

## Communication from the School Committee regarding Wayland Athletics

To the Wayland Community,

There has been much that has been said recently about our schools' athletic programs. Whether you have read about it in the paper, online or discussed it with others in the community, many of you wonder what is going on, what is true and what the school district and School Committee are doing about it. As a committee we have struggled with what we can say within our legal constraints and what we cannot. Today we want to update you as best we can.

Superintendent Paul Stein put it best when he said that the issues concerning Wayland athletics fall into three categories:

- The non-renewal of the Athletic Director's contract
- The allegations over actions of those involved with athletics
- The culture of our athletic program

The School Committee does not have any authority over the hiring decisions, or in this case the non-renewal, of any employees in the school district except the Superintendent and Business Administrator. As many of you know from your own jobs, personnel decisions are confidential and as a School Committee, even we are not privy to confidential information about a personnel decision regarding a school staff member or administrator who does not fall under our jurisdiction.

In the case of the allegations made by the former Athletic Director concerning athletics, the School Committee has referred those allegations to the appropriate state and federal agencies for their investigation and enforcement: the Massachusetts Attorney General, Division of Public Charities, the Inspector General of Massachusetts, the Office for Civil Rights (OCR), the Massachusetts Ethics Commission and the Department of Elementary and Secondary Education (DESE). Where we are free to give you the status of the responses from those agencies, we will, however, sometimes the agencies themselves preclude us from releasing information. To date, we can publicly say that: (1) All five agencies have been in contact with our attorney and have received all requested documentation, including both the May 19, 2015 letter that the former Athletic Director sent to the School Committee and the more detailed email that is referenced therein and that the former Athletic Director sent to the Administration, which is not a public document; (2) At least one agency (the Attorney General) has declined to investigate for lack of jurisdiction (Wayland is not a public charity) and another (OCR) has indicated that it encourages internal investigations into such charges and prefers to wait for the conclusion of any such investigation.

As we have stated, the administration is also conducting its own internal investigation into these allegations. Dr. Stein gave a written update of that investigation to the community on July 16<sup>th</sup> and will provide a further update in the near future. In addition, people have

questioned the reporting structure among the administrators at Wayland High School. This is also within Dr. Stein's responsibility and will be addressed directly by him.

Wayland has contracted with the Center for Sports in Society at Northeastern University to take a look at the culture of our athletic program. This is an exciting opportunity as many of the issues raised about our athletic program are common to other communities. The folks at Northeastern believe that we in Wayland are ahead of the curve in wanting to evaluate our program, and that they can help us to develop our athletic culture and program into a model for those other communities. We look forward to extensive community input and a chance to craft a top notch athletic culture through this unique opportunity. This step is a clear example of Dr. Stein's constructive outlook and effort to develop a positive long term result.

Many people have asked questions about the practices and policies governing staff evaluations and discipline. These questions do not have simple answers and most staff evaluations and related actions are based on specific facts. Staff evaluation practices and policies have been the subject of an extensive effort over the past few years to develop a more substantive and meaningful process while complying with the new state mandated educator evaluation system. Discipline is an integrated part of this evaluation system. This information has been made available to the public repeatedly and has been discussed at School Committee meetings. The WTA contract, which is also a public document, also has some language that is applicable to staff evaluation and discipline matters and other (non-union) contracts (also public) may also have some further information. However, generally, when problems or concerns arise, they are raised through the reporting structure within the system and addressed in a manner that is appropriate to their nature and severity by the Administration.

People have also raised questions about potential litigation arising from these allegations and involvement of counsel in this matter. The former Athletic Director has threatened to sue the Town under the Title IX's anti-retaliation provisions and the Massachusetts Whistleblower statute, G.L. c. 149, §185. Labor counsel for the School Department has been involved in this matter for several months. Since it was clear that such a threat was possible, the town's insurance carrier has been informed and has appointed separate counsel, Mr. Adam Simms of Pierce, Davis and Perritano, LLP, to handle the matter. All town employees (including Board members) have a duty to assist in the defense of the town and to mitigate any damage to the town. Mr. Simms has indicated what can be said publicly and what cannot.

As individuals and a committee, we have come to know Dr. Stein as a person with incredible integrity. His approach to education, problem solving and engaging of the community and staff have helped our schools navigate many issues including the elementary school reconfiguration, the tightening of financial controls and the implementation of the 1:1 program. We have every confidence that he will use those same skills to resolve the issues in our athletic program and move it forward. While we have made headway on the issues in our athletic program, there are still many facts that remain to be gathered and decisions to be made. We ask for your patience as the

administration and outside agencies gather these facts. We will let the public know the facts and any resulting actions as quickly as we can under the legal constraints we must follow.

We have received over 30 written and verbal questions from citizens regarding this matter. We hope that this statement has provided useful information that is responsive to those inquires. We welcome your questions and comments at any time and will do our best to provide satisfactory answers. We ask of the public that the discourse be civil. We want to move forward as a district in a positive way.

The Wayland School Committee  
August 6, 2015

*NOTE: School Committee member Donna Bouchard voted against sending this correspondence and member Barb Fletcher was not present for the vote.*