



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

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*Via Facsimile and Federal Express*  
*(615) 850-3671/Tracking No: 857486898580*

October 6, 2006

Randle Richardson, Chief Executive Officer  
Community Education Partners, Inc.  
2636 Elm Hill Pike, Suite 500  
Nashville, Tennessee 37214

*RE: Agreement Between the Palm Beach County, Florida School Board and  
Community Education Partners, Inc. (CEP)  
Notice of Intent to Recommend Immediate Termination of the Agreement*

Dear Mr. Richardson:

This letter constitutes *written notice* pursuant to Section 10.1 of the Agreement between the parties that for serious safety issues I, as Superintendent, intend to recommend that the School Board *immediately terminate* the Agreement and take control of and/or close Oak Grove Academy ("school"), which is managed and operated by CEP. This recommendation will be made at the School Board meeting scheduled for this Wednesday, October 11, 2006 at approximately 3:00 p.m. EST in the Board Room at the above address.

The "*immediate termination*" is based upon the following provision in the Agreement. Section 11.3 of the Agreement, which states:

Takeover for Health, Safety or Welfare "Notwithstanding any other provision of this Agreement, if the School District *reasonably believes that the health, safety or welfare of its students is materially threatened because of the actions or omissions of CEP, the School District may immediately take control of and operate the facility with its own forces, utilize the service of such of the CEP employees that it chooses or close the facility.* In this event, the School District shall be free, for the remainder of the current school year, to use any and all software (subject to the terms of Section 8.7), furniture, fixtures, equipment and facilities necessary to continue the education of the students (subject to the payments required by Section 5.1).

The recommendation to *immediately terminate* the Agreement regarding the CEP program is based upon multiple serious incidents impacting students' health, safety and welfare that have been reported to the School District from School Police, through parental and student complaints, and other sources since the beginning of this school year.

Such incidents include multiple serious verbal and physical fights between students; assaults by students on staff; contraband being discovered on students after they have passed through security, which include metal detectors; drug use by students and serious and constant turnover of staff. For example, it was reported to School Police that on September 7, 2006, a teacher was choked by a student. The next day, September 8, 2006, it was reported to School Police that a student was battered by another student. On September 29, 2006, there were students reported on another school campus who were cursing at School Police and truant from Oak Grove. As recently as October 4, 2006, a fire was set in a wastebasket causing a major disruption. Furthermore, the School is seriously understaffed and it appears that CEP has been struggling to hire the necessary and appropriately trained staff, required for this type of *behavior intervention program*.

Therefore, unmanaged student behavior and lack of control over students is *seriously* threatening the health, safety and welfare of students and staff. Unfortunately, these *serious* incidents have been occurring more frequently and escalating in severity since the beginning of this school year. This situation is causing an *immediate material threat* to the students and staff's safety at Oak Grove Academy.

In addition, these serious safety concerns have been thoroughly addressed with the local school representatives of CEP in Palm Beach County, including the former principal, Dr. Reed and the Interim Principal, Evelyn Maxfield.

Despite the fact that CEP's program is built around implementing a successful behavior intervention program; such behavior intervention program appears to be non-existent. This has been a grave and serious concern of the School District. Therefore, the School District has repeatedly requested a copy of CEP's Behavior Management Plan, to no avail.

Based upon my recommendation and this forthcoming School Board Action, we are requesting that the School commence with the following:

1. Secure and protect all student records;
2. Secure and protect any and all assets that have been purchased with public funds, including but not limited to equipment, property and financial accounts;
3. Cease any financial transactions including disbursements;
4. Cease any major purchases and acquisitions;
5. Ensure that the day-to-day operations of the School continues until the School District takes control; and
6. Ensure that the services provided to the students are not interrupted until the School District takes control.

Please be advised that it is the School District's role and responsibility to ensure that the students who attend Oak Grove are not subject to any type of disruptive environment. Furthermore, it is the School District's role and responsibility to ensure the health, safety, and welfare of all our students in Palm Beach County.

Please note under School Board Policy 1.03, concerning School Board meetings:

- (7) Persons who desire to speak before the Board may call or write to the clerk's office prior to 12:00 p.m., the day of the Board meeting to advise of their intent to address the Board and, if applicable, the particular agenda item to which they wish to speak. The clerk shall provide a list of those persons who called or wrote to address the Board, as well as, if applicable, the particular agenda item to which they wish to speak. Anyone else who desires to speak before the Board shall complete a blue card and provide the card to the School Board's clerk before the meeting begins. Speakers may address the Board for no longer than three (3) minutes on agenda or non-agenda items at the appropriate time, although public comment at special meetings and workshops shall be limited to agenda items for that meeting. The Board, however, may vote to limit the time to a lesser amount due to the volume of speakers.

In addition to public comment, you have the opportunity to submit written documentation to the School Board prior to this meeting and/or during your public comment.

Finally, note that according to Section 11.6 of the Agreement, Protest of Termination or Takeover, "Should CEP determine that it wishes to protest the termination or takeover, prior to commencing any lawsuit or other legal action, CEP agrees that, as a condition precedent to bringing any such lawsuit or other legal action, it must first exhaust the Alternative Dispute Resolution (ADR) procedures established in this Agreement. The termination or takeover shall remain in effect during the pendency of the ADR proceeding or any subsequent litigation . . . . . . CEP's failure to exhaust or failure to fully comply with the terms and requirements of the ADR procedures, shall result in the School District's action being final and binding on the parties."

Therefore, we would appreciate your full cooperation in this matter.

Sincerely yours,



Arthur C. Johnson, Ph.D.  
Superintendent

- cc: Gerald A. Williams, Esq., Chief Counsel
- Joseph M. Moore, Chief Operating Officer
- Ann Killets, Chief Academic Officer
- Janice S. Cover, Ed. D., Assistant Superintendent
- Alexandra Deveroux, Director Alternative Education