

**Morris Jeff Community School: Board Meeting on April 27<sup>th</sup>, 2011****Complaint Committee Report to Full Board, from committee meeting held on Friday, April 22<sup>nd</sup>, 2011.**

Between April 15<sup>th</sup> and April 22<sup>nd</sup>, 2011, the Board President of Morris Jeff Community School received five copies of a form letter, described as “an Open Letter to the Board President of Morris Jeff Community School”. In receipt of those letters, the Board President convened the Complaint Committee, to discuss its assertions and make a recommendation for a response to the full Board, including a course of action, if one was deemed appropriate. It was raised in the complaint committee that the individuals writing the letters are not parents or guardians and do not appear to have had direct experience with the school or to have observed any of the alleged incidences. It was determined that because the letters make reference to what is described as the experience of parents at the school, it was appropriate to pursue this matter as a formal complaint.

The letters make accusations related to what is described as “abusive or neglectful treatment at the school”, including five specific assertions. Each of these assertions will be discussed in turn with the recommendation of the Complaint Committee to the full board.

Assertion # 1: That a child was photographed asleep on the floor of a room unattended while in timeout.

It has come to the attention of the board that a student of Morris Jeff was photographed while asleep. The account of the staff is that the student had been on medication that made the child prone to fall into deep sleep, that the child was not in a timeout situation when he was asleep, but he was allowed to nap in the room . The parent of the child was notified that he was very sleepy at school for an extended period of time. The parent has a productive, ongoing relationship with the school, and has not been the source of this complaint. The primary cause for the parent’s concern is not the fact that her child was sleeping, but the fact that a picture was taken of her child without her knowledge or approval. That concern is deepened by the fact that the picture was being distributed, including to members of the press. The parent has expressed concern someone may have violated the privacy of her child by taking a picture.

It is the determination of the complaint committee that the taking of a photograph of the child is potentially a violation of the child’s rights, since no permission was sought or granted to photograph the child.

The Complaint Committee is making two recommendations to the Board:

- a) That the board find that there is no grounds for further investigation of disciplinary actions related to this child, since there is a compelling explanation for the cause of the child’s sleeping, since any concerns the parent had have already been addressed.
- b) That it be requested that any Board member with knowledge of who may have taken the photograph of the child inform a member of the Complaint Committee, so that the circumstances of the taking of the photograph can be understood.

Assertion #2: That a child in “timeout” “begged to be let out to use the bathroom, was denied access and urinated on herself.”

This concern was raised at a board meeting on February 22<sup>nd</sup>, 2011. At that time, no formal complaint was issued, but a board member followed up on the incident, to attempt to determine the circumstances of the concern and resolve it. The staff's account of the incident was that a child did urinate on herself, as occurs with some frequency with young children. The staff further stated that at no time was any child denied access to the restroom as a form of punishment. In an attempt to follow-up on the concerns raised and speak directly to the parent of the child, the staff and board member scheduled two separate meetings with the parent of the child, which this board member attended. The parent did not attend either meeting, so it was not possible to obtain an account of the incident directly from the parent.

The Complaint Committee is making the following recommendation to the Board: That the matter has been investigated to the extent possible, considering that the individuals who actually were present when the alleged incident occurred have been spoken to and that no one else who observed the course of events or who has any direct knowledge of the incident has come forward.

Assertion # 3: That a child was taken "kicking and screaming by two adults up stairs to the room where another faculty member witnessed one of the adults sit on the child's legs as a way to restrain her".

This assertion is made in very general terms, without any reference to individuals alleged to have been involved or to a time of the alleged incident. The Complaint Committee asked the School Leader about the incident. She stated that no such incident occurred in the manner described, nor would it be allowed to occur.

The recommendation of the Complaint Committee is that, without any specific information about the parties alleged to have witnessed this event, it is impossible to investigate the allegation beyond speaking to the staff, which already has been done.

Assertion #4: That "as recently as March 30<sup>th</sup>, a child was dragged across the floor by the school leader. When the police were called to the school, the investigating officer called child protective services and advised the parent to withdraw her child from the school because he felt that the school was unsafe for her child."

In order to determine the validity of the assertion, a member of the Complaint Committee called the officer who responded to the call, Officer Marshall. Officer Marshall disputes the factual basis of the assertion in a fundamental respect. Officer Marshall stated that he called the Child Abuse Unit, as is common practice when an allegation related to a child is made and that "as far as he knows, the Child Abuse Unit found that the allegation was unwarranted." Officer Marshall was asked directly whether he made the determination alleged in the letter that "he felt that the school was unsafe" and whether he expressed that determination to the parent. Officer Marshall responded that he had made no such determination. Officer Marshall denied flatly that he made a determination that the allegation of mistreatment was warranted or that the school was unsafe in any way, stating, on the contrary, that it was his understanding that the allegation was found to be without merit.

It has been confirmed that a second officer determined that the allegation was entirely without merit. In addition, a third party witness at the interaction was interviewed. She gave a detailed, eye-witness account of the interaction, and testified that at no time was any child dragged or dealt with

inappropriately. That account also is supported by the teacher who was in the classroom at the time. Since the school leader, the teacher and the witness were the only people present at the time, it is probable that this allegation is a wholesale fabrication.

It is the finding of the Complaint Committee that the assertion in the letter is not factual and that there is no grounds for further investigation into the matter.

Assertion #5: That a teacher was fired for questionable reasons, apparently in retaliation for speaking out.

The Complaint Committee is making the recommendation that all facts and circumstances related to the dismissal of the employee in question be dealt with at the employee's Appeal Hearing, scheduled for May 5<sup>th</sup>, 2011, at 6pm.

In summary, the Complaint Committee recommends to the Board that the investigations that already have been conducted are adequate to address the concerns relayed in the letter; that the letter was mistaken and non-factual in key respects; that the hearing requested for the terminated employee already is scheduled; and that, because there have been no findings of fault, that no disciplinary action be pursued.

Respectfully submitted to the Board of Morris Jeff Community School by the members of the Complaint Committee.