



# Federal Way Public Schools

31405 18th Avenue South

Federal Way, WA 98003

941-0100 or 927-7420

## BOARD OF EDUCATION

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## SUPERINTENDENT

Thomas J. Vander Ark

December 16, 1994

Mr. Jerome Collins  
32807 - 12th SW  
Federal Way, Washington 98023

Dear Mr. Collins:

The Federal Way School District's position on harassment of any nature on the part of teachers towards students is that any such behavior is totally unacceptable. After an investigation of the allegations made by two former students of yours that you engaged in sexual harassment behavior towards them, the District finds that its investigation was inconclusive in establishing that sexual harassment occurred.

However, the investigation disclosed instances of poor judgment on your part. This poor judgment has been displayed in slapping female students on the buttocks and inappropriate joking with female students. The inappropriate joking refers to the necklace incident of which you are familiar and also inappropriate remarks whispered to a third student.

You are hereby formally reprimanded for this conduct. A copy of this reprimand will be placed in your personnel file. You should understand that any further incidents of this nature will lead to more severe disciplinary action. The maintenance of proper boundaries of behavior between teachers and students is extremely important to teacher and student alike. You are hereby instructed to obtain training by June 30, 1995, which will help you more clearly establish proper boundaries for your relationships and interactions with female students.

Please contact Ben Lastimado, Director of Human Resources, to arrange the training. The Federal Way School District will pay the reasonable costs of approved training.

If you have any questions concerning our expectations or this letter, do not hesitate to contact me.

Sincerely,

Thomas R. Murphy  
Assistant Superintendent  
Secondary Education

c: Personnel File

# VAN SICLEN, STOCKS & FIRKINS

ATTORNEYS AT LAW

4508 AUBURN WAY NORTH, SUITE A-100  
AUBURN, WASHINGTON 98002-1381

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(253) 818-6878 SEATTLE  
(253) 451-1530 BELLEVUE  
(360) 412-7585 OLYMPIA  
(253) 859-8917 FAX

March 23, 1999

James J. Dionne  
Dionne & Rorick  
2550 First Interstate Center  
999 Third Ave.  
Seattle, WA 98104

*Re: Federal Way School District adv. Jerome Collins*  
Our file: 9341

Dear Mr. Dionne:

The purpose of this letter is to confirm the matters that we discussed today in our telephone conversation, and to further explain my client's position.

I first indicated that my client wanted to obtain certain personal effects that are on school property. I indicated that Mr. Collins and I would enter the school after hours, and be accompanied by an official of your choosing. You indicated that you did not agree to our entering the school. You also asserted that the school had somehow obtained ownership interest in Mr. Collins' personal property, and that the property, including personal documents would not be released. You seemed to imply that the District had a legal right to rifle through Mr. Collins' personal effects in the course of its investigation. Please be advised that Mr. Collins does not give, nor has he ever given, the District permission to inspect or otherwise take possession of his personal property. The District's refusal to permit Mr. Collins to enter the premises to remove his personalty constitutes conversion and theft. I expect the District will rethink its position and permit Mr. Collins to enter the premises in a manner consistent with my earlier suggestion, which is a typical and common practice in these situations.

I also indicated to you that I was concerned about the level of detail of the District's investigation. As an example, it appears that the exact time of the purported assault has not been established. This information is critical to an effective investigation because it would indicate what students or faculty might be material witnesses. I also requested, again, that the District provide Mr. Collins with the specific allegations so that he could thoroughly respond, and provide the District with evidence demonstrating that he is innocent. You indicated that it is premature to provide Mr. Collins with these materials so that he can fully respond. I have previously indicated that any investigation, no matter at what stage, must be based upon all available evidence to comply

COPY RECEIVED

MAR 24 1999

DIIVINE & MURICK

HUMAN

MAR 24 1999

RESOURCES

James Dionne  
March 23, 1999  
Page 2

with due process. Mr. Collins has indicated a willingness to provide specific information to assist the District in its initial investigation. The District, to date, has refused to cooperate, and has instead discouraged witnesses from speaking to my investigator.

We did agree that you would contact me in advance of any District action. I wish to thank you for your courtesy and suggest that we work together to fully and fairly investigate this matter. My client and I remain confident that you will determine the allegations to be false once you have all the information at your disposal.

Finally, I am enclosing copies of subpoenas issued to Curman Sebree and the District by the Federal Way District Court. Please let me know your position with regard to these subpoenas. Thank you in advance for your anticipated cooperation.

Very truly yours,

  
Tyler K. Perkins

TKF/LL

cc: Client  
Curman Sebree, Esq.

Col20041462229



FEDERAL  
WAY  
PUBLIC SCHOOLS

- Urgent
- For review
- Please comment
- Please reply
- Please recycle

**Fax**

Date 3/19/99

To Tyler K. Firkins

Fax 253-859-8917 Phone \_\_\_\_\_

From Laurie Jackson

Phone 253945-2029 Fax \_\_\_\_\_

Number of pages including cover sheet 2

Regarding Collins

Message

Mr was also  
sent by  
mail



March 19, 1999

Jerome Collins  
32807 12<sup>th</sup> S. W.  
Federal Way, WA 98023

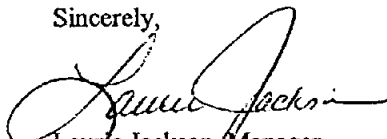
Re: Investigation cooperation

Dear Mr. Collins:

I understand that you are not cooperating in our investigation of charges that you committed acts of inappropriate physical and verbal conduct, including, but not limited to, unwanted touching, unwanted kissing, inviting a student to come to your home when your wife was absent, and making comments of a sexual nature to a student. Through your attorney, you have conditioned your cooperation on receipt of certain documents from our investigator. This letter will inform you that the District has no obligation to provide copies of our investigator's notes and a list of all witnesses that our investigator has interviewed as part of our investigation as a condition to your cooperating with our investigator's request to interview you.

The District has a duty to protect our students. You have a professional duty to cooperate in an investigation that is necessary to carry out the District's duty. Therefore, you are directed to meet with our investigator on Tuesday, March 23, 1999 at 10:00 a.m. in the Federal Way School District Administrative office and to respond fully to each and every question asked. Your failure to do so will be considered insubordination and grounds for termination from your duties.

Sincerely,

  
Laurie Jackson, Manager  
Human Resources

LJ/dlm

cc: Tyler K. Firkins



# VAN SICLEN, STOCKS & FIRKINS

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(360) 412-7585 OLYMPIA  
(253) 859-8917 FAX

March 22, 1999

**SENT VIA FACSIMILE**  
**& FIRST CLASS MAIL**

Laura Jackson  
Human Resources manager  
Federal Way School District  
31405 18<sup>th</sup> Avenue South  
Federal Way, WA 98003-5433

*Re: Federal Way School District adv. Jerome Collins*  
**Our file: 9341**

Dear Ms. Jackson:

I am in receipt of your letter addressed to my client, Jerome Collins, and dated March 19, 1999. Your letter was received in my office at 4:22 p.m. on Friday, March 19, 1999. The purpose of this letter is to request that the District cooperate with Mr. Collins during his investigation of the allegations, and to further request that the District abide by the terms and conditions of the Collective Bargaining Agreement (CBA), and general principles of fundamental fairness.

As you are aware, in accordance with §3.3(E) of the CBA, Mr. Collins is entitled to representation, which includes reasonable notice. Your letter provides one (1) business day of notice prior to your proposed scheduled meeting. You did not contact my office to inquire whether I was available. Instead, you communicated directly with my client, and provided me a copy of your communication. The District's conduct is clearly in violation of the above referenced contract provision. Because Mr. Collins is represented, all future correspondence should be addressed to this office, except where a statute requires personal service upon Mr. Collins.<sup>1</sup>

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1. This letter does not waive any statutory service of process requirements, or constitute an acceptance of service.