

Stefanie Randolph

From: Norbert Leute [REDACTED]
Sent: Sunday, September 06, 2015 9:57 AM
To: Stefanie Randolph
Cc: [REDACTED]
Subject: Meeting in Spokane

To Stefanie Randolph:

I know you are the communication manager for the Washington State School board. Would you please pass this email on to the board members? Thank you.

To Washington State School Board:

I just finished a slide show "What Every Employee must be Told.". I found that the information that was present to be inaccurate and doesn't reflect what is really happening in the Washington State Education System. I would like to give you examples of the inaccurate and misinformation provided in the program.

Under the Accountability and Safety the following was written, "Our schools throughout this great state are places of learning for students and workplace for staff. Institutions that allow employee misconduct in the teaching, learning, and working environments of employees and student is not only unlawful practices, but a betrayal of trust. Our goal is to keep both students and employees safe and avoid behavior that puts them at risk."

This is a great goal that is not being met in many school districts. School districts are covering up misconduct and have been putting students at risk for years.

Under What Data Says the following was written," It is our responsibility to protect children and reinforce an employee code of behavior that enhances the mission and goals of our education system." Training objective for this course: #3 To assure that all employees are provided reasonable knowledge and adequate notice of acceptable behavior and unacceptable behavior."

First, no one is enforcing the Ethic code at the school, district, ESD or state level. How do you define behavior? Workplace bullying, especially by management, is wide spread in the state. Yet, this is condone as acceptable behavior.

Under Employee Rights, Ethics RCW 28A.400 the following was written. "Employee has the right to all the following: to representation, to a hearing, to grieve, to seek court action. ... Employees may not be discharged without the opportunity to be informed of the charges and given the opportunity to respond to the charges. Such a hearing is essential to determine whether or not there are reasonable grounds for discharge."

This is not happening within a lot of school districts. Does this apply to all certificated teachers or just those working as full time teacher? In the Washington State School, due process is nonexistent. Can discharge mean reduce responsibilities in areas you can work within a school district? Teachers are finding it is easier to

resigned then get a fair and impartial hearing. A big problem in this state is finding legal representation for educators. Because of this they walk away from a job they love.

Under Whistleblower Protection 42, 41 RCW, the following was written, “school district employees are encourage to disclose improper actions by school officials and employees. Employees who made “good faith” reports are protected from retaliation under 42.41 RCW. Never fail to act information or observations that may suggest that a student is despondent, emotional, distressed or suicidal. Immediately contact school administrators or school counselor.

How do really define improper actions? Does it include improper behavior? There is no whistleblower protection in our schools. You can be subject to retaliation and workplace bullying from teachers and the district. Many things go unreported because of lack of protection. Are you aware that parents and teachers can't file complaints with OSPI? Only the superintendent or their representative can file a complaint? This system allows school district too discreetly to cover up problems. Moreover, if filing a complaint, special education only, you have to give a copy to the district before OSPI will consider the complaint? Why can't parents or teachers file a complaint if they feel it will be covered up or they feel they are at risk of losing their job? What happens if a school fails to act on information reported about student's behavior?

Under Child Abuse RCW26.44.30 and RCW 28A.400.317, if a school employee is involved in sexual or physical abuse.

Investigations are responsible by district administrators and OSPI... An employee has been accused of improper behavior is entitle to representation during an investigation interview that would lead to discipline of the employee. Investigation interviews will typically result in the employee being provide a document copy of the interview notes and being asked to sign a verification that is an accurate portrayed of the interview.

Again, what is improper behavior? Does improper behavior only associate with sexual and physical abuse? Are investigated interviews only done in these two cases? Are employees provide copies of all investigative interviews or only in these types of cases? Yet, these we hear and see in the news, but in reality are not the most common types of abuses? I copied and paste other types of abuses from a legal website? Do these fall in this category or under teacher responsibility and unprofessional conduct? These abuses you will find are happening every day in a school in Washington State and go unreported, minus the physical and sexual abuse.

When Is Considered Abuse of a Student?

Abuse of a student by a teacher occurs when a teacher violates a student's rights or endangers their safety and well-being. Such incidents are treated very seriously—both state and federal laws strictly regulate the standards by which teachers are supposed to conduct themselves. A teacher who violates educational standards may be subject to both civil and criminal penalties.

Although it is not exactly commonplace for teachers to abuse students, it does happen often. However, many students (especially younger students) may not be aware that they had been subject to mistreatment. Therefore it is best if both students and parents are aware of any situations that might be considered abusive.

What Are Some Examples of Teacher-Student Abuse?

Student abuse can come in many forms and may involve situations that are not necessarily physically abusive. Some common examples of abuse by a teacher include:

- Physical, emotional, or [sexual harassment](#) of the child
- Excessive or unauthorized use of “corporeal punishment” (physical force)
- [Discrimination](#) based on protected categories, such as race, gender, or disability
- Restrictions on the constitutional rights of the student, such as those involving free speech and freedom of expression
- Failure to address any special needs of the student, such as handicap access
- Unfair academic treatment, including bias or preferential treatment in grading
- Denial of educational opportunities

Again, one of the major problems with teacher/student abuse is the fact that many young students may not recognize whether they are being abused or not.

Under Teacher Responsibility WAC 180-44-010, it states, “They (Educators) must accept responsibility as advocates for students. Teachers have the responsibility to be alert to student issues and needs and to communicate these to parents, administrators, or counselors so that welfare of the student can be address.

The biggest problem if a teacher becomes that advocate it could create problems with administrators, teachers, and at the district office, It could and has led to workplace bullying, retaliation, bad performance reviews, a hostile work environment, stress and mental and health issues, and not having a job. In Washington State, many districts see teacher’s advocates as trouble makers. They aren’t toeing the district line. There is no protection for teacher’s, who act in good faith as an advocate. The system is corrupt and broken.

Under Acts of Unprofessional Conduct: WAC 181-87, states, “For certificated, school district must report acts of unprofessional conduct to the Office of Professional Practices (OPP) there is reason to believe that a certificated employee has committed acts of unprofessional conduct.

This is not happening, period. Instead school district have taken upon themselves to be judge and jury. There is no due process, no hearings, no grievance, and no access to documentation, not having the right to confront your accuser, being punish without cause, and not having access to legal counsel. Only superintendents or their representative are allowed to report misconduct not parent, teachers or the public.

This should not be happening if teacher unions would represent teachers. They have in many cases failed to represent and fight for teachers, especially those who are innocent of any wrong doings. Moreover, the teacher union has failed in the last forty years to represent all certificated educators. As you can see the system on both sides is broken.

Under RCW 28A.405.300, due process.

There is no due process.

Under employee files and disclosures RCW 42.6, states, “Employees are legally entitled and encouraged to inspect their personal records at least once a year.

In all the years, I worked for Spokane School District 81, I was never allowed to inspect at my employee files. They continually told me that they were protecting my privacy. I found out later people were putting negative statements that were in accurate or false and putting them in my records without even informing me of these negative statements. I was denied copies and access to these false statements.

Under responsibility related to discipline of pupils, stated, “Teacher shall maintain good order and discipline in their classrooms at all time, and any neglect of this requirement shall constitute sufficient cause for dismissal.”

Again, this is just fluff without substance. What happened at Spokane School District 81 and Mead School District should have resulted in an investigation and possible dismissal of individual educators and administrators. Instead, I was subject to retaliation in different forms, for good faith reporting of neglect within a classroom. **How are educators to maintain good order and discipline when they continuously are looking over their shoulder?**

Lastly, at the end of slide show this was said, “A value based culture helps others succeed by taking action- Don’t hesitate to take ownership. Share your concerns with a supervisor.

In a value based culture people are valued for what they contribute to the organizations. That is not what is reflective in Washington State education system. I have found, as many other educators, the hard way over the years people are not valued. My son found out, he wasn’t valued, when he and others were being degraded verbally by a varsity coach. The school district protected the coach’s abusive behavior. Who was valued in this situation? I found out I was not valued as a veteran. I endured derogative comments in schools and was told that my military experience meant crap to teaching. These inflammatory and discriminatory comments showed I was not valued as a veteran. This same person continued to say that my work and breathe of experience working for Spokane School District meant nothing. I was not a real teacher because I never taught or had my own classroom. I wasn’t valued as a teacher or a person. I watched in Mead School district where students weren’t valued and reporting it wasn’t encouraged by management. I watched over the years special education students were devalued in many ways, but reporting it to a supervisor meant trouble. Ownership means being able to have the power and the right to change things, without fear, to better a situation or environment.

I would like to speak about what I wrote in more in-depth while presenting documentation to support what I have stated above. Because I chose to advocate and to follow the law it ended my teaching career. I could spend hours writing what has transpired, but it is easier to be able to talk to you either at the meeting in September or privately.

Here is what I wrote in a certified letter to District 81 human resource and equity director, in response of being forced to go to an unannounced, given under false pretenses, without representation, disciplinary meeting “I was concerned with the student’s emotional disposition and went to check on him. I saw him attempting to strangle himself with the draw string of his shorts.”

There was no response to my letter or investigation of incident. I wrote another certified letter to the President of the School Board giving more graphic details of the events leading up to and after the incident. I got no response to my letter. I wrote to and provided copies to many people and organizations in Washington State and outside the state. Only one adult cared about that child and it was the last Secretary of Labor I wrote about my situation. Out of hundreds of adults only one adult cared about that child’s well-being. Not the Department of Education, US Attorney General, President of United States, Office of Civil Rights, WA Human Rights Commission, the Governor, our legislators in Washington D. C. and Olympia, OSPI, ESD 101, Spokane School Board, superintendent of District 81, and many other personnel in Spokane School District. This includes Washington State Board of Education. All these people and organizations did not value that student. It wasn’t their problem. It wasn’t that child. Just another faceless child falling victim to abuse.

A couple of years ago, I reported to Mead superintendent and to OSPI through their Special Education section about special education student being denied a fair and equitable education. I also reported that six resource math students were forced to take the state algebra test without working one algebra problem that year. Five of those students never really worked on their IEP goals and struggle to do basic math. One student’s only goal was

to work on algebra, but instead never worked on one problem. He came in listen to music, read the newspaper and worked out a book not focus on algebra related math material. No investigation. These students were no value, but brush aside because they were special education students.

As stated before my teaching career is over, I fought the good fight and lost. Now my goal is to identify the problem in the education system and resolve these problems. Making sure everyone is value. Making sure every student and certified educators has a safe environment in the school and classroom. By writing you, you are part of that solution to these problems. That is you feel it is your job to create safe school.

Norbert Leute

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