BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

ARTHUR C. JOHNSON, Ph.D., as Superintendent of Schools,

Petitioner,

vs.

Case No. 04/05-X-011

Respondent.

FINAL ORDER

THIS MATTER came to be heard by the School Board of Palm Beach County, Florida, ("School Board") for the purpose of entering a Final Order in the above-styled cause. In consideration of the Recommendation of the Superintendent and the attached exhibits, the School Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

- 1. Respondent's parent was notified by the Principal of Roosevelt Full Service Center that the Respondent was being recommended for expulsion on September 20, 2004. The Recommendation for Expulsion is incorporated by reference and made a part hereof as (Exhibit A).
- 2. Respondent's parent was notified by the Superintendent of the School District of Palm Beach County, Florida ("School District") on November 18, 2004, via certified and regular mail, that the Respondent would be recommended to the School Board to be expelled from the School District. The Notice of Recommendation for Expulsion is incorporated by reference and made a part hereof as (Exhibit B).
- 3. Said notice advised Respondent's parent of their right to an administrative hearing to contest the charges contained therein provided they requested a hearing within ten (10) days of receipt of same.
- 4. No hearing request has been received in the Office of the Chief Academic Officer.

CONCLUSIONS OF LAW

- 1. The School Board has jurisdiction over the subject matter and the parties hereto.
- 2. The School Board finds that the Respondent is guilty of the acts alleged by the Superintendent in the letter dated November 18, 2004, to wit:

Committed grand theft auto while on the campus of Roosevelt Full Service Center on September 20, 2004.

ORDERED AND ADJUDGED by the School Board in regular session that the recommendation of the Superintendent be accepted and confirmed. Superintendent be accepted and confirmed accepted accepted and confirmed accepted accepted

period at the ACS site. However, if your son is dismissed from that program by ACS, no further educational services will be offered by the District until the expulsion period is ended.

This Order may be appealed within thirty (30) days by filing a notice of appeal with the District Court of Appeal. Except in cases of indigence, the Court will require a filing fee and payment for preparing the record on appeal. For further explanation of the right to appeal, refer to § 120.68, Fla. Stat., and the Florida Rules of Appellate Procedure.

Dated this 8th day of December, 2004.

SCHOOL B	SOARD OF PALM BEACH COUNTY, FLORIDA
BY:	
	Thomas Lynch, Chairman
Attest:	
	Arthur C. Johnson, Ph.D., Secretary
(SEAL) Filed with the Clerk of the School Board this 8th day of December	r, 2004.
Alicia Palmer, Clerk	



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA
ALTERNATIVE EDUCATION
1800 Ososola Onve
West Palm Beach, Florida 33409
(561) 2424130 FAX (561) 2424135

930405

JACK L THOMPSON DIRECTOR

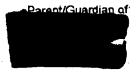
ARTHUR C. JOHNSON, Ph.D. SUPERINTENDENT

Regular and Certified Mail

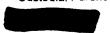
Return Receipt Requested

Date Student Number





Custodial Parent/Guardian of:



Dear Custodial Parent/Guardian:

On 09/01/2004 your son/daughter/ward was rendered a ten (10) day suspension as documented by my letter to you, a copy of which is attached

Pursuant to Florida Statute § 230.23(6)(c), which authorizes the School Board to decide cases recommended for expulsion. I have this date recommended to the Expulsion Screening Committee that the School Board expel your son/daughter/ward from the public schools of Palm Beach County. My recommendation is based on substantial evidence available to me supporting the following serious misconduct.

Motor Vehicle Theft

Pursuant to Florida Statute § 230.33(B), the Superintendent may extend the ten (10) day suspension until the date the School Board Meeting at which time the School Board will act on the Expulsion.

As of 09/27/2004, your son/daughter/ward is assigned to the Department of Alternative Education.

Sincerely, Janu M. Russell

Janice M. Russell 1800 Osceola Dr.

West Palm Beach, FL 33409

(561)242-4130

cc: Area Superintendent
Chlef Academic Officer
Director of Alternative Education
School Police

PBSD 0215 (REV 11/6/2001)



THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FLORIDA

ANN KILLETS CHIEF ACADEMIC OFFICER ARTHUR C. JOHNSON, Ph.D. SUPERINTENDENT OF SCHOOLS

CHIEF ACADEMIC OFFICE 3300 FOREST HILL BLVD., C-316 WEST PALM BEACH, FL 33406-5813

Ph: 561-649-6888 Fx: 561-649-6837

www.PalmBeachSchool.org

November 18, 2004

CERTIFIED AND REGULAR MAIL RETURN RECEIPT REQUESTED



NOTICE OF RECOMMENDATION FOR EXPULSION



Based upon the recommendation of Janice M. Russell, Principal of Roosevelt Full Service Center, and in accordance with Florida Statute § 1006.07, and Palm Beach County School Board Policy 5.1813, I will request that the School Board of Palm Beach County, Florida, expel your son, from the Palm Beach County School District. This decision is based upon the following action:

Committed grand theft auto while on the campus of Roosevelt Full Service Center on September 20, 2004.

Pursuant to Florida Statute § 120.569, you have the right to an administrative hearing. Your request must be received by the Office of the Chief Academic Officer within ten (10) days of the date of this letter. If you request a hearing, a hearing officer will be appointed pursuant to Florida Statute § 120.81(1)(e). If you do not request a hearing, this recommendation will become final.

Your son may receive educational services at the ACS Transition Program during this expulsion due process. If you have any questions regarding the expulsion due process or the educational services available at the ACS Intensive Site, please contact the Office of the Chief Academic Officer at 561-649-6888.

Sincerely,

Arthur C. Johnson, Ph.D. Superintendent

ACJ:AK:JRA:LEP:ci

CC:

Principal. Roosevelt Full Service Center Chief Academic Officer Director of Alternative Education

An Equal Education Opportunity Provider



THE SCHOOL DISTRICT OF PALM BEACH COUNTY Student Expulsion Recommendation

STUDENT NAME (lect, first, middle hillett	STU		GRADE	SEX	DATE OF BIRTH	DATE OF INCIDENT	
			09	M	10/13/88	9/20/04	
Roosevelt Full Service Center	Janice M. Russell						
VIOLATION AND CODE	POLICE REPORT CHARGE (If Anown)						
Motor Vehicle Theft (65). Stealing more than \$50 (60)	Grand 7	Theft A	ito; Poss	ession of Marijua	na .	
Student language is English							
Student is enrolled in. Exceptional Student Educ	ation (ESE	i) 🗆 5	04				
Persons involved and witnesses to testify:							
Lynnette Henry; Gary Hawkins; Dave Robson; Shami	us Gordon						
Additional information: You MUST summarize the facts/circumstances surrout processed. Use additional page(s) if necessary.	nding the r	ecommen	dation.	or the re	commendation ma	ay not be properly	
Student was entering campus and was in possession or requested to give the cell phone to Mr. Gordon. He resight of Mr. Gordon, he called his mother on his cell placement back on campus and then left.	fused, bec	ame angr	y, and v	walked c	off campus. While	he was still in	
Later that morning, leaves was seen outside of Mrs. Lynnette Henry's office door and appeared to have something under his shirt. Mr. Hawkins followed him, but the purse and all of its contents were missing. She soon discovered that her vehicle was gone also.							
West Palm Beach Police were called and later was found driving the van and was arrested for grand theft auto and possession of marijuana. The vehicle was recovered, but the purse and its contents were not.							
I have reviewed the above information and recommend	this stude	nt for exp	oulsion.				
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	Zsy.	NATURE OF	PRINCIPAL		ussel	DATE	
PBSD 0265 (New 3/17/2004) ORIGINAL - Superintendent COPY - Alternative Education		Y - Area S Y - Legal D			COPY - Principal Pa	ige of	

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Student Discipline Referral

THE SCHOOL DISTRICT OF PALM BEACH COUNTY

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(Use number below for those persons without a staff 10-j ð Substitute Teacher - Food Service Staff CAT TEAM YES 2 ┌ LAW ENforcement School Volunteer Ō Parent/Guardian Crossing Guard Ø INCIDENT OCIDES **Bus Driver** Custodian Student STAFF ID NUMBER ACTION CODE Clencal S S S S I not Home School, provide School Number. il noi District 50, provide District number 975 976 977 978 979 980 KHAT KIND OF WEAPON USED PBSD 0279 (REV. 7/2/2001) School Bus/Transportation Allernauve to Suspension J CASE NUMBER AGENCY Library Media Certer LA - Laboratory
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OG - Off School Grounds
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