

School District of Onalaska

1821 East Main Street, Onalaska, WI 54650

BOARD OF EDUCATION

Ann Garrity, President
Heather Sysimaki, Vice President
Brian Haefs, Clerk
Jim Driscoll, Treasurer
Deanna Verdon, Deputy Clerk
Jake Speed, Director
Tim Smaby, Director

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December 9, 2016

Dear Jake,

I am writing regarding your recent conduct at school facilities and your personal interactions with District personnel.

You have reportedly been coming into Northern Hills with at least some regularity and going into a particular teacher's classroom for extended periods of time. You have also made regular visits to the District's administrative offices and/or building offices to speak with certain personnel. However, you have not been following our procedures for building visits and for being approved to volunteer. In addition, you reportedly have not observed reasonably expected standards of conduct in your interactions with District personnel.

I should note that we wanted to discuss this with you informally and, for this reason, I personally asked you if you would meet with Heather Sysimaki and I immediately following the board meeting on Nov. 28, 2016. I told you what we wanted to talk about. However, you refused to meet with us. You told me that if I had anything to say that I should put it in writing and that you would respond.

These matters can be sensitive and require some level of discretion, particularly where District students or employees are concerned. I would have preferred to discuss this matter directly and in person, and to give you a fair opportunity to respond and share your perspective on these events. However, your refusal to discuss this and your insistence that I put our concerns in writing leaves me no alternative but to do exactly that to make sure that these issues are properly addressed.

School board members do not have special rights or authority to access school district facilities. In addition, they are not school district employees' bosses, and have no management or supervisory authority in their interactions with school personnel. Generally, a school board member only acts under the authority of a board member when they participate as part of a board or committee meeting, are acting with the specific authority of the board, or if they hold a board office that entails specific duties or responsibilities.

Consequently, you are required to follow the District's volunteer and visitation policies, just like any other person that volunteers to work in our schools and/or with our students, and like anyone that visits school district facilities. Our volunteer policy requires, e.g., an application, review process, and specific administrative approval of the activity involved to make certain that it is appropriate and consistent with District expectations. Building visitation procedures generally require, e.g., that visitors check in and wear visitor badges/identification while they are in the building.

Our administration is required to enforce these procedures, and volunteers and visitors - including you - are required to follow them. In one reported instance, you were walking through the hall with a teacher and her students, and ran into the principal. You were not wearing visitor identification, prompting the principal to send you information about the building policy for visitors. When you responded by coming to her office to confront her, you told her that you were teaching the students "stupid common core math."

This illustrates why administrators need to be able to review proposed volunteer activities. It also is the basis for our related concern that efforts appear to have been made to block reasonable inquiries about this situation, when follow up efforts were made to find out what you were doing in this classroom and whether you were actually teaching the curriculum to District students.

Your interactions with District personnel raise separate, serious concerns. School district employees should not be placed in a position where a school board member is using his/her office as a board member to sanction school district employees or to direct their work. Further, any visitor to school district facilities is expected to demonstrate basic courtesy with our staff: school personnel cannot reasonably be expected to endure unannounced loud, angry, and disruptive confrontations while they perform their duties.

In one recent situation, you went into a building administrator's office without an appointment or advance notice, and raised your voice to her so loudly after you went into her private office that the staff in the outer office heard you yelling at her and were concerned for her well-being. Further, once you had gone into her private office, you actually went behind her desk (where she was sitting) and looked at her computer screen, while continuing to berate her.

In another situation, you came into the District office - again unannounced and without an appointment - and demanded to meet with the HR Director. You confronted her loudly about an employment matter involving an employee with whom you have a personal relationship, demanded that she explain why she was investigating you, and demanded information about the investigation. You were reportedly loud, abrupt, and accusatory, and were at times shaking your finger at her while in close proximity.

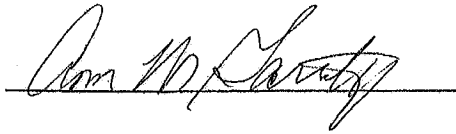
These events follow multiple incidents in the District office, where you have stopped by unannounced, demanded information and materials from support personnel, and loudly berated board members and administrators to those same members of our support staff. The support staff is reportedly concerned that you may fly off the handle, and is unnerved by the unpredictability of your behavior. They are very uncomfortable with these interactions.

We are required to take these reports seriously. We are extremely concerned that this conduct - at least as it has been described - is highly disruptive and interferes with the operations of these offices. We also are concerned that school employees may have legitimate grievances or claims under our policies and/or law, and that we have or will have a duty to intervene still further and/or take corrective action to protect them. Further, we are concerned that employees may feel - however mistakenly - that they are required to accept these interactions as part of their job because you are a school board member.

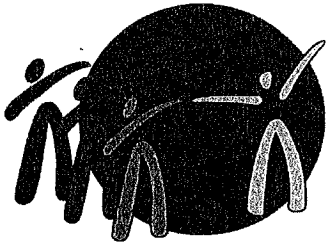
We also have no alternative but to anticipate that your response may be focused on our board and administration, rather than on the issues themselves. We have noted that, at times, you have tended to dismiss our concerns as contrived or as little more than a reflection of personal disputes in situations where we have tried to discuss issues with you. The implication of this type of response is and has been that we would not be concerned with this behavior at all if it involved someone other than you. This is absolutely and certainly not the case. It simply will not do to dismiss these concerns as the illegitimate product of personal vendettas, instead of taking them seriously and behaving accordingly; our ability to function and comply with our own policies depends on it.

We ask only that you follow the rules and, in addition, that you conduct yourself reasonably and with civility in your interactions with district personnel. Again, we regret having to put this in writing instead of meeting with you about it, but hope that this is responsive to your request. We hope that we will have your support and cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Garrity", is written over a solid horizontal line.

Ann Garrity



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December 23, 2016

Dear Mr. Speed,

This letter is to follow up on our efforts to have a conversation with you at the Board of Education meeting of December 12, 2016 about your visits to District buildings. This letter is also to inform you of the process we plan to follow to address this matter.

By way of background, Heather Sysimaki and I attempted to meet with you following the Board meeting of November 28, 2016. You refused to meet with us and told us that we should put anything that we had to say in writing, and that you would respond.

While I would have preferred to discuss these issues with you privately, I complied with your request and advised you of our concerns in writing by letter dated December 9, 2016. The letter was emailed to you on December 9, 2016. The matter was also placed on the Board of Education's closed session agenda for December 12, 2016.

At our meeting of December 12, 2016, you appeared with copies of a screen shot of my email, which you then distributed to each member of the Board of Education. You stated that you had not read the letter that was attached to my email, and indicated that a history of having computer viruses transmitted through District emails either discouraged or prevented you from accessing this information.

We have checked with our IT personnel and they have confirmed that there are no viruses or other problematic content attached to our communications through District email.

We did distribute a copy of the December 9 letter that I sent to you in the Board's closed session of December 12. You and other Board members had an opportunity to review the contents of that letter.

However, you reacted angrily when the letter was being distributed and reviewed. You would not address its contents and comment on the events that had been reported and that were reviewed in the letter. You raised your voice at me and the Board multiple times and, at one point, exclaimed that the letter was "all lies!" You also shoved the letter at another Board member who politely pushed it back at you, only to have you then shove the letter at me.

As other Board members attempted to read the letter, you became increasingly agitated and verbally cut off any attempt to discuss these issues, forcing one Board member to admonish you that you never let anyone finish their comments. You declared that you were not going to sit here for this, accused all of the Board members of misconduct, accused Board members of being "in cahoots" with the Administration, and got up to leave the meeting. However, before departing, you turned to the Board and stated "just wait, I've got more in store for all of you," and left the meeting.

The Board of Education has profound concerns about your conduct, both with respect to your interactions with the Board and the events that we were trying to discuss with you.

First, the angry, threatening gestures and statements that you made in the Board of Education's closed session are intolerable. Your agitated, angry state, coupled with comments such as "just wait, I've got more in store for all of you" are completely inappropriate and unnerving in a setting where civil decorum should prevail. Not only is this conduct out of step with expected Board member behavior, it puts Board members in a position of being unsure of their own safety. We are required to take such comments seriously.

In addition, we were extremely concerned that you continue to be unwilling to even discuss our procedures for visitation and volunteering, or the position that you have placed our employees in when you have gone into their offices. Apart from calling office personnel from multiple offices liars by characterizing their reports as "all lies," you have refused to provide any information about these interactions or to discuss them with us. As a result, we have no reason to treat these reports as unreliable and every reason to take them seriously in the circumstances presented.

Therefore, at this point, we have been deprived of an opportunity to address or even discuss issues that concern the welfare of our pupils and staff, or the security and policy measures that we follow in our District with visitors and volunteers. This problem has now been compounded by your menacing behavior at the Board meeting. Trying to get your side of the story on these issues is no longer an option; you have now twice refused to discuss this matter (even when we changed our means of communication to be responsive to *your* request) and have, instead, angrily threatened members of the Board. Consequently, we need to take steps to address your visits to District buildings and offices and, in addition, consider measures that will ensure Board member safety and meeting decorum.

First, the following steps will be taken or directed as they relate to District employees. As a member of the public, you may stop at the District office to retrieve mail and secure other information necessary to your responsibilities as a Board member. However, please bear in mind that the staff is not obligated to answer non-essential questions, respond to your comments or inquiries about other Board members or administrators, or to place your drop-in demands ahead of their other work. In addition, harassment, intimidation, or other unruly, unacceptable conduct will not be tolerated: staff will be instructed that they are to discontinue any conversation involving such inappropriate behavior and that they are authorized to call the police if such behavior is exhibited.

You are not to serve as a volunteer until the required paperwork is completed, and until this situation is fully reviewed and resolved. On multiple occasions, you have been asked to answer simple questions about your activities on school grounds, e.g., whether you were actually teaching math to students, as you allegedly stated. You have not cooperated with any such

inquiry, have refused to answer questions, and have become belligerent when asked. The District is not in a position to risk further incidents of this sort, particularly when you are unwilling to even discuss what you have been doing or your behavior at District facilities.

Finally, the District will take such other steps as may be necessary to satisfy our obligation to provide for a harassment-free environment for employees. Our responsibilities to our employees require that we take reports of this sort seriously, and we have little alternative but to treat those reports as factual in the absence of any constructive, responsive commentary from you.

There are also matters concerning Board relations and Board meetings that must be addressed. Please note that Policy 1105 (Authority, Ethics, and Responsibility) states: "The Board of Education will consider themselves as trustees of public education and will do their best to protect it, conserve it, and advance it, giving to the children of our community the educational opportunities that are as complete and adequate as it is possible to provide." The policy further states that school board members agree to do a number of things, including:

- Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the issues to be considered at those meetings.
- Recognize the primary function of the Board is to establish the policies by which the schools are to be administered. It shall delegate authority for administration of the district to the Superintendent.
- Listen and respect the opinions of others and recognize the integrity of their predecessors.
- Be motivated only by an earnest desire to serve the school district and the children of the community in the best way possible and will not use the schools or any part of the school program for their own personal advantage or for the advantage of their friends or supporters.
- Recognize that authority rests with the Board in legal session, and not with individual members of the Board, except as authorized by law.
- Make no disparaging remarks, in or out of the Board meetings, about the other members of the Board or their opinions and will express honest, thoughtful opinions frankly and openly, in Board meetings, in an effort to have all discussion for the best interests of the children and the schools.
- Conform to majority rule and promote implementation once a decision has been made.
- Respect the confidentiality of information that is privileged under applicable laws and take no private action that will compromise the Board, administrators, staff, or students.
- Promote effective Board service by maintaining a professional decorum, maintaining a sense of humor, and seeking first to understand and then to be understood.

You are, of course, at liberty to disagree with the points of view expressed by other Board members, but you will not conduct yourself in this manner at Board meetings in the future. If you engage in intimidating, threatening, or otherwise inappropriate behavior at Board meetings in the future, you will be asked to cease and desist, and if you are still unresponsive, you will not be recognized at the meeting and any further action that is necessary will be taken.

The Board will also take whatever security measures that are necessary to ensure Board member safety, before, during, or after meetings. We will also take whatever security measures we feel are necessary for Board members to do their work in a civil, professional environment.

We will discuss these matters at a future Board of Education meeting, to the extent it is necessary to do so.

I strongly encourage you to give due consideration to these concerns. The Board is not in a position to allow this situation to persist, nor can we tolerate treatment of our employees that violates Board policy and/or reasonably expected standards of behavior.

Sincerely,

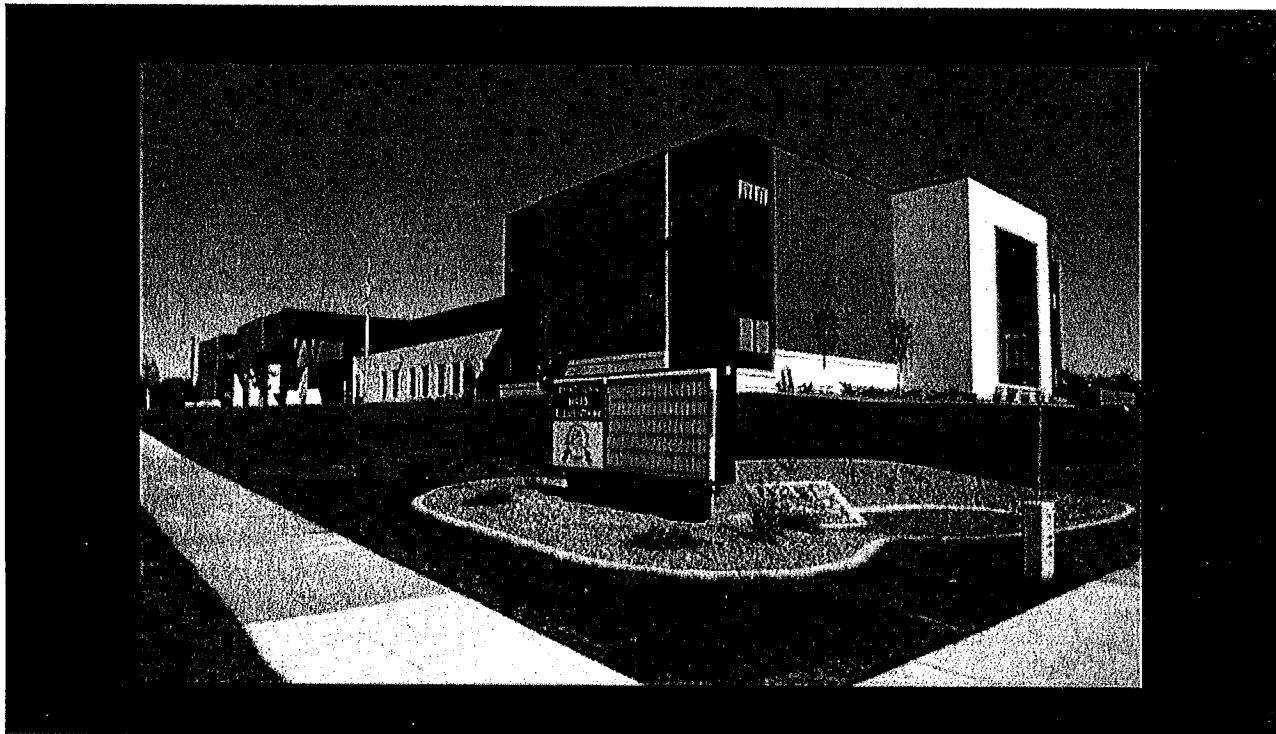
A handwritten signature in cursive script, appearing to read "Ann Garrity", is written over a horizontal line.

Ann Garrity
Board President

Friday - January 6, 2017 2:36 am

Onalaska school board member says he's contacted F.B.I. because district sends him malicious attachments

Written by WIZM News (/index.php/itemlist/user/4900-wizmnews)



(/media/k2/items/cache/c85250a93c1110e5167b57cfddd83baf_XL.jpg)

Jake Speed says he had enough evidence to contact bureau.

Onalaska school board member Jake Speed sounded off on the school district trying to, apparently, send him computer viruses through email.

"They're sending me files with some sort of malicious content attached from the school district, and Yahoo! has actually blacklisted their domain," Speed explained Thursday. "So, I filed a complaint with the cyber crimes division of the F.B.I."

Speed says the district's indifference to his complaint led him to take action.

"Since they weren't willing to work with me on this and then they called me a liar, I decided that I have enough evidence, I believe, to send to the F.B.I.," Speed said.

Speed reached out to a virus company after all of the emails ended up in the spam folder.

About a year ago, Speed was voted onto the school board after filing a complaint with the elections board. That complaint forced opponents Ann Garrity - the board president at the time - and Tim Smaby off the ballot because of incomplete nomination papers. Both had to, then, run write-in campaigns, which may have helped get Speed the votes he needed - being the only one on the ballot.

Garrity won the other open position, while Smaby was added to the board after a retirement later in the year.

Summarizing his first 10 months on the board, where he has been in verbal arguments with other members, Speed calls it an "Orwellian nightmare."

"I'm sick to my stomach going to these meetings and it's because of the lack of ethics," Speed said. "When I'm dealing with absolutely no ethics whatsoever. You know there's rules. And you follow these rules. And they have a victory because they cheat. That part gets frustrating."

Speed also has filed a complaint with the local DA alleging open-meeting-law violations.

The district said it will comment on Speed's complaint Friday.

Last modified on Friday - January 6, 2017 10:11 am

1 Comment

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Penny Bonnar · Works at Kaplan University

You have an error in your story: "Both had to, then, run write-in campaigns, which may have helped get Smaby the votes he needed - being the only one on the ballot." The name in this sentence should be Speed, not Smaby.

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