

2 July 2008

An open letter to
Town of Winchester School Committee Members
Sarah Swiger, Chair
Lower Level, Town Hall
71 Mount Vernon Street
Winchester, MA 01890

Subject: A call for change in school system employment practice

Dear Committee Members:

It was with surprise, concern, and disappointment that this Winchester parent of two Muraco-district school children heard of the arrest this week of McCall Middle School teacher's aide Christopher French on child enticement charges. Police allege that Mr. French used conversations via the internet to unsuccessfully lure a 13-year old girl into having sex. If they weren't painful enough to this tight-knit community, these allegations are made all the more difficult given the distinguished service Mr. French's family has made to our school system—his mother, Leslie, is a Special Education Teaching Assistant at my son's elementary School and his father, Evander, is Principal of McCall Middle School. This latter relationship was not something I was aware of prior to this week's news and is the impetus for this call for change.

I have always been a believer in the presumption of innocence, the diligence of the District Attorney's office, and justice by judge or jury and I have every confidence that rumors will be distinguished from facts in this case once the judicial process runs its course. When reports surfaced Tuesday morning of the accused own MySpace page with allegations of inappropriate communication with students, I visited this well-known internet social networking site myself. Mr. French's profile only heightened my concern and disappointment. While the photographs alone raised suspicion, it was the emails from French's circle of MySpace "friends" that was particularly hard to deal with: many messages from young Winchester teenage girls 13 to 15 years old professing their affection for him and exchanging adjectives normally associated with teenage gossip and wistful young love. Some of these young "friends" have themselves posted their names and pictures with their MySpace profile, forever linking their faces with their messages.

I wonder if the parents of these young women were aware of their daughters' online contacts with Mr. French, whose statements, images, and overall presentation on his MySpace page (now no longer accessible) have the look and feel of a flirtatious teenager rather than a public school employee three years from his 30th birthday. Many exchanges—well documented by Boston TV stations this week—go far beyond inappropriate casual conversation.

A pattern of behavior?

Just as disturbing as the allegations against Christopher French are the sentiments of Winchester teens interviewed by Boston media on Main Street this week: many of them saying that they aren't that surprised by the allegations and arrest, describing Mr. French's behavior in the past as inappropriate or discomfoting. My own conversations with McCall parents and students—both past and present, bring up similar sentiments.

So, as we wait for Mr. French's next court appearance on August 8—presumably for his arraignment—we should ask ourselves and our Superintendent William McAlduff whether it is possible that a school staff member exhibited inappropriate behavior towards students, whether there were signs or patterns of this behavior, and what we can do as a community in response. Mr. McAlduff's statements to the press indicate that the School Department will conduct an investigation. I expect the report to be made public.

Call for change in employment practice: Nepotism rules

One can only imagine the difficulty and stress a student or staff member faces when contemplating their approach to a school principal with knowledge or suspicions of inappropriate behavior between a teacher and student. This difficulty is surely made greater when the principal is also the father of the accused. Just imagine—in this instance—a new student or staff member going to their principal to report inappropriate behavior of his or her own son. Surely some would take pause, considering the conflicting allegiances between school and family ties. Conversely, it strikes me as unfair for us to expect any principal dealing with such serious accusations—with their associated stress and anxieties—to have to bear the additional burden of close family ties.

For this reason, and others such as fiduciary responsibility and fairness in HR matters, school districts across the country have nepotism rules in place that expressly prohibit the employment of an immediate family member at a school in which another family member is the principal—with no exceptions. I always assumed we had such a policy.

Unfortunately, the Massachusetts Department of Education has no such ban. Rather, it requires only written notification to the School Committee of the intent to hire a family member of the principal: “A school district shall neither (i) employ a member of the immediate family of a superintendent, central office administrator, or school committee member, nor (ii) assign a member of the immediate family of the principal as an employee at the principal's school, unless written notice is given to the school committee of the proposal to employ or assign such person at least two weeks in advance of such person's employment or assignment...” [M.G.L. Chapter 71, Section 67].

Was the law followed in the case of Mr. French? If so, what did the School Committee do subsequent to its notification of employment? Given the relationship of the accused to our middle school's principal, who was to conduct performance evaluations and pass judgment on the merits of his skills and interactions with students?

Inherent conflicts in existing protocols

The Commonwealth's Executive Office of Health and Human Services current *Advisory Opinion Regarding Reporting Suspected Child Abuse and Neglect* makes clear that teachers, counselors, administrators, psychologists, and other school officials are to report known or suspected incidents to either the principal or D.S.S. directly. Investigators with the State Ethics Commission confirm, however, that it would be inappropriate for a school principal to handle such reports, should they involve the principal's family member/s. Investigators went further with me by phone to say it would even be inappropriate for the principal to direct the accusers to another party, as this would still permit the principal to influence who might handle the accusation/s.

Given that the School Committee was presumably notified in writing of the intent to employ Christopher French at McCall Middle School, what was its policy regarding the handling of complaints or accusations of inappropriate conduct on his part? With whom was this policy shared? Students I have spoken with say they don't know what the policy is when it comes to reporting suspicious or inappropriate behavior between staff members and students.

A petition for change

While the School Committee, Superintendent, and Principal cannot control the actions of another, there is a change that we can make locally to improve the reporting process by addressing the family connection that exists in this case and preventing it from occurring in the future—a change that will remove at least one additional burden an accuser bears when coming forward with knowledge or suspicions of inappropriate behavior between a school official and a student: the adoption of a nepotism rule to prohibit the employment of immediate family members of principals (or other school authority figures) in the same school. Many examples exist of school districts in other states adopting such policies, with some language even coming from the state level.

After consultation with the State Board of Education, the State Ethics Commission, and fellow Winchester parents, I am preparing a petition to the Winchester School Committee to draft and adopt a nepotism policy to its employment requirements based loosely on the following (a policy from my own school district in another state in place for years, but a good example to work from):

ASSIGNMENT OF FAMILY MEMBERS

Members of the immediate family may teach and/or work in the same school, building, or worksite. However, because of the opportunity for conflicts to arise when members of the immediate family work on the same campus or at the same worksite, the District reserves the right to reassign an employee or restrict such employment. In all cases, one member of the immediate family shall not directly supervise and/or evaluate another immediate family member and/or be in the line of supervision to influence or affect the employment, promotion, salary administration, or other management or personnel transaction regarding the family member.

DEFINITION

For purposes of this policy, "immediate family" shall be defined as a spouse, son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis; a parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee; sibling, stepsibling, sibling-in-law, grandparent, spouse's grandparent, or grandchild; or any other person who may be residing in the employee's home.

HIRING /
SUPERVISING FAMILY
MEMBERS

A person shall not be employed or promoted if such employment or promotion would place that person in a position of supervising or being supervised by a member of the person's immediate family; or where a member of the person's immediate family occupies a position in which the family member could use that position to affect the employment, promotion, salary administration, or other related management or personnel transaction of the person being employed or promoted.

I welcome comments from Winchester parents, school employees, and other interested parties, particularly those who may wish to sign my petition or suggest other constructive examples to propose to the Winchester School Committee.

Believing that this issue transcends local school governance, I am taking this cause to the state level, as well. I have already spoken with Senator Jehlen's staff and some of the candidates for Representative Casey's seat in the House this fall. I encourage them to consider this proposal for legislative action at the state level and specifically request that the House candidates declare their position publicly.

Finally, I must add that the consistency of comments regarding the dubious behavior of Chris French has been matched only by the consistency of praise for his father, McCall Principal Evander French and his mother, Muraco Teaching Assistant Leslie French. The French's service and dedication to our school children is deeply and sincerely appreciated by many, including myself. My call for the establishment of a nepotism rule should in no way be considered a criticism of this principal's character, objectivity, fairness, and professionalism. Rather, it is intended to eliminate entirely the perceived obstacle of family ties for those who have knowledge or suspicions of inappropriate behavior.

Respectfully submitted,

Christian Nixon – 130 Forest Street, Winchester - (nixon_wheeler@msn.com)

cc: William McAlduff, Superintendent
Patricia D. Jehlen, State Senator
House Candidates: Jason Lewis (D), Brian O'Connor (R), Mike Rotondi (D)
Mitchell D. Chester, Commissioner of Elementary and Secondary Education
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