

November 27, 2020

State of Hawai'i Board of Education
boe.hawaii@boe.hawaii.govre: **Lying Is Not a Protected DOE Activity – We Need Better Systems of Accountability**

Dear Board of Education,

I continue to write to the BOE about the need for authentic Family and Community Engagement in the DOE, and the need to embrace these principles by enacting and implementing functional policies, rules, and systems of accountability to accomplish this throughout all Hawai'i public schools and districts.

If you remember the letters I have sent to the Board in the last year, you will know that since the summer of 2017, I have been a community volunteer helping a boy enrolled in HIDOE public schools on Oahu. He has a learning disability. His mother neither speaks English very well nor has an education (acquired in Tonga) past the age of 16. When the boy was 10 years old (now 13), I home schooled him myself for a year, got him to a neurologist for the first time in his life, among other things, and set him up to be able to learn. I have served on his IEP team for more than three years. [My curriculum vitae](#) is posted on the home page of my [web site](#). The young man can now read close to grade level, and he was on the honor roll for the first time in his life the first quarter of this year due to my efforts during distance learning. I am the kind of community volunteer the DOE should encourage, but the DOE culture does not nurture family and community engagement.

[FreeSpeech4US.com/Dear-BOE](#)

Links to Letters Ms. Ott Sent to the Hawai'i Board of Education

- [18Nov2020- Testimony: Hawaii needs Authentic Family & Community Engagement and Accountability](#)
- [16Nov2020 - Stop DOE Bullying; Need Family Engagement](#)
- [17Sep2020 - Testimony: Need More Accountability, Not Less](#)
- [01 Sep 2020 - End Systemic Racism](#)
- [06 May 2020 - Give Parents Right to Choose an Assistant](#)
- [07 Feb 2020 - Family & Community Engagement](#)
- [07 Nov 2019 - How to Close SpEd Achievement Gap](#)
- [08Jun2017 - Adopt a Framework for Community Schools](#)

Letters from Others:

- [08 Oct 2020 - Policy Allowing ELL Parents to Have Assistants](#)

Helping this single parent and her son has not been easy, and **it's been exponentially more difficult than need be** because Principals are not expected to collaborate with parents and community members like me. **Principals aren't even expected to tell the truth!**

Anyone can verify the accuracy of what I'm saying. All one has to do is bother to read the written record at [freespeech4us.com/defamation](#). It's all there in black and white.

- [28 SEP 2020](#) - Principal Katherine Balatico Defames Vanessa Ott
- [19 OCT 2020](#) - Vanessa Ott Complains to CA Superintendent Linell Dilwith
- [27 OCT 2020](#) - Complex Area Superintendent Linell Dilwith Defames Ms. Ott
- [03 NOV 2020](#) - Vanessa Ott Provide 3 Witness Statements Disputing Libelous Statements
- [23 NOV 2020](#) - Deputy Superintendent Claims It's Not Libel Because of FERPA
- [24 NOV 2020](#) - Vanessa Ott Explains How Deputy Superintendent is Incorrect

[Resources on Defamation](#)

On September 28th, the [Principal sent a letter](#) to the boy's mother accusing me of things I didn't do, and used those false allegations to justify this:

"Because Ms. Ott remains so difficult, and based on all of the above, I am changing our agreement from the summer and will be ceasing all communication with Ms. Ott. As of today, September 16, 2020, and I will only be communicating directly with you, as you are Tee's parent." -- Katherine Balatico

This Principal has been trying to get rid of me since last year. Now, she resorts to **lying** to accomplish this. So, I [appealed](#) to the CAS who did not bother to interview my witnesses, and then sent [her own defamatory letter](#) backing up the Principal's false accusations. So, I gather my witness statements, and [send them to](#) the CAS and the Deputy Superintendent. Then, the [Deputy Superintendent sends me a letter](#) exhibiting a profound lack of knowledge about FERPA, First Amendment rights, and defamation law. She informs me she's referred the issue to the AG's Office because I "threatened" to take the individuals involved to court. I have written repeatedly that I do *not* want to go to court. What I've asked for is *really* reasonable:

1. A written retraction of all the false accusations.
2. A written apology.
3. The employees at the school be compelled to work collaboratively with me and the non-English-proficient parent to further the child's education as rapidly as possible.

All of this nonsense and unethical behavior could be prevented if the Board of Education would pay more attention to its policies, rules, and systems of accountability concerning family and community engagement. Also, you need to pay attention to how our public monies are being wasted by the DOE. As citizens who pay a significant amount of taxes to build the Hawai'i public money fund, my husband and I are appalled at how much time, money, and good will is disintegrated with DOE administrators fighting people who are just trying to get a decent education for our state's keiki. I know that my case is a bit unique because there are not many people willing to devote so much time to help a marginalized family, but I also know that the way I'm being treated is far more common than most people know.

In just one year, with one child, we have a perfect example of citizens bullied by civil servants, and we have to pay for it! In 2020 alone, as the mother, the student, and I pursued an appropriate education for this young man, public funds have been spent on **government personnel** time (the most expensive component in all State government offices) for:

- **AG Attorney and DOE staff** to fight requests for FAPE and cooperation with home tutor interpreter when parent requested a Due Process Hearing. See: [Due Process Hearing Hearing Dismissed](#)
- **AG Attorney** to process another Due Process Hearing Request that *parent never submitted* because DOE Monitoring and Compliance Branch (M&CB) erred when forwarding request for information to AG's Office. See: [Parent Unwillingly Named as Plaintiff in Due Process Hearing](#)
- **Fraud & Ethics complaint** because M&CB accused Ms. Ott of committing forgery, and refused to communicate with parent via email, because Ms. Ott was helping parent with written communication. See: [Ethics Complaint: DOE Refusing to Communicate w. Parent](#)
- **Mediation** paid for by DOE. Trying to resolve communications issues because Principal does not want to include Ms. Ott in home-to-school communications. No records because mediation a secretive process. Mediation is unsuccessful and no agreement is reached, contrary to Principals claims there was a satisfactory communications agreement.
- **Department of Health Child Welfare Services** when someone from the school made an unsubstantiated report of child abuse claiming Ms. Ott was harming the child. Documentation is not yet available due to Governor's partial suspension of HRS-92F (Uniform Information Practices Act). The child was pulled out of interviews with two CWS personnel for two hours. Mother was very upset. Ms. Ott sees it as the status quo.
- Defamation – Referred to **AG's Office**.

To top it all off, public money is being spent for a Tongan translator to communicate with the parent now, but it's extremely ineffective and expensive considering the alternative – me. The Principal is *still* sending correspondence to the parent in English (like newsletters and announcements), even though the parent has asked that everything be translated into Tongan since the Principal refuses to send the correspondence to me, too. This is expensive linguistic bullying. The mother wants *me* to be designated as her interpreter because I actually explain what's happening rather than just translate words. I advise. I'm involved. I provide oversight, and I don't let the mother and the child get bullied.

That is exactly what the DOE doesn't want: **OVERSIGHT!**

The DOE doesn't even listen when the mother *does* try to speak. For example, Ms. Unebasami stated in her [November 23, 2020 letter](#), *"If Tevita's mother believes that the information¹ is incorrect she has the remedy of requesting correction to the record, which she has not pursued. Mother has had ample opportunity to challenge the accuracy of the information but has apparently not deemed the information to be incorrect."*

That's more fake news (i.e., lies) from a top DOE administrator. Here's the truth:

On October 8th, Ms. Huahulu wrote in a email to CAS Dilwith, *"Yesterday the post office delivered a letter from Principal Balatico that is filled with lies...You are her boss, and I want you to do something to stop this. I want to talk to you about all the lies in the letter. My son wants to tell you about the lies, too. I will call you early tomorrow, October 9, 2020."* She followed up with a phone call to the CAS when her son was present, but she had to leave a message because no one answered.

October 12th, Ms. Huahulu received a cold-call from some man at the district office during school hours when her son was unavailable. This man did not provide a Tongan interpreter, and Ms. Huahulu was not able to make him understand. It would have been much more productive if he had arranged a voice meeting at a time when her son could be available, and he could have made arrangements for an interpreter. The unhappy conversation can be heard on Ms. Huahulu's YouTube channel.² October 23rd Ms. Huahulu asks CAS Dilwith the name of this man, but to date, the CAS has refused to answer Ms. Huahulu's email and provide the requested information.

Ms. Huahulu's witness statement, included in the letter to Ms. Unebasami³ on November 3, 2020, states, *"It is not true that you say that Vanessa was yelling at the teacher because I was standing there and listening to them talking. I was there 75% when Tevita had class and I never heard her yell at Tevita's teachers. The principal is mean and is trying to push Vanessa away, but I do not want that because she is nice and I trust her to speak for me. She helps my son a lot."*

And so, I ask you again to provide better policies, rules, and systems of accountability to stop the DOE bullying that is running rampant. Do something, PLEASE, to make authentic family and community engagement a requirement!

Mahalo for your consideration,


Vanessa Ott

cc: Christina Kishimoto, State of Hawai'i Department of Education Superintendent <Christina.Kishimoto@k12.hi.us>

¹ The libelous statements made by Principal Balatico and supported by Complex Area Superintendent Linell Dilwith.

² October 12, 2020 conversation: <https://youtu.be/S3FAOzi1yDg> Recording of linguistic bullying.

³ Ms Huahulu's witness statement is on p. 12 of Ott's 03-Nov-2020 letter to Linell Dilwith (cc:'ed to Deputy Superintendent Unebasami): freespeech4us.com/defamation#e2f39800-0644-453a-8304-7ab924b33451