

C.A.R.E. Letter to Dr. Trujillo

CARE 4 TUSD·TUESDAY, JUNE 13, 2017·4 MINUTES52 Reads

June 13, 2017

Dear Dr. Trujillo:

At C.A.R.E.'s meeting held this past May 31, 2017, two issues of major importance were discussed by our members: (1) an apparent violation of H. T. Sanchez's Separation and Release Agreement and (2) TUSD's Board Policy Code– GBDA. As taxpaying community members of TUSD, we are gravely concerned about the negative impact these issues will have on the integrity and openness of TUSD's legal and financial systems and its system to guarantee employees their rights to due process and maintain employee morale within our largest school district. Issues of concern such as these must be addressed appropriately and in a timely manner. By way of this correspondence, we are respectfully requesting you conduct an investigation into our concerns and provide us an update on the status of these pressing matters and outline your solutions to remedy them.

Our first major issue of concern deals with an apparent violation of a TUSD contractual agreement between the TUSD Board and its former superintendent. H. T. Sanchez and District Board Members signed an agreement on February, 28, 2017 entitled SUPERINTENDENT SEPARATION AND RELEASE AGREEMENT. One of the terms of the agreement was that upon his resignation, Dr. Sanchez will be compensated at \$200,000 of tax payer's monies (Term # 7). In return, he was to sever all ties with TUSD, including not returning to his office, and/or any TUSD property or buildings, including 1010 E. Tenth Street...and to refrain from any future communication with TUSD personnel (Term # 10). Despite this Board-approved agreement, Dr. Sanchez not only returned to TUSD property, but he communicated with TUSD personnel by delivering a commencement speech at TUSD's University High commencement ceremonies on Thursday, May 25, 2017. Furthermore, Dr. Sanchez was also in attendance at Mary Meredith School's graduation exercises. Unless there is evidence that the Board approved and authorized Dr. Sanchez participation in these two events or authorization was granted in writing in advance by the Governing Board's designee, as stipulated in the separation

agreement, C.A.R.E. members believe that Dr. Sanchez may have violated the agreement. We further contend that if Dr. Sanchez is found to have violated the agreement, that the District take immediate action to recover the \$200,000 granted to him through this agreement. Furthermore, if there were parties (TUSD personnel) involved in facilitating Dr. Sanchez' involvement in the violation of the agreement, that they be held accountable and dealt with appropriately with disciplinary action, up to and including termination. In your report to our organization, we would appreciate knowing the name of the Governing Board's designee who may authorize exceptions to the conditions outlined in Term #7 of the Board-approved agreement.

The second major issue of concern, which deals with Board Policy Code – GBDA, was brought to our attention as a result of the TUSD's Board meeting of held on May 23, 2017. Under the Call to the Audience, several concerned persons from Magee Middle School expressed their concerns about their school principal. Among those speaking were also teachers from that school.

After reviewing the video tape from the meeting, C.A.R.E. members believe that Ms. Tong, TUSD's legal counsel, suggested that under Board Policy Code – GBDA, the teachers who express their concerns at a public meeting could be fired. After our CARE members reviewed and discussed Board Policy Code- GBDA, we became troubled by the contents of this policy. TUSD employees do not forfeit their civil rights as citizens and taxpayers of Pima County or Tucson, Arizona when they become employees of TUSD or any publicly funded educational district. While it is reasonable and expected that TUSD will provide an internal process for employees to follow when complaining about school matters, this process does not supersede their rights to exercise their free speech as citizens of the United States of America. Therefore, their jobs cannot and should not be at risk for speaking before a publicly elected Board for whom they work. It also seems to us that this policy has the potential for not only denying staff members their due process rights, but also is intended to serve to muzzle and intimidate employees from raising patterns of concern with higher authorities than their immediate supervisors. We are requesting that you do a complete review of BP- GBDA and make the necessary changes

to include an employee's civil right to address the Governing Board about conflicts arising between staff and administrators.

We look forward to you providing us with a public response as to the solutions you anticipate taking on these two grave issues of concern at the net regularly scheduled meeting on June 27th 2017.

Thank you.

COALITION FOR ACCOUNTABILITY RESPECT AND EXCELLENCE

C.A.R.E. Members