

## **EVERETT PUBLIC SCHOOLS**

### **Everett, Washington Special Board Meeting**

The Board of Directors of Everett School District No. 2, Snohomish County, Washington, held a special Board meeting on Tuesday, September 14, 2010 at 5 p.m., in the Board Room of the Everett School District Educational Service Center, 4730 Colby Avenue, Everett, Washington. Board members in attendance were Carol Andrews, Kristie Dutton, Jessica Olson, Ed Petersen and Jeff Russell.

The purpose of the special meeting was to discuss board-superintendent communication, and to hold an executive session to receive and evaluate complaints or charges against a public employee, review the performance of a public employee, and discuss litigation or potential litigation with legal counsel representing the district.

President Petersen outlined the ground rules for today's meeting, saying that this part of the meeting was to be held in open session to discuss board-superintendent communication. It was not meant to be an interrogation, questions were to be directed to the board president or the superintendent, and if the performance of the superintendent became part of the discussion, then the meeting would need to recess into executive session for the review of the performance of an employee.

Superintendent Cohn reviewed the basic facts and sequence of events surrounding the investigation. He noted two points during the course of the process he informed and updated President Petersen about the situation. He noted the board president concurred that since this was an anonymous letter, the situation did not necessitate contacting the other board members. Board members asked questions of the superintendent and Duncan Fobes, attorney with Patterson, Buchanan, Fobes, Leitch & Kalzer, Inc., P.S., the firm assigned by the Washington Schools Risk Management Pool to coordinate the investigation. Mr. Fobes was on hand via telephone.

Topics discussed during this open session were confidentiality and privacy of the employee; the board's expectations of being kept informed; communication with the superintendent and role of the board in a situation such as has arisen. President Petersen referred to the board-superintendent operating protocol, in particular the portion referring to notices: "The superintendent will let the board know as soon as possible of any major issue that may arise which could be problematic for the district, and will share information with people anticipated to be affected in a timely manner. The team is mutually committed to practicing a 'no surprises' policy. We consider a major issue to be one in which student or staff safety, significant liability, or broad public concern could reasonably be attached."

Four of the board members were in agreement with the steps taken to address the anonymous letters. Each indicated satisfaction with the response to the protocol and the professional handling of the investigation. President Petersen said an unfortunate byproduct of the fifth board member's opinion is that the principal decided he needed to give up his privacy by meeting with his staff. He also noted he attended the staff meeting at the high school and the entire staff gave the principal a resoundingly positive show of support.

Principal Terry Cheshire was in attendance at tonight's board meeting. In response to Director Olson's remark that she hoped Mr. Cheshire had not been strong-armed into revealing his identity and details of the complaint and had done so of his own volition, Mr. Cheshire asked Director Olson if she was asking him whether he had in fact been strong-armed, to which Director Olson replied she wasn't asking, she was just saying she hoped he was not. Mr. Petersen then asked Mr. Cheshire if he wished to address the board, to which Mr. Cheshire responded he would. Mr. Cheshire walked to the podium to address the board. He spoke to the impact on his professional and personal life now that the situation has risen to the level of media attention. It has been humiliating and self-destructive. He has been defamed and professionally crucified, and responded to Director Olson that at no time was he strong-armed into notifying his staff and giving permission for having his identity and details of the allegations to be released in a press release by the District.

At 5:55 p.m., President Petersen adjourned the special meeting.

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Gary Cohn, Secretary

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Ed Petersen, President