



The School District of Osceola County, Florida

BLAINE A. MUSE – SUPERINTENDENT

817 BILL BECK BOULEVARD • KISSIMMEE, FLORIDA 34744-4495
PHONE: (407) 870-4600 • FAX: (407) 870-4010 • www.osceola.k12.fl.us

April 25, 2008

SCHOOL BOARD MEMBERS

THOMAS E. CHALIFOUX, JR.
DISTRICT NO. 2-KISSIMMEE
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TOM GREER
DISTRICT NO. 4-KISSIMMEE
PHONE: 407-892-8200

JOHN MCKAY
DISTRICT NO. 5-ST. CLOUD
PHONE: 407-957-4056

DAVID STONE
DISTRICT NO. 3-KISSIMMEE
PHONE: 407-933-2700

JAY WHEELER
DISTRICT NO. 1-KISSIMMEE
PHONE: 407-390-0505

**ADMINISTRATIVE
COMPLEX OFFICES:**

Alternative Programs
805 Bill Beck Boulevard
Kissimmee, FL 34744-4495
PHONE: 407-343-8713
FAX: 407-343-8776

Exceptional Student Education
805 Bill Beck Boulevard
Kissimmee, FL 34744-4495
PHONE: 407-343-8700
FAX: 407-343-8626

Facilities
809 Bill Beck Boulevard
Kissimmee, FL 34744-4495
PHONE: 407-518-2964
FAX: 407-518-2985

Professional Development
799 Bill Beck Boulevard
Kissimmee, FL 34744-4495
PHONE: 407-518-2940
FAX: 407-518-2988

Student Services
801 Bill Beck Boulevard
Kissimmee, FL 34744-4495
PHONE: 407-870-4897
FAX: 407-870-4629

William Musto
10324 Olcott Street
Orlando, Florida FL 32817

VIA HAND DELIVERY

Re: Notice of Suspension without pay

Dear Mr. Musto:

In accordance with the authority set forth in School Board Policy 6.38, this letter is your official notice that you are hereby suspended from your employment with the School District of Osceola County, Florida, without pay, for three days effective May 21, 22, and May 23, 2008.

This job action was recommended by Human Resources Executive Director Stuart Singer, and the basis of this action and the charges against you are as follows:

The determination following a district investigation that you violated the School Board Policy and The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida, specifically specification 6B-1.006.FAC, (3) by a failure to make a reasonable effort to protect the student from conditions harmful to learning and/or to the students mental and/or physical health and/or safety by the following:

- a) In a class populated by male and female students, allowing students in your presence to actively discuss wet T-shirt contests and the appearance of female breasts during such conversation;
- b) Entering the conversation of the students (which involved wet tee shirt contests including student comments being made about the appearance of female breasts) by making a reference to one of the female students in the room and stating that she had perky breasts.

I have found that your misconduct as determined by the internal investigation constitutes just cause for this suspension without pay.

It should be noted, that preceding the internal investigation you apparently cooperated with prior investigations made by law enforcement including investigators from the Department of Children and Families, as well as providing a written statement confirming in part the allegations made against you. It should also be noted that you fully cooperated with the district internal investigation to the extent to offering sincere apologies for your admitted error of judgment.

You have a right to request a hearing in writing within 15 days from receipt of this letter, but this request must be delivered to me by no later than 4:00 p.m. on May 20, 2008.

If you timely request a hearing in writing before May 20, 2008, the suspension recommendation will be placed on hold (you will not be suspended for the dates set forth above) pending the Board's determination of the hearing it will schedule which will be an administrative hearing pursuant to the requirements of section 1012.33 and section 120.569, Florida Statutes.

If you timely request a hearing in writing before May 20, 2008, the scheduled hearing will be held after reasonable notice of not less than 14 days to you, and such notice shall include a statement of the time, place and nature of the hearing and a statement of the legal authority and jurisdiction under which the hearing is to be held. (You will have the right to present evidence and testimony at the administrative hearing, to cross-examine witnesses, to be represented by counsel and to have all other rights afforded pursuant to the provisions of section 1012.33, Florida Statutes, section 120.569, Florida Statutes, and chapter 120 (the Florida Administrative Procedures Act). Following the hearing, a written order will be issued by the School Board of Osceola County, and you shall have a right of judicial review of that order in the District Court of Appeal, as provided in section 120.68, Florida Statutes.

If you timely request a hearing, you also have the right to specify whether there are disputed issues of material fact or no disputed issues of material fact.

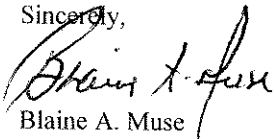
If you specify that there are disputed issues of material fact, then the additional procedures specified in section 120.57(1), Florida Statutes, will apply to the hearing. Alternatively, if you specify that the matter does not involve disputed issues of material fact (for example, if you admit the underlying factual charges contained herein but wish to request of the School Board that it impose a penalty less than the suspension without pay imposed herein) then the additional procedures specified in section 120.57(2), Florida Statutes, shall apply.

If you do not specify which type of hearing you want but you do timely request a hearing in writing, then the School District will assume that there are disputed material issues of fact, and the additional procedures set out in section 120.57(1), Florida Statutes, shall apply.

In conclusion, you may accept this recommendation of suspension and be suspended for three days, being May 21, May 22, and May 23rd, or you may wish to exercise your right to have a hearing where the Board will determine whether to support the recommendation or take other action.

Finally, any request for a hearing, must be made in writing delivered to my office at 817 Bill Beck Boulevard, Kissimmee, Florida 34744-4495, by no later than 4:00 p.m., on May 20, 2008. Otherwise, the May 21, May 22, and May 23rd suspension without pay will stand.

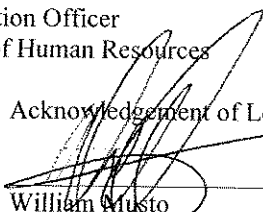
Sincerely,



Blaine A. Muse
Superintendent

cc: Jim DiGiacomo, Chief Administration Officer
Stuart Singer, Executive Director of Human Resources
Personnel File

Acknowledgement of Letter and Receipt of Copy



William M. Misto