

EXECUTIVE SUMMARY

**RECOMMENDATION FOR SUSPENSION & TERMINATION
Darrol L. Farrington, Sr., Bus Driver I**

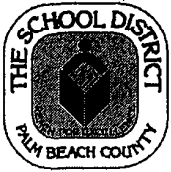
I recommend that the School Board approve Darrol L. Farrington, Sr.'s Suspension Without Pay effective September 22, 2005, and Termination, effective fifteen (15) days after the September 21, 2005, Board Action.

During the 2004/2005 school year, Darrol Farrington was the subject of a Professional Standards investigation based upon allegations that he attempted to drive the bus through a railroad crossing while the gates were activated causing the gate to hit the top of the bus. Students were present on the bus at the time of the alleged incident. Further inquiry revealed at least one witness who alleged that Mr. Farrington was talking on a cellular phone during the alleged incident. At the conclusion of the investigation, the allegation of unsafe operation of a school bus was sustained.

Sufficient just cause exists for Mr. Farrington to be disciplined pursuant to Sections 1012.22(1)(f), 1012.27(5) and 1012.40 Florida Statutes; Palm Beach County School District Policies 1.013, 3.21 and 3.27, as well as Administrative Directives 2.36 and 3.27; the Palm Beach County School Bus Drivers and Bus Attendants Handbook Sections II and VI, and Article 17 (6) of the Collective Bargaining Agreement between the National Conference of Firemen & Oilers, Local 1227, and the School Board of Palm Beach County, for violations of the foregoing.

- 04/28/05 Professional Standards was advised of charges against Mr. Farrington.
- 06/22/05 Professional Standards investigation of Case #04/05-171 concluded.
- 07/28/05 Pre-disciplinary meeting held. Summary for the Record issued following PDM.
- 08/12/05 Employee Investigation Committee (EIC) reviewed case, found the allegations substantiated and recommended discipline ie., termination.
- 08/22/05 Chief Officer of Human Resources (COHR) reviewed and concurred with recommended discipline.
- 08/29/05 Ten (10) day notification of public record to employee per Florida Statute 1012.31.
- 09/07/05 Superintendent's letter of notification to employee.

LEGAL SIGN-OFF: ☐ Yes ☐ No



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

SCHOOL POLICE DEPARTMENT
3330 FOREST HILL BOULEVARD, B-127
WEST PALM BEACH, FL 33406-5869

(561) 434-8300 FAX: (561) 434-8186

JAMES P. KELLY, J.D.
CHIEF OF POLICE

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT


C. RTM
4/28/05
04/05-171

Order provided

April 6, 2005

MEMORANDUM

TO: Ray Miller, Director
Professional Standards

FROM: Angelette Green, Lieutenant 
School Police Department

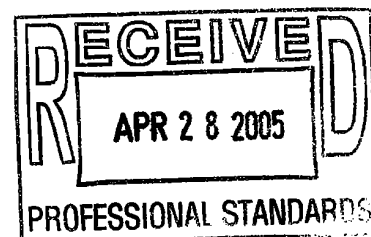
SUBJECT: Investigation - PBCSB Case# 05-1143
Date of Incident: 03/04/05
Date Incident Reported: 03/28/05

Allegation: Information
Suspect: Darrol L. Farrington 
Bus Driver— Central Transportation Compound

The following is a summation of the incident that occurred with an employee from Central Transportation Compound. The case was investigated by Detective Walton and is being forwarded to you for review. If you have any questions, please feel free to contact him at px 4-8578.

AG:sb

Attachment



NARRATIVE CONTINUATION

FLO 504200

PALM BEACH COUNTY SCHOOL DISTRICT POLICE

Case: 05-1143
Investigator: R. Walton #789
Reported Date: 03/28/05

ADULT

On Monday, 3/28/05, I was assigned to investigate allegations that School Bus driver Darrol Farrington operating School Bus Code 134 transporting approximately 72 students from Inlet Grove High School in the afternoon of 3/4/05, attempted to drive through a Railroad Crossing while the gates were activating causing the gate to hit the top of the bus.

On 3/28/05, I spoke with Assistant Transportation Director Yevola Falana. She advised that Coordinator Yolanda Shanks took the complaint, and Falana viewed a videotape from the bus showing the incident and referred it for investigation.

On 3/28/05, I met with Falana's Secretary Charlene Mesick and picked up the videotape.

On 3/28/05, I viewed the video, which showed a fully loaded bus. There was loud music playing, and loud conversations on the bus. At 3:37.41(as shown on the tape) the students on the bus were looking out the side window and began to scream, and there appeared to be some panic occurring on the bus by students in the rear of the bus. At 3:38 a train horn can be heard passing by the bus. The camera did not show the train or the crossing gate.

On 3/28/04, I spoke with Yolanda Shanks reference the incident. She said that on 3/4/05, she received a call from a motorist that refused to identify himself. The caller said that he just observed a school bus try to run the gates at Palm Beach Lakes Blvd. and Tamarind Ave. in West Palm Beach. The caller was able to provide Shanks with the bus ID and told her that the crossing gate actually came down on top of the bus, and the driver was able to back the bus up before the train arrived. Shanks said that she spoke with the bus driver Farrington about the incident. He said that it didn't happen as was reported, but did say that he had to back the bus up while at the crossing.

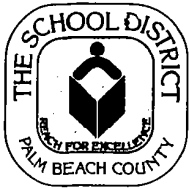
On 3/29/05, I spoke with Darrol Farrington at the School Police Department and took a sworn taped statement from him. Farrington said that he was driving the bus on 3/4/05, and recalled the incident at Palm Beach Lakes and Tamarind Ave. He said that he did not try to run the crossing, and stopped prior to crossing the tracks. He said that the gate did not hit the bus. I asked Farrington why he had to back the bus up and he said to get further back than he was. He said that he did not hear the train horn blowing, and acknowledged having the music loud on the bus. Farrington said that the kids always are loud on the bus, and said that the kids on the bus were screaming when he was backing the bus up. The statement when transcribed will become part of this report.

(2)

Case: 05-1143
Investigator: R. Walton #789
Reported Date: 03/28/05

ADULT

This case will be referred to The Department of Professional Standards for review. The videotape will be turned over to The Department of Professional Standards as part of this report.



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JAMES P. KELLY, J.D.
CHIEF OF POLICE

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT


0. RTM 6/14/05

04/05 - 171

June 14, 2005

MEMORANDUM

TO: Ray Miller, Director
Professional Standards

FROM: Angelette Green, Lieutenant 
School Police Department

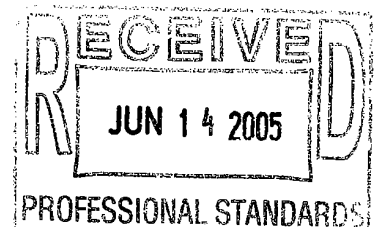
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The following is a supplement of the incident that occurred with an employee from Central Transportation Compound. The case was investigated by Detective Walton and is being forwarded to you for review. If you have any questions, please feel free to contact him at px 4-8578.

AG:sb

Attachment



4)

SUPPLEMENT

Case: 05-1143
Investigator: R. Walton #789
Reported Date: 05/26/05

**JUVENILE
CONFIDENTIAL**

On 05/26/05, officer Alvin Curtis of The School District Police Department obtained three written sworn statements from students that were riding bus 134 on 03/04/05.

<<Witness 1>>: The bus was coming toward the train tracks and the lights started flashing to warn of a train approaching. She said the driver was talking on his cell phone and did not see the lights and went through the gates and then backed up.

<<Witness 2>>: The bus approached the tracks and kept on going and the crossing gate hit the top of the bus and the driver backed up.

<<Witness 3>>: The bus stopped in the middle of the tracks while taking a short cut and then backed up.

This information will be forwarded to Professional Standards.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
SCHOOL POLICE DEPARTMENT

Sworn/Affirmed Statement

☒ WITNESS ☐ VICTIM ☐ SUSPECT ☐ OTHER

Case No. 05/1143
Date 05/26/05
Time 3:00 pm

I, (print full name) _____
_____ ID DATE

_____ HOME STREET ADDRESS _____ HOME TELEPHONE NO. _____

_____ CITY _____ ZIP CODE _____ WORK TELEPHONE NO. _____

voluntarily furnish this sworn/affirmed statement to: Mr. Curtis 796
OFFICER ID NO.

VICTIM ONLY: I am requesting criminal charges be pressed in this case. Victim's Initials: _____

Carrol Farrington.

I was riding the bus we had already
been past a few stops. Then it came time
to cross the rail road tracks. I looked over
and seen some cars that had stop the
bus driver Mr. Carrol Farrington keep on driving
he was like half past the tracks by that
time the sign had already hit the top
of the bus. Then he seen the train
coming and that is when he backed

SIGNATURE, PERSON MAKING STATEMENT (sign every page)

5/26/05
DATE

WITNESS SIGNATURE (sign every page)

DATE

WITNESS SIGNATURE (sign every page)

DATE

Sworn to and subscribed this _____ day of _____, 20____.

Notary Public, State of Florida

Law Enforcement Officer

ID No.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
SCHOOL POLICE DEPARTMENT

Sworn/Affirmed Statement

☒ WITNESS ☐ VICTIM ☐ SUSPECT ☐ OTHER

Case No. 05-1143

Date 5-26-05

Time 3:00 pm

I, (print full name) _____

BIRTH DATE _____

HOME STREET ADDRESS _____

HOME TELEPHONE NO. _____

CITY _____

ZIP CODE _____

WORK TELEPHONE NO. _____

voluntarily furnish this sworn/affirmed statement to: Curtis

OFFICER

796
ID NO.

VICTIM ONLY: I am requesting criminal charges be pressed in this case. Victim's Initials: _____

Darrol Farrington was driving my school bus
number 134. And in march we were
coming towards the train tracks and the
lights started flashing to let us know that
the train was coming so don't cross
But he happen to be talking on his cellular
phone and I guess he didn't see the
lights and went threw anyways. I
was sitting in the middle of the bus and
seen the train coming then everyone
started screaming so he moved the
bus back out of the tracks.

SIGNATURE, PERSON MAKING STATEMENT (sign every page)

5-26-05
DATE

WITNESS SIGNATURE (sign every page)

DATE

WITNESS SIGNATURE (sign every page)

DATE

Sworn to and subscribed this 26 day of MAY, 2005.

Notary Public, State of Florida

Law Enforcement Officer

ID No.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
SCHOOL POLICE DEPARTMENT

Sworn/Affirmed Statement

☒ WITNESS ☐ VICTIM ☐ SUSPECT ☐ OTHER

Case No. 05-1143

Date 5/26/05

Time 3:00

I, (print full name) _____

BIRTH DATE _____

HOME STREET ADDRESS _____

HOME TELEPHONE NO. _____

CITY _____

ZIP CODE _____

WORK TELEPHONE NO. _____

voluntarily furnish this sworn/affirmed statement to: Curtis

OFFICER

796
ID NO.

VICTIM ONLY: I am requesting criminal charges be pressed in this case. Victim's Initials: _____

Daniel Farrington

A couple of months ago the bus stopped in the middle of the train tracks the train was a short distance away. That day we started our regular route. After the first two blocks there was a lot of traffic so he took a short cut but when we were at the end of it we stopped in the middle of the train tracks the train was only a short distance away everybody screamed he was reversing the bus. After we went on our way home as usual.

SIGNATURE, PERSON MAKING STATEMENT (sign every page)

DATE 5/26/05

WITNESS SIGNATURE (sign every page)

DATE _____

WITNESS SIGNATURE (sign every page)

DATE _____

Sworn to and subscribed this 26 day of MAY, 20 05.

Notary Public, State of Florida

Law Enforcement Officer

796
ID No.

THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDASCHOOL POLICE DEPARTMENT
3330 FOREST HILL BOULEVARD, B-127
WEST PALM BEACH, FL 33406-5869

(561) 434-8300 FAX: (561) 434-8186

JAMES P. KELLY, J.D.
CHIEF OF POLICEARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

COMPLAINT/INCIDENT/ALLEGATION INTAKE FORM

Tracking Number

051-0039

Date & Time Reported:

3/17/05 1444

REPORTING PERSON

Yevda Belang

TITLE/POSITION

Asst Director

TELEPHONE NUMBER:

242-8312

ADDRESS:

LOCATION OF INCIDENT/SCHOOL:

bus code #134 (Inlet beach)

DATE/TIME OF INCIDENT:

March 4th

5134 Central compound

ALLEGATION:

Bus driver drove around down
gate @ RR crossing - hit top of bus

INJURIES

☒ No☐ Yes

TYPE:

VICTIM:

STUDENT/EMPLOYEE

ADDRESS:

TELEPHONE:

SUBJECT EMPLOYEE NAME:

Darrol Farrington

TITLE/POSITION:

bus driver -

OTHERS INVOLVED:

HAS THE ASSIGNED SCHOOL RESOURCE OFFICER BEEN NOTIFIED:

OFFICER NAME:

CASE NUMBER:

PERSON RECEIVING COMPLAINT:

Shonda

ROUTED TO: PROFESSIONAL STANDARDS (FAX 48178) and

(if applicable)

(If Applicable)

Reported to the Abuse Hotline 1-800-96-ABUSE (962-2873)

By: (Name & Title)

On: (Date & Time)

ABUSE Hotline Report Taken By: (Name & ID Number)



Form F

**SAMPLE OF PRE-DISCIPLINARY MEETING
CONFERENCE FOR THE RECORD SUMMARY**

MEMORANDUM

TO: Raymond T. Miller, Director

FROM: Oliver W. Johnson, Jr. Compliance Administrator

DATE: July 28, 2005

SUBJECT: Pre-disciplinary Meeting

A Pre-disciplinary Meeting was held at Professional Standards
(location)
on July 28, 2005
(date & time)

Present: Raymond T. Miller, Director (name & title)
Oliver W. Johnson Jr., Compliance Adm (name & title)
Carolyn Killings, Business Agent NCF&O (name & title)
Mr. Darrol L. Farrington, Sr (name & title)

(add lines, if necessary)

You were represented by: Carolyn Killing, Business Agent NCF&O
(name & title)

Although you were reminded you have the right to a representative of your choice, you did not have a representative because (check one) ☐ you chose not to, or ☐ the applicable bargaining unit declined to represent you because you were not a member.

You are alleged to have violated or been non-compliant with the following applicable standards of behavior. Listed are all applicable Florida Statute(s), Policies, Rules, and Administrative Guidelines:

Florida Statutes: 316.1575 FSS Re: Obedience to traffic control devices at railroad-highway grade crossings (list all applicable)

Florida Administrative Code(s): FAC 6B-4.009 Criteria for Suspension and Dismissal (list all applicable)

School Board Policies: 1.013 Responsibilities of School District Emp. 3.27 Suspension and Dismissal
3.21 District Policy: Safe Operation of District School Buses (list all applicable)

District Administrative Directive(s): 2.36 District Directive: Standards for Employees Who Drive Board Vehicles (list all applicable)

Collective Bargaining Agreement Section(s): CBA Between the District and NCF&O Local 1227 Article 17 Section 6 (list all applicable)

School Bus Driver or other Handbook Section(s): Section II.C.1, Section II.C.7 and Section II.E.9. and Section VI (list all applicable)

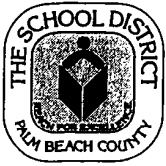
Other Rule(s) or Guideline(s): 3.13 District Policy Re: Self-Reporting of Arrests & Conviction by School District Employees (list all applicable)

Form F

You have been provided with a copy of the Professional Standards Investigation Report regarding Case Number #04/05-171. The Pre-disciplinary Meeting was held to give you and your representative the opportunity to provide additional information, dispute, explain or elaborate on the information in the Professional Standards Investigation Report. You presented the following facts and/or information or documents for consideration.

On July 28, 2005 a PDM was held in the Office of Professional Standards concerning allegations of unsafe operation of a school bus. You were recorded by an on board video recorder as you stopped your school bus on the railroad tracks. Once you realized that you were on the track you, proceeded to put the bus in reverse and cleared the tracks. During your PDM you stated that you have been a bus driver for the School Board for 6 years. On the day in question you were operating a school bus which was making a right turn on to Palm Beach Lakes. You said that you made a wide turn and proceeded west bound. Students on the bus were observed making a lot of noise. Your radio was too loud and prevented you from hearing the on-coming train. You stated that on the day in question you were assigned extra schools for transportation. You stated that you were running a little bit late and accidentally got too close to the train rails. You said you did not hear or realize that a train was coming. You denied that you were talking on your cell phone while driving. You said that before this incident occurred you went to your administration and complained because you felt that you had been given too many students to manage. You admitted that you looked both ways before proceeding onto the train tracks. The employee admitted that he needs to be more cautious and a safer driver. You are reminded that you must maintain order on the bus. Students should not ride the bus in a disorderly fashion. You should maintain order from pick up to delivery to their respective home and school locations.

This summary will be considered by the (check one): ☐ Work Location Supervising Administrator or ☐ the Employee Investigation Committee along with the Professional Standards Report in reaching a decision as to whether the allegation(s) are unfounded, unsubstantiated or are substantiated and a recommended discipline (if applicable). You will be advised of the finding and discipline, if any, that is recommended or is to be imposed.



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

JAMES HAYES, JR.
CHIEF OFFICER

RAYMOND T. MILLER
DIRECTOR

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

Certified Mail #7005-1160-0003-9756-6990 and Regular U.S. Mail

August 29, 2005

Darrol L. Farrington, Sr.

[REDACTED]
Boynton Beach, FL 33435

RE: Notification of Public Record

Dear Mr. Farrington:

As you are aware, the Professional Standards investigation concerning disciplinary violations you are alleged to have committed has been concluded. You were previously advised that the investigative file concerning this matter and its contents would be considered public record at the conclusion of the investigation.

This letter is to confirm that the above material will be released, upon request, minus any allowable exemptions, ten (10) days following your receipt of this letter. This notification is made consistent with Florida Statute 1012.31.

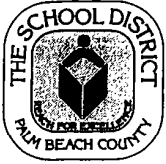
Sincerely

A handwritten signature in black ink, appearing to read "Raymond T. Miller", is written over a horizontal line.

Raymond T. Miller
Director of Professional Standards

RTM:erh

- c. James Hayes, Jr., Chief Officer of Human Resources
Vicki Evans-Paré, Associate Counsel for Personnel
Carolyn Killings, Business Agent, NCF&O, Local 1227



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

JAMES HAYES, JR.
CHIEF OFFICER

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

DIVISION OF HUMAN RESOURCES
DEPARTMENT OF PROFESSIONAL STANDARDS
3370 Forest Hill Boulevard, A-115
West Palm Beach, FL 33406-5870

(561) 434-8545 FAX: (561) 434-8178

September 7, 2005

Certified Mail # 7005-1160-0003-9756-7102 & Regular U.S. Mail

Darrol L. Farrington, Sr.

[REDACTED]
Boynton Beach, FL 33435

**NOTICE OF SUSPENSION AND RECOMMENDATION
FOR TERMINATION FROM EMPLOYMENT**

Dear Mr. Farrington:

Based upon substantial information presented to me, I must hereby inform you that I have clear and convincing evidence sufficient to warrant disciplinary action against you. I will recommend your suspension without pay and termination from employment with the School District at the September 21, 2005, School Board meeting.

During the 2004/2005 school year, you were the subject of a Professional Standards investigation based upon allegations that you attempted to drive the bus through a railroad crossing while the gates were activated causing the gate to hit the top of the bus. Students were present on the bus at the time of the alleged incident. Further inquiry revealed at least one witness who alleged that you were talking on a cellular phone during the alleged incident. At the conclusion of the investigation, the allegation of unsafe operation of a school bus was sustained.

Sufficient just cause exists for you to be disciplined pursuant to Sections 1012.22(1)(f), 1012.27(5) and 1012.40 Florida Statutes; Palm Beach County School District Policies 1.013, 3.21 and 3.27, as well as Administrative Directives 2.36 and 3.27; the Palm Beach County School Bus Drivers and Bus Attendants Handbook Sections II and VI, and Article 17 (6) of the Collective Bargaining Agreement between the National Conference of Firemen & Oilers, Local 1227, and the School Board of Palm Beach County, for violations of the foregoing.

Please be advised that I will recommend at the September 21, 2005, meeting of the School Board of Palm Beach County, Florida, that your employment terminate effective upon expiration of fifteen (15) days subsequent to the September 21, 2005, Board meeting and shall be subject only to appeal under Section 120.68, Florida Statutes, unless a timely request for an administrative hearing is made within the fifteen (15) days stated herein pursuant to Sections 120.569 and 120.57, Florida Statutes, wherein you will remain suspended without payment of salary and benefits until final School Board disposition is entered subsequent to the administrative hearing proceedings. This action is taken in accordance with Sections 1012.22(f) and 1012.27(5), Florida Statutes. Failure to timely request an administrative hearing shall waive all rights to request a DOAH hearing on such matters and shall be subject only to appeal rights under Section 120.68, Florida Statutes. You have a choice of filing a grievance or requesting a hearing before the Division of Administrative Hearings (DOAH).

Palm Beach County Schools #3 in the NATION!
www.palmbeachschools.org for details
AN EQUAL OPPORTUNITY EMPLOYER

Darrol L. Farrington, Sr.
September 7, 2005
Page two

Should you desire a hearing, a request must be made in writing within or prior to the fifteen (15) days stated in this letter, and addressed to JulieAnn Rico Allison, Chief Counsel to the School Board, 3318 Forest Hill Boulevard, C-302, West Palm Beach, Florida 33406. If you decide to appeal a decision made by the School Board with respect to any matters considered at this meeting or hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. You shall have the responsibility at your own cost, to arrange for the transcript. You were previously advised, that the investigative report concerning this matter and its contents are considered public record and will be released, upon request, minus any allowable exemptions, ten (10) days after the date of that Notification of Public Record correspondence.

The September 21, 2005, School Board meeting will be held in the Board Room at 3300 Forest Hill Boulevard, West Palm Beach, Florida. The Board has set aside the time of 4:30 p.m. so that you or your representative may make an oral statement of no more than three minutes relative to your suspension and dismissal. If you or your representative intend to speak before the School Board, please immediately notify Ms. Alicia Palmer, Board Office, at (561) 434-8139.

Sincerely,

Arthur C. Johnson, Ph.D.
Superintendent

ACJ:GAW:JHJ:RTM:erh

- c. Gerald A. Williams, Chief Officer of Administration
James Hayes, Jr., Chief Officer of Human Resources
Melinda Wong, Director, Compensation & Employee Information Services (*Personnel File*)
JulieAnn Rico Allison, Chief Counsel to the School Board
Vicki Evans-Paré, Associate Counsel Personnel
Robert Riley, Director, Transportation
Carolyn Killings, Business Agent, NCF&O, Local 1227