

MINUTES
Special School Board Meeting – Human Resources Hearing
October 10, 2011

This meeting, held at the St. Johns County School Board Administrative Center, 40 Orange Street, St. Augustine, Florida, was called to order at 9:00 a.m. by Chairman Bill Fehling. He introduced Mr. Frank D. Upchurch, III, who stated this hearing, Joseph G. Joyner, Superintendent, vs. John C. Bush was pursuant to Florida statutes. It was stated that the Director of Human Resources, Mr. Brennan Asplen, recommends that Mr. Bush be terminated as of July 19, 2011.

Mr. Upchurch swore in petitioners Mr. James Springfield, Mr. Steve McCormick and Mr. Tim Forson. He then detailed Mr. Bush's disciplinary issues, noting this hearing is being held today and if necessary, tomorrow. Mr. Upchurch reminded all that he represents the School Board, not either side of this case, and the School Board will hear the evidence.

Mr. Archibald J. Thomas, III, representing Mr. John C. Bush, objected to portion of petition. Mr. Fehling noted the objection and overruled them.

Mr. John Dickinson of Constangy Brooks and Smith, LLP, accompanied by Mr. Ray Poole, represented Dr. Joyner. At this time, books of evidence were distributed to the board and Mr. Dickinson related Mr. Bush's disregard for the principal's and physician's notice of student C.S.'s health limitations.

Mr. Fehling asked Mr. Thomas if he wanted to make his opening statement at this time; he reserved the opportunity to do so later.

Mr. Dickinson called the following witnesses:

1. Mr. James T. Springfield, 6 Althea Street, St. Augustine, FL 32084; he was cross-examined by Mr. Thomas
2. Mr. Steve McCormick, Fruit Cove Middle School principal
3. Ms. Cindy Tranquilino, Fruit Cove Middle School nurse; she was cross-examined by Mr. Thomas
4. Dr. Ross Q. Osborn was questioned by Mr. Poole, and cross-examined by Mr. Thomas
5. C.S., a 13 year-old 8th grade student at Fruit Cove Middle School, and cross-examined by Mr. Thomas
6. S.R. was questioned by Mr. Poole and cross-examined by Mr. Thomas and re-directed by Mr. Poole.
7. N.A., a 13 year-old 8th grader student at Fruit Cove Middle School was questioned by Mr. Poole.
8. L.S., mother of C.S., was questioned by Mr. Poole, and was cross-examined by Mr. Thomas.
9. Mr. James C. Forson was questioned by Mr. Dickinson.

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Mr. Fehling asked Mr. Thomas to make opening remarks. Mr. Thomas stated Mr. Bush was unaware of 80% of evidence presented today. Mr. Bush was sworn in and he related his employment history and his grading practices.

Mr. Dickinson objected to Mr. Bush's testimony; this was overruled and Mr. Dickinson then cross-examined Mr. Bush at length. Mr. Thomas had no re-direct and he rested. There was no rebuttal from Mr. Dickinson.

Closing Comments

Mr. Fehling called for closing comments; Mr. Dickinson gave his closing comments. Mr. Thomas noted his position does not agree with Mr. Dickinson's position. At this time, Mr. Upchurch stated this concludes the presentation of evidence and board decision must be based upon greatest preponderance of evidence.

Ten questions were put before the board and answered; Mr. Upchurch noted that this concluded the statement of facts.

Mr. Fehling motioned to terminate the employment of Mr. John C. Bush; Mrs. Slough seconded. Vote was 5-0. Mr. Fehling announced that the hearing was concluded at 3:17 p.m.

Superintendent

Chairman

Date Approved