



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

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## MEMORANDUM

**TO:** Honorable Chair and Members of the School Board  
Dr. Donald E. Fennoy II, Superintendent  
Chair and Members of the Audit Committee

**FROM:** <sup>KLC</sup> Lung Chiu, Inspector General

**DATE:** December 14, 2018

**SUBJECT:** Transmittal of Final Investigative Report  
*Case # 18-803*

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In accordance with School Board Policy 1.092 we hereby transmit the above-referenced final report.

The report addresses the following allegation(s):

1. Jupiter High School Band Director Ryan Ross was using consultants and volunteers who taught band camp, but had not been cleared by the District and approved by the District's Visitor Management System. ***Substantiated.***
2. Jupiter High School Band Director Ryan Ross did not have the students complete the Medical and Emergency Contact Forms. ***Unsubstantiated.***
3. Jupiter High School Band Director Ryan Ross allowed volunteers at the Jupiter High School Band Camp to inappropriately administer medications to the students. ***Unsubstantiated.***

The report is finalized and will be posted on the Inspector General's website; [www.palmbeachschools.org/inspectorgeneral](http://www.palmbeachschools.org/inspectorgeneral).



Dr. Donald Fennoy II  
Superintendent

**SCHOOL DISTRICT OF PALM BEACH  
COUNTY  
OFFICE OF INSPECTOR GENERAL**



K. Lung Chiu  
Inspector General

**INVESTIGATIVE REPORT**

**Case Number:**

18-803

**Date of Complaint:**

June 19, 2018

**Complainant:**

Anonymous

**Subject:**

Ryan Ross, Director, Jupiter Community High School Band

**Witnesses:**

Melech Berman, Volunteer

Candace Buddemeier, Volunteer

Katrina Gekoskie, Volunteer

**Type of Report:**

FINAL

**AUTHORITY**

*School Board Policy 1.092* provides for the Inspector General to receive and consider complaints, and conduct, supervise, or coordinate such inquiries, investigations, or reviews, as the Inspector General deems appropriate.

This investigation was conducted by Director of Investigations Oscar Restrepo in compliance with the *Quality Standards for Investigations, Principles and Standards for Offices of Inspector General*, promulgated by the Association of Inspectors General.

**INTRODUCTION**

On June 19, 2018, the Office of Inspector General (OIG) received an anonymous complaint related to the band program at Jupiter Community High School. The complaint contained allegations regarding the program's Summer Band Camp.

The complainant reported that a band camp was being held the week of June 19 through June 22, 2018. The complainant alleged that there were many adults who taught the children, but did not have badges and had not been cleared by the District to have contact with students. Additionally, it was alleged that many of the students had not completed the Medical or Emergency Contact Forms and that the volunteers were administering medication to the students.

## BACKGROUND

The Jupiter High School Band Program is a co-curricular subject for Jupiter Community High School. The program is comprised of a marching band, winter guard and winter percussion. During School Year 2016/2017, approximately 170 students participated in the program.

Ryan Ross is the director of bands at Jupiter Community High School.

## ALLEGATIONS AND FINDINGS<sup>1</sup>

1. Jupiter High School Band Director Ryan Ross was using consultants and volunteers who taught band camp, but had not been cleared by the District and approved by the District's Visitor Management System. *Substantiated.*
2. Jupiter High School Band Director Ryan Ross did not have the students complete the Medical and Emergency Contact Forms. *Unsubstantiated.*
3. Jupiter High School Band Director Ryan Ross allowed volunteers at the Jupiter High School Band Camp to inappropriately administer medications to the students. *Unsubstantiated.*

## GOVERNING DIRECTIVES

- Florida Statute 1012.465, Background screening requirements for certain non-instructional school district employees and contractors.
- School Board Policy 2.53, Volunteers in Public Schools.
- School Board Policy 5.321, Administration of Student Medication/Treatment.
- Jupiter High School Band Handbook 2016/2017.

## ALLEGATION 1: EVIDENCE & TESTIMONY

*Allegation: Jupiter High School Band Director Ryan Ross was using consultants and volunteers who taught band camp, but had not been cleared by the District and approved by the District's Visitor Management System*

### Complaint Information

The anonymous complainant alleged that there were many adults teaching students during the band camp, but did not have badges, and had not been approved through the Volunteer System.

### Testimony of Band Director Ryan Ross

On June 19, 2018, the OIG completed a sworn audio recorded interview with Mr. Ross. Mr. Ross confirmed that he had between 10 and 15 consultants who assist him with the band. Mr. Ross said

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<sup>1</sup> The OIG findings were determined using the standards that appear on the signature page at the end of this report.

that he also has parent volunteers who help with the band. Mr. Ross provided the names of the consultants and volunteers. Mr. Ross admitted that he did not know if all the consultants and volunteers had been cleared through the District to assist with the band camp. Mr. Ross explained that the consultants and volunteers were going through the process of being cleared to assist, but he was not sure if all of them had been cleared as of the time of the interview.

On June 20, 2018, Mr. Ross called the OIG to advise that when the OIG left Jupiter High School the day before he immediately sent all consultants and volunteers home or to the District Office to complete the requisite paperwork to be cleared in order to have contact with students. Mr. Ross added that none of the consultants would be permitted to return without District approval. Mr. Ross explained that he met with the Principal Coleen Iannetti that morning and explained everything that had occurred.

### **Documentation Reviewed**

The OIG contacted School Police Senior Technical Analyst Michael Kane to request that he review the names provided (listed below) by Mr. Ross and determine if the consultants and volunteers who help the band had been cleared through the School District's Visitor Management System (RAPTOR).

#### **Band Consultants**

1. Rudy Flores
2. Nick Skinner
3. Jorge Portal
4. Josh Brennies
5. Dan Salmation
6. Alejandro Tanquero
7. Manny Miranda
8. Josh Melnick
9. Evan Mattis

#### **Parent Volunteers**

1. Melech Berman
2. Sandy Hund
3. Nilsa Zacarias
4. Cathy Johnson
5. Abby Trexler
6. Kathleen Terrusa
7. Katrina Gekoskie
8. Candace Buddemeier

Mr. Kane provided the following information via his report.

*In the records enclosed with this supplement, I was able to determine that of the 17 names listed above, 2 individuals were at one time scanned into Raptor, and 6 were at one time cleared by way of fingerprint based Level 2 Background check. Nick Skinner was cleared as a Vendor on 07/30/2015. Josh Melnick was cleared as a Vendor on 08/30/2016. Kathleen Terrusa was cleared as an Employee on 02/18/2016. At the time Ms. Terrusa was going through the process to be employed as an Assistant Food Service I at Jupiter Farms Elementary. Ms. Terrusa's employment was terminated on 03/18/2016 with the reason "Other Resignation". The PeopleSoft record indicating such is enclosed with this supplement. Having terminated her employment with the district, her fingerprints would no longer be retained, and therefore she would not be cleared to be on a School District campus unescorted. Candace Buddemeier was cleared as an Employee on 04/24/2009, and did not have a job record in PeopleSoft. Her fingerprint record was deleted from falcon, prior to June 8th 2017 therefore she was not cleared to be on a School District campus unescorted. Katrina Gekoskie was cleared as an Employee on 08/23/2016 is currently employed as a School District employee, and was employed during requested date range, and therefore was cleared to be unescorted on a School District campus. Rudy (Rodolfo) Flores was cleared as an employee on 08/05/2015, is currently employed as a School District employee, and was employed during requested date range, and therefore was cleared to be unescorted on a School District campus. Melech Berman was entered into Raptor 4 times in the date range requested. Cathleen Johnson was entered into Raptor 3 times in the date range requested. 6 of the 9 given consultants were never subjected to a fingerprint based background check. 9 out of the 9 consultants have never been entered into the Raptor system. 6 of the 8 Volunteers have never been entered into the Raptor system.*

Based on Mr. Ross' testimony and documentation provided by School Police, the OIG concluded that the allegation that Jupiter High School Band Director Ryan Ross was using consultants and volunteers who taught band camp, but had not been cleared by the District and approved by the District's Visitor Management System was **Substantiated**. The following persons were not cleared at the time of the report: Jorge Portal, Josh Brennies, Dan Salmation, Alejandro Tanquero, Manny Miranda, Evan Mattis, Sandy Hund, Nilsa Zacarias, Abby Trexler, Kathleen Terrusa, and Candace Buddemeier.

According to Florida Statute 1012.465:

**1012.465 Background screening requirements for certain noninstructional school district employees and contractors.—**

*(1) Except as provided in s. 1012.467 or s. 1012.468, noninstructional school district employees or contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds must meet level 2 screening requirements as described in s. 1012.32. Contractual personnel shall include any vendor, individual, or entity under contract with a school or the school board.*

According to School Board Policy 2.53:

3. **Policy.** *The School Board believes that the use of volunteers in schools of the District enhances the educational process for students and promotes community involvement in education. The School Board of Palm Beach County encourages volunteer participation by individuals and groups in School Board sponsored programs in local schools, in District and area offices, and for School Board sponsored and supervised off-school campus activities before, during, and after regular school hours.*

- a. *A volunteer is a non-paid person functioning under the sponsorship of the Palm Beach County School District.*
- b. *The School Board of Palm Beach County authorizes the Superintendent or his/her designee to approve volunteers to assist in organized school programs following the submission of an application, completion of a background check as provided herein, and upon successful completion of a volunteer orientation and training program. in accordance with State Board of Education Rules and Laws of the State of Florida.*

6. **Criminal Background Investigation.** *In order to protect the safety and security of students and staff, volunteers must submit to a background screening as required by § 943.04351, Florida Statutes, as now or hereafter amended*

## **ALLEGATION 2: EVIDENCE & TESTIMONY**

***Allegation: Jupiter High School Band Director Ryan Ross failed to have students complete medical and emergency contact forms.***

### **Complaint Information**

The anonymous complainant alleged that the students were at the school working in the hot sun, but “NONE” had completed any Medical or Emergency Forms.

### **Testimony of Band Director Ryan Ross**

Mr. Ross denied the allegation that NONE of the students had completed medical or emergency contact forms. Mr. Ross estimated that of all the students attending band camp only five did not complete the required forms on the first day of camp. Mr. Ross added that he believed all the students had now completed the forms. Mr. Ross said that 77 students attended the band camp the first day.

### **Documentation Reviewed**

The OIG reviewed the documentation provided by Mr. Ross for all the students who attended the band camp. The information contained a Jupiter High School Band Health Information and Authorization form. The form included the student’s name, parent/guardian personal information, medical information, and health insurance information.

Based on testimony obtained and documentation reviewed, the OIG determined that the allegation that Jupiter High School Band Director Ryan Ross did not have the students complete the Medical and Emergency Contact forms was *Unsubstantiated*.

### ALLEGATION 3: EVIDENCE & TESTIMONY

***Allegation: Jupiter High School Band Director Ryan Ross did not have the students complete the Medical and Emergency Contact Forms.***

#### **Complaint Information**

The anonymous complainant alleged that she and her husband witnessed some parents “distributing Advil and other medicines from an orange bag.” The complainant was concerned because the parents were administering first aid and medicine and they were not the nurse from the school.

#### **Testimony of Band Director Ryan Ross**

Mr. Ross confirmed that the band had an orange first aid bag. Mr. Ross said that he did not know if any parents distributed any medication from the bag to any students. Mr. Ross added that a volunteer named Melech Berman is usually in charge of the first aid bag because he is a paramedic.

#### **Testimony of Volunteer Melech Berman**

Mr. Berman confirmed that he volunteered at the band camp the previous day. Mr. Berman stated that he is a firefighter/paramedic and he usually administers any first aid needed if he is present. Mr. Berman added that most often he administers ice or band aids. Mr. Berman said he did not administer any medication to any student on the previous day. Mr. Berman did not see any parent administer any medication to any student.

#### **Testimony of Volunteer Candace Buddemeier**

Ms. Buddemeier confirmed that she volunteered at the band camp the previous day. Ms. Buddemeier denied administering medication to any student and did not see any volunteer administer medication to any student.

#### **Testimony of Volunteer Katrina Gekoskie**

Ms. Gekoskie confirmed that she volunteered at the band camp the previous day. Ms. Gekoskie explained that she gave her daughter some Advil the previous day because she had a headache. Ms. Gekoskie said she did not give medication to any student other than her daughter. Ms. Gekoskie added that she has not seen any volunteer administer any medication to any student.

### Additional Investigative Activity

The OIG reviewed the contents of the orange first aid bag. The first aid bag contained: A water bottle, bug spray, Midol, Pepto Bismol, sunblock, aloe vera, ice packs, vomit bags, scissors, gloves, a flash light, first aid wrap, a CPR Mask, antibiotic ointment, and Bayer aspirin.

Based on testimony obtained and documentation reviewed, the OIG determined that the allegation that Jupiter High School Band Director Ryan Ross allowed volunteers at the Jupiter High School Band Camp to inappropriately administer medications to the students was *Unsubstantiated*. The only parent that administered any medication was a parent who provided Advil to her own daughter.

### ADDITIONAL INFORMATION

On June 20, 2018, the OIG met with Jupiter High School Principal Collen Iannetti to advise her of the allegations. Ms. Iannetti reported that Mr. Ross met with her first thing that morning and explained what had occurred. Mr. Ross told her that he had sent all consultants and volunteers home or to the District to get cleared after meeting with the OIG. None of the consultants or volunteers would return until being cleared by the District.

### RECOMMENDATIONS

The OIG commends Mr. Ross for taking immediate action to rectify the situation. Additionally, the OIG recommends that Ms. Iannetti ensure that all consultants and volunteers who have contact with students are cleared by the District prior to having contact with students.

### AFFECTED PARTY NOTICE

In accordance with *School Board Policy 1.092 (8)(b)(iv)*, on October 16, 2018, Ryan Ross was notified of the investigative findings and provided with an opportunity to submit a written response to these findings. Mr. Ross did not provide a response to the report.

### DISTRIBUTION

Palm Beach County School Board Members  
Dr. Donald E. Fennoy II, Superintendent  
Audit Committee Members  
Office of Professional Standards  
OIG file



**Investigation Conducted by:**

Oscar Restrepo, CIG, CIGI

  
\_\_\_\_\_  
Date 12/14/18

**Investigation Supervised by:**

Oscar Restrepo, CIG, CIGI, Director of Investigations

  
\_\_\_\_\_  
Date 12/14/18

**Investigation Approved By:**

K. Lung Chiu, CIG, Inspector General

  
\_\_\_\_\_  
Date 12-14-18

***The evidentiary standard used by the School District of Palm Beach County OIG in determining whether the facts and claims asserted in the complaint were proven or disproven is based upon the preponderance of the evidence. Preponderance of the evidence is contrasted with “beyond a reasonable doubt,” which is the more severe test required to convict a criminal and “clear and convincing evidence,” a standard describing proof of a matter established to be substantially more likely than not to be true. OIG investigative findings classified as “substantiated” means there was sufficient evidence to justify a reasonable conclusion that the actions occurred and there was a violation of law, policy, rule, or contract to support the allegation. Investigative findings classified as “unfounded” means sufficient evidence to justify a reasonable conclusion that the actions did not occur and there was no violation of law, policy, rule, or contract to substantiate the allegation. Investigative findings classified as “unsubstantiated” means there was insufficient evidence to justify a reasonable conclusion that the actions did or did not occur and a violation of law, policy, rule, or contract to support the allegation could not be proven or disproven.***