

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 19-13 (Executive Order of Suspension)

WHEREAS, Article IV, Section 7 of the Florida Constitution provides in relevant part that, “the Governor may suspend from office ... any county officer for ... neglect of duty ... [or] incompetence”; and

WHEREAS, Mary Beth Jackson is presently serving as the Superintendent of Schools for Okaloosa County, Florida, having been reelected by the voters of Okaloosa County in 2016 for a four-year term; and

WHEREAS, pursuant to Florida Statute § 1001.32, the school district superintendent is responsible for the “administration and management of the schools and for the supervision of instruction in the district”; and

WHEREAS, pursuant to Florida Statute § 1001.33, the school district superintendent serves as the executive officer of all public schools within the school district; and

WHEREAS, pursuant to Florida Statute § 1001.42, the district school board, under the executive direction of the superintendent shall exercise power and perform the following duties: (1) recruiting and hiring personnel; (2) training, promoting, suspending and dismissing personnel; and (3) adopting policies for ethical conduct of personnel and school administrators; and

WHEREAS, pursuant to Florida Statute § 1001.42(6), the school district superintendent is required to “report to law enforcement misconduct by instructional personnel or school administrators that would result in disqualification from educator certification or employment”; and

WHEREAS, pursuant to Florida Statute § 1001.49, the school district superintendent shall exercise the following powers: general oversight over the entire school district and recommend policies, rules and minimum standards; and

WHEREAS, pursuant to Florida Statute § 1001.51, the school district superintendent shall exercise the following powers and perform the following duties: recommend the organization and operation of the schools to provide adequate educational opportunities for all children in the district; be responsible for directing the work of personnel of the school district; prepare all reports required by law or the rules of the State Board of Education; visit schools within the district to observe management and instruction to provide suggestions for improvement; and recommend procedures for implementing and maintaining a system of school improvement; and

WHEREAS, on January 9, 2018, Commissioner of Education, Richard Corcoran wrote a letter addressed to me in my official capacity as Governor of the State of Florida presenting two Okaloosa County Grand Jury Reports, dated February 20, 2018 and June 13, 2018; and

WHEREAS, based on the contents of the two Okaloosa County Grand Jury Reports, Commissioner Corcoran provided the following in his January 9, 2018, letter: “Based on the Grand Jury’s findings, which are within the appropriate scope of grand jury review, the investigation of this matter conducted by my General Counsel’s Office, and the grave and serious nature of these failures, I strongly recommend you exercise your authority under Article IV, Section 7(a) of the Florida Constitution and immediately suspend Superintendent Mary Beth Jackson from office.”; and

WHEREAS, according to the abovementioned reports during the 2015-2016 school year in Okaloosa County, there were numerous allegations and complaints made against Marlynn Stillions, a teacher at Kenwood Elementary School, involving inappropriate physical conduct with special needs

students, including that Ms. Stillions kicked, tripped and grabbed students, withheld food and sprayed students with vinegar solution as punishment; and

WHEREAS, personnel in charge of reviewing complaints and human resources for Okaloosa County School District confirmed the allegations but failed to take any disciplinary action against Ms. Stillions and failed report Ms. Stillions to the Department of Children and Families, as required by Florida law; and

WHEREAS, personnel in charge of reviewing the allegations and complaints made against Ms. Stillions failed to report the conduct to the Office of Professional Practices of the Department of Education; and

WHEREAS, personnel within the Okaloosa County School District failed to report the allegations to the parents of the child involved in the investigation; and

WHEREAS, a subsequent investigation conducted by Okaloosa County Sheriff's Office and the State Attorney's Office led to Ms. Stillions being charged with four counts of child abuse; and

WHEREAS, a subsequent investigation conducted by Okaloosa County Sheriff's Office and the State Attorney's Office led to three other Okaloosa County School District employees being charged with failure to report suspected child abuse; and

WHEREAS, the Grand Jury found that Superintendent Jackson failed to implement proper procedures for record management and mandatory reporting to both the Department of Children and Families and the Department of Education; and

WHEREAS, the Grand Jury found that Superintendent Jackson failed to implement a proper procedure for removing any teacher who faces allegations that involve the health or safety of a student; and

WHEREAS, the Grand Jury found that Superintendent Jackson failed to provide adequate, necessary and frequent trainings for school district personnel, especially in the areas of ethics, child abuse and mandatory reporting obligations; and

WHEREAS, Superintendent Jackson is responsible for the conduct of school personnel and the safety and well-being of the students; and

WHEREAS, Superintendent Jackson has failed her responsibilities and duties to the parents and students of the Okaloosa County School District due to her failure to provide adequate, necessary and frequent training, a lack of supervision of school district personnel, and a failure to implement adequate safe-guards, policies, and reporting requirements to protect the safety and well-being of the students; and

WHEREAS, Superintendent Jackson has contravened her oath of office as set forth in Article II, section 5, of the Florida Constitution, to "...faithfully perform the duties" of Superintendent of Schools for Okaloosa County, Florida; and

WHEREAS, due to her clear neglect of duty and incompetence, Superintendent Jackson can no longer demonstrate the qualifications necessary to meet her duties in office; and

WHEREAS, it is in the best interests of the residents and students of Okaloosa County, and the citizens of the State of Florida, that Superintendent Jackson be immediately suspended from the public office, which she now holds;

NOW, THEREFORE, I, RON DESANTIS, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purposes of Article IV, section 7, of the Florida Constitution, allege as follows:

A. Mary Beth Jackson is, and at all times material was, the Superintendent of Schools for Okaloosa County, Florida.

B. The office of Superintendent is within the purview of the suspension powers of the Governor, pursuant to Article IV, section 7, of the Florida Constitution.

C. The actions and omissions of Mary Beth Jackson as referenced constitute neglect of duty and incompetence for the purposes of Article IV, section 7, of the Florida Constitution.

D. If, after execution of this suspension, additional facts are discovered that illustrate further neglect of duty and incompetence—or other constitutional grounds for suspension of Mary Beth Jackson—this Executive Order may be amended to allege those additional facts.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. Mary Beth Jackson is hereby suspended from the public office that she now holds, to wit: Superintendent of Schools for Okaloosa County, Florida.

Section 2. Mary Beth Jackson is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 11th day of January, 2019.



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

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TALLAHASSEE, FLORIDA