

THE FLORIDA SENATE

IN RE: SUSPENSION OF
MARY BETH JACKSON

Executive Order No. 19-13

JOINT STIPULATED FACTS

COMES NOW, the Executive Office of Governor Ron DeSantis (“EOG”), by and through undersigned counsel, and Mary Beth Jackson, Superintendent of Schools for Okaloosa County, Florida, by and through undersigned counsel, and file these Joint Stipulated Facts, pursuant to Special Master Goodlette’s April 23, 2019 letter, as follows:

FACTS

1. Mary Beth Jackson won her primary election and was re-elected in the General Election on November 8, 2016, by the voters of Okaloosa County to serve as Superintendent of Schools for Okaloosa County, Florida, for a second term of office commencing November 22, 2016.
2. Superintendent Jackson served as Superintendent until January 11, 2019, when Governor DeSantis issued Executive Order 19-13 suspending Superintendent Jackson for alleged neglect of duty and incompetence.
3. In January 2018, upon the resignation of the Assistant Superintendent for Human Resources, Stacie Smith, Superintendent Jackson appointed Marcus

Chambers as the Assistant Superintendent in charge of Human Resources for the Okaloosa County School District (the “District”).

4. June 2, 2016, was the last day of school for students for the 2015-2016 school year in Okaloosa County Schools.

5. June 6, 2016, was the last day for teachers for the 2015-2016 school year in Okaloosa County Schools.

6. Marlynn Stillions was placed on administrative leave on May 20, 2016, and continued on administrative leave through June 6, 2016.

7. On June 17, 2016, Arden Farley issued his Investigative Summary Report regarding allegations against Marlynn Stillions to Stacie Smith, Assistant Superintendent of Human Resources. A true and correct copy of the Investigative Summary is included in Exhibit EOG F.

8. The Investigative Summary Report was received by the Florida Department of Education Office of Professional Practices on or about September 21, 2017.

9. Okaloosa County Sheriff’s Office received the Investigative Summary Report regarding Marlynn Stillions on May 17, 2017.

10. On October 13, 2018, a jury in the First Judicial Circuit in and for Okaloosa County found Marlynn Stillions guilty of three counts of felony child abuse without causing great bodily harm. Marlynn Stillions was sentenced to seven

years incarceration. Marlynn Stillions has appealed her conviction and the judgment of conviction is not yet final.

11. Arden Farley and Angelyn Vaughan, Principal at Kenwood Elementary School, plead no contest to criminal charges of failing to report suspected child abuse.

12. Florida Department of Children and Families received a report of bizarre punishment related to Teacher Marlynn Stillions on May 18, 2017, from

[REDACTED]

13. Florida Department of Children and Families closed its first investigation into the allegations against Teacher Marlynn Stillions on July 17, 2017, finding “no indicator for bizarre punishment,” and documented in the Investigative Summary for Investigation 2017-150862-01. A true and correct copy of the Investigative Summary is included in Exhibit 190.

14. Department of Children and Families Quality Assurance staff in the Northwest Region conducted a review of the Department of Children and Families’ investigation into Marlynn Stillions that concluded on July 17, 2017, and determined that with regard to the closure of the report with “no indicators of Bizarre Punishment” . . . “the findings were appropriate.”

15. Florida Department of Children and Families received a second report related to Teacher Marlynn Stillions on August 10, 2017, from Okaloosa County

School District [REDACTED] related to various prior incidents and additional Pre-K ESE students.

16. Florida Department of Children and Families closed its second investigation on October 9, 2017, finding “no indicator for bizarre punishment” and “no indicator for physical injury,” and documented in the Investigative Summary for Investigation 2017-234793-01. A true and correct copy of the Investigative Summary is included in Exhibit 190.

17. On February 16, 2016, allegations of misconduct by Roy Frazier, a teacher at Silver Sands, were brought to the attention of Arden Farley and Okaloosa County School District Human Resources personnel by [REDACTED]

[REDACTED]

18. [REDACTED] reported the allegations against Roy Frazier to the Department of Children and Families Abuse Hotline upon learning of the allegations on February 12, 2016.

19. Florida Department of Children and Families closed its investigation into the allegations against Teacher Roy Frazier on March 29, 2017, with “no indicator findings of physical injury,” and documented in the Investigative Summary for Investigation 2016-041734-01. A true and correct copy of the Investigative Summary is included in Exhibit 191.

20. Roy Frazier was placed on administrative leave on February 17, 2016, and continued on administrative leave through March 17, 2016.

21. Arden Farley concluded his investigation into the allegations against Roy Frazier and issued his report to Stacie Smith, Assistant Superintendent of Human Resources, and [REDACTED] on March 5, 2016.

22. On March 16, 2016, Stacie Smith recommended to Superintendent Jackson that Roy Frazier be suspended for three days without pay based on Stacie Smith's review of the findings.

23. On March 17, 2016, Superintendent Jackson recommended to the Board that Roy Frazier be suspended for three days.

24. On April 11, 2016, the Board suspended Roy Frazier for 3 days without pay.

25. Roy Frazier retired from Okaloosa County School District on June 6, 2016.

26. The District reported Roy Frazier to the Department of Education, Office of Professional Practices Services. DOE acknowledged receipt of the report to DOE by letter dated April 29, 2016. After an Administrative Complaint was filed seeking disciplinary action against his educator's certificate, Roy Frazier voluntarily surrendered his certificate on June 16, 2017.

27. Roy Frazier has not been charged with or prosecuted for child abuse.

28. The incident involving Margaret Wolthers, a teacher at Silver Sands School, and Diana Lacroix and Carolyn Madison, both teacher's aides at Silver Sands School, arose on November 14, 2018, including allegations of abuse. All three individuals were immediately removed from the classroom and placed on administrative leave, the incident was immediately reported to the Department of Children and Families, and the parents were notified.

29. Diana LaCroix was placed on administrative leave from November 15, 2018 to February 8, 2019.

30. Diana LaCroix was terminated on February 11, 2019.

31. Margaret Wolthers was placed on administrative leave on November 15, 2018.

32. Carolyn Madison was placed on administrative leave on November 15, 2018.

33. On November 29, 2018, Marcus Chambers spoke with Lt. Gary Venuti of the Okaloosa County Sheriff's Office who confirmed to Mr. Chambers that only Diana LaCroix was the subject of the criminal investigation, and that Carolyn Madison and Margaret Wolthers were no longer the subject of the criminal investigation. Based on that information, Carolyn Madison and Margaret Wolthers were taken off administrative leave on November 29, 2018. Subsequently, Carolyn Madison and Margaret Wolthers were placed back on

administrative leave on December 6, 2018, and continued on administrative leave until they were each terminated on February 11, 2019.

34. Margaret Wolthers, a teacher within Okaloosa County School District, has been charged with felony child abuse and neglect, in violation of Florida Statutes §§ 827.03(1)(b) and 827.03(2)(c), for acts that allegedly occurred between September 1, 2018 and November 14, 2018

35. Carolyn Madison, a teacher aide within Okaloosa County School District, has been charged with felony child abuse and neglect, in violation of Florida Statutes §§ 827.03(1)(b) and 827.03(2)(c), for acts that allegedly occurred between September 1, 2018 and November 14, 2018

36. Diana Lacroix, a teacher aide within Okaloosa County School District, has been charged with felony child abuse and neglect, in violation of Florida Statutes §§ 827.03(1)(b) and 827.03(2)(c), for acts that allegedly occurred between September 1, 2018 and November 14, 2018.

37. The incident involving Sharen Burt, a counselor at Shalimar Elementary School, came to light in January 2019. The allegations are that Counselor Burt actually knew of suspected child abuse in October 2018, which abuse did not occur within the school District, but failed to report it to the Department of Children and Families Abuse Hotline.

Respectfully Submitted

/s/ Nicholas A. Primrose
Nicholas A. Primrose
Deputy General Counsel
On behalf of the Executive Office
Of Governor Ron Desantis

/s/ George T. Levesque
George T. Levesque
D. Ty Jackson
Gray Robinson
On behalf of Superintendent
Mary Beth Jackson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 21, 2019, a true copy of the foregoing has been filed via email with Dudley Goodlette, Special Master, Goodlette.Dudley@flsenate.gov, and served via email to Nicholas Primrose, Counsel for the Governor, nicholas.primrose@eog.myflorida.com.

/s/ George T. Levesque
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