

Statement:

I am here today, **Tuesday, November 5th**, in front of the Flagler District School Board and after an unnecessary delay, to address the ways in which I was retaliated against after calling DCF during a protected activity.

When I reported a violation of trust to the DCF, as I am legally required to do, I never thought I would find myself the target of retaliation or the subject of a level III grievance hearing. Every professional must acknowledge the unique trust we have to protect the children in our care, and the law specifies that violations of this trust must be properly reported to the DCF.

The law was broken in that my name was released during a DCF investigation to your administration. I have provided you with a copy of Florida Statute 39.202. And that is just the tip of the iceberg of the unscrupulous activities that have taken place during my time at Flagler Palm Coast High School.

Erin Davis, a dean at Flagler Palm Coast High School, made it a habit to communicate to alleged victims that they were somehow at fault. In one case a female sophomore reported that her breast was touched by a boy without permission. She was told “don’t lead him on.” During that same conversation Davis asked if the girls had been put up to making these accusations - implying that I had been the reason they filed a complaint. Davis had a habit of telling girls to “leave him alone he will be gone soon” or to “quit being a princess.” And, in an incident not related to sexual assault told one student “you can’t possibly be getting bullied.” Furthermore, during a meeting that was also attended by Andrew Medeiros, Michael Rinyu, and myself, she told one girl who had potentially been a victim of dating violence “just don’t breathe the same air as him.” Davis failed in her duties on numerous occasions and instead of doing her job made accusations that I prompted these young ladies to make their reports. She also falsely reported a student response to an email I sent.

We, the i3 staff, discovered that all referrals turned in during the 2017 through 2018 school year had disappeared. Some of these referrals involved sexual harassment, and anti-Semitic jokes. Assistant principal Kerri Sands verified that none of the reports made about the inappropriate conduct of one male student in particular were on file. Fortunately, I had saved my emails and conversations on several of these incidents.

Regarding the allegation that I provided possible identifying information about a student: This is untrue, as I responded to an email from Assistant Principal Kerri Sands. In addition, the email provided inaccurate information in regards to a student safety plan that several teachers (including me) objected to. My written objection was forwarded to principal Robert Wallace. And the subject of our March 29, 2019 meeting. During our meeting both he and Kerri Sands voiced their concerns that Flagler live would be able to obtain these emails through public record searches and that the student's identity might be revealed. Your former head of HR, Mr. Osypian, verified during a meeting that these worries were unfounded as the district would scrub all names in the event that there was a public records request made. In any case, these emails were sent by assistant principal Kerri Sands and my reply to them had no identifying information. The administration was more concerned about my wanting to go on record about student safety concerns than actually protecting students at Flagler Palm Coast high school.

An i3 teacher failed to report a conversation he overheard with students discussing a girl beaten so badly by her boyfriend that there were photos of the marks (according to the conversation). When I asked why he didn't report he said "I wasn't sure if it was a rumor and since the two are Hispanic it might be taken differently." I informed this teacher that I would send an email to Ms Sands informing her of this and he replied, "don't send an email, we don't want Flagler Live picking this up."

Teachers and administration showed preferential treatment to males repeatedly. Robert Wallace displayed signs of prejudice when he had objections to a Muslim speaker but not a Christian one and denied my request to invite the NAACP out to speak during black history month because he "didn't think it would be a good idea." In reference to the mishandling of another teacher that received racist death threats.

I was retaliated against by Flagler Palm Coast high school administration for participating in a legally protected act, questioning missing referrals, voicing my concerns about student safety, and for alerting teaching staff and the union that - then principal- Mr Wallace violated contract guidelines. I will now go into detail about these claims and ask not to be interrupted.

Before I begin, it is the school's stance that these matters were handled; however, all documentation about the main student in question begins in January of 2019. Note, that the timeline of missing referrals starts in September 2017 and the first known - to myself - incident occurred in January or February 2018 - a whole year before any documentation begins. .

Timeline:

1. **September 19, 2017:** Referral written for male student making KKK jokes in class. Some reported he made rape jokes as well but I could only verify the KKK jokes.
2. **November 13, 2017:** Referral written for student TO after he told a girl he was going to "shoot jizz on her titties." Referral disappeared and was never found. A second referral for this same student was written a couple months later after student made an anti-semitic joke in US History. This referral was also missing from student's record.
3. **February 2018:** Teachers were made aware of an incident in which student AG grabbed a female student's butt. The event was witnessed by students in the bus loop and reported by the victim and another student that witnessed it. On February 15, 2018, teachers were made aware of a conversation Assistant Principal Lovelette had with student AG's mother in which she said, "this has been a problem since 8th grade." Another female student came forward that same day stating that she had been harassed by AG during her freshman year (2 years prior). Over the course of the month AG asked another student for topless photos and several other females came forward about him harassing them. A former Dean (which I will not name for their own safety) informed i3 staff that it was their duty in the morning to distract this student so he would not harass anyone. According to Assistant Principal Sands during a January 2019 meeting, none of this information was in his file.
4. **February 23, 2018:** Email to Assistant Principal Lovelette sent in regards to a male student (TO) repeatedly taunting two female students that he knew had been molested by telling rape jokes while grabbing a piece of glass and pretending to cut his wrist while motioning to the girls.

5. **March 29, 2018:** Email sent to Assistant Principal Lovelette about AG's strange behavior and disturbing comments.
6. **April 9, 2018:** Email sent to Assistant Principal Lovelette in regards to another female student coming forward about AG.
7. **April 2018:** During field trip to Kennedy Space Center I personally witnessed student AG attempting to grab a female student and stopped it before it could happen. This was verbally reported to Assistant Principal Lovelette. English teacher Mr Rinyu was present for the conversation.
8. **April 30, 2018:** Email to Assistant Principal Lovelette sent in regards to a male student (TO) touching a female student's hair without permission.
9. **October 31, 2018:** Student TO sent out of class after students were complaining about inappropriate jokes.
10. **November 2018:** Teacher was made aware of student AG posting disturbing images of guns and fire to his Instagram account. Students were concerned about student AG doing "something." I sent this information to the Dean's office.
11. **November 2018:** I notified a union rep of Wallace's violation of contract guidelines. I was informed that they did not want to bring it up at the time as they did not want my name to "stand out". Mr. Wallace questioned myself and several other employees about time off requests.
12. **January 21 or 28, 2019:** Informed assistant principal Sands that threats were being made against male student (AG) and students were enraged that he was still here after repeated incidents of sexual harassment and assault. Assistant principal Sands informed us that there was "No paper trail about any of the prior incidents and my hands are tied."
13. **January 23, 2019:** Female student reported unwanted touching by student AG. Students that witnessed the event claimed AG grabbed female student's (CS) breast. Student's sister was the recipient of a text during the previous year asking for topless photos.
14. **January 25, 2019:** Dean Erin Davis asked two girls (CM & GJ) if they "had been put up to making acquisitions." Also told CM who claimed to have been violated by boy grabbing her breast to "not lead him on."
15. **January 25, 2019:** No contact order issued for male student AG and female student MS.
16. **January 28, 2019:** Female student warned AG that another student planned to assault him and he should leave the area. Student was almost suspended for

threatening student AG despite him being in the same room as her when she believed a no contact order was in place. I looked into this and was told that there was not a no contact order on file or any trace of her written report made in October 2018.

17. **January 31, 2019:** Email sent to Assistant Principal Sands about verbal threats being made towards student AG. In the same email teacher brought up concern about a missing report from October involving student AG and another female he had harassed. Teacher verified report was made to him and that he personally walked student to the dean's office. The secretary sighed and said “oh him again,” after seeing who the report was about.
18. **March 8, 2019:** i3 teacher failed to report a conversation he overheard with students discussing a girl beaten so badly by her boyfriend that there were photos of the marks (according to the conversation). Teacher was adamant that the information not be sent in an email, I obliged and texted Sands instead but after a week without reply emailed the report.
19. **March 18, 2019:** Student JL suspended for violating a no contact order. This was the same JL that was allegedly beaten by the other student involved.
20. **March 25, 2019:** Assistant Principal Sands alleged that I provided possible identifying information about a student: This is untrue, as I responded to an email from Assistant Principal Kerri Sands. In addition, the email provided inaccurate information in regards to a student safety plan that several teachers (including me) objected to. All but one i3 teacher mounted a verbal and/or written objection to the safety plan but I was the only one disciplined.
21. **March 26, 2019:** Student AG violated no contact order by sending texts to a female student about “sexy boobies” No action was taken.
22. **March 28, 2019:** Student conference about student JL’s suspension. Dean Erin Davis claimed to have investigated the violation of a no contact order but admitted to not knowing or seeing the place the alleged contact happened. Davis also told JL not “not breathe the same air as him.”
23. **March 29, 2019:** Meeting with Robert Wallace and Kerri Sands.
 - a. During this meeting he presented false information about an email reply I sent to a student who then posted the reply on Snapchat. In the meeting he stated the student posted my reply with the caption “See even my teachers think my suspension is BS.” I received a copy of this Snapchat three weeks later and after being informed the report was made by Erin Davis. The

Snapchat post actually read “My Teachers Are So Nice I’m F****ing Crying.” I emailed Mr. Wallace asking if we could discuss the issue again as it was misrepresented. He replied that we could, but that meeting never took place.

- b. The second topic of his concern was about student information in emails. The details of this I have already outlined twice. Again, the administration was more concerned with looking bad in the news than protecting students.
- c. During this meeting, I brought up that myself and other i3 teachers had all voiced our concerns in the case of one male student who had a track record of sexually harassing female students. We were concerned for the safety of our female students and also for the safety of the offending student. While discussing a new alleged incident we were informed by Kerri Sands, the then newly appointed i3 Director, that there was “no paper trail” on this student. Your own reply to the Florida Commission on Human Relations verifies that these incidents were not documented until after this January of 2019 meeting.
- d. In the meeting I and other i3 teachers voiced our concern for missing referrals and these concerns fell on deaf ears.

24. **March of 2019** we - the i3 teachers - voiced our concerns that we were not meeting the “Least Restrictive Environment Considerations Related to Individual Educational Plans” in relation to a female student who had been removed from several of her classes. Wallace and Sands both took objection to my email reply in which I stated that I objected to this plan of removal as it did nothing to benefit her or the other student’s safety after an incident requiring removal from Mr. Rinyu’s classroom after which she was Baker Acted . I would like to request a formal inquiry into this to see if the Least Restrictive Environment Considerations Related to Individual Educational Plans was in fact violated as we believe it was.

25. **April 12, 2019:** Female student with prior no contact order (CM) was approached by AG during family time. This was investigated and no violation was found despite him not being in her i3 family.

26. **On April 15, 2019,** I participated in a protected act when I reported an alleged incident to DCF. I called DCF per the advise of two legal counselors and another expert in child welfare. Per this same counsel I was informed that I was still liable in cases of child abuse even if administration failed to act if the proper authorities were not notified. DCF investigated the case, and the outcomes of this case are not

the subject of this hearing. What is the subject is how this lead to my non-renewal. The school resource officer brought one of the deans to question me despite my identity being protected by Florida Statute 39.202. By the written admission of district, the SRO also released my name to another administrator. I have provided copies of Florida Statute 39.202 for your review.

- a. The district's attorney, Miss Gavin, admitted during our level 2 hearing that "on the surface this could be seen as an act of retaliation," but insisted these events had no causal link to my non-renewal.
- b. In addition, the claim that the school has no say in how the sheriff's office conducts business on school property or interacts with staff and students is negligent.

27. April 19, 2019: Staff meeting about multiple safety plans involving student AG.

28. May 17, 2019: I was notified of the non-renewal of contract and was told, "According to Florida law I don't have to tell you," after asking why the contract was not renewed.

This is a list of offenses that only I personally experienced. It does not include the incident in Spring 2018 when the school went into lockdown after a student made a joke about guns in which the administration failed to notify the I3 campus despite the fact that the student was on our campus or notifying us of his return. Nor does it include referrals written by Miss Schaefer during the 2017 - 2018 school year which include an incident where students were throwing furniture at each other. These referrals also went missing. Or, the fact that despite our being unable to service students with certain behavioral and emotional labels, we were forced to do so because one boy's father was a coach and therefore put other students in harm's way in order to appease a colleague. Nor does it include missing referrals from other teachers that I am personally aware of, that include incidents such as disappearing tardy's for football players and other acts of favoritism for male students and athletes. These offenses also do not include any other reports made to administration by the i3 staff that were not dealt with or documented.

I have provided you all with the documents requested as well as sample emails. However, these are not the full volume of evidence I have and I will not release further evidence without a legal measures in place to ensure protection for myself and student information.

My work and accomplishments while at FPC speak volumes for the kind of teacher I am, and the notion that there was no causal link between these events and my contract not

being renewed is insulting. I was not only an outstanding teacher at FPC but brought critical acclaim to the school through my Oral History project which is on file with the State Museum in Tallahassee. I was an active member of the school community and sponsored two clubs. I volunteered in after school events for i3 and FPC. I am the type of teacher every school dreams of employing: dedicated, great with students, active within the community, and I designed unique and exciting curriculum that challenged students to think critically and apply their knowledge outside the classroom. I received calls from community leaders thanking me for teaching students about the Holocaust and for teaching students the importance of volunteering.

To quote Miss Gavin, “We’ve had situations where we had brand new teachers who were amazing who were let go because we didn’t have a spot for them the next year, so the fact that you’re rated highly effective doesn’t automatically mean you’ll be retained.” My first point of contention is the “no spot.” Was the i3 Social Studies teacher position eliminated? No it was not. In our last meeting Miss Gavin wanted to get into a tit for tat argument about my contributions to the school versus others while failing to acknowledge all the teachers she compared me too were never the subject of non renewal.

Miss Gavin has also tried to state that if I were retaliated against then my last evaluation, which took place after the DCF call, would not have been so favorable. To quote her, “If in fact the District retaliated against [Sprouse] he would not have been found to be highly effective.” Do you really expect anyone to believe this? No one with any common sense would provide an unfavorable evaluation to an employee they planned to get rid of for being a whistleblower. That would be equivalent to signing their own confession.

[Student Statements]

I have filed a complaint with the Florida Commission on Human Relations - a report which I have provided to all of you. Recently, I have also filed a complaint with the Public Employees Relations Commission. I have been in contact with the Governor’s office and spoke with May Kue-Rowan about this matter. The State Attorney’s office has been made aware of the violation of Florida Statute 39.202 and has advised me on how to proceed if I wish to move forward with them on the matter, a matter which I have recently decided to do and been in contact with them about. The Florida Department of Education has also been contacted and is aware that I am participating in the district’s grievance process and of the district’s attempts to delay. I have made a formal request for

the Department to become involved in this matter. Finally, I have notified both the ACLU and contacted the majority of teacher's unions in the state of Florida to advise them of the possible cascading effect this could have on teachers and other mandatory reporters. By the school district's own admission in their response to the FCHR mandatory reporting laws were broken when the officer gave my name to not one but two administrators. I am very concerned about the precedent this will set for other mandatory reporters as it fails to protect their identities and protect them from retaliation despite both being guaranteed by Florida Statute 39.202. If my identity cannot be protected while participating in a protected act, what guarantee will others have?

I never requested reinstatement as I have been advised by other teachers in the district that Flagler Public Schools has a history of retaliating against teachers who speak out. I was also told by one teacher that "they will ruin your teaching career through bad evaluations; I've seen them do it before," and by another teacher that I, "could not trust anyone in the district." I believe these last two statements speak volumes for the atmosphere of fear and intimidation that administration has placed over teachers in their schools. One teacher went so far as to state, "I quit reporting cause nothing ever got done."

The school board needs to make amends for these transgressions. You are aware of the damages incurred to its students and myself, even if the district insists they are coincidental. The school and district has had ample opportunity to put right this situation at several junctures. Instead they have decided to feign ignorance and pass the blame to the School Resource Officer. While delaying these hearings unnecessarily. They have even gone so far as to make excuses for the incidents by stating the boy in question had an undiagnosed condition. Diagnosis or not, condition or not, that does not make right the lack of protection given to the female students of FPC nor does it justify the comments made by Erin Davis.

You have been provided with a list of my previously proposed remedies. At this juncture I am requesting the following additions and these are non-negotiable in any form. Training by an outside agency is a must. I am also requesting the school issue a formal and public apology to the young women mistreated at the hands of the administration. The school will pay compensation to myself in the form of lost wages, legal fees as well as compensation for the emotional and physical problems this strain has caused. I have suffered from a medical condition that at times has crippled me and kept me from

functioning. A condition worsened by stress and emotional turmoil. My career and everything I have worked for has been put into jeopardy simply because I did what the law required of me. You have stolen the faith and trust of the female students in your care by allowing people like Erin Davis to pass blame onto the victims. You have stolen time from myself and my family by refusing to simply do the right thing.

I ask the board to consider how this would appear to a jury, or, the public should this case progress further and ask for a resolution to be met here and now. I am prepared to take this as far as I have to in order to ensure student safety is put above all else within the district and disparaging remarks are no longer the norm when it comes to female students claiming to have been harassed. If this involves moving forward with the FLDOE, Governor's Office, State Department, legally in court, or through the court of public opinion, I am prepared to do so. Now it is your turn to do the right thing.

Proposed Remedies from Level 1&2 Meetings.

1. That a formal investigation be launched and a written request for sensitivity and sexual harassment training to be placed in the personal files of Erin Davis and Robert Wallace.
2. For sensitivity training to be required for all administrative staff about sexual harassment and victim's rights. And, for this training to be conducted in person by a licensed professional not connected with the school or school district. Miss Gavin previously agreed to this training but insisted that an outside expert was not needed. I do not agree.
3. For Erin Davis to be removed from any position involving student discipline.
4. For the school resource officer involved to receive a formal reprimand from the school for violating § 39.202, Fla. Stat. Ann. For all current and future school resource officers to receive sensitivity, sexual assault / harassment, legal training pertaining to mandatory reporting, and all other sensitivity training required by administrative staff.
5. For records of my non-renewal and any records placed in my personal file related to these incidents I have outlined, to be permanently removed. I would like it to state in all official records that I left voluntarily. The district had previously agreed to this and I have no reason to believe they will not honor this agreement.
6. To receive an official letter of recommendation from the school district that meets my specifications. This request was also agreed upon during the level 2 meeting.
7. To be reimbursed for any previous and future legal fees that have or may result as a result of these proceedings.
8. Compensation for lost coverage (insurance).
9. To be reimbursed for lost wages, including any raises I would have received, that have resulted from the non-renewal of my contract and damage this has done to my reputation.