

EXECUTIVE SUMMARY

RECOMMENDATION FOR SUSPENSION & TERMINATION

Rutha G. Scott, Teacher

I recommend that the School Board approve Rutha G. Scott's Suspension Without Pay, effective May 18, 2006, and Termination, effective fifteen (15) days after the May 17, 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 Ms. Scott will remain suspended without payment of salary and benefits until final School Board disposition is entered to the administrative hearing proceedings.

On or about December 1, 2005, Ms. Scott became the subject of a Professional Standards investigation into allegations that on that date, during testing in her Business Systems and Technology class, she placed a student into a windowless, unventilated closet that she unlocked to admit the student and locked behind the student after he entered and was seated on a chair. The student remained in the closet for a time estimated to be between ten (10) minutes by Ms. Scott and approximately fifty (50) minutes by the student and other witnesses. During that time, Ms. Scott could not see the student and could not monitor his well-being. Although it was later determined that the door to the storage closet could be opened from inside without a key, the student having heard Ms. Scott use her key to lock the door, indicated he was unaware of this and did not try to exit the closet. At the conclusion of the investigation, the allegations of inappropriate interaction with a student and failure to safeguard a student were sustained.

Sufficient just cause exists for Ms. Scott to be disciplined pursuant to Sections 1012.22(1)(f) and 1012.27(5) Florida Statutes; Administrative Rules 6B-1.001 Code of Ethics of the Education Profession in Florida; 6B-1.006 Principles of Professional Conduct for the Education Profession in Florida; and 6B-4.009 Criteria for Suspension and Dismissal; Palm Beach County School District Policies 1.013 and 3.27, as well as Administrative Directive 3.27, and Article II, Section M(6) of the Collective Bargaining Agreement between the Palm Beach County Classroom Teachers Association and the School Board of Palm Beach County, for violations of the foregoing.

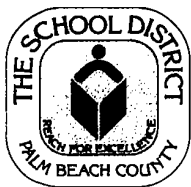
- 12/01/05 Professional Standards was advised of allegations against Ms. Scott.
- 03/28/06 Professional Standards investigation of Case #05/06-095 concluded.
- 03/29/06 Pre-disciplinary meeting (PDM) was held. Summary for the Record issued following PDM.
- 04/13/06 Employee Investigation Committee (EIC) reviewed case, found the allegations substantiated and recommended discipline ie., termination.

LEGAL SIGN-OFF:

Yes No



- 04/20/06 Chief Academic Officer (CAO) reviewed and concurred with recommended discipline.
- 05/02/06 Ten (10) day notification of public record to employee per Florida Statute 1012.31.
- 05/02/06 Superintendent's letter of notification to employee.



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA
Raymond T. Miller, Director
Professional Standards Department
3370 FOREST HILL BLVD., A, 115
WEST PALM BEACH, FL 33406-5870
561-434-8408 FAX 561-434-8178

ANN KILLETS
CHIEF ACADEMIC OFFICER

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

www.PalmBeachSchools.org

Certified Mail # 7005-3110-0001-8092-5637 & Regular U.S. Mail

May 2, 2006

Rutha G. Scott
9118-E Boca Gardens Parkway
Boca Raton, FL 33496

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

Dear Ms. Scott:

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 May 17, 2006, School Board meeting.

On or about December 1, 2005, you became the subject of a Professional Standards investigation into allegations that on that date, during testing in your Business Systems and Technology class, you placed a student into a windowless, unventilated closet that you unlocked to admit the student and locked behind the student after he entered and was seated on a chair. The student remained in the closet for a time estimated to be between ten (10) minutes by you and approximately fifty (50) minutes by the student and other witnesses. During that time, you could not see the student and could not monitor his well-being. Although it was later determined that the door to the storage closet could be opened from inside without a key, the student having heard you use your key to lock the door, indicated he was unaware of this and did not try to exit the closet. At the conclusion of the investigation, the allegations of inappropriate interaction with a student and failure to safeguard a student were sustained.

Sufficient just cause exists for you to be disciplined pursuant to Sections 1012.22(1)(f) and 1012.27(5) Florida Statutes; Administrative Rules 6B-1.001 Code of Ethics of the Education Profession in Florida; 6B-1.006 Principles of Professional Conduct for the Education Profession in Florida; and 6B-4.009 Criteria for Suspension and Dismissal; Palm Beach County School District Policies 1.013 and 3.27, as well as Administrative Directive 3.27, and Article II, Section M(6) of the Collective Bargaining Agreement between the Palm Beach County Classroom Teachers Association and the School Board of Palm Beach County, for violations of the foregoing.

Please be advised that I will recommend at the May 17, 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 May 17, 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).

An Equal Education Opportunity Provider

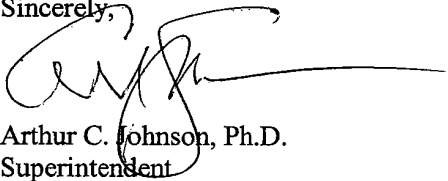
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Rutha G. Scott
May 2, 2006
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Should you desire a hearing, a request must be made in writing within or prior to the fifteen (15) days stated in this letter, and addressed to Gerald A. Williams, Chief 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 May 17, 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
Peter Licata, Principal, Olympic Heights High