Final Order dismissing the Notice of Discipline in its entirety."

Mr. Tad Delegal, Attorney for Ms. Sanders, presented her case to the Board. A copy of his PowerPoint is attached to the Minutes.

Mr. David D'Agata, Office of General Counsel, presented to the Board on behalf of the school system.

After discussion, Vice-Chairman Couch made the following recommendations.

Speakers:

Mr. Fred "Fel" Lee, Board Chairman
Ms. Karen Chastain, Chief of Legal Services
Mr. Tad Delegal, Attorney for Ms. Sanders
Mr. David D'Agata, Office of General Counsel
Dr. Constance S. Hall, Board Member
Ms. Becki Couch, Board Vice-Chairman
Ms. Paula D. Wright, Board Member
Ms. Ashley Smith Juarez, Board Member
Mr. Jason Fischer, Board Member
Ms. Cheryl Grymes, Board Member

Motions:

I move to adopt the Administrative Law Judge's Findings of Fact and Conclusions of Law and Final Order, which dismisses the Notice of Discipline; reinstates her position as Principal for 2012-2013, and provides for back pay and benefits through June 30, 2013. - PASS

Vote Results

Motion: Rebecca Couch

Second: Paula Wright

Rebecca Couch	- Aye
Jason Fischer	- Nay
Cheryl Grymes	- Aye
Connie Hall	- Aye
Ashley Juarez	- Aye
Fred Lee	- Aye
Paula Wright	- Aye

Motions:

I move that the Duval County School Board enter a Final Order to accept the Administrative Law Judge's Recommended Order. - PASS

Vote Results

Motion: Rebecca Couch

Second: Cheryl Grymes

Rebecca Couch	- Aye
Jason Fischer	- Nay
Cheryl Grymes	- Aye
Connie Hall	- Aye
Ashley Juarez	- Aye
Fred Lee	- Aye
Paula Wright	- Aye

Discussion

For The Record

Adjournment

[ADJOURNMENT](#)

Minutes:

The Chairman adjourned the Special Board Meeting at 2:02 p.m.

BSC

Superintendent

Chairman