



**WEISS SEROTA HELFMAN COLE + BIERMAN, P.L.**  
**DUVAL COUNTY SCHOOL BOARD**  
**INVESTIGATION REPORT RE: DOUGLAS ANDERSON SCHOOL OF**  
**THE ARTS**  
June 25, 2024

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## **INTRODUCTION AND SCOPE**

Weiss, Serota, Helfman, Cole + Bierman (the Firm) was retained to conduct an independent investigation of allegations of failure to respond to and investigate inappropriate contact or communications between employees of the Duval County School Board and students enrolled at Douglas Anderson School of the Arts (D.A.). In addition, we were asked to investigate the issues raised in the April 25, 2023 letter to Dr. Diana Greene from Commissioner Diaz of the Florida Department of Education.

## **METHODOLOGY**

The Firm employed standard investigative practices for this investigation. We did not need or utilize any external third parties for any forensic examination, data recovery, or any other reason.

I conducted 20 detailed interviews with current and former employees of the School District and School Board members. I informed the witnesses about the nature of the investigation and our role as independent investigators. In addition, my staff and I conducted an extensive review of School District records spanning approximately 20 years and consisting of thousands of pages of documents and over 16,000 emails. We also reviewed media reports relating to Douglas Anderson and information provided by community members. The findings contained in this Report are based on the interviews and documents reviewed. In addition, I provided each witness the opportunity to submit additional relevant documents and identify additional witnesses.

## **BACKGROUND**

Duval County Public Schools is the 20<sup>th</sup> largest school district in the nation with nearly 130,000 students and 197 schools. It also employs more than 12,000 individuals.

Since its opening as a dedicated school of the arts in 1985, Douglas Anderson (D.A.) has consistently achieved national recognition for its excellence in arts education and academics. The achievements of D.A. students are exemplary. More recently, D.A. has also been associated with allegations of employee misconduct towards students and allegations of ineffective oversight and response to concerns that some employees were not maintaining professional boundaries with students.

The concerns were epitomized by the arrest of D.A. teacher Jeffrey Clayton related to the exchange of numerous messages and inappropriate physical contact with D.A. students. Mr. Clayton pled guilty to charges of indecent, lewd, or lascivious touching of a minor, unlawful use of a two-way communications device, and two counts of offenses against a student by an authority figure. He was sentenced to 10 years in prison.

## **INVESTIGATIVE FINDINGS AND RECOMMENDATIONS**

### **Findings:**

1. Jeffery Clayton had a very extensive personnel file due to numerous investigations during his more than 20 year career with the district. His personnel file shows that Mr. Clayton was disciplined in 2006, 2008, 2016, and 2021. Two of these investigations involved inappropriate physical contact with a student. Additional investigations involved failure to maintain appropriate professional boundaries with students. Nevertheless, Mr. Clayton was only given Level 1 or Level 2 disciplinary consequences prior to his termination by the district in 2023.
2. During the relevant time period of this investigation, the District's policies regarding harassment and misconduct by employees towards students appeared to comply with Title IX and Florida law.
3. Training was provided to staff regarding anti-harassment policies. The staff members interviewed were able to articulate the essence of the District's policies and describe the types of behavior that are forbidden by the Principles of Professional Conduct for the Education Profession.
4. Some aspects of the District's training programs were criticized, however. Several witnesses stated that better instruction was needed about conducting investigations and applying the District's misconduct policies. In particular, there was a lack of clarity in applying the progressive discipline policy and its interplay with the collective bargaining agreement.
5. The Office of Professional Standards was understaffed. There were four approved positions for investigators in this office. However, there were frequently only two or three investigators employed at a time. Retention was a chronic issue, making it necessary to spend time training new hires. The office regularly handled more than 400 investigations per year.
6. There was a lack of professional training for the Human Resources department for an organization of this size. At the time of my interviews, no employees in the department had a certification from a national human resources organization. It should be noted that efforts to attain these designations were underway for multiple employees.
7. Inadequate availability and use of technology impacted the personnel operations of the District. Employment files were maintained essentially in a paper-based format. Employee investigations were tracked with spreadsheets. It is not feasible for campus administrators to consult an employee's history with the district when that information is housed in a filing cabinet at the district office. This system did not provide the ability to run reports to glean relevant information and relied upon cumbersome data entry. This process was not up to the task for a district of this size. This system also limited the ability to determine whether campus administrators were appropriately applying policies.

8. The lack of timely reporting to the Florida Department of Education appears to have been related to a lack of resources in staff and technology for the Office of Professional Standards.

#### **Recommended Corrective Actions:**

1. The District should evaluate, select, and implement modern software for effectively reporting, investigating, and tracking allegations of employee misconduct. The software should have the ability to run reports to identify trends and guide training and corrective actions. The District was deploying an in-house software program at the time of my interviews. However, it was too soon to tell if the program was working properly. Employees were not familiar with the program's capabilities. However, it did not appear to have as many capabilities as commercially available products.
2. Conduct a study of comparative districts and companies with similarly sized work forces to determine the appropriate skill sets and staffing levels needed for the District's investigators. The study should also include an analysis of competitive compensation and benefits to address staff turnover.
3. Improve training of campus administrators so that they can conduct investigations with fidelity to policies and procedures. During interviews, multiple employees stated that applying knowledge in hypothetical situations in small group interactive settings would be more effective than simply viewing a PowerPoint lecture.
4. Improve training to help all employees understand how the progressive discipline policy operates.
5. Continue to obtain professional human resources certifications so that best practices are continually applied and updated by that department.

#### **STATEMENT OF COMPLETION**

The independent investigation has been completed by the undersigned and all material information and evidence discovered during this investigation has been reviewed, analyzed, and considered in setting forth the conclusions provided within this report.



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David M. Delaney, Esq.  
**Weiss Serota Helfman Cole + Bierman, P.L.**  
2631 NW 41<sup>st</sup> Street, Building B  
Gainesville, FL 32606