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THE NEWS-PRESS

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District's paid millions to suspended workers

Lee's salary expenditures a sensitive issue as budget forces program cuts

BY DAVE BREITENSTEIN
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In five-plus years, Lee County schools have paid \$2.4 million for employees to stay home.

That includes \$4,285 to an accounting clerk suspended with pay after he attempted to solicit a prostitute in his school district vehicle. And \$11,500 to a teacher found smoking with a student on campus and \$32,162 to a pair of teachers caught having sex on school grounds.

Standard practice in Lee County is to suspend

SUNDAY EXCLUSIVE
**THE NEWS-PRESS
INVESTIGATION**

school employees accused of misconduct with pay and benefits, pending the outcome of an investigation.

While facing criminal charges such as battery on a pregnant woman, DUI manslaughter and cocaine possession, 236 Lee school workers collected their full salary, retirement benefits and health insurance for an average of three

COMING TUESDAY ON news-press.com

Database: Search suspensions of employees from the Lee, Collier and Brevard County school districts.

Slideshow: Read documents of bus driver Sandra Williams' case as it wound through the system over 10 months.

Memo: Read interim Lee County School Superintendent Larry Then's memo about the district's suspension policy.

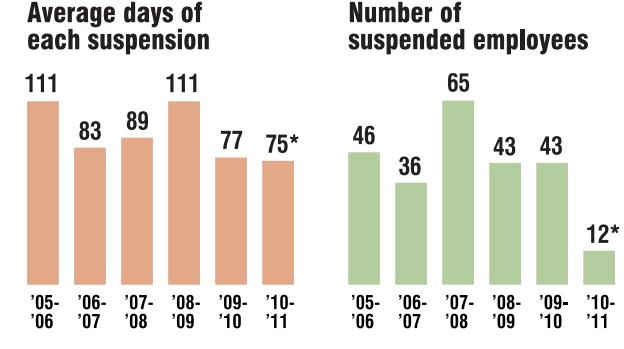
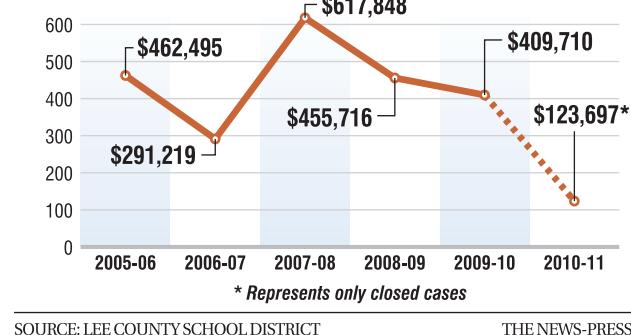
months.

"It's horrendous," said Bonita Springs resident Ron Pure, who monitors spending practices of local agencies. "It's likely indicative of how the school board and administration handle many of their operations — prolonged, ineffective and inefficient."

The News-Press spent five months poring over investigation documents, financial data and court records, and results tell of a school system at odds with its own policies, rules

See SUSPENSIONS A12
Also see the investigation process A13**Paid employee suspensions in Lee**

Since 2005, the average paid suspension lasted three months before an individual was cleared to return, was fired, resigned or was otherwise disciplined. Numbers in the "Days Suspended" column refers to calendar days, which include weekends and non-school days.

**Salaries plus benefits paid**

SOURCE: LEE COUNTY SCHOOL DISTRICT

THE NEWS-PRESS

THE GAME IS OVER: RENEWAL PROJECT COMES UP SHORT



Red Sox fans still flock to City of Palms Park near downtown Fort Myers. That will end Tuesday, when the Red Sox play their final game in the 19-year-old stadium. The city's hopes that the stadium would revive the surrounding neighborhood never materialized.

As Red Sox leave town, city ponders its errors

BY DAN DELUCA
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Hailed as the first baseball spring training complex built as a tool for urban renewal, City of Palms Park's purpose extended far beyond simply bringing the Boston Red Sox to Fort Myers.

Proponents of the sparkling edifice — which opened to glowing reviews March 5, 1993 — promised it would revitalize the city's central corridor and downtown district by stimulating construction of hotels, office buildings and restaurants, creating tens of millions of dollars in tax base.

The advocates maintained that development boom and the economic windfall it generated would justify the \$51.5 million in bonds the city shouldered to pay the facility's construction costs.

Two decades later, it's clear those bullish financial fantasies never were realized. In fact, the taxable value of the stadium's neighborhood has declined 29.2 percent from \$22.5 million in 1991 — the year before construction on City of

SUNDAY EXCLUSIVE

Palms Park began — to \$15.9 million in 2010.

The facility proved to be such a financial hardship for Fort Myers that in 2003, facing a bill of more than \$2.1 million in annual loan payments, taxes and operating, maintenance and improvement expenses, the city transferred the stadium's deed to Lee County. The move freed the city from every debt except the annual mortgage.

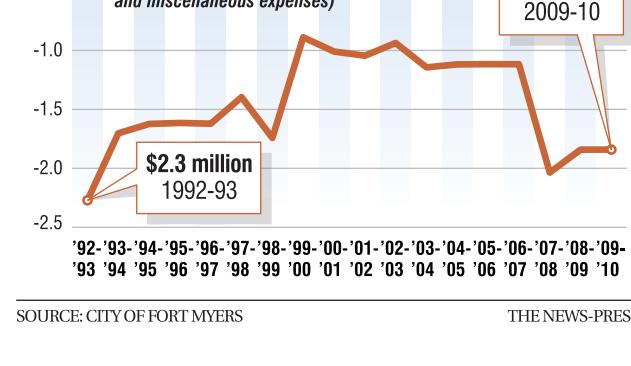
On Tuesday, the Red Sox will conclude their 19th and final spring training season at City of Palms. Next spring, they'll move into a state-of-the-art, \$77.7 million complex on Daniels Parkway in southeast Lee County, paid for by tourist tax funds.

The Red Sox will be gone from downtown Fort Myers, but they'll leave the city with lasting memories, along with a bill for \$23.5 million — the amount outstanding on the facility, which won't be paid off until Dec. 1, 2022.

See CITY OF PALMS A15

City of Fort Myers fiscal year losses on City of Palms Park

In millions of dollars



SOURCE: CITY OF FORT MYERS

THE NEWS-PRESS

INSIDE /
C6-7A farewell to a stadium:
The News-Press looks back at 19 years of memories at City of Palms Park in a special two-page tribute to the spring training home of the Red Sox.

Jobs Project results show difficulty of market

BY YVONNE AYALA McCLELLAN
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Southwest Florida is still an employer's market.

It's simple supply and demand: For every opening there seem to be hundreds of applicants.

Just ask Sandie Peterson of Markham Norton Mosteller Wright & Co.

For one administrative position recently, she had more than 700 applicants.

Since January, The News-Press has been trying to connect local job seekers and businesses through The Great Jobs Project. The six-month-long initiative highlights a local job seeker and has run in conjunction with other coverage of the local job market.

Now in mid-swing, the project

See JOBS A3

THE NEWS-PRESS

GREAT JOBS PROJECT

The Great Jobs Project is an initiative of The News-Press Media Group. We hope to improve the success rate for job seekers in Southwest Florida using our wide range of resources.

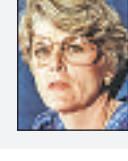
• In Business: Read this week's job seeker profile of Donald Macchioni.

Inside, A28-30:
Classified ads
for employment
news-press.com/jobsproject

News Digest

Geraldine Ferraro dies

Geraldine Ferraro joined Walter Mondale on the Democratic ticket in 1984, becoming the first woman to run for vice president.



NATION, A19



Top 10 paid suspension recipients

Lengthy investigations lead to lengthy employee suspensions in Lee County schools. Here are the 10 individuals who earned the most salary and benefits while suspended since July 2005.

NAME	POSITION	ALLEGATION	LOCATION	DAYS SUSPENDED	SALARY AND BENEFITS	OUTCOME
Joanne Delaney	Teacher	Sexual assault against a female colleague	Gulf Middle	368	\$61,229.23	Returned to work
Robert Williams	Teacher	FDLE Investigation	SWF Criminal Justice Academy	856	\$55,773.96	Fired
Joel Wolfson	Teacher	Inappropriate comments to students	ALC High	246	\$49,450.20	Retired
Vonnie Rumsey	Procurement Agent	Accepting gifts from vendors	Procurement	238	\$44,624.63	Not reappointed
Eric Zuspann	Teacher	Failure to report child abuse	North Fort Myers High	296	\$43,394.47	Returned to work
Shawn Sawyer	Teacher	Harassment (colleagues)	Mariner Middle	314	\$41,255.81	Returned to work
James Reynolds	Teacher	Misconduct	Fort Myers High	53	\$40,560.65	Returned to work
Jean Frenette	Teacher	Inappropriate comments	Island Coast High	204	\$39,604.72	Written reprimand, not reappointed
James Gatch	Teacher	Arrest - Possession of Cocaine	Mariner High	234	\$37,722.89	Suspended without pay
David McNabb	Teacher	Arrest - Felony Sexual Assault	Tropic Isles Elementary	249	\$37,435.00	Fired

THE NEWS-PRESS

District policies among many reasons for delays

BY DAVE BREITENSTEIN
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Lee County schools have clear-cut policies covering employee investigations, but those procedures are holding up the disciplinary process.

When principals or department heads learn of allegations of an employee's inappropriate behavior — on or off the clock — they notify Lee's office of professional standards and equity. Employees also are compelled to self-report certain arrests and convictions.

Investigators Craig Baker and Christine Christensen, along with department director Ranice Monroe, start gathering facts and interviewing witnesses. Baker and Monroe previously worked as investigators for the Florida Department of Education; Christensen was in human resources in the private sector.

If the alleged act of misconduct affects the health, safety or welfare of a student, district policy requires that individual immediately be suspended with pay.

Since the 2005-06 school year, the district has launched 652 investigations, some of which quickly were dismissed. As of Wednesday, the district had 25 open cases.

Once fact-finding is complete, district staff discuss findings with the suspended worker and legal counsel or union representative. An employee in the clear immediately can return to work, while one the district wants to fire remains on paid leave for at least 22 more days, per

school board policy. After that point, board members can schedule a vote to fire or suspend without pay, if that individual plans to file a protest with Florida's Division of Administrative Hearings.

Lee employees have fought for their jobs in state court 33 times since July 2005, records show. Judges sided with the district in a majority of cases. By comparison, eight employees of Collier schools and eight from Brevard requested an administrative hearing during the same period.

Lee staff attorney Robert Dodig said the district pays for the judge and court reporter no matter which party prevails. That's why the district may decide in April or May to fire someone, but keep that employee on the payroll until the school year ends in June.

"It's less costly to allow their contract to expire rather than fight it," Dodig said.

One key delay is when law enforcement is involved. Greg Adkins, the district's chief human resources officer, points to the case of teacher Robert Williams as an example. His suspension lasted more than two years as the state attorney's office, Florida Department of Law Enforcement and Glades County Sheriff's Office investigated Williams' law enforcement credentials. In the end, the district fired Williams.

"We don't have access to police reports, and the state attorney doesn't always share information with us," Dodig said. "We are sitting here knowing

about an arrest, but we have no evidence."

The delays take an emotional toll on employees, Rushlow said.

James "J.R." Moore, a bus driver in Lee since 1992, was suspended with pay Nov. 22 after refusing to allow a child covered with red ants to enter his bus, citing safety concerns for fellow riders. So Moore sent the child home with an adult who chaperoned students at the bus stop.

"Even though I was 100 percent OK, I was still worried," Moore said.

At first, Moore thought it would be nice to have what amounted to a few days of paid vacation. But as the weeks passed, Moore's mind began to race. Was there something else they were investigating? Did he say the wrong thing to somebody?

"I didn't know why it was taking so long, and that's why I was worried," Moore said. "It was paranoid."

He was cleared for a return Jan. 24, and continues driving the same bus. The reason for his suspension: releasing a student into the custody of an unauthorized individual. Moore collected \$5,844 in salary and benefits during his two-month suspension.

Of the 246 suspensions since July 2005, the suspended employee resigned, was fired or not reappointed in 105 cases. Dodig said that's a testament Lee's policies are working, even if suspensions last longer than administration would like.

"That's what people care about — are their kids safe?" Dodig said.

Environmentalists have called on the Navy to suspend activities involved in the deaths and conduct a transparent investigation.

But Navy officials said the program it calls "mis-

WHAT SCHOOL BOARD IS SAYING

"I don't want to suspend someone who is accused without pay if they may not be guilty. We have to err on the side of caution, but do it expeditiously."

— Tom Scott, school board chairman



"It shocked me, and I'm concerned about the statistics. But everyone is innocent until proven guilty. We want to give our employees the benefit of the doubt."

— Mary Fischer, school board vice chairwoman



"We don't want to give anybody a paid vacation. It's taxpayer money, and we need to keep that in mind. We have a responsibility to our constituents to spend their money wisely."

— Don Armstrong, school board member



"This is not something we can let go. We have to look at all available options, and quickly."

— Jeanne Dozier, school board member



"I'm very surprised at the number and the dollar amount. It is something we need to have a conversation about."

— Jane Kuckel, school board member



PUBLIC-RECORDS REQUEST

Florida's public-records law requires government agencies to provide documents, data, videotapes and transcripts that involve finances, personnel actions, investigation materials, contracts and other items. Public records aren't always free, though, as many agencies charge for staff time and copies. Below is what The News-Press requested for this story and how much it was charged.

DATA

Request: A list of names, dates of birth, job titles and locations, dates of suspensions, and salary and benefit data for each suspended Lee County school employee, starting July 1, 2005

Date requested: Oct. 12

Date provided: Jan. 20

Cost: \$782.06

(Note: Brevard County charged \$49.08 for the same information, and Collier County provided the data at no cost.)

REASONS

Request: A list of allegations and outcomes for each suspended Lee employee

Date requested: Jan. 24

Date provided: March 1

Cost: \$571.62

REVIEW

Request: A review of investigatory files of 10 suspended Lee employees

Date requested: Feb. 7

Date provided: March 21

Cost: \$308.48

Navy training linked to at least three dolphin deaths in California

The Associated Press

SAN DIEGO — A Naval training exercise that included an underwater blast off San Diego's coast has been linked to at least three dolphin deaths this month, prompting a probe into whether the military violated the federal law that protects marine mammals.

Navy officials, who reported the deaths of the long-beaked common dolphins after the March 4 detonation off the coast, say they were following proper procedures and will contin-

ue with the training.

The National Marine Fisheries Service plans to look again at the Navy's pending request to disturb marine mammals between Imperial Beach and Coronado, where it conducts amphibious and special warfare training, agency leaders told the San Diego Union-Tribune on Friday.

The Navy's application, in the works for years, says it does not anticipate any dolphin deaths due to training. But after March 4, the fisheries service opened an enforcement case to

determine whether the Navy violated the Marine Mammal Protection Act of 1972, designed to safeguard dolphins, whales and similar creatures.

Besides the three reported to the fisheries service, two dead dolphins were found later, but it's not clear if they were injured by the Navy exercises.

Environmentalists have called on the Navy to suspend activities involved in the deaths and conduct a transparent investigation.

But Navy officials said the program it calls "mis-

dolphins in view when the training countdown began, and when they were seen it was too late to stop safely.

He could not say how many underwater blasts the Navy has performed at the site in recent years. Documents show the Navy's permit request for underwater explosives involves as many as 415 "small" detonations during 311 training events a year.

Underwater explosives are important for clearing obstacles out of harbors so ships can enter. When the Navy practices with them

offshore, Hicks said, observers look for dolphins, seals, whales and similar creatures that might swim into the danger zone.

Michael Jasny of the Natural Resources Defense Council, which once sued the Navy to minimize sonar damage to whales, said the Navy doesn't have the best environmental record when it comes to ocean life.

"There is training and there is training safely with full safeguards for the protection of the environment," Jasny said. "They haven't always done that."

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