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OFFICE OF
STATE ATTORNEY
FIRST JUDICIAL CIRCUIT OF FLORIDA

March 15, 2018

PRESS RELEASE

William "Bill" Eddins, State Attorney for the First Judicial Circuit, announced today that the No True Bill and Report issued by the Okaloosa County Grand Jury on February 20, 2018, has been ordered released by the Court. This Report and No True Bill are the result of the Grand Jury's review of the operations, policies, and procedures regarding the Okaloosa County School District. Attached to this press release are copies of both the No True Bill and Report.

For more information regarding this matter, please contact State Attorney Bill Eddins at (850) 595-4761.

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR OKALOOSA COUNTY, FLORIDA**

TO THE HONORABLE JUDGES OF THE ABOVE-ENTITLED COURT:

We, the Grand Jurors of the State of Florida, lawfully selected, impaneled and sworn, in and for the body of Okaloosa County, Grand Jury Term One, do respectfully present this report.

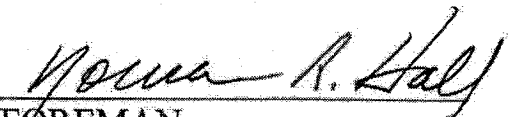
NO TRUE BILL

The Grand Jury of Okaloosa County, Florida, has been requested by the State Attorney of the First Judicial Circuit to investigate the operation of Okaloosa County School District.

After hearing testimony of all witnesses and considering the facts and law of the case, the Grand Jury has voted to return a NO TRUE BILL.

Dated: February 20, 2018

Respectfully,


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OKALOOSA COUNTY
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IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA
IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR
OKALOOSA COUNTY, FLORIDA
AT THE FIRST TERM HEREOF,
IN THE YEAR OF OUR LORD,
TWO THOUSAND AND EIGHTEEN

REPORT

WE THE GRAND JURORS OF THE STATE OF FLORIDA, LAWFULLY SELECTED, IMPANELED AND SWORN, INQUIRING IN AND FOR THE BODY OF THE COUNTY OF OKALOOSA UPON THEIR OATHS AS GRAND JURORS, DO PRESENT THE FOLLOWING REPORT.

At the request of the Office of the State Attorney, we have reviewed the operations, policies and procedures of the Okaloosa County School District. The facts giving rise to our review began in the 2015-2016 school year. During that school year, numerous allegations and complaints were made against Marlynn Stillions, an Exceptional Student Education teacher at Kenwood Elementary School. These allegations involved inappropriate physical contact with special needs students. Specific complaints alleged that Ms. Stillions had kicked, tripped and grabbed ESE students, withheld food and sprayed students with a vinegar solution as a form of punishment. One particular student, a four-year-old child on the Autism Spectrum who was essentially non-verbal, was the recipient of the majority of this abuse.

An internal investigation of these allegations was conducted by Arden Farley, an Equity Specialist working for the Okaloosa County School District. Mr. Farley confirmed multiple allegations of inappropriate behavior and made specific recommendations. Mr. Farley's report was eventually reviewed by Stacie Smith, Assistant Superintendent of Human Resources. Ms. Smith determined that because timelines required by the Master Contract between the School Board of Okaloosa County and the Okaloosa County Education Association had not been followed, no disciplinary action could be taken against Ms. Stillions. The Okaloosa County Education Association is the union that represents the instructional staff.

At no time during the investigation process or review were the allegations of abuse against Ms. Stillions ever reported to the Department of Children and Families. Florida Law requires that any person who knows or who has reasonable cause to suspect that a child is abused must report such knowledge or suspicion to the Department. Additionally, no report was ever made to the Office of Professional Practices of the Department of Education. The Department of Education has the authority to take action against a teacher's certificate whenever allegations of abuse are confirmed. Both of these reports should have been made by the Okaloosa County School District and its employees. The fact that the internal investigation was dismissed for failing to comply with Master Contract guidelines in no way prevented these reports from being made. Finally, the parents of the child involved were never advised of either the abuse allegations or investigation.

In May 2017, the father of the child involved became aware that there might be a report involving the treatment of his child. After first being advised by the school district that no such report existed, the parent received a redacted copy of Farley's report. After reviewing the report, he contacted the Okaloosa County Sheriff's Office and the State Attorney's Office. Following an investigation by these agencies, four individuals were arrested. Marlynn Stillions was charged with four counts of child abuse; Arden Farley was charged with four counts of failure to report suspected child abuse; Angelyn Vaughan, former principal at Kenwood Elementary, was charged with three counts of failure to report child abuse and Stacie Smith was charged with three counts of failure to report child abuse. The investigation uncovered other concerning situations involving the Okaloosa County School District which were also brought to our attention.

Based upon our review of this matter, we find that the previous arrests are sufficient and therefore return a NO TRUE BILL. We do recommend, however, that the State Attorney's Office continue its investigation to determine if additional evidence exists to warrant more arrests. We are particularly concerned with the behavior and knowledge of Superintendent of Schools Mary Beth Jackson. We make this report to further discuss our findings and recommendations.

HENRY KELLEY

Henry Kelley is an Okaloosa County School District employee who is alleged to have violated Florida's Public Records Law by releasing a confidential and exempt record. Evidence we received indicated that Kelley released a copy of a complaint against district employee, Stacie Smith, while the complaint was still active. Active employee complaints are considered confidential and exempt and should not be released. Such a release would violate the Public Records Law and constitute a non-criminal infraction. We recommend that the State Attorney's Office review this matter and pursue appropriate charges.

MASTER CONTRACT BETWEEN SCHOOL BOARD AND TEACHERS' UNION

The Master Contract is the collective bargaining agreement between the School Board of Okaloosa County and the Okaloosa County Education Association. The Contract runs for a three-year period of time and is scheduled to be renegotiated this summer. All terms of that contract must comply with all State and Federal law. We are particularly concerned with Article VIII D. This section states that "Unless instructional personnel are notified and given an opportunity to respond within five (5) working days when the administrator becomes aware of an alleged incident/complaint, no official action will be taken nor official record kept, or referred to at a later time." Any new contract must fully comply with Florida's Public Records Law to ensure that all required records are preserved.

POLICIES AND PROCEDURES

We have heard testimony regarding recent changes to the policies and procedures of both the School Board and the School District. While this is a good beginning, more changes need to be made. Improvements to public records policies should be considered immediately. Procedures need to be improved regarding record management, employee transfers and mandatory reporting to both the Department of Children and Families and the Department of Education. Clear policies should be in place regarding the removal from direct student contact any teacher who is facing allegations that involve the health or safety of a student. In developing such a policy, the welfare of the student should be of upmost importance. Such removal should extend until the investigation is closed.

The School Board holds public board meetings on the second and fourth Monday of each month. These are open meetings that anyone can attend. We believe that improvements need to be made regarding the agendas prepared for these meetings. We are particularly concerned with the consent and human resources agendas. Board members should be fully appraised of all disciplinary matters including teacher transfers. The School Board and School District should consider providing confidential packets to Board members, prior to workshops, whenever an issue of employee discipline or transfer is involved. Any such change must fully comply with Public Record or Sunshine requirements.

TRAINING

As previously described, the School District has also made minimal improvements regarding employee training. We believe more training still needs to be done. This additional training should include both instructional and non-instructional staff. Areas that should be covered include, but are not limited to, ethics, child abuse, mandatory reporting obligations to the Department of Children and Families, and the responsibilities of the Department of Education. This training should not only be for new hires but continued on an annual basis for all employees. Online training should be considered to reduce the burden on teachers and staff. Records should be maintained to verify that this mandatory training is completed.

EQUITY INVESTIGATIONS AND REPORTS

We have reviewed considerable evidence involving Equity Investigations and Reports. These investigations and reports involve allegations of employee misconduct and include factual findings, conclusions and recommendations. These investigations have in the past been done by district employees. The School District is currently considering contracting with outside organizations to assist with these investigations. These investigations and reports have been inadequate and are responsible for many of the issues that have resulted in this Grand Jury Report. We make the following recommendation for changes to the procedures related to Equity Investigations.

Each investigation must include a checklist to ensure that all steps and requirements are met. This checklist should include a minimum of the following items:

- A determination if the investigation includes matters that must be reported to the Department of Children and Families and whether or not such report has been made
- Where appropriate, has the School Resource Officer been contacted
- Has the Department of Education been advised
- Have the parents of any child involved been contacted
- Have steps been taken to remove any employee from student contact
- Have all timelines been followed. This includes all statutory, rule, and Master Contract requirements
- Have all required notices been made including notice to the employee named in the complaint.

Each report should include a signature page. The following people should be required to review and sign each investigative report; Investigator, Human Resources Director, employee subject to the report, the employee's immediate supervisor, and the Superintendent of Schools.

ANDY JOHNSON

Andy Johnson is a Specialist with the Okaloosa County School District. His areas of responsibility are primarily in safety, athletics, and discipline as well as crisis management. To some extent he acts as a liaison between law enforcement and the School District. When the Kenwood Elementary School matter was first brought to the attention of the Okaloosa County Sheriff's Office, he was contacted by Major Arnold Brown. When answering questions before the Grand Jury, Johnson frequently answered that he could not remember. He also gave answers that were inconsistent with previous statements. While we do not find his behavior before the Grand Jury criminal, we do find it concerning and worthy of note in this report.

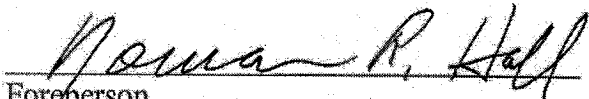
SUPERINTENDENT OF SCHOOLS MARY BETH JACKSON

We are most concerned by the behavior of Superintendent of Schools Mary Beth Jackson. Despite repeated requests, Ms. Jackson chose not to appear before the Grand Jury. The Grand

Jury expresses great disappointment in that decision. As the elected Superintendent of Schools, Ms. Jackson is responsible for the safety and well-being of 30,000 students. We find that she has failed to fulfill that obligation. We further find that she has not satisfied her obligations as an elected official. As a result of both poor training and supervision, employees on multiple occasions have failed to report suspected allegations of child abuse. Similarly, the Okaloosa County School District has failed to report allegations of misconduct to the Department of Education. These mistakes should have never occurred. It was Ms. Jackson's duty to see that all employees were properly trained and supervised and that they were aware of their legal obligation to report child abuse. It is her responsibility to see that these mistakes do not continue and that policies and procedures consistent with this report are enacted, revised and enforced.

We are also concerned by inconsistent statements Ms. Jackson has made in public regarding her knowledge of the Kenwood Elementary School matter. For that reason, we recommend that the State Attorney's Office continue to investigate Ms. Jackson to determine if sufficient evidence exists for the filing of criminal charges.

DONE THIS 20 day of February 2018.


Foreperson