

**EXECUTIVE SUMMARY**

**RECOMMENDATION FOR SUSPENSION & TERMINATION  
Harris J. Dubois, Custodian**

I recommend that the School Board approve Harris J. Dubois' Suspension Without Pay effective April 20, 2006, and Termination, effective fifteen (15) days after the April 19, 2006, Board Meeting, 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 Section 120.569 and 120.57, Florida Statutes, wherein Mr. Dubois will remain suspended without payment of salary and benefits until final School Board disposition is entered to the administrative hearing proceedings.

On or about November 11, 2005, Mr. Dubois became the subject of a Professional Standards investigation into allegations that during the first semester of the 2005/2006 school year, he left a personal note for a first grade student in her pencil box, gave gifts of candy and a book containing his home phone number to and hugged one or more female elementary students. During the investigation, it was discovered that he had asked elementary students for photographs of themselves, asked an elementary student why she hadn't called him and had untruthfully told an investigator that he had permission from one of the students parents to communicate with the student. At the conclusion of the investigation, the allegations of inappropriate relationship with a student and inappropriate comments to students were sustained.

Sufficient just cause exists for Mr. Dubois 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 and 3.27, as well as Administrative Directive 3.27, 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.

11/11/05 Professional Standards was advised of allegations against Mr. Dubois.

01/27/06 Professional Standards investigation of Case #05/06-064 concluded.

01/31/06 Pre-disciplinary meeting (PDM) held. Summary for the Record issued following PDM.

02/10/06 Employee Investigation Committee (EIC) reviewed case, found the allegations substantiated and recommended discipline ie., Written Reprimand, Counseling, No Student Contact

02/23/06 Chief Academic Officer (CAO) reviewed and concurred with recommended discipline.

LEGAL SIGN-OFF:

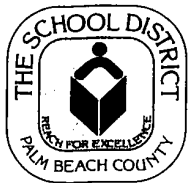
Yes   No

- 03/07/06 The Superintendent's review of the facts of the case resulted in his changing the recommended discipline to termination as most appropriate and in the best interest of the District.
- 03/28/06 Ten (10) day notification of public record to employee per Florida Statute 1012.31.
- 04/03/06 Superintendent's letter of notification to employee.
-

I. EXHIBITS:

- A. Professional Standards Investigation Report – Harris J. Dubois
  - B. 11/14/05 Request for Temporary Reassignment of Employee
  - C. 02/10/06 Employee Investigation Committee Findings & Recommendation
  - D. 03/28/06 Ten (10) day notification of public record to employee per Florida Statute 1012.31.
  - E. 04/03/06 Superintendent's letter of notification to employee.
-





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

a. RTM 1/26/06

05/06 - 064

January 23, 2006

**MEMORANDUM**

**TO:** Mr. Ray Miller, Director  
Professional Standards

**FROM:** Robert Woods, Lieutenant  
School Police Department

**SUBJECT:** Investigation - PBCSB Case No. 05-3226  
Date of Incident: Fall 2005  
Date Incident Reported: 11/11/05

Allegation: Inappropriate Relationship

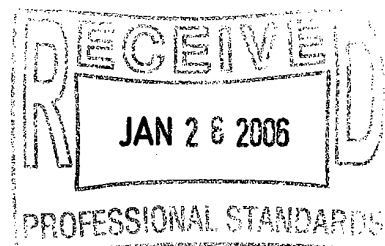
Suspect: Harris Dubois(SS# \_\_\_ - \_\_\_ [REDACTED])  
Custodian - Grove Park Elementary School

The following is a summation to the incident which occurred at Grove Park Elementary School, which was investigated by Detective Wilson. If you have any questions, please feel free to contact me at Px-48559.

RW:bg

Attachment

PALM BEACH COUNTY SCHOOLS #3 IN THE NATION  
AN EQUAL OPPORTUNITY EMPLOYER



(1)

**NARRATIVE CONTINUATION**

**FLO 504200**      **PALM BEACH COUNTY SCHOOL DISTRICT POLICE**

**Case:**                                **05-3226**  
**Investigator:**                    **J. Garson #920**  
**Reported Date:**                **11/11/05 - 1045 Hours**

On 11/11/2005 at approximately 1045 hours, I arrived at Grove Park Elementary School in regard to a suspicious incident. I met with Principal Darlene Nowocien who advised that on 11/10/2005 her head custodian (Mr. Palmer) brought her a note that had been given to him on 11/07/2005 by first grade teacher Jaime Church.

After reviewing the letter, it was the belief that another custodian named Harris Dubois may have written the note. The note had the name of student "<<Victim 1>>" written twice on one side and on the other were the words, "Hay <<Victim 1>> Welcome Back to School from your Big Brother" and then had a line with an X in front and a signature that appears to be the letters "H", unknown letter, and "D."

The letter was given to Jaime Church by her student <<Victim 1>> after she found it in her pencil box inside her desk. Harris has been seen around the student and recently asked the teacher about fixing <<Victim 1>>'s desk. The Principal advised that she felt concern over the incident and reported it through her chain of command and to the School Police where she has been given a Personnel Tracking number of 05T0130. I had the Principal write out a Witness Statement-see attached.

The note was turned over to me and has been placed into evidence.

I then met with Jaime Church with the Principal present and had her complete a Witness State Form-see attached. Church advised that at the beginning of the school year the custodian had told her that he knew <<Victim 1>> from last school year and that she was kind of like a little sister to him. When they would see the custodian he would make a point to say hello to the student. After they returned to school from being out due to Hurricane Wilma, <<Victim 1>> brought Church a note she had found in her pencil box inside her desk.

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This is the note mentioned above by the Principal. Church then gave the note to Mr. Brown who is the lead custodian and Mr. Palmer. She then sent an email to the Principal-see attached. About two days after she turned in the note, Harris Dubois came into her classroom and asked if she needed any desks fixed, because he had noticed <<Victim 1>>'s desk was cracked and had fixed it. Church felt this offer was unusual.

I then had Church and the Principal speak to <<Victim 1>> about the note. <<Victim 1>> told them that she knew him and was shown the note <<Victim 1>> had found in her desk. She was asked who gave her the note and <<Victim 1>> said it was her friend. When asked what friend, <<Victim 1>> replied that it was the man who helps with the garbage. She then told them that Harris had talked to her about the note and she told him she had found it and had given it to the teacher. Church asked her how she knew the custodian and was told that the custodian had told

**Case:** 05-3226  
**Investigator:** J. Garson #920  
**Reported Date:** 11/11/05 - 1045 Hours

her that he knew her aunt. <<Victim 1>> advised that she has not seen the custodian or had contact with him outside of school. Her aunt has not mentioned him to her.

I advised the Principal to contact <<Victim 1>>'s parents and advise them of the incident and let them know that the District is looking into the incident.

This case is a personnel complaint and should be forwarded to the Detective Bureau for follow up investigation.

## Supplement

**Case:** 05-3226  
**Investigator:** C. Wilson #823  
**Supplement Date:** 12/21/05

On Tuesday, December 6, 2005 I received this case to conduct follow up investigation in reference to an incident that occurred on the campus of Grove Park Elementary School located at 8330 North Military Trail Palm Beach Gardens, Florida 33410. The incident involved Custodian, Black Male, Harris Dubois and students, <<Victim 1>>, <<Victim 2>> and <<Victim 3>>.

The initial complaint was taken by Officer Jack Garson of the Palm Beach County School District Police Department, who documented his findings in a police report

**Allegation:** (Suspicious Incident) Dubois alleged to have had improper contact with three (3) female Elementary students.

I reviewed the sworn written statement obtained from Darlene Nowocien, Principal of Grove Park Elementary School, who stated; Mr. Palmer, the Head Custodian, brought her a letter that was given to him by one of the first (1<sup>st</sup>) grade teachers. Nowocien stated the letter appears to have been written by Harris Dubois, a regular custodian that she has had other performance concerns about. Nowocien stated the letter was given to Jaime Church, one of the first grade teachers by <<Victim 1>>, who found the note inside her desk. Nowocien stated she does not want Dubois to return to her school.

I reviewed the sworn written statement obtained from, Jaime Church, who stated, she spoke to <<Victim 1>> about her relationship with Dubois and she stated she knew him. Church stated she showed <<Victim 1>> the note with Nowocien present and asked <<Victim 1>> if she knew who gave her the note. Church stated <<Victim 1>> told her that her friend, the man who helps with the garbage, gave her the note. Church stated, <<Victim 1>> told her Dubois asked her if she received the note. Church stated Dubois told her that he knew <<Victim 1>> from last year and <<Victim 1>> was kind of like a little sister to him. Church stated she observes Dubois in the hallway and has seen him make it a point to speak to <<Victim 1>> when he saw her. Church stated <<Victim 1>> brought her the note when they returned after the hurricane and stated she found the note in her pencil box inside her desk. Church stated two (2) days later Dubois came into her classroom asking if she needed any desks fixed. Church stated Dubois noticed a crack was in <<Victim 1>>'s desk, returned and fixed the desk.

I reviewed a copy of the note found inside <<Victim 1>>'s desk and it read; "Welcome back to school from your Big Brother" with the initials "H.JR.D".

I met with <<Victim 1>>, a first (1<sup>st</sup>) grade student and in a sworn recorded statement she stated that she found the note in her pencil box inside her desk. <<Victim 1>> identified Dubois as the man who helps



**Case:** 05-3226  
**Investigator:** C. Wilson #823  
**Supplement Date:** 12/21/05

with the garbage and is her friend. <<Victim 1>> stated that Dubois speaks to her frequently and often gives her hugs. <<Victim 1>> stated Dubois gave her an Elmo Book and the book contained Dubois' name and telephone number. <<Victim 1>> stated while in school one day Dubois saw her and asked her, "Why did you not call me?". <<Victim 1>> also stated Dubois asked her for a school picture and she told Dubois she could not give him one. <<Victim 1>> stated she has had no contact with Dubois outside of the school. <<Victim 1>> stated her aunt <<Victim 2>> has seen Dubois talking to and hugging her.

I met with <<Victim 2>>, a fifth (5<sup>th</sup>) grade student and in a sworn recorded statement stated she has observed Dubois hug <<Victim 1>>. <<Victim 2>> stated <<Victim 1>> has told her that she and Dubois are friends and he calls her his little sister. <<Victim 2>> stated that she has never observed Dubois give <<Victim 1>> anything or touch <<Victim 1>> in a sexual way. <<Victim 2>> stated she does not know Dubois and the only contact she has had with Dubois was a handshake. <<Victim 2>> stated Dubois did ask her for a picture, but <<Victim 2>> stated she explained to Dubois that she could not give him a picture of her.

On Monday, December 19, 2005, at 1100 hours I met with Harris Dubois at the Australian Warehouse located in Riviera Beach, Florida, where I obtained the following sworn recorded statement: Dubois stated initially there was only one (1) student he had been communicating with and her name was <<Victim 3>>. Dubois stated he knows <<Victim 3>> from the church he attends and communicates with <<Victim 3>> there as well. Dubois stated he had left a note for <<Victim 3>> in her desks stating; "Welcome back to school from your Big Brother". Dubois stated in addition to leaving the note for <<Victim 3>>, he has given her friendly hugs, given <<Victim 3>> candy, asked her for a picture and given <<Victim 3>> a picture of him. Dubois stated he has permission from <<Victim 3>>'s mother, who he has identified as [REDACTED] and Grandmother, who Dubois has identified as "Ms. [REDACTED]". Dubois stated <<Victim 3>> was the only student he had been communicating with until I presented him with the note that he left for <<Victim 1>>.

Dubois stated after being confronted with the note he remembers leaving the note in <<Victim 1>>'s desk, but originally stated the only student he had been communicating with was <<Victim 3>>. Dubois stated in addition to leaving the note he had given <<Victim 1>> candy, a Walt Disney Reading Book, asked <<Victim 1>> for a school picture and had been giving what Dubois describes as friendly hugs. Like <<Victim 3>> Dubois stated he got permission from <<Victim 1>>'s mother to be her "Big Brother". Dubois stated he knows <<Victim 1>> from school and would often see her during after care at Grove Park Elementary School. Dubois described his behavior as playful and not serious. Dubois stated he thinks that it is fine for a man of his age (25 years) to befriend young girls as long as it does not go too far. I asked Dubois to explain what he meant by his previous statement. Dubois stated; "As long as you do not ask them out on a date or have them call you and if the parents were okay with it then I would not have a problem with it". I asked Dubois

**Case:** 05-3226  
**Investigator:** C. Wilson #823  
**Supplement Date:** 12/21/05

why he left his name and phone number in the book he gave <<Victim 1>>. Dubois stated he did not mean to leave his name and number in the book but, it was written in the book as a means to remember what his phone number was. Dubois stated he meant to scratch his name and telephone number from the book. I asked Dubois why he asked <<Victim 1>> a couple of days later, after given her the book, why she didn't call him. Dubois response was, "I was just joking with her and I did not mean it". Dubois stated he asked <<Victim 1>> for one of her school pictures and she refused to give him one. Dubois stated he never had contact with <<Victim 1>> outside of school.

I asked Dubois about <<Victim 2>> and Dubois stated he never wrote a note to <<Victim 2>> and the only physical contact he has had with <<Victim 2>> was a handshake and nothing else. I asked Dubois why he asked <<Victim 2>> for a picture and he stated he just wanted a picture, but <<Victim 2>> refused to give him one. Dubois stated he was trying to be their friend and did not mean to cause such a problem.

Dubois is a twenty-five (25) year old black male whose case history revealed he played a role in a Domestic Disturbance on November 14, 2005 and was a victim in an Aggravated Assault back on March 12, 2002. Dubois has been employed by the Palm Beach County School District for two (2) years.

I obtained the parent contact information for the three (3) students involved and none of the parents gave Dubois permission to have any kind of contact with their children, in fact the parents of the students, the Principal and some staff stated they thought Dubois was "Creepy".

At 1230 hours I met with <<Victim 3>>, a first (1<sup>st</sup>) grade student, who stated in a sworn recorded statement she also identified Dubois as the man who helps with the garbage. <<Victim 3>> stated Dubois has communicated with her, but could not remember what he said. <<Victim 3>> stated Dubois has never given her hugs, but has asked her for a school picture. <<Victim 3>> stated Dubois had given her a picture of himself. <<Victim 3>> stated she showed the photograph of Dubois to her mother and <<Victim 3>> stated her mother told her, "She has the biggest crush on him". <<Victim 3>> stated she keeps the picture of Dubois in her room and in plain view.

On Monday, January 23, 2006 at 1150 hours, I made contact with <<Victim 3's Mother>>, Mother of <<Victim 3>>, who stated she does not know Dubois, nor does she have a crush on him. <<Victim 3's Mother>> stated <<Victim 3>> does not have a picture of Dubois in her bedroom or anywhere else.

At 1210 hours I attempted to contact <<Victim 1>> with negative results due to a disconnected telephone number.

**Investigative findings**

Dubois admitted to having verbal and physical contact with <<Victim 1>>

**Case:** 05-3226  
**Investigator:** C. Wilson #823  
**Supplement Date:** 12/21/05

and <<Victim 3>>. Dubois stated he gave both <<Victim 3>> and <<Victim 1>> candy in return for their friendship. Dubois admitted to given <<Victim 1>> a reading book with his name and phone number inside and asking her to call him.

Dubois was not truthful with his statement in the beginning, but as I presented him with the fact of this case he could not deny what he had done.

Dubois' actions would be considered inappropriate contact, however, there is insufficient evidence to suggest Dubois attempted to have sexual contact with the female students. This case does not rise to the level of a criminal violation but suggests that some Palm Beach County School District policy violations did occur. This case will be forwarded to the Palm Beach County School District Department of Professional Standards for review and action.

11-7-05

JOY

Welcome BACK to School.

from YOUR BIG Brother

JOY

**Darlene Nowocien**

---

**To:** Jaime Church  
**Subject:** RE: concern

-----Original Message-----

**From:** Jaime Church  
**Sent:** Monday, November 07, 2005 4:03 PM  
**To:** Darlene Nowocien  
**Subject:** concern

Ms. Nowocien

I had an issue with Mr. Dubois the Custodian for our grade and one of my students. He has kind of befriended one of my students, but this morning when the kids came back she brought me a note that was in her crayon box. It said something about welcome back to school from your big brother I think he thinks of her as a little sisiter. I gave the note to Mr. Brown to give to Mr. Palmer, but I wanted to let you know as well I just didn't think it was appropriate. I didn't question him about the note but I felt some one should know.

Thanks  
Mrs. Church



THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

### Sworn/Affirmed Statement

Case No.	05-3226
Date	11/11/2005
Time	1058

WITNESS     VICTIM     SUSPECT     OTHER

NAME OF PERSON MAKING STATEMENT (full name) <u>Darlene J. Nowogon</u>	BIRTH DATE <u>11/29/50</u>	HOME TELEPHONE NUMBER <u>( ) ( ) ( ) ( ) ( ) ( )</u>	WORK TELEPHONE NUMBER <u>(561) 694-7350</u>
ADDRESS (street address, city, state, zip code) <u>8330 N. Military Trl. Palm Beach Gardens FL 33400</u>			

I voluntarily furnish this sworn/affirmed statement to: Officer Das- ID 980

VICTIM ONLY (Parent of Juvenile):

I am requesting criminal charges.  Yes  No I further understand that I will be required to appear in court if subpoenaed.

\_\_\_\_\_  
SIGNATURE OF VICTIM (PARENT OF JUVENILE)      DATE

#### STATEMENT

On the eve of 11/10/05 our head custodian <sup>(Mr. Palmer)</sup> brought me a letter that was given to him on 11/7/05 by one of our 1st grade teachers. The letter appears to have been written by a staff member who is a <sup>(Harris Dubois)</sup> regular custodian that we have had other performance concerns about. The letter was given to the teacher <sup>(Mrs. Church)</sup> by a female student who found it in her pencil box in her desk upon return from the hurricane. The teacher <sup>(Mrs. Church)</sup> told me on 11/11/05 A.M. that she had a concern about the whole situation cause the custodian has also been coming by and talking to her and once at dismissal he came

Darlene J. Nowogon 11/11/05  
SIGNATURE, PERSON MAKING STATEMENT (sign every page)      DATE

WITNESS SIGNATURE (sign every page) \_\_\_\_\_ DATE \_\_\_\_\_ WITNESS SIGNATURE (sign every page) \_\_\_\_\_ DATE \_\_\_\_\_

Sworn to and subscribed this 11th day of November, 2005.

NOTARY PUBLIC, STATE OF FLORIDA

John E. ...  
LAW ENFORCEMENT OFFICER      ID NO. \_\_\_\_\_

Page 1 of 2

X (over) PEC Reverse 7 (10)

by and went up to the <sup>( )</sup> girl to talk to her. Also the <sup>(Ms. Church)</sup> teacher said she had a concern because the day after the note was found the <sup>(Dubois Harris)</sup> custodian asked the teacher if she needed any desks fixed. He also asked her if <sup>( )</sup>'s desk was fixed cause' he fixed it yesterday. The teacher told me that ~~so~~ this seemed very strange to her and with everything else she was feeling "creepy" and "awkward" about the situation and the custodian. I am reporting this to <sup>(Mr. Dubois)</sup> the best of my ability as I remember it being told by the ~~eteacher~~ teacher, head custodian and email sent to me by the teacher.

J. Nowcien  
11/11/05

Office Case # 920  
11/11/05



THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Sworn/Affirmed Statement**

Case No.	05-3226
Date	11/11/2005
Time	1:58

WITNESS     VICTIM     SUSPECT     OTHER

NAME OF PERSON MAKING STATEMENT (full name) Jaime Church	BIRTH DATE 3/20/1980	HOME TELEPHONE NUMBER T	WORK TELEPHONE NUMBER (561) 694-7350
ADDRESS (street address, city, state, zip code) 8330 N. military Trl. Palm Beach Gardens, FL 33410			

I voluntarily furnish this sworn/affirmed statement to: Officer Dalton ID 920

**VICTIM ONLY (Parent of Juvenile) :**

I am requesting criminal charges.  Yes  No I further understand that I will be required to appear in court if subpoenaed.

\_\_\_\_\_  
SIGNATURE OF VICTIM (PARENT OF JUVENILE)      DATE

**STATEMENT**

At the beginning of the year Mr. Dubois had mentioned to me that he knew \_\_\_\_\_ from last year and said she was kind of like a little sister to him. When we would see Mr. Harris in the hall he would always make it a point to say hello to her. After we came back from being out of school during the hurricane \_\_\_\_\_ brought a note up to me that she had found in her pencil box inside her desk. The note said welcome back to school from your big brother. I knew that it was from Mr. Dubois. I then gave the note to Mr. Brown and Mr. Palmer and mailed Ms. Nowocier. About two days after I turned the note in Mr. Dubois came in my room and asked me if I needed any desks fixed because he had noticed \_\_\_\_\_ desk was cracked (and fixed it. This offer was very unusual to come from Mr. Dubois. He has not been someone who volunteers to do extra for me

Jaime Church      11/11/05  
SIGNATURE, PERSON MAKING STATEMENT (sign every page)      DATE

\_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE      \_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE

Sworn to and subscribed this 11th day of November, 2005.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

J. Dalton      920  
LAW ENFORCEMENT OFFICER      ID NO.  
Page 1 of 2





THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Sworn/Affirmed Statement**

Case No.	<u>05-3226</u>
Date	<u>11/11/2005</u>
Time	<u>1058</u>

WITNESS     VICTIM     SUSPECT     OTHER

NAME OF PERSON MAKING STATEMENT (full name) <u>Jaimie Church</u>	BIRTH DATE <u>3/20/1980</u>	HOME TELEPHONE NUMBER <u>T</u>	WORK TELEPHONE NUMBER <u>(561)694-7350</u>
ADDRESS (street address, city, state, zip code) <u>8330 N. Military Trl. Palm Beach Gardens, FL 33410</u>			

I voluntarily furnish this sworn/affirmed statement to: Officer J. Blair ID 920

**VICTIM ONLY (Parent of Juvenile) :**

I am requesting criminal charges.  Yes  No I further understand that I will be required to appear in court if subpoenaed.

\_\_\_\_\_  
SIGNATURE OF VICTIM (PARENT OF JUVENILE)      DATE

**STATEMENT**

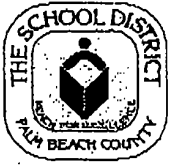
I spoke with \_\_\_\_\_ about her relationship with Mr. Dubois. She told me that she knew him. I showed her the note with Ms. Nawocien and asked her if she knew who gave it to her she said her friend. I asked her what friend and she said the man who helps with the garbage. She then told me the he had talked to her about the note at dismissal. She said he told her he had left her a note and she told his she had found it a gave it to me. I asked her how she knew his and she said Mr. Dubois knew her Aunt. I then asked if her Aunt told her that and she said no Mr. Dubois told her that her Aunt knew him. \_\_\_\_\_ said that she did not ever see or have contact with Mr. Dubois outside of school.

Jaimie Church      11/11/05  
SIGNATURE, PERSON MAKING STATEMENT (sign every page)      DATE

\_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE      \_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE

Sworn to and subscribed this 11th day of November, 2005.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA      J. Blair      ID NO. \_\_\_\_\_  
LAW ENFORCEMENT OFFICER      Page 2 of 2



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

COMPLAINT/INCIDENT/ALLEGATION INTAKE FORM

Tracking Number 05T-0130

Date & Time Reported: 11/11/05 1000 hrs.

REPORTING PERSON Darlene Nowocien TITLE/POSITION principal

TELEPHONE NUMBER: px 80581

ADDRESS: \_\_\_\_\_

LOCATION OF INCIDENT/SCHOOL: Grove Park E1

DATE/TIME OF INCIDENT: 11/10/05

ALLEGATION:

Dubois has been going up to [redacted] class to say hi at dismissal time. Yesterday he left a note in her desk saying "hi welcome back to school from your big brother."

INJURIES  No  Yes TYPE: \_\_\_\_\_

VICTIM: [redacted] STUDENT/EMPLOYEE [redacted]  
ADDRESS: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

SUBJECT EMPLOYEE NAME: Harris Dubois  
TITLE/POSITION: Custodian

OTHERS INVOLVED: Anthony Palmer (Head Cust)

HAS THE ASSIGNED SCHOOL RESOURCE OFFICER BEEN NOTIFIED: yes  
OFFICER NAME: Garrison # 920 CASE NUMBER: 05-3226

PERSON RECEIVING COMPLAINT: [Signature]

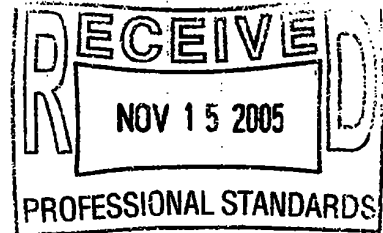
ROUTED TO: PROFESSIONAL STANDARDS (FAX 48178) and \_\_\_\_\_  
(if applicable)

(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) \_\_\_\_\_

# REQUEST FOR TEMPORARY REASSIGNMENT OF EMPLOYEE

TO: James Hayes, Jr.  
FROM: Darlene J. Nowocien, Principal/Director  
SCHOOL or WORK SITE LOCATION: Grove Park Elementary  
DATE: 11/14/05 PHONE: 561-691-0581

Chief Officer of Human Resources



NOV 14 '05 AM 11:27

Employee's Name: Mr. Harris Dubois  
Permanent Position: Custodian  
Allegation: Possible concern with safety of students

Based on the details provided below, I am requesting that the employee named above be temporarily reassigned pending the outcome of an investigation. I understand that the employee will be reassigned with pay to another position and/or location, or to her/his residence with pay, if no such suitable alternative position is available. I also understand that the employee will continue to be paid from my budget and continue to occupy the position control number in which (s)he was previously placed prior to the reassignment. Further, I understand that at the conclusion of the investigation, unless otherwise applicable, the employee will return to the permanent location from which (s)he was temporarily reassigned.

The specific factors which warrant the reassignment of the employee are the following:  
this employee has been in the process of being monitored through observations, training and conferences with administration and North area custodial staff for performance concerns. These have included but not been limited to poor judgement, over extended length of time to complete work, incomplete work, and anger exhibited during a custodial review meeting where he ripped up the conference notes and threw them on the table. Most recently and importantly, it has been reported by a teacher that this custodian has placed a note in a 1<sup>st</sup> grade female student's pencil case. The custodian asked the student after school as she was waiting for her bus if she got his letter. She told him that she gave the letter to the teacher. The next day the custodian asked the teacher if any students' desks needed to be fixed. He also said that he fixed " [redacted] desk" and did it need fixing? The teacher had a concern and then gave the note to the lead custodian who then gave it to the head custodian who in turn gave it to the principal several days later. Additionally, two 1<sup>st</sup> grade teachers overheard the custodian ask the female student for her picture when she was waiting for her bus at dismissal. The teachers told the female student not to give her picture to anyone.

The teacher of the female student said she does not want the custodian to know that she told as she feels "creepy" around him and is a bit scared. The lead custodian has expressed concern as well. Nothing specific has been stated, only feelings.

The principal has tried to contact the home and left a message at the phone # on the student's registration form on Friday. As well the principal has contacted professional standards on several occasions in reference to this custodian and has alerted the area office director and area superintendent.

As Area Superintendent/Supervisor of the above Principal/Director, I am cognizant of the facts as outlined above and concur with the request.

[Signature] Title: N. Area Supt Date: 11-14-05

SEND TO FAX NUMBER 434-8178 (48178)

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**EMPLOYEE INVESTIGATION COMMITTEE  
COMMITTEE FINDINGS & RECOMMENDATION**

The Employee Investigation Committee meeting of 2-10-06 considered  
School Board Case No./Name 05/06-064 Harris Dubois.  
The Employee Investigation Committee findings are as follows as to each allegation:

	<u>Allegation:</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Substantiated		✓	✓	—	—
Unsubstantiated		—	—	—	—
Unfounded		—	—	—	—

The EIC members participating in the above fact finding acknowledge their agreement or disagreement with the above findings.

<u>Names</u>	<u>Agree</u>	<u>Disagree</u>
E. Wayne Gent	_____	_____
Janis Andrews	_____	_____
Rodney Montgomery	_____	_____
<i>CHAIR</i> - Thomas Hogarth	✓	_____
Olivia Butler	_____	_____
Katherine Vaughn-Harden	_____	_____
Vera Garcia	_____	_____
Reginald Myers	_____	_____
Donna Binninger	_____	_____
Jose Garcia	✓	_____
David Culp	✓	_____
Russell Feldman/ Thomas Orloff	_____	_____
Robert D. Riley/ Yevola Falana	✓	_____
Steve Bonino/ Denise Cargill	_____	_____

RECEIVED  
FEB 23 2006  
CHIEF ACADEMIC OFFICER

The EIC members participating in the above fact finding acknowledge their agreement or disagreement with the following recommended discipline:

WRITTEN REPRIMAND

COUNSELING NO STUDENT CONTACT

<u>Names</u>	<u>Agree</u>	<u>Disagree</u>
E. Wayne Gent		
Janis Andrews		
Rodney Montgomery	✓	
Thomas Hogarth	✓	
Olivia Butler		
Katherine Vaughn-Harden		
Vera Garcia		
Reginald Myers		
Donna Binninger		
Jose Garcia		
David Culp	✓	
Russell Feldman	✓	
Thomas Orloff	✓	
Robert D. Riley/ Yevola Falana	✓	
Steve Bonino/ Denise Cargill		

*Am Bellata*  
 Chief Officer of Human Resources  
 Concur with Above Findings & Recommendation

2/23/06  
 Date

Chief Officer of Human Resources Date

Do Not Concur with Above Findings & Recommendation

I recommend the following disciplinary action to be taken: \_\_\_\_\_

This recommendation is based on the following: \_\_\_\_\_

**Ray Miller (Personnel/Prof.Standards)**

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**From:** Melinda Wong  
**Sent:** Wednesday, March 08, 2006 3:56 AM  
**To:** Ray Miller (Personnel/Prof.Standards)  
**Subject:** FW:Miscellaneous Items

FYI, Ray. We discussed Mr. DuBois' status at Appointments on Tuesday. It was decided we should overrule the EIC and go for termination. Do you need anything else from me to proceed in this direction? Please be aware that all agenda items for 4/19 Board Meeting must be submitted online via eAgenda by noon on Friday, 3/10. I am assuming Eileen is the one who prepares your items and submits, using the eAgenda template. Ann Killets will review the proposed items over the weekend.

Also need to talk to you about an issue that Nancy Lucas discussed with Oliver during your absence. Debbie Simpson met with me on Tuesday and I want to update you. I will be proctoring FCAT at Conniston almost all day on Wednesday so we might not be able to meet until Thursday although the situation has been handled.

Mel

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**From:** Melinda Wong  
**Sent:** Wednesday, March 08, 2006 3:42 AM  
**To:** Rebeca Robinson  
**Cc:** Marisol Ferrer  
**Subject:** Request for 9920 Position Control Number

Becky,

As a result of my meeting yesterday during Appointments, the Superintendent authorized placing Harris DuBois, custodian at Grove Park Elementary, into a 9920 position. Do you also handle requests for 9920 placements of noninstructional personnel or should I be working with someone else? Thanks.

Melinda



THE SCHOOL DISTRICT  
OF PALM BEACH COUNTY, FLORIDA

Raymond T. Miller, Director  
PROFESSIONAL STANDARDS DEPARTMENT  
3370 Forest Hill Boulevard, A-115  
West Palm Beach, FL 33406-5870

(561) 434-8348 FAX: (561) 434-8178  
www.PalmBeachSchools.org

ANN KILLETS  
CHIEF ACADEMIC OFFICER

ARTHUR C. JOHNSON, Ph.D.  
SUPERINTENDENT OF SCHOOLS

Certified Mail #7005-3110-0001-8064-0257 and Regular U.S. Mail

March 28, 2006

Harris J. Dubois  
58 West 27<sup>th</sup> Street, #S  
Riviera Beach, FL 33404

RE: Notification of Public Record

Dear Mr. Dubois:

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

---

Raymond T. Miller  
Director of Professional Standards

RTM:erh

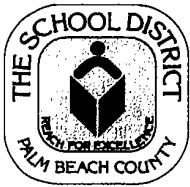
- c. Melinda Wong, Director, Compensation and Employee Information Services  
Vicki Evans-Paré, Associate Counsel for Personnel

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An Equal Education Opportunity Provider

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THE SCHOOL DISTRICT  
OF PALM BEACH COUNTY, FLORIDA

ANN KILLETS  
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www.PalmBeachSchools.org

Certified Mail # 7005-3110-0001-8092-5545 & Regular U.S. Mail

April 3, 2006

Harris J. Dubois  
58 West 27<sup>th</sup> Street, #S  
Riviera Beach, FL 33404

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

Dear Mr. Dubois:

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 April 19, 2006, School Board meeting.

On or about November 11, 2005, you became the subject of a Professional Standards investigation into allegations that during the first semester of the 2005/2006 school year, you left a personal note for a first grade student in her pencil box, gave gifts of candy and a book containing your home phone number to and hugged one or more female elementary students. During the investigation, it was discovered that you had asked elementary students for photographs of themselves, asked an elementary student why she hadn't called you and had untruthfully told an investigator that you had permission from one of the students' parents to communicate with the student. At the conclusion of the investigation, the allegations of inappropriate relationship with a student and inappropriate comments to students were 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 and 3.27, as well as Administrative Directive 3.27, 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 April 19, 2006, meeting of the School Board of Palm Beach County, Florida, that your employment terminate effective upon expiration of fifteen (15) days subsequent to the April 19, 2006, 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).

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Harris J. Dubois  
April 3, 2006  
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 Gerald A. Williams, 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 April 19, 2006, 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:AK:MW:RTM:erh

- c. Ann Killets, Chief Academic Officer  
Gerald A. Williams, Chief Counsel to the School Board  
Melinda Wong, Director, Compensation & Employee Information Services (*Personnel File*)  
Vicki Evans-Paré, Associate Counsel for Personnel  
Darlene Nowocien, Principal, Grove Park Elementary
-

Filename: Dubois, HJ Exec.Sum. (T) 04-19-06.doc  
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Documents\Executive Summaries  
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Data\Microsoft\Templates\Normal.dot  
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Author: Real Estate Services  
Keywords:  
Comments:  
Creation Date: 3/29/2006 2:55 PM  
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