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August 20, 2020

Mark W. Mullins, Superintendent
School District of Brevard County
2700 Judge Fran Jamieson Way
Viera, Florida 32940

Dear Superintendent Mullins:

In April 2015, five years ago and prior to you becoming Superintendent, the Brevard County School District's Office of Professional Standards became aware of an allegation that Athletic Coach Kenneth Johnson, Jr., sent a text message to a minor student that contained a grossly inappropriate picture. The incident was investigated by the Palm Bay Police Department and on April 24, 2015, Mr. Johnson was removed from his position with the School District of Brevard County. At that time, Brevard County Schools failed to report allegations of an educator's predatory behavior to the Department of Education's Office of Professional Practices Services as required by law. Failure to timely report allegations of conduct affecting the safety and welfare of students negatively impacted the Department's ability to fulfill its obligation to protect the educational environment of our schools and could have resulted in exposing additional students to abusive behavior by an individual who had not been held fully accountable. In March 2020, almost five years after Brevard County was first made aware of the suspected conduct, the allegations against Mr. Johnson were brought to my attention. This extended delay extremely hampered the Department's investigative efforts. As Commissioner, and in conjunction with the entire agency, I am charged with protecting the health, safety, and welfare of Florida's students, a responsibility I take very seriously. Since becoming Commissioner, I have enforced the highest expectations for our district leaders in ensuring timely reporting and action in response to incidents which can negatively impact our students, staff and families. In a similar situation, I even went as far as to recommend the removal of an elected Superintendent from office.

Delays in reporting educator misconduct will not be tolerated by our office. Section 1012.796 (1)(d)1, of the Florida Statutes, states in part that all school districts are required to report legally sufficient complaints to the Department within 30 days of the complaint coming to the attention of the district. As superintendent one of your many duties listed in Section 1001.51, Florida Statutes, requires you to ensure that the Brevard County School District complies with the 30 day reporting period and this section of the statutes carries with it a one year forfeiture of salary for superintendents who fail to comply. In October 2019, we passed Rule 6A-10.082, F.A.C., which

clearly enumerates 10 felony offenses and one misdemeanor offense that must be reported to the Florida Department of Education's Office of Professional Practices Services now within 24 hours of the individual's arrest or conviction. These deadlines must be adhered to in order for the district and the state to work together to quickly mitigate potential risks to student safety. Timely reporting also allows the Office of Professional Practices Services to place a notification of a pending case on the educator's profile in the educator certification database, so other school districts are aware and can make informed decisions regarding potential employment.

Additionally, Brevard County School District employee Beth Thedy, Deputy Superintendent, has worked with the Florida Department of Education's Office of Professional Practices Services to improve the reporting timelines and ensure that statutory guidelines are met.

As the Commissioner of Education, my first priority is protecting Florida's students. Any delays to the mandatory reporting periods could risk the health, safety, and welfare of our students. This is unacceptable and something I will not tolerate. Since this occurred long prior to our administration and rule change, we are not taking any action. However, if such a situation were repeated in the future, we would act decisively. I thank you and your team for ensuring student safety by adhering to all Florida Statutes and guidelines.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Corcoran', with a long horizontal flourish extending to the right.

Richard Corcoran