



Andrew A. Bain
STATE ATTORNEY
NINTH JUDICIAL CIRCUIT
ORANGE AND OSCEOLA COUNTY, FLORIDA

M. Ryan Williams
CHIEF ASSISTANT STATE ATTORNEY

Jamie McManus
DEPUTY CHIEF ASSISTANT STATE ATTORNEY

Kamilah Perry
EXECUTIVE DIRECTOR, GENERAL COUNSEL

FOR IMMEDIATE RELEASE

January 17, 2024

Contact:

Public Information Office
415 N. Orange Ave
Orlando, Fla. 32801
PIO@sao9.org
SAO9th.com

No Charges Filed in Alpha Learning Academy Child Abuse Investigation

ORANGE COUNTY, Fla. – After an extensive review of the facts and evidence, the State Attorney’s Office for the Ninth Judicial Circuit has determined formal charges will not be filed in the case of alleged child abuse at Alpha Learning Academy in Orlando.

Saint Mark AME Church, located at 1960 Bruton Boulevard in Orlando, owns Alpha Learning Academy. In November 2023, the Orlando Police Department referred a case to our office after several parents filed complaints accusing a senior leader at Saint Mark AME Church of child abuse.

In their statements to officers, parents stated on Nov. 2, 2023, the senior leader was asked to intervene in their children’s fourth-grade classroom due to disruptive and disrespectful behavior. The complaints allege the leader administered corporal punishment to 16 students in the form of three lashes to their hip, legs and backside using a leather belt.

In the complaints, the parents stated they did not consent to corporal punishment nor were they notified before it was administered. They also stated the school’s parent handbook they received did not mention corporal punishment as being an approved form of discipline.

During OPD’s investigation, officers discovered previous versions of the school’s parent handbook did include a provision for corporal punishment as an alternative to home suspension. However, the school’s 2023-2024 parent handbook lacked the corporal punishment provision. Officers stated in their report that it is unclear which version of the handbook parents received.

The senior leader admitted to police that he administered the spankings, stating he had warned students about the potential for it if they continued misbehaving which was consistent with the prior handbook’s requirement. He told officers the school’s principals and counselors had previously used corporal punishment in prior years. The official said he was unaware of the change to the handbook.

Established Florida case law (*Morris v. State*, 228 So.3d 670 (1st DCA 2017)) grants teachers and school personnel the authority to maintain discipline within the scope of parental expectations and practices and exempts them from potential criminal charges.

While the senior leader's act of administering corporal punishment is not in question, the State cannot prove there was an intent to inflict physical injury or bodily harm to the children.

Nor can it be proven beyond a reasonable doubt that the senior leader intended to strike the students without authority to act. Florida statute [784.03](#) defines battery as actual and intentionally touching or striking another person against their will or intentionally causing bodily harm to another person. While the senior leader did strike the children, he did so reasonably believing that he had the authority.

Florida statute [827.03](#) also states child abuse requires the intentional infliction of physical injury or an intentional act reasonably expected to cause injury to a child. It is not reasonable to expect three lashes over clothing would cause an injury and this incident does not meet the statutory requirements for child abuse under Florida law.

After reviewing the case, our office does not believe it can be proven beyond a reasonable doubt and our ethical standards prohibit us from filing charges.

###