

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF EVERETT SCHOOL DISTRICT No. 2
RESOLUTION No. 1027
Censure No. 2 of School Board Director Jessica Olson**

WHEREAS, the Everett Public Schools Board of Directors continues to be deeply committed to the effective operation of the Everett School Board in order to provide positive, constructive governance and leadership for the district; and

WHEREAS, the board of directors needs all five members to contribute to a positive, constructive working environment for students, staff, and for colleagues on the board; and

WHEREAS, the board of directors did during its November 16, 2010, January 25, 2011, July 5, 2011, and August 23, 2011 regular board meetings consider evidence that Director Jessica Olson acted improperly in her role as an elected director, and did adopt Resolution 1015, Censure of School Board Director Jessica Olson, at its February 22, 2011 meeting; and

WHEREAS, the board of directors committed itself to upholding policies providing for civility and open, honest communication, adherence to state law and policies governing the board's actions and behaviors, and to acting in a concerted fashion to set an example of positive leadership for the Everett Public Schools; and

WHEREAS, Director Olson, acting individually without board authority, violated district Policy 1715, Board-Superintendent Operating Protocol, and violated the Open Public Meetings Act by **repeatedly emailing all board members**, especially on June 22, 2011, after receiving multiple trainings and instructions by attorneys and an assistant attorney general and admonition by board colleagues and two district attorneys to cease this practice, including specific advice immediately preceding the June 22, 2011 email to all board members, and by an August 23, 2011 email to all board members on subjects coming before the board that night and published in the regular meeting agenda; and

WHEREAS, Director Olson, acting individually without board authority, on June 24, 2011 in violation of district Policy 5161, Civility in the Workplace, **intimidated a district staff member** in order to obtain the tacit consent of the staff member to allow recording of video images and voice during a private meeting with that staff member and a fellow school director; and

WHEREAS, Director Olson, acting individually without board authority, after having agreed to the restrictions placed on her access to non-public, confidential records in a unanimous board vote during a regular open public meeting May 10, 2011, on June 24, 2011 violated the board's May 10, 2011 decision (Item 10.02, Director Request: Access to Non-Public, Confidential Records), violated district Policy 1715, Board-Superintendent Operating Protocol, violated district Policy 4340, Public Access to District Records, and the board's attorney-client privilege under RCW 5.60.060, Privileged Communications, by **removing from the district a notebook containing non-public, confidential legal documents**; and

WHEREAS, Director Olson, acting individually without board authority, on June 24, 2011 **photocopied un-redacted, confidential legal documents without the board's permission** or waiver of attorney-client privilege under RCW 5.60.060, Privileged Communications; and

WHEREAS, Director Olson, acting individually without board authority, on July 4, 2011 **published, using social media, copies of un-redacted attorney-client privileged invoices**

obtained by way of her position as a school director, doing so without the board's permission in violation of Everett Public Schools Policy 1711, Code of Ethics, and the state of Washington Code of Ethics for Municipal Officers (RCW 42.23.070, Prohibited acts); and

WHEREAS, Director Olson, acting individually without board authority, violated the board's attorney-client privilege under RCW 5.60.060, Privileged Communications, by **disclosing confidential, attorney-client privileged correspondence containing legal advice** to *The Daily Herald*; and

WHEREAS, Director Olson, acting individually without board authority, on August 23, 2011 **repeatedly disrupted an open public meeting of the school board** (RCW 28A.635.030, Disturbing school, school activities or meetings — Penalty) by frequently interrupting the board president and vice president even after receiving from board colleagues, including the board president, multiple admonitions to cease this behavior; and

WHEREAS, Director Olson, acting individually without board authority, on August 23, 2011 violated the Open Public Meetings Act (chapter 42.30 RCW) and district Policy 1410, Executive or Closed Sessions by **introducing content not appropriate for the executive session**(RCW 42.30.110, Executive sessions) after careful agenda planning in accordance with board policy, and after fellow directors requested she cease the violation; and

WHEREAS, Director Olson, acting individually without board authority, on August 23, 2011 violated district Policy 1240, Duties of Individual Board Members, and **violated the privacy rights of other school board directors by recording video images and voice during a properly noticed and convened executive session** (RCW 9.73.030, Intercepting, recording, or divulging private communication — Consent required — Exceptions), which was a private meeting under the law, without obtaining the express permission of other school board members and over the objections of all other school board members; and

WHEREAS, Director Olson has repeated prohibited behaviors after being admonished by her fellow board members in open public meetings on November 16, 2010, January 25, 2011, July 5, 2011, and August 23, 2011, and by resolution of censure adopted February 22, 2011, in particular by **repeatedly ignoring district policy and state law** requiring school directors to maintain the confidentiality of confidential records and executive session content and not recording private conversations without permission of all participants; and

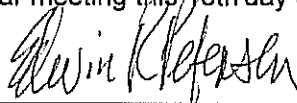
WHEREAS, censure by a public body is a judgment of stern condemnation of one of its members for behaviors or actions that violate laws or its policies, rules or norms; it is also a public act of rebuking a member for unacceptable acts through an official reprimand;

NOW, THEREFORE, BE IT RESOLVED: That the board of directors does hereby censure Director Jessica Olson for repeated and blatant disregard of state law, board policy, and board protocols; and

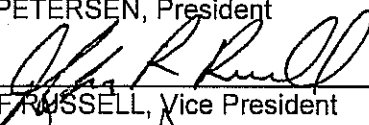
BE IT FURTHER RESOLVED: That the board of directors does hereby demand Director Olson comply with state law, board policy, and board protocols; and

BE IT FURTHER RESOLVED: That the board of directors does hereby require that Director Olson cease bullying, intimidating, harassing, and uncivil treatment of fellow directors and administrative, instructional, and support staff of the Everett Public Schools.

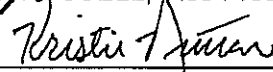
Adopted by the Board of Directors at its regular meeting this 13th day of September, 2011.



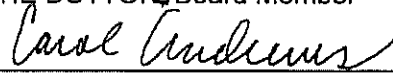
ED PETERSEN, President



JEFF RUSSELL, Vice President



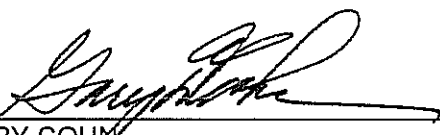
KRISTIE DUTTON, Board Member



CAROL ANDREWS, Board Member

JESSICA OLSON, Board Member

Attest:



DR. GARY COHN
Superintendent & Secretary to the Board of Directors
Everett School District No. 2