

02 19 2013 Grievance Hearing 318 3 00 PM

For ADA assistance, contact the Office of Equity and Compliance, 534-0781, at least 3 business days before the meeting.

Call to Meeting to Order

Acceptance of Agenda

1. [Accept the Agenda of the 02 19 2013 Grievance Hearing](#)

Grievance

2. [Grievance No. 318 - Denise Willoughby, Bartow High School](#)

Attachment: [Willoughby Step III.pdf](#)

Attachment: Willoughby Step III.pdf (Confidential Item)

Attachment: [Willoughby Hearing Packet 13p.pdf](#)

Minutes:

Attorney Don Wilson, representing the School District, stated that while Ms. Denise Willoughby, Guidance Counselor at Bartow High School, was proctoring an Advanced Placement Calculus exam off site, she was found texting during the exam, students were on the floor, tables were turned over, and cat calls were made. As a result of this behavior, administration conducted a thorough investigation which resulted in all 23 tests being invalidated and Ms. Willoughby being permanently barred from proctoring tests.

Mrs. Sellers asked if the proctor had the ability to remove a student for inappropriate behavior. Lee Littlefield, Service Unit Director with the Polk Education Foundation, said this was an off site test and she was the only adult at the site. The testing site was in the gymnasium of a church and other disruptions/distractions were documented. He said 13 of 23 students said Ms. Willoughby rotated through the room and corrected some disruptive behavior. He stated the overturned tables occurred during break time. Several students were said to have had their pants around their ankles. A student under the table was "waiting to use the bathroom." Ms. Willoughby offered to have her phone tested at

the time and maintains that she was not texting; she was using her phone to time the test. He does not feel Ms. Willoughby had control over the issues of which she is being held accountable. His believes the steps for progressive discipline were not followed.

Attorney Wilson responded that the Collective Bargaining Agreement clearly states that the level of discipline that is exercised depends on the level of the offense. Mrs. Fields asked if Ms. Willoughby would have been permitted to use her phone if there had been an actual emergency. Ms. Greer stated that both she and other school administrators were on alert and could have been called. Ms. Willoughby stated that she had accidentally broken the time clock and when she realized it, she used her cell phone to time the test.

Motions:

The Superintendent's Recommendation is to deny Grievance No. 318. - PASS

Vote Results

Motion: Lori Cunningham

Second: Hunt Berryman

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Dick Mullenax - Aye

Hazel Sellers - Aye

Debra Wright - Aye

Hunt Berryman - Aye

Adjournment

Meeting adjourned at 3:45 PM. Minutes were approved and attested this 19th day of March, 2013.

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Kay Fields, Board Chair

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Jacqueline M. Byrd, Superintendent