

66204-0

66204-0

No.66204-0 (Consolidated w/No. 66206-6-1)

COURT OF APPEALS, DIVISION I  
OF THE STATE OF WASHINGTON  
One Union Square 600 University Street  
Seattle, WA 98101-4170

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COURT OF APPEALS, DIVISION I  
OF THE STATE OF WASHINGTON  
CLERK OF COURT  
JENNIFER L. HARRIS

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GRAZYNA PROUTY, Appellant or Petitioner

v.

TAHOMA SCHOOL DISTRICT BOARD, Respondent

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BRIEF OF PETITIONER/APPELLANT

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Grazyna Prouty, Appellant  
ELL (English Language Learners' teacher  
Certified and Endorsed in the State of Washington  
Professional Continuing Teaching Certificate)  
Filing the Brief

12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
Phone: 425.413.0421

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The following representation in the consolidated cases: No.66204-0  
(Consolidated w/No. 66206-0-1):

Petitioner:  
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Kent, WA 98031  
Phone: 425.413.0421  
Pro Se

Respondent:  
  
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Didem Pierson  
Chairwoman  
  
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## TABLE OF AUTHORITIES

### Table of Cases

1. Blair v. Laflin, 127 Mass.518, 521.
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“exceptions shall be reduced to writing and filed with the clerk” as another rule states: “setting forth that the same was delivered personally to the adverse party... or deposited in the post office, directed to him, postage prepaid.”

The notice was deposited in the mail within the time prescribed but was not received within that time. It was held that “depositing of a notice in the post office, within the time limited, (was) equally effectual with personal service thereof within the same time on the adverse party”.

2. Gloucester Mut. Fishing Ins. Co. v. Hall, 210 Mass 332, is to the same effect. Elsewhere it has been held that where the service by registered mail is expressly authorized by the statute, service is effected when the notice is properly addressed, registered, and mailed.

3. United States v. Continental Cas, co. 245 p. Supp. 871 (D.C.E.D.La). Ford v. Genereaux, 104 Colo. 17, 21-22 Wasden v. Foell, 63 Idaho, 83, 87-88:

“timeliness of the notice would be subject to the efficiency or vicissitudes of the postal service, a result which hardly could have been intended.

4. Engrossed Second Substitute Senate Bill 6696 passed Legislature – 2010 (the law).

5. Second Substitute Senate Bill 5973 (the law).

6. Randy Lee Francisco, Respondent v. Board of Directors of the Bellevue Public School District, Appellant 11 Wn. App.763, p. 772

Quoted *Beam vs. Fulwiler*:

“a discharged schoolteacher sought judicial review of her dismissal by the school board. She was a contract employee. It is held that where the teacher’s only statutorily provided appeal was to the county superintendent “who dominated the school board and took an active interest in controversy,” the superior court had inherent jurisdiction to hear the matter on its merits”.

7. 156.Wn. 2d 677, Mayer v. Sto Indus, Inc. p. 682 – 686  
“Sto engaged in deceptive acts and practices to keep the Mayers from knowing all the facts concerning the products.”

156 Wn.2d p. 682

“Sto was liable under the CPA and the WPLA for its failure to warn”.  
(...) “Mayers were forced to try to prove through the other means –  
“that the system has an inherent flaw, “and p. 693 indicates that it  
“affects the public interest”.

8. Erma Thayer v. Anacortes School District, 81 Wn.2d 709, p.716 “such board upon receipt of request shall call a hearing (...) and notify the employee of the date, time, and place of hearing.”

9. Ruth Alvin Robel v. Highline Public Schools, 65 Wn.2d 477, 482 concerning service and response regarding hearing:

“(…) where service by registered mail is statutorily provided, it has been held that the service is effected when the notice is properly addressed, registered and mailed.”

### **Constitutional Provisions**

1. Constitution of the United States Article IV. Section 1

2. Bill of Rights in Preamble states:

(...) adopting the Constitution, expressed a desire, in order  
misconstruction or abuse of its powers (...)"

The Bill of Rights is "a vital symbol of the freedoms and the as it  
protects" fundamental principles of human liberty".

3. Constitution of the State of Washington (revised 01-12-11).

Article VII, Section 7 Annual Statement, relation to RCW 28 A.400.030

Article IX Section 5 addresses Mismanagement.

### Statutes

1. RCW 28A.58.490 the court may award employee.

2. RCW 28 A.310.010

It shall be the intent and purpose (...) to establish educational service  
districts as regional agencies which are intended to:

(1) Provide cooperative and informational services to local school  
districts.

3. RCW 28A.310.250.28

"Certificated employees subject to the provisions of RCW  
28A310.250.28, A.405.100, 28 A.405.210, (...) shall not include those  
certificated employees hired to replace certificated employees who have  
been granted sabbatical, regular or other leave by school districts, and  
shall not include retirees hired for postretirement employment (...).

"It is not the intention of the legislature that this section apply to any  
regularly hired certificated employee or that the legal constitutional rights  
of such employee be limited, abridged, or abrogated" as in RCW  
28A310.250.28, A.405.100, 28 A.405.210 (connected to RCW 28  
A.405.900).

4. RCW 28 A. 320.230, RCW 28 A.320.230 (1) related:

“This committee shall consist of representative member’s of the district’s professional staff, including the representation from the district’s curriculum development committees (...), the committees may include parents at the board discretion (...) parent members shall make up less than one-half of the total membership of the committee.

“Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee’s expenses incidental to visits to observe other districts’ selection procedures may be reimbursed by the school district”

5. RCW 28 A.320.230 (1) (f), the School Board:

“Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee’s expenses incidental to visits to observe other districts’ selection procedures may be reimbursed by the school district”

6. RCW 28A.400.340 – notice of discharge gives teachers rights to appeal.

“Conviction of serious crimes against children is the sole ground for terminating teacher’s employment during the contract year”.

7. RCW 28 A. 400.340: Notice of discharge (to contain notice of right to appeal):

“Any notice of discharge given to a classified or certificated employee (...) shall contain the description of appeal (...) how (...) obtained.

8. RCW 28 A.405.99:

“It is not the intention of the legislature that this section apply to any regularly hired certificated employee or that the legal constitutional rights of such employee be limited, abridged, or abrogated”.

9. CHAPTER 28 A.405 RCWs

School district’s ability to terminate a certificated teacher’s employment is

severely restricted:

“Conviction of serious crimes against children is the sole ground for terminating teacher’s employment during the contract year.”

10. RCW 28 A.405.100 (4):

The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated employees or administrators in accordance with this section, as now or hereafter amended, when it is her or his specific assigned or delegated responsibility to do so, shall be sufficient cause for the nonrenewal of any such evaluator’s contract under RCW 28 A.405.210, or the discharge of such evaluator under RCW 28 A.405.300

11. RCW 28 A.405.120

“School district shall require each administrator, each principal, or other supervisory personnel who has responsibility for evaluating classroom teachers to have training in evaluation procedures (measures)”

(That is in connection to Bills 6696 and 5973 (the law). must have diversity training related to changing world, no monoculture).

12. RCW 28A.405.220, RCW 28A.405.300 state:

that “notices shall be served upon that employee personally, or by certified or by registered mail (...)”

13. RCW 28 A.405.320

“any teacher, principal, supervisor, superintendent, or other certificated employee, desiring to appeal from any action or failure to act upon the part of the school board relating to the discharge or other actions adversely affecting his or her contract status, or failure to renew that employee’s contract for the next ensuing term, within thirty days after his or her receipt of such decision or order may serve upon the chair of the school board and file with the clerk of the superior court in the county in which the school district is located a notice of appeal which shall set forth (...) the errors complained of”.

14. RCW 28 A.405.320

“(…) or failure to renew that employee’s contract for the next ensuing“(…) or failure to renew that employee’s contract for the next ensuing term, within thirty days after his or her receipt of such decision or order may serve upon the chair of the school board and file with the clerk of the superior court in the county in which the school district is located a notice of appeal which shall set forth (…) the errors complained of”.

15. RCW 28A.405.340

“Any appeal to the superior court by an employee shall be heard by the superior court without a jury. Such appeal shall be heard expeditiously”.

16. RCW 28 A.405.340:

constitutional free speech rights (…) additional testimony (…) the court shall hear oral argument and receive written briefs”.

17. RCW 28 A.405.380, preponderance of evidence to place

An employee on probation or infer a probable cause.

“In the event that an employee, with the exception of a provisional employee as defined in RCW 28 A.405.220, receives a notice of probable cause, (…) the employee may appeal any said probable cause determination directly to the superior court of the county in which the school district is located”.

18. RCW 28 A.405.380

“the employee may appeal any said probable cause determination directly to the superior court of the county in which the school district is located. Such appeal shall be perfected by serving upon the secretary of the school board and filing with the clerk of the superior court a notice of appeal within ten days after receiving the probable cause notice.

19. RCW 28 A.405.380 states the duties of the superior court

when probable cause is implicated (what Hon. Bruce Heller failed to do):  
“The superior court shall determine whether or not there was sufficient cause for the action as specified in the probable cause notice which cause

must be proven by the preponderance of the evidence, and shall base its determination solely upon the cause or causes stated in the notice of the employee”.

20. RCW 28 A.405.900: Certain certificated employees exempt

from chapter provisions:

“Certificated employees subject to the provisions of RCW 28A310.250.28, A.405.100, 28 A.405.210, (...) shall not include those certificated employees hired to replace certificated employees who have been granted sabbatical, regular, or other leave by school districts, and shall not include retirees hired for postretirement employment (...).

“It is not the intention of the legislature that this section apply to any regularly hired certificated employee or that the legal or constitutional rights of any such employee be limited, abridged, or abrogated”.

21. RCW 28 A. 645.010:

“Any person, or persons, (...) aggrieved by any decision or order of any school official, or board, within thirty days after the rendition of such decision or order, or of the failure to act upon the same (...) filing with the clerk of the superior court the notice of appeal”.

22. RCW 28 A. 645.020

“Within twenty days of service of the notice of appeal, the school board, (...) shall file (...) the evidence and the papers and exhibits relating to the decision for which a complaint has been filed (...).

23. RCW 28 A.645.030

“Any appeal to the superior court shall be heard de novo by the superior court. Such appeal shall be heard expeditiously”.

24. RCW 34.05.530 Standing:

“A person has standing to obtain judicial review of the agency action if that person is aggrieved or adversely affected by the agency action. A person is aggrieved or adversely affected (...)

- (1) the agency action has prejudiced or is likely to prejudice this person;
- (2) That person's asserted interests are among those that the agency was required to consider when it engaged in the agency action challenged;
- (3) A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the agency action.

25. RCW 80.04.075 states that

"All notices, applications, complaints, findings of fact, opinions and orders (...) may be served by mail and service thereof shall be deemed complete when true copy of such paper or document is deposited in the post office properly addressed and stamped".

#### **Regulations and Rules, Other Authorities**

1. WAC 357-19-025 When must an employee serve a trial period:

"A permanent employee must serve a trial period upon promotional appointment to a position in a class in which an employee has not held permanent status".

2. WAC 357-19-035: When the trial period is not allowed

"Employers are not allowed to require a trial service period when an employee is being reverted to a comparable position with the same job duties as the position with the same job duties as the position in which the employee last held permanent status".

3. WAC 388-02-0060 (2) states that

Service is complete when (2) "Mail is properly stamped, addressed and deposited in the United States mail".

4. WAC 388-02-0060 relates to answer that the service is

complete, response of acceptance or rejection of service, extension time, what missing, acceptance or rejection of filing, extension time, what is missing, the name(s) of persons authorized to accept the communication (correspondence, etc.).

## **I. INTRODUCTION**

The Table of Authorities and the Assignment of Errors tell the story what the Superior Court in Kent failed to do as Hon. Bruce Heller (VP p.6: 13-14) was interested; “how does one define filing?”

When the teacher files the Notice of Appeal CP 581-616 after Tahoma School Board voted on March 30<sup>th</sup>, 2010 CP 479 to non-renew the continuing contract, the Superior Court states that Grazyna Prouty letter of April 7, 2010 (Exhibit A p. 1) is “irrelevant” (CP p. 8: 23) as Tahoma School Board failed to respond, and that equals that the Tahoma School Board vote is viewed as such – “irrelevant.” Therefore, the teacher’s contract should be renewed.

Grazyna Prouty is in front of the Court of Appeals so not only “how does one define filing?” (not only in the court location as the public files taxes and documents and the organizations - state a day, month and the year of deadlines (specified date, “sent” versus “received,” responding what is missing so is perfected, etc.) as school district (is not the court) – service and educational organization answers to the accountability of all

stakeholders in educational systems – the evaluators as well as teachers and only “by the preponderance of evidence” the school board will be able to non-renew the teacher’s contract assuring that such board proves it developed the instructional materials, approved them, and students are the focus: placement tests applicable to chosen programs ) e.g. Language! Keystone! – how did Tahoma do it?), assessments given and the students are identified according to the Washington State guidelines.

It must be worth hiring leaders in educational settings as although the lawyers’ importance is indisputable in establishing relevant, strong, fair policies versus practiced “status” as an example no evidence filed within 20 days of receiving the notice of appeal - Grazyna Prouty is a true defendant as the Tahoma School Board failed to renew the continuing contract she held for five years for no reason as the lesson design (completing the given templates), “mismanagement” allegations in the class working with two students are unsubstantiated, toxic, and against the public interest. Managing Tahoma’s ambiguities is costly.

## **II. ASSIGNMENT OF ERROR**

**No. 1.** The Superior Court in Kent erred dismissing the case with prejudice.

**No. 2.** The Superior Court in Kent failed to allow the time – e.g. 20 minutes for each party for the oral argument during the only hearing set

on September 17, 2010 (as Hon. Bruce Heller failed to grant oral argument on May 24, 2010 - Friday) when he summoned the parties to court and did not hear the case then; Hon. Bruce Heller was also the Presiding Judge assigned to the case although Hon. Barbara Mack was assigned to case # 10-2-15425-6 KNT.

**No. 3.** RCW 28A.405.220, RCW 28A.405.300 state:

that “notices shall be served upon that employee personally, or by certified or by registered mail (...)”

The Tahoma School Board voted on March 30, 2010 CP 479 that notice was not delivered and served accordingly as in RCW 28A.405.220, RCW 28A.405.300. Therefore, the voting must be annulled.

**No 4.** Tahoma School Board failed to establish instructional materials committee, including ELL (English Language Learners’) Program in such committee and the opportunity to serve on the committee as in RCW 28 A.320.230.

**No. 5.** The Notice of Appeal (CP p. 1-94) contained the materials: the book: “Classroom Instruction that works English Language Learners” (CP p.10) crucial as is not the SIOP book training SIOP (Sheltered Instruction Observation Protocol) mandated by the state for ELL and it is crucial that the purchases (receipts) should have been

verified as applied to RCW 28 A.400.030 to determine that Tahoma School District failed to provide adequate trainings and falsified as SIOP.

**No. 6.** The Superior Court in Kent failed to establish (CP 1-94 and CP 581-616) the reasons Tahoma School Board voted to non-renew Grazyna Prouty's continuing contract and abused the process employing the four evaluators (including named coach with no ELL experience) with no training, materials, or expertise in ELL.

**No. 7.** The Superior Court failed to grant the renewal of the continuing contract and restore Grazyna Prouty's status. Even discharged teachers should be granted the hearing (RCW 28 A.-400.340).

**No. 8.** Tahoma School Board must hold all stakeholders equally accountable in actions, activities, and appeals if administrators' (supervisors) not only teachers' contracts become affected as in RCW 28 A. 405.210: the same conditions of employment contacts of all certificated employees and when any of them contract status affected as in RCW 28 A.405.300, RCW 28 A.405.320 or RCW 28 A-400.340 and the related statutes.

**No. 9.** RCW 28 A.405.340: constitutional free speech rights (...) additional testimony (...) the court shall hear oral argument and receive written briefs".

**No. 10.**        RCW 28 A. 645.020 no evidence filed after

receiving the notice of appeal:

“Within twenty days of service of the notice of appeal, the school board, (...) shall file (...) the evidence and the papers and exhibits relating to the decision for which a complaint has been filed (...)”.

**Issues pertaining to the assignment of error**

**No. 1.**        Dismissing the case with prejudice encourages the districts like Tahoma and the inactive School Board to act in ill faith, not hearing the teachers as crucial partners in education, protecting the administrators, hiring lawyers for administrators (who pays for that and how much?) and silencing teacher(s)’s voice that the students must be the first priority not the protection of evaluators, Human Resources, etc. as it is against the public interest.

Dismissing the case with prejudice sanctions the Tahoma School Board “routines” – inaction, lack of ELL curriculum and materials, not hearing the 55-year old female teacher who is equally certified teacher in the State of Washington as other certificated teachers, and the Superior Court in Kent failure to hold all stakeholders equally accountable versus protecting the school administrator/evaluators, and appropriating funds for lawyers versus leaders in educational system should not sustain.

Reversing the ruling of the Superior Court in Kent by the Court of Appeals of the State of Washington is crucial.

Is it why for over 20 years the teachers have been silenced and very few cases are on record (Grazyna Prouty's research for these cases) that teachers' voices are heard (hearing, appeals) so all the stakeholders within the school system are equally accountable? For comparison and the record: How many (open) hearings involving teachers, coaches, and administrators has Tahoma legal counsel participate and where during the last ten years?

**No. 2.** – RP from p. 3 to p. 15 shows the judge was only interested what Tahoma has to say “p.15: 2-3: “Anything from counsel for the Board?” after Hon. B. Heller instructed Grazyna Prouty p. 12: 18-19 “I’ve already made my ruling” and continued p. 12: 24-25, p. 13 1 “you are testifying as a witness” whereas demonstrated prejudice and/or the failure of reading the notice of appeals CP 1-94, CP 581-615, and the court documentation: CP all pages: CP 1-580, CP 581-616 – authorities, statutes included that the matter was in court to be heard (no numbers) putting Grazyna Prouty through the submitting documentation, with calendars CP 475 and education related issue to be heard as in RCW 28A.645.030.

Did Hon. Bruce Heller want “evidence” CP only from Grazyna Prouty p.12:24-25 he “could not accept” as he did not set the time for the oral argument and the judge was not interested in “evidence” from Tahoma why the teacher (CP p.3: 11-12) judge’s interruption as if the

matter addressed something different as teacher's evaluation resulting in contract non-renewal – the matter Hon. B. Heller failed to address at least determining the absence of probable cause.

What assumptions did Hon. B. Heller have? CP p.6: 10-11 “written and filed” show that the judge talks about “the statutes” but does not refer to which ones, moreover the Judge B. Heller “is interested” CP p. 6: 13-14: “how one does define filing?”

That is why clear rights must be provided, the exact date stated if the district like Tahoma perceives “filing” as “receiving” as in the assignment of error Tahoma failed to do that or state who receives the documentation for the Board Chairwoman Didem Pierson in the district or state her address.

Why were there “side conversations “(not transcribed) when Tahoma was reminding Hon. B. Heller “that appeal” to state that the teacher has no right to file the notice of appeal? (as in RCW28A.405.320 and RCW 28 A.645.010).

What does Tahoma legal counsel understand now: does the teacher have the right to file a notice of appeal in the superior court?

Why didn't Grazyna Prouty receive full information concerning her appeal rights? Why were the appeal rights not provided to Grazyna Prouty in the

letter after the Tahoma School Board voted to non-renew Grazyna Prouty's continuing contract?

**No. 3.** The laws and statutes must be applied to the school district and the Tahoma School Board that acted (voted to non-renew the continuing teaching contract of certificated Continued Teacher , with the highest seniority in ELL department failing the proper service of Grazyna Prouty's continuing contract non-renewal March 30, 2010 notice CP 479.

The annulment of Tahoma School Board actions that prejudiced against Grazyna Prouty will force Tahoma School Board to hold herself and the administrators accountable as well as to ensure respecting equal rights under the Constitution.

**No 4.** The Tahoma School Board did not perceive ELL (English Language Learners) Program on the secondary level students' needs the same as the mainstream counterparts.

**No. 5.** Tahoma School Board must provide the receipts (RCW 28A.400.030) to ensure public trust and the Superior Court in Kent failed to determine whether Tahoma School Board acted in good faith. The Superior Court in Kent failed to see that Tahoma School to provide training required by the State of Washington for ELL and falsified the name of training as SIOP.

**No. 6.** The law allows two supervisors not for the purpose of intimidation the teacher, students, staff, etc. walking “in pairs”, waste the funds as they eradicated two student class in high school to accommodate their schedule versus appropriate the time students needed.

The Superior Court in Kent failed to determine how evaluations took place and who evaluated.

The issue of abusing the authority appropriating the resources, funds for “the coach” without experience of teaching ELL on the secondary level, fails to qualify “the evaluators/coach as “highly qualified teachers” required by No Child Left Behind Act.

**No. 7.** Grazyna Prouty should be serving students (waste of resources); Tahoma School Board failed to respond to request for hearing (sent on April 7, 2010) from Olympia. No “preponderance of evidence,” continuing contract of 2010/2011 and the subsequent ones: 2011/2012 renewed (lost wages paid) and the status restored.

Holding all stakeholders accountable is not a luxury but a duty.

**No. 8.** The training as in RCW 28 A.405.120 has to address evaluators’ accountability and possible discharge if not supervised or not properly evaluated.

Tahoma School Board (Tahoma School District) failed to establish instructional committee that dealt with ELL (English Language Learners

Program curriculum as in RCW A. 320.230 at any point, or submitted to court the Action Plan as the Notice of Appeal (April 2, 10) called for.

**No. 9.** The evidence in the case of non-renewal of continuing contract is crucial and the written briefs and oral argument that refer to it.

**No. 10.** When a decision is made, in this case: the non-renewal of Grazyna Prouty continuing contract, the legislature intended for that organization to file the evidence within 20 days. Therefore, it is the burden of Tahoma School Board to file the evidence as the legislature encompasses it and they are the facts of the existed curriculum, planning it, testing, monitoring the curriculum, alignment to district's goals, mission (teaching and learning from each other), measuring criteria, measuring progress, assessments, etc. (the evidence and the papers and exhibits relating to it).

The Superior Court failed to hear the matter on merits, addressing the reduction in force, seniority as Hon. Bruce Heller had a chance to address the issues granting the oral argument on May 28, 2010.

### **III. STATEMENT OF THE CASE**

This matter puts in context the target of continuing teacher's contract non-renewal under the theme "teachers' evaluations" that happened on March 30, 2010 by Tahoma School Board vote in regards to

the certified teacher Grazyna Prouty (the true defendant in these cases) who taught the class with almost no students using the materials the retired-rehired teacher bought and stopped using (Thom Rohm, hired in 2009/2010 again to replace Grazyna Prouty when the School Board imposed “the probation” in November 2009) as Tahoma eradicated ELL program to two Special Education versus genuine ELL students.

This case goal is for the Court of Appeals to reverse the superior court decision – dismissing the case with prejudice and grant Grazyna Prouty the relief – as stated in the Conclusion and Relief section, including the full pay she lost when not working , experience in trainings during that time, restore her status as it was before Rhonda Ham, Tony Davis (and HR aiding them) became the ELL supervisors, and the Action Plan that the Tahoma Board proves that the administrators (and Human Resources) are accountable and the leaders will have a voice as the diverse students require diverse inputs as the legislature intended.

The case aims at transparency – giving the teachers full appeal rights, stating the exact date and the means of service of the documents when any School Board action (or inaction) may affect the teacher’s contract (why didn’t the School Board hear Grazyna Prouty and failed to extend the time to be heard in an open hearing as she asked - multiple

requests and one of them - the registered letter Tahoma perceived as received a day late?).

The case calls for the annulment of Tahoma School Board vote to non-renew the continuing contract as the Board failed to provide Grazyna Prouty with the appeal rights when the Tahoma Board knew that the probation was imposed on the teacher on continuing contract (or – didn't know?), limited appeal rights on March 5, 2010 - the letter of "probable cause" (didn't the Board know that full rights of appeal must be given additionally – to the superior court as the budgets cuts affect the teacher's employment when the Board held the administrators unaccountable, hired the lawyers to aid them: when was the legal assistance hired in Tahoma setting?).

The matter shows the Tahoma School Board actions (and inactions: the lack of ELL materials approved by the School Board, ELL curriculum committee, etc.) contrary to legislative intents as Grazyna Prouty was a puppet for the process that is called "teachers' evaluations" so administrators/evaluators remain unaccountable for evaluations they do contrary to the legislative intent, teachers are put on a leave during the course of the school year, contrary to legislative intent as the retired-rehired teachers (with no appeal rights) are hired to replace them , contrary to the legislative intent, and the Tahoma School Board remains inactive.

Hence, the waste of resources and students' achievement gap is parallel to deceiving the public in regards to teachers' evaluations – the sole purpose being to withdraw the evidence and continue the arbitrary acts by the school board, in ill faith so the process once executed is carried on.

Why didn't Tahoma School Board give the full rights of appeal to Grazyna Prouty after the vote to non-renew the continuing contract on March 30, 2010? None were given, no service – personal or certified, registered mail.

This question connects to the Tahoma legal assistance: when was employed in Tahoma, why didn't advice that the third evaluator – Mary Pachek is not permitted by law as the evaluators' number is limited to two - Tahoma representation failed to say to court - RP p. 4 12-15 when referred to "2A.405.100, 28 A.405.210" (what does it mean?).

The case statement includes the questions of the involvement and interest Tahoma legal representation has in the teachers' evaluations process, probation processes as well as the OSPI (Office of Public Instruction) representation, taking into account the involvement on the level of policy making.

Therefore, the first question emerges if the Tahoma representation had an impact in the evaluations' process: when was the representation

Grant Wiens and Lester “Buzz” Porter involved in Tahoma –at probation, or after – the date, was it the first and the only representation?

The next question is whether Tahoma representation worked with legislature, OSPI (Office of Superintendent of Public Instruction), etc. at any stage (what) of teachers’ evaluations or principals’ evaluations process and/or debate, Bill 6696 or other education bills, laws?

Has Tahoma representation ever provided trainings in OSPI, union, court, etc. in regards to education and in what matters?

Finally, the connection to the Superior Court education matters – what interest does the representation have in regards to the processes that impact education, evaluations, does it represent “the management side” of it? and – additionally: whether any communication took place (in any form Grazyna Prouty was unaware - the judges names were Hon. Mary E. Roberts, Hon. Bruce Heller who was the Presiding Judge of both cases as consolidated with # 10-2-15425-6 KNT - from assigned Hon. B. Mack).

#### **IV. SUMMARY OF ARGUMENT**

The argument grounds indisputable facts. Tahoma School District voted to non-renew teacher’s contract on March 30, 2010 and failed to provide the teacher with the appeal rights. The notice of non-renewal CP 479 was not served as in RCW 28A.405.220, RCW 28A.405.300 but the

ordinary mail therefore should be annulled as the “notices shall be served upon that employee personally, or by certified or by registered mail.

Tahoma School Board knew about imposed “probation” as a way to disregard teacher’s rights and the method of reduction in force. It failed to provide Grazyna Prouty with the appeal rights.

Tahoma Board failed to approve any ELL curriculum, the scarce trainings were “different things under different names” and the administrators not trained in evaluation measures or diversity as in RCW 28 A.405.120. (That is in connection to Bills 6696 and 5973 (the law). must have diversity training related to changing world, no monoculture).

When Tahoma decided that there is a “probable cause” Grazyna Prouty fails lesson design, etc. in unsubstantiated allegations, Tahoma failed again to provide the full appeal rights as in RCW 28 A.405.380. (“the employee may appeal any said probable cause determination directly to the superior court of the county in which the school district is located). Also, “preponderance of evidence” must be solid not for the purpose of continuing status quo.

As Tahoma does not respect teacher’s rights, it planned and executed hiring of retired-rehired male teacher in opposition what the legislature envisioned as it specifically indicated that teacher’s rights should not be limited. There was an access of teachers then in relation to

the number of ELL students and Tahoma gave Grazyna Prouty a paid leave opposite to what legislature planned – and although the employment was not terminated in a sense as the contract ended on August 31, 2010 but it is a danger that if the matter was not in the superior court what Grazyna Prouty learned herself she could appeal.

Ambiguities, bullying, and abusing teachers were a part of dynamics in Tahoma but Grazyna Prouty experienced it when Teaching and Learning took over ELL from the Special Services. Therefore, Tahoma must strategically develop an Action Plan to treat all employees with respect, provide them with rights, and stop retaliation to teachers who filed grievances as Grazyna Prouty did because there is no expiration date on union animus.

Tahoma's animosities, manipulation, employing a lot of family members, etc. have no place in the 21<sup>st</sup> education that must employ relevant programs (what does "collectivism versus individualism" Ayn Rand teach 10<sup>th</sup> grade immigrants?).

Therefore, evaluators must be accountable as in RCW 28 A.405.100 (4) and the goals aligned as the superior court according to legislative intent failed to hear.

Moreover, since the "union animus" has no expiration date, the case should not be dismissed with prejudice as the court interfered with

the Tahoma School Board continuing improvement and work on the issues that must be resolved to implement curriculum ELL committee, relevant curriculum, assessments, and the accountability of all stakeholders.

## **V. ARGUMENT**

“Divide et impera” – “divide and rule, divide and conquer”

Tahoma School Board and Tahoma School District (Human Resources, the administrators) applied and so did the Superior Court in Kent as the teachers and students are at the bottom of the hierarchy/pyramid versus explicitly positioned and served.

Legislature is clear that when any school board action or inaction affects the teacher’s contract (clearly Tahoma School Board vote on March 30, 2010 applies CP 479) as in RCW 28 A.645.030

“Any appeal to the superior court shall be heard de novo by the superior court. Such appeal shall be heard expeditiously”.

RCW 28 A.405.210 regarding notification of non-renewal states:

“Such notice shall be served upon the employee personally, or by certified or registered mail”

Tahoma sent the notice of Tahoma Board vote and the contract non-renewal by regular mail, not certified or registered as statutory requirement for the notices of this importance. Therefore, invalid.

Hon. Bruce Heller granted “the summary judgment” CP 219 – 220 after the only hearing on September 17, 2010 as he determined that

prejudice against Grazyna Prouty is the solution as “she” does not have equal rights.

This case demonstrates that the rights of teachers – an example of ELL teacher Grazyna Prouty are eradicated and it is contrary to the public interest – strong position of teachers serving the students and their voice regarding program, curriculum, and school climate- affirmed are crucial.

Therefore, when the School Board as Tahoma did decide to vote on any teacher’s contract non-renewal, the evidence (RCW 28 A. 645.020) must be submitted by the School Board so no action in ill faith and entitlement is permitted as the Superior Court in Kent did.

Tahoma (CP pgs.581-615) received the notice of appeal and CP 616 that the notice was filed but did not respond with evidence or previously hearing to the letter of April 7, 2010 (Exhibit A p. 1, 3), and state whose signature is registered to receive the correspondence for Didem Pierson (Exhibit A p. 2 – signature not Didem Pierson and wrong date), and failed to file the evidence after voting to non-renew the contract.

How was the Tahoma legal representation Grant Wiens and Lester “Buzz” Porter involved in Tahoma –at probation: with the evaluators? - or after that and when? What laws did justify that involvement and what interest?

The next question is whether Tahoma's legal representation worked with the legislature, OSPI (Office of Superintendent of Public Instruction), etc. at any stage (what) of teachers' evaluations or principals' evaluations?

What involvement has been by Lester "Buzz" Porter and Grant Wiens concerning the representation for the OSPI?

Finally, the connection to the Superior Court education matters – what interest does the representation have – the processes that impact education, evaluation? And - who of the judges in Kent "work" on those issues, forming pre-judged opinions, perceptions, ideas, etc.

The argument grounds indisputable facts.

Tahoma School District voted to non-renew teacher's contract on March 30, 2010 and failed to provide the teacher with the appeal rights. The notice of non-renewal was not served as in but the ordinary mail therefore should be annulled. Tahoma School Board did not consider it important. All CP 1-580 and CP 581-616 are the evidence that the matter should have been heard as the receipts themselves are the evidence of fabrications and irrelevant resources applied (the same concerns the trainings under SIOP, GLAD, etc).

There is sufficient evidence in these CP to show that the superior court prejudiced against Grazyna Prouty and did not intend to hear the

matter. Superior court wanted to use it solely to answer the Hon. B. Heller question: “How does one define filing?” VP p. 6: 13-14 that is grossly prejudiced as the court failed to establish who the authorized people are to receive hearing documentation, Tahoma failed to file Administrative Agency Record, the evidence, and the superior court continued to protect Tahoma versus determining how it acted (in good or ill faith?).

The superior court, when the teacher filed the appeal within 30 days should have heard it heard expeditiously and de novo by the as in RCW 28 A. 645.030 when Grazyna Prouty filed the appeal in the superior court as in RCW 28 A.405.320:

“any teacher, principal, supervisor, superintendent, or other certificated employee, desiring to appeal from any action or failure to act upon the part of the school board relating to the discharge or other actions adversely affecting his or her contract status, or failure to renew that employee’s contract for the next ensuing term, within thirty days after his or her receipt of such decision or order may serve upon the chair of the school board and file with the clerk of the superior court in the county in which the school district is located a notice of appeal which shall set forth (...) the errors complained of”.

and in RCW 28 A. 645.010:

“Any person, or persons, (...) aggrieved by any decision or order of any school official, or board, within thirty days after the rendition of such decision or order, or of the failure to act upon the same (...) filing with the clerk of the superior court the notice of appeal”.

Tahoma failed to provide these rights to Grazyna Prouty. It also failed to provide Grazyna Prouty with the appeal rights when the Tahoma

School Board knew about imposed “probation” as a way to disregard teacher’s rights and the method of reduction in force.

Grazyna Prouty did not request a leave and Tahoma acted contrary to the legislature hiring earlier (and replacing her) with retired-rehired Thom Rohm, former Spanish teacher. RCW 28 A.405.99 states:

“It is not the intention of the legislature that this section apply to any regularly hired certificated employee or that the legal constitutional rights of such employee be limited, abridged, or abrogated”.

CP p. 581-616, CP 1-94 show that there was a significant question whether Tahoma acted in good faith. Not only probable cause should have been determined but strictly, how, what, when, and why – as good faith has not been shown.

Tahoma Board routinely disregards the processes, statutes, and laws as the legislature works hard (recent laws to the Bills 6696 and 5973) to set forth the tranquility as the students can only learn in such conditions and the individuals thrive.

Tahoma School District however is interested in “collectivism versus individualism” (CP 438-549) and disregards individual teachers rights as “the individualism” is opposite to “monopoly” but “collectivism” is not, and – how and when did Tahoma School Board approve that curriculum (“Anthem” by Ayn Rand? And – what ELL curriculum?). The Appendix, if the Court of Appeals accepts will further clarify the issues

and how important the curriculum is as it sets the ideas of citizenship for the 21<sup>st</sup> century.

CP p.581-615 one by one show that Tahoma reply/evidence missing as the lack of response to Superior Court (notice of appeal), no hearing after contract non-renewal (Exhibit A p. 1-3) that Tahoma is not ready to work in public interest – caring about the citizenship for the 21<sup>st</sup> century of all students, not the ones looking and thinking like Tahoma.

Therefore, to secure that Tahoma Board will respect the rights of all, it needs to address the issues in the Plan of Action – specifics in regards to the relevant learning for all students.

CP 438-549 as CP 509-510 introduces it, the teacher's notes CP 511 peak in CP 520 when the student concludes: "We are nothing, mankind is everything." Is it the Tahoma goal to contribute to passive (prospective) citizens (including the notion: residents) that fail to see the goals for themselves or are they so overwhelmed by Tahoma irrelevancies related to curricula, treating "different teachers" like Grazyna Prouty respecting their rights (students see and hear a lot) that they tend to withdraw as many educators did after experiencing the treatment Grazyna Prouty did?

Why were the grades (CP p. 47) first put by registrar removed (CP 46)? How often is it done?

CP 52 shows that in 2006 there were 29 ELL students, in 2009/2010 2-4. Why? Is it in order to conduct walk-ins with no purpose as there was no training and no curriculum (completing SIOP templates) CP 21,22,23 as outside observer gives irrelevant examples (“confused”).

Why did Tahoma use four evaluators for one teacher and two students CP19 (abundant funding?) so the students will internalize “they are nothing?” breaking, bending pens, and – breathing when “evaluators” left?

The templates are used by Special Education CP 17; in ELL - CP 54, I led a male student M. (who wanted me to write the second student’s in that class name -) to tell about his life in Sudan as it was so devastating that he could talk about it and open up overcoming the trauma and Tahoma hired retired-rehired former Tahoma HR to “complete a template for Grazyna Prouty” – irrelevant as cultural competence is needed here.

This is crucial: CP 54 in relation to M. Pachek’s CP 21-23. The class I taught was in order CP 26-29, only two students in the class.

CP 55 shows that the student was not “failing” as R. Ham maintained, and Claudia – the student from Mexico was a very good student in all subjects- left for Mexico and R. Ham added Special Ed. student Angelina to keep the number to “two students”.

CP 43-44 Dr. C. Stowitschek's evaluation (referred to Grazyna Prouty as "seasoned" educator) as she was also such and attended to students' needs, contrary to R. Ham and T. Davis. Where are the evaluations of R. Ham and T. Davis? (I enhanced students' learning CP 30-35 using developmentally and linguistically appropriate materials). Are R. Ham's and T. Davis' evaluations reliable as Dr. Carole Stowitschek – before Judy Yasutake: CP 42 – my contract – crucial: "continuing". Is Tahoma going to submit them in the response and – the materials R. Ham and T. Davis (5 components) used or earlier ones?

CP 73-94 show the students were to repeat sounds and the lesson plans (students removed from class reading with no purpose so R. Ham and T. Davis "visit" and mark every evaluation "unsatisfactory" – this is no administrators' privacy – it is public information what is happening in the public schools.

These are Grazyna Prouty's injuries.

This is Grazyna's Prouty professional abuse. Why? Again: abundant funds accessed under the headline: "probation" or "teachers' evaluation"? Tahoma Board did not have to vote CP p.479.

Why Grazyna Prouty's grades were removed CP 46 as Tahoma Board allowed HR and R. Ham, T. Davis to supervise ELL so students would not receive "a double credit" – when known: is it why K. Kinney

who taught the other half of the period was moved back to elementary level?

Tahoma could hear Grazyna Prouty and not to vote CP 479 for contract non-renewal CP 48 as Grazyna Prouty wrote as the Tahoma Board heard male staff (Jerry Fernandez) but not female teacher.

Multiple requests for hearing were denied earlier CP 36, CP 63 and if CP 70 and CP 71 were not merely copied by Tahoma and not practiced and lived, the evaluators' accountability versus hiring lawyers for them so when they arrive at the meetings, they behaved as Tahoma representation – no filing evidence, etc. – “our lawyers tell us we don't have to answer, we don't have to..., etc.”

Evidently, they are paid from public funds as school employees so the accountability, collaboration versus “collectivism” must be accounted for.

It coincides and relates to no rights of appeal given to Grazyna Prouty – CP 45: no exact dates CP 486: day, month, year of hearings, and all actions Grazyna Prouty was to complete.

Did Tahoma School Board approve the “Inclusion Protocol” R. Ham and T. Davis CP 9, CP 495 wrote? What “inclusion” is that (who does it include)?

When does Tahoma School Board plan to incorporate the accountability and total quality control CP 488?

There was no SIOP training CP 489, 490, completing templates is not SIOP (Sheltered Instruction Observation Protocol – Tahoma School Board: what does SIOP include? CP 8 – no training.

When was the book bought? (CP 10), where are receipts (dates)?

Why was Grazyna Prouty subjected to abundance of irrelevant paperwork – CP 13 – students in ELL class, Special Education were not on the level to be “monitored”. What does “monitoring” mean for ELL?

How were the students identified?

Why didn't Tahoma School Board file the Administrative Agency Record; failure to respond CP 6.

Grazyna Prouty CP 11 worked well with many teachers for six years – these are not all, completed trainings in different settings CP 534-535 – what trainings did T. Davis, R. Ham, C. Banks, M. Pachek have?

Why was CP 12 Keystone Program in 2009/2010 (what components and what purpose?), what and when was involve in GLAD CP 540 – 547? How do they relate to SIOP: by using templates: CP 15?

The argument is that environments that use ambiguities fail to “warn” are costly and non-conductive, pose the threat and risk.

In Mayer v. Sto Indus., Inc.

156 Wn.2d p. (677) 682

“Sto was liable under the CPA and the WPLA for its failure to warn”. (...) “Mayers were forced to try to prove through the other means – “that the system has an inherent flaw, “and p. 693 indicates that it “affects the public interest”.

This matter connects to the Mayer v. Sto Indus, Inc. incompetence of supervisors was protected and rewarded as well as a long road to accountability that is the urgency but it – happened and Tahoma School Board needs help in recognizing the systemic flaws it failed to address – these evaluations happen every day all over the world – including “great” organizations Tahoma wants to be.

The fact that legislative part can help the education and the programs’ deficiencies (SIOP, GLAD, etc. in Tahoma) should not be substituted for failures in evaluations/evaluators and the consequences. It connects to bias, prejudice that injure, and have long-term effects on many stakeholders, most of all students and teachers, and it is against the public interest. All stakeholders’ rights are the same.

After receiving the superior court letter CP 616 sent by the Superior Court deputy clerk, Tahoma School District Board failed to complete the transcript of the evidence (the district was to pay for it) and no evidence is established and when G. Prouty asked for all the evidence against her (since none was on file), Tahoma referred to 156 Wn.2d 677,

Mayer v. Sto Indus., Inc. And – was right: the system flaws are to be first identified, and then - addressed.

RCW 28 A. 645.020 states:

“Within twenty days of service of the notice of appeal, the school board, at its expense, or the school official, at such official’s expense, shall file the complete transcript of the evidence and the papers and exhibits relating to the decision for which a complaint has been filed. Such filings shall be certified to be correct”.

How sure was Tahoma that the Superior Court in Kent will not “require” evidence, what matters was legal representation involved regarding education? Was the defense the same?

1. It is undisputable that Tahoma School District looked at reduction in force.
2. It is indisputable that school districts are required by the state lawmakers to “overhaul teacher and principal evaluation systems by 2013-2014).
3. It is indisputable that Tahoma School Board failed to work on such a system.
4. It is indisputable that Tahoma School Board failed to establish the curriculum committee that determines ELL (English Language Learners) curricula.
5. It is indisputable that Tahoma School Board failed to inform Grazyna Prouty of her rights – imposing “probation ”then “the

probable cause” – appeal: directly to the superior court (RCW 28 A.405.380).

6. It is indisputable that Tahoma School District gave Grazyna Prouty only a part of information concerning the appeal rights on March 5, 2010 - no the exact date - day, month, year when the “request for hearing” was to be received by Tahoma (if Tahoma understood) “filing” and “serving” as receiving.

7. It is indisputable that the Tahoma School Board received the request for hearing sent by registered and certified mail (stamped, deposited in the U.S. mail on March 15, 2010) after receiving the “probable cause” letter and the superior court failed to require proof who was authorize to receive documentation on behalf of Didem Pierson, the Board Chairwoman (signature and authorization filed with the Secretary of State), in fact multiple requests for hearing.

8. It is indisputable that the Tahoma School Board received the request for hearing Exhibit A p. 2, CP 483 sent by registered and certified mail (stamped, deposited in the U.S mail on April 7, 2010 Exhibit A p. 1, 3 CP 479 reflected in the calendar CP 475after Grazyna Prouty received the letter of contract non-renewal.

9. It is indisputable that there was no proper service of the

letter of the continuing contract non-renewal by the Tahoma School Board (March 30, 2010) as Tahoma failed to serve it personally or by registered certified mail as in RCW 28A.405.220, RCW 28A.405.300.

10 It is indisputable that Hon. Bruce Heller failed to determine “the probable cause” as in RCW 28 A.405.380. (“must be proven by the preponderance of the evidence, and shall base its determination solely upon the cause or causes stated in the notice of the employee”).

11. It is indisputable that the Tahoma School Board did not file any evidence as in RCW 28 A. 645.020 - “Within twenty days of service of the notice of appeal”.

12. It is indisputable that the Tahoma School Board failed to hold all stakeholders accountable as in RCW 28 A.405.100 (4):

The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated employees or administrators in accordance with this section, as now or hereafter amended, when it is her or his specific assigned or delegated responsibility to do so, shall be sufficient cause for the nonrenewal of any such evaluator’s contract under RCW 28 A.405.210, or the discharge of such evaluator under RCW 28 A.405.300.

and there is no evidence against Grazyna Prouty, the “probable cause” due to imposing “probation,” all and any “probable cause” is/are terminated.

Teachers can appeal to the superior court but so other stakeholders - therefore building trust to serve students versus “protection” crucial:

“Any person, or persons, (...) aggrieved by any decision or order of any school official, or board, within thirty days after the rendition of such decision or order, or of the failure to act upon the same (...) filing with the clerk of the superior court the notice of appeal”.

And pursuant to RCW 28 A.405.320:

“any teacher, principal, supervisor, superintendent, or other certificated employee, desiring to appeal from any action or failure to act upon the part of the school board relating to the discharge or other actions adversely affecting his or her contract status, or failure to renew that employee’s contract for the next ensuing term, within thirty days after his or her receipt of such decision or order may serve upon the chair of the school board and file with the clerk of the superior court in the county in which the school district is located a notice of appeal which shall set forth (...) the errors complained of”.

Moreover, in the superior court should have determined as the stakeholders are equally responsible and accountable; if “unsatisfactory” evaluations with the exception of a provisional employee as defined in RCW 28 A.405.380

(...) The superior court shall determine whether or not there was sufficient cause for the action as specified in the probable cause notice, which cause must be proven by a preponderance of the evidence, and shall base its determination solely upon the cause or causes stated in the notice of the employee. The appeal provided in this section shall be tried as an ordinary civil action.

The non-renewal of teaching contract is an extremely serious matter – that is why the failure of the Superior Court in Kent to do that sets a dangerous precedent, prejudiced against Grazyna Prouty, and demoralizing for school settings. Divide et impera: teachers acting in self-interest, etc. and the students must be the focus, curricula versus school politics and more drop-outs, socially non-sustainable as that affects the public and in long run – all of us – the society as a whole.

The preponderance evidence is missing; therefore the continuing contract of Grazyna Prouty should be renewed and all the relief granted.

The Action Plan for Tahoma School Board must start the accountability of all, and lessening the impact of the entitlement in education – measurable results when the measure exist (“You get what you measure” and “educational criteria” missed it) – therefore, employment of stakeholders who not only mark “satisfactory” or not but must precisely pinpoint the connections – Tahoma School Board has none.

RCW 28 A.405.380, states the “preponderance of evidence to place anybody on probation or infer a probable cause.”

Not only that the “preponderance of evidence” non-existent but the appeal rights were not given to Grazyna Prouty when placing her on probation and limited appeal procedures on March 5, 2010.

“In the event that an employee, with the exception of a provisional employee as defined in RCW 28 A.405.220, receives a notice of probable cause, (...) the employee may appeal any said probable cause determination directly to the superior court of the county in which the school district is located”.

The lack of providing full appeal rights on March 5, 2010 (:probable cause”), and the absence of them as imposing the probation, calls again for the full relief including the continuing contract renewal and the restoring Grazyna Prouty status.

Grazyna Prouty submitted the wealth of documents that the Superior Court could do it. The court acted to the contrary of legislative processes presented here, and the court relieved the Tahoma School Board representation as no evidence was filed. This relief is contrary to all stakeholders, especially students and certificated teachers, and the ruling should be totally reversed.

In this light, the Court of Appeals of the State of Washington in Seattle should grant the relief for the certified teacher on continuing contract as asked in the “Conclusion and the Relief” section by Grazyna Prouty: rehabilitate her as she regains the professional status.

## **VI. CONCLUSION AND RELIEF**

Accountability for all stakeholders, evidence versus fabrications (required coaching in schools but there are no ELL coaches), and providing teachers with their rights to appeal at every stage (e.g. imposed probation), also when an action (or inaction of the board) can affect the teacher’s contract as the legislature spelled out and Grazyna Prouty included in this document are in the interest of individual (the teacher’s rights) and - the public. School Boards must be active.

The superior court ruling dismissing the case with prejudice is damaging for the teacher but also against the public interest as it blocks teacher’s rights, open collaboration, protects ill faith actions (where is the

evidence?), protects administrators and evaluators and - should be reversed by the Court of Appeals.

Tahoma School District used the “unsatisfactory” (no reason) evaluation process to incorporate the RIF – reduction in force, elevated administrators rights, degrading the ELL teacher, and later Tahoma School Board concluded that she does not have to give the full information concerning the appeals’ rights to the female, 55-year old teacher as the seniority will be ignored - broken process, the prejudice rules.

Divide et impera has to cease as students in the 21<sup>st</sup> century has go beyond it in solving problems, intimidations like security officers (the deputy) sitting in the office is damaging idea – the security officers are not for administrators “wants and needs;” the role is not intimidation but to the contrary. Therefore, providing the teachers the appeal rights must prevail, not idle, intimidating, psychological “floods” – students watch.

Tahoma does not have to implement ambiguities and restrain employees from school volunteering or coming on the public grounds. Tahoma was ambiguous as stated orally to “make an appointment” calling HR or the Superintendent, requests denied (what is typical for this district, therefore issues have to be included in the Action Plan Tahoma truly develops).

The public grounds and community involvement should be welcome, demoralizing in the public school setting not allowed, implying that the teacher with “unsatisfactory” evaluations cannot associate with other teachers – this Tahoma is not able to control (despite family members working).

Therefore, the “control” must be in measures and measurable criteria that it is the time to develop versus “solutions” that Grazyna Prouty – any teacher in this situation stops serving students as the service are in public interest (not “divide et impera”).

The case must start respecting teacher’s rights and accountability of boards (Tahoma School Board), evaluators, etc. as it has direct link to students’ success; the appeal rights must be spelled out – including the deadlines (exact day, month and the year), superior court appeals.

Grazyna Prouty’s status must be restored: when Judy Yasutake - ELL Director was Grazyna Prouty’s supervisor, professional development goals evaluations versus treatment of Continued Teachers – ELL certificated, endorsed, etc. like a provisional, new employee – the status as a whole restored to make Grazyna Prouty whole again as it was before the time Rhonda Ham, Tony Davis, and Human Resources oversaw ELL Program. Grazyna Prouty receives all the wages (salaries), benefits,

training time and equivalent of pay when Grazyna Prouty was affected after March 5, 2010, restoring her status as if she was employed.

The renewal of continuing contracts 2010/2011 and 2011/2012 with all benefits, trainings paid, sick leave hours, back wages, and involvement in administering annual testing as done before R. Ham, HR, T. Davis supervised ELL as the restoration of Grazyna Prouty status is crucial.

All back vacation' time as renewal of teacher's well-being is crucial – for the summer time, all school's break and holidays' time days after March 5, 2010.

If the two-month vacation time passes (ordinarily, teachers have this time paid as the pay spreads over the summer), Grazyna Prouty will receive (the paid) time, the equivalent of the vacation and break time– Tahoma will find and pay for ELL substitute teacher (as it does during the staff absences – Grazyna Prouty during six years in Tahoma was never sick – if absent: for trainings, required conferences).

Teachers have typically the vacation time from June 17 – September 8, breaks: winter, spring (that time varies in year-around schools).

Grazyna Prouty should be rewarded the monetary judgments as

worked hard after the injuries Tahoma inflicted as “the entitlement” of Tahoma to “collectivism.”

Grazyna Prouty asks the Court that all the costs in this matter (both parties) are published as the public information, including employee incurred costs matched as the reward with the Tahoma legal counsel (teachers and leaders are crucial in education to offset costly behaviors and that tendency only will lead to students’ accountable service, not by other means).

Publishing costs as accountability and exposing can lead to developing collaboration, healing - the published information and the amount of the costs incurred with the monetary judgment that matches the costs incurred in the so-called “teacher evaluation processes” to stop frivolous, arbitrary, and scandalous acts in public education - therefore rewarded the matching sum of the employer that hired the attorneys, third evaluator, any adviser, non- ELL coach, and “expert” in this matter as above did it solely to set a precedence to protect administrators and it is to deter any kind of such tendencies.

Ambiguities are a part of Tahoma’s culture and that is why it is not a safe environment that must change as is against the public interest, devalues teachers and students.

Therefore, the Action Plan that Tahoma Board will adopt the alignment of the principals and teachers goals, implements diversity trainings and new culture of trust as the students are involved and affected.

The Court of Appeals makes a note that in the future the superior court hears the teachers' matters when appealed - expeditiously and de novo by the superior court as in RCW 28 A. 645.030 as the teacher's place is serving students and full disclosure of the rights of appeal will instill the same level of human rights and should contribute to "tranquility".

The notice how Tahoma informs the staff be included in the Action Plan as building trust and stating the facts restores the status not only of Grazyna Prouty but is healing to the other teachers.

Curriculum committee and ELL restoration, assessments, placement test, etc. implemented as the students must be a genuine focus.

It is clear that the Tahoma School Board as well as the Superior Court – Hon. Bruce Heller disregarded the evaluators' accountability, opposite to RCW 28 A.405.100 (4) and the Court of Appeals of the State of Washington ruling that reverses that – matter not dismissed with prejudice but opening the acknowledgment that status quo not to be continued – cooperation, accountability in public school and service is in the students' interest and is not luxury (but a duty):

“The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated employees or administrators in accordance with this section, as now or hereafter amended, when it is her or his specific assigned or delegated responsibility to do so, shall be sufficient cause for the nonrenewal of any such evaluator’s contract under RCW 28 A.405.210, or the discharge of such evaluator under RCW 28 A.405.300”.

The Superior Court ruling (“dismissing the cases with prejudice) that the Appellate Court should reverse interferes not only with the accountability of the school board, the evaluators whom Tahoma appointed but also has an impact on the “processes” to use public funds that as a relief must be published (dollar value) – as stated - how much these “processes” cost (imposed probation, errands to meetings of all parties involved, the hiring of the legal assistance for the district, for the evaluators, the third (why???) retired-rehired “evaluator” Mary Pachek “coach”/and evaluator, Carol Banks (why appointed “coach?”), and – the destruction of ELL Program can no longer be permitted.

The receipts of purchases – when and how used as in RCW 28 A.400.030 “record as to the proceedings, receipts, etc.so the trainings, and the purpose are accounted for – the time, attendees, how followed up.

As in CHAPTER 28 A.405 RCW: school district’s ability to terminate a certificated teacher’s employment is severely restricted:

It has an impact that is against the public interest – no leaves if not requested by the teacher - violation of Grazyna Prouty’s rights, professional expertise, and professional purpose: serving ELL students.

Tahoma acted in opposition what the legislature intended – hired retired-rehired earlier former Spanish teacher as he was exempted from RCW 28 A.405.900 (and the other ELL teacher Kathleen Kinney whose grades remained and G. Prouty’s grades were removed, transferred back to elementary ELL level) when on March 5, 2010 Human Resources gave Grazyna Prouty the notice of “probable cause” and “the paid leave till the end of the year with all benefits paid” failing RCW 28 A.405.220

“In the event that an employee, with the exception of a provisional employee as defined in RCW 28 A.405.220, receives a notice of probable cause, (...) the employee may appeal any said probable cause determination directly to the superior court of the county in which the school district is located”.

The injury of Grazyna Prouty are against the public interest (teachers with seniority do have the place in public education), and to the fact that Grazyna Prouty filed four grievances in 2007/2008 soon after Rhonda Ham and Tony Davis were appointed the ELL supervisors, and Tahoma School Board protects the evaluators appointed to target “ELL” versus recognizing that all certificated employees have the same rights, the discriminatory and prejudicial behaviors must stop – Tahoma must include

in the plan of operations - the “supervision”, eliminate incidents, and ambiguity introduced for “the purpose of collectivism” (called groupthink), the security and technology departments separate - not for administrators so Tahoma proves it aims at tranquility, clear expectations, and accountability as the teacher’s time, effort is for students not “added stakeholders” (Mary Pachek, 4<sup>th</sup> evaluator, Carol Banks – the third for one teacher and two students ) Tahoma hires for no reason other the mismanagement and self-interest.

“Collectivism” and ambiguities addressed clearly, with separate security and technology department considerations included in the Action Plan as urgent for Tahoma School District (Tahoma School District Board of Directors) so collaborative work in instilling diversity, cultural awareness, and cultural competence. etc.) starts and all students learn, and are not pulled into the areas that lead to their drop-out. The climate issue must be re-addressed in Tahoma so the workplace is safe and genuine “Inclusion” is introduced as “collectivism” of distortions and deceptions is against the public interest.

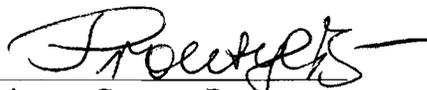
Not all staff or students have the “protective factors”, solid values, and faith so some” sacrifice ourselves to others” – opposite to Tahoma curriculum choice on “collectivism.”

Divide et impera is not in the public interest and rooted too deep in Tahoma – therefore no teacher’s rights in the school and parallel: on the superior court level - not hearing the matter “expeditiously and de novo by the superior court as in RCW 28 A. 645.030.”

Therefore, the Rule 2.3 (4) Tahoma submitted for the case to be dismissed with prejudice does not apply as it is current issue, in the public interest, and not predetermined in any way; it must be addressed and resolved now as no teacher deserves to be harmed, prejudiced, and injured as Grazyna Prouty was.

Conducive behaviors must be instilled as teachers’ place is in the classroom and not in the courtroom but to secure the teachers’ rights, these rights must be given - appeals so all certificated employees are truly equal, and the administrators (and the boards) held accountable in the same manner – the route of case dismissal does the opposite, is detrimental to teachers like Grazyna Prouty, and against – the public interest.

Respectfully submitted: This 27<sup>th</sup> day of June, 2011



Petitioner: Grazyna Prouty  
Appl.

12609 SE 212<sup>th</sup> Place

Kent, WA 98031

BY CERTIFIED MAIL

April 7, 2010

Ms. Didem Pierson, President  
Tahoma School Board of Directors  
Tahoma School District  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

Honorable  
Bruce Heller:  
Without Oral  
Argument.  
Hearing: 05/24/2010

Re.: Request for open hearing due to the letter received by regular mail from Mike  
Maryanski (dated March 30, 2010).

Dear Ms Pierson:

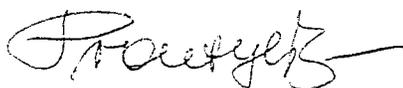
Pursuant to RCW 28A.405.210 (also RCW 28A.405.300, 28A.405.310) and related  
statutes, I request OPEN HEARING, as my right, over Tahoma School Board's decision  
- a notice to nonrenew my continuing contract of employment with Tahoma School  
District.

I ask you to file this request for open hearing on my behalf.

Please inform me in writing by April 15, 2010 to confirm I filed the request for the open  
hearing with the President of Tahoma Board of Directors.

Thank you for your cooperation.

Sincerely,



Grazyna Prouty  
ELL Teacher Tahoma School District

12609 SE 212<sup>th</sup> Place  
Kent, WA 98031

425.413.0421

EXHIBIT A p. 1

**SENDER COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Didem Pierson  
 Tahoma School  
 District, Tah. Sch. Board  
 President  
 25720 Maple Valley  
 Black Diamond Rd.  
 SE, Maple Valley, WA 98038

2. Article Number

(Transfer from service label)

February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Andrea Luet*  Agent  Addressee

B. Received by (Printed Name) *Andrea Hull* C. Date of Delivery *7-6-10*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7009 2820 0002 4003 9525

Domestic Return Receipt

EXHIBIT A p.2

7009 2820 0002 4003 7516

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	\$0.44
Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.54</b>

OLYMPIA WA 98501  
 APR 1 2010  
 Postmark Here  
 05  
 04/07/2010 USPS

Sent To: Widern Pierson, Tahoma School Board President  
 Street, Apt. No.: Tahoma School District  
 or PO Box No.: 25720 Manie Valley-Black  
 City, State, Zip+4: Diamond, WA 98038  
 Manie Valley, WA 98038

To:

Widern Pierson

After receiving  
 letter - M. Manyanski

March 30, 2010

EXHIBIT A p.3

66204-0

66204-0

No.66204-0 (Consolidated w/No. 66206-0-1)

COURT OF APPEALS, DIVISION I  
OF THE STATE OF WASHINGTON  
One Union Square 600 University Street  
Seattle, WA 98101-4170

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GRAZYNA PROUTY, Appellant or Petitioner

v.

TAHOMA SCHOOL DISTRICT BOARD, Respondent

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APPENDIX  
to

BRIEF OF PETITIONER/APPELLANT

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Grazyna

Prouty, Appellant  
ELL (English Language Learners' teacher  
Certified and Endorsed in the State of Washington  
Professional Continuing Teaching Certificate)  
Filing the Brief

12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
Phone: 425.413.0421

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The following representation in the consolidated cases: No.66204-0  
(Consolidated w/No. 66206-0-1):

Petitioner:  
Grazyna Prouty  
12609 SE 212<sup>th</sup> Place.  
Kent, WA 98031  
Phone: 425.413.0421  
Pro Se

Respondent:  
  
Tahoma School District Board  
Didem Pierson  
Chairwoman  
  
23126 SE 243<sup>rd</sup> Place  
Maple Valley, WA 98038

Represented by Dionne & Rorick:  
Lester "Buzz" Porter WSBA # 23194  
Grant Wiens WSBA # 37587  
  
900 Two Union Square  
601 Union Street  
Seattle, WA 98101  
Phone: 206.622.0203

((Tahoma School District)  
25720 Maple Valley-Black Diamond Road SE  
Maple Valley, WA 98038

## **RATIONALE**

This case presents the opportunity for the State of Washington Court of Appeals to construe the processes that are connected to the teachers' and principals' evaluations that must be completed by 2013-2014 year so the principals and related administrators (quality control: decision making) – not only “targeted” teachers will be held accountable as the Washington State legislators intended.

It also illuminates how crucial the preservation of individual rights are as the strong educational system must involve cooperation that is not “collectivism” in the mainstream Tahoma School Board approved as curriculum (who approved the curriculum? Was Tahoma School Board aware of the philosophy on people Ayn Rand, the author of Anthem represents?). Did Tahoma School Board consider “cultural competency” and the relations to the curricula and – how? What are the ways such curricula relates to the 10<sup>th</sup> grade syllabus and the impact on ELL – students and the program (implementing Sheltered Instruction Observation Protocol – SIOP) required by the State of Washington (Office of Superintendent of Public Instruction, ELL)?

This case applies to the principals' evaluations that due to Tahoma School Board's actions in ill faith allowed to be unaccountable (Grazyna

Prouty's imposed "probation," evaluators' access to lawyers during the school time versus accountability of Rhonda Ham, Tony Davis (and their "contract non-renewal" as in RCW 28 A.405.100 (4)) relates to the duty of the school board – the priority of hiring leaders versus lawyers to improve education.

The cases show the exploitation of the processes Tahoma School Board knew, not informing the teachers about the appeal processes in the superior court, the failure to state the exact date: day, month, year when - "by" and "on" – the exact date of the request for hearings must be received by whom (who is authorized to receive such documentation), who is/was authorized to file it, sign for it, record it, when – as the court schedules require later the Administrative Agency Record.

If the judge is not prejudicial, such Administrative Agency Record is public and should be filed as schedules in both cases indicate versus ignored by the judge.

Furthermore, the replies of the receiving party failed to include what to do (e.g. request for the extension of time) when the documentation is not received or filed), incomplete, perceived one day late, etc. and the spelled out notion of "filing" if the court definition versus e.g. "filing" taxes the public knows (the meaning is not uniform as the treatment of teachers and administrators and – it must be: as the Office of the

Superintendent of Public Instruction in Olympia certifies all teachers and administrators in the State of Washington – all are equal in the light of law.

Therefore, these cases set the direction for the superior court rulings that all certificated employees are the same in the light of law and so their rights, and the evidence must be filed against the injured party, especially if the continuing contract (other contracts are provisional) of the teacher is not renewed.

Here, Grazyna Prouty's continuing contract has not been renewed as the Tahoma Human Resources and appointed new administrators worked at disseminating ELL Program and the ELL students from Tahoma (what training did HR have in relation to "cultural diversity and competency" as a former Special Education teacher? And – Tony Davis – the Athletic Director, Rhonda Ham, Mary Pachek, and Carol Banks – all who were coming to evaluate Grazyna Prouty who by that time – the year of 2010 had a class with two students).

As the lower level courts inform the party that the ruling is against about the appeals rights and time and the place of filing the appeals as well check the person(s) authorized to receive the documentation and sign for the certified letters' (signatures registered with the Secretary of State in case of school districts), correspondence addressed to in organizations,

the same applies to the school districts and the courts that decide in the matters do it but the superior court in Kent failed – why?

In addition to the fact that this case presents the opportunity for the State of Washington Court of Appeals to construe the processes that are connected to the teachers' and principals' evaluations, the Court of Appeals recognizes that the judicial system influences the observance of the constitutional rights and the ethical balance as the school boards have the power over the use of funds, actions in good faith, and the development, growth, or lessening of the potential of the 21<sup>st</sup> century citizens who in relation to the curriculum taught (the case gives an example of collectivism versus individualism) agenda and directly relate to the treatment of students and staff in the schools (mobbing, bullying, etc. versus compassion, teaching the understanding, continuous learning and hearing others) - the values the United States of America will embrace (collectivism – the groupthink or individualism that enables to raise another human being while taking an effort and time) for the next generation Z and further as the social impact may be slow but catches up if tranquility is substituted with Tahoma's brutality developed (99.99 % of Grazyna's Prouty "unsatisfactory" – all areas 2-year evaluations as in the Notice of Appeal).

APPENDIX

to

BRIEF OF PETITIONER/APPELLANT

**EXHIBITS**

Exhibits B p. 1- Exhibit F – the opposition of the process the Superior Court in Kent ignored – the evidence filing together with the Administrative Agency Record, discovery process, evidence against Grazyna Prouty, the injured party (continuing contract non-renewed by the Tahoma School Board on March 30, 2010) after new supervision (evaluators appointed) at the time a number of districts in the State of Washington “pilot the teachers’ evaluation processes involving imposing “probation” on experienced/continuing contract teacher like Grazyna Prouty (who pilots “principals’ evaluations” and – how? How is Tahoma involved? and - the Tahoma’s legal representation – where and what stage?).

The agenda of Hon. Bruce Heller’s interest “how one defines the filing” (Tahoma is supposed to place this definition with teachers’ rights of appeal – what “filing” is versus exploiting the loophole as the judge recognized – if Bruce Heller did not know “how one does define “filing” why didn’t he verify how was the injured party informed what “filing” was and – hear the matter de novo with “oral argument, written briefs,

evidence against the injured party Grazyna Prouty remains and the Table of Authorities upholds:

RCW 28 A.645.030

“Any appeal to the superior court shall be heard de novo by the superior court. Such appeal shall be heard expeditiously”.

RCW 28A.405.340

“Any appeal to the superior court by an employee shall be heard by the superior court without a jury. Such appeal shall be heard expeditiously”.

RCW 28 A.405.340:

constitutional free speech rights (...) additional testimony (...) the court shall hear oral argument and receive written briefs”.

RCW 28 A. 645.020

“Within twenty days of service of the notice of appeal, the school board, (...) shall file (...) the evidence and the papers and exhibits relating to the decision for which a complaint has been filed (...).

The excuse and the way not to hear the case openly, withholds it from the public and – it is in the public interest; the witness would be from the OSPI – the Office of Superintendent of Public Instruction (ELL Interim Director Helen Malagon, and the other witnesses (teachers Grazyna Prouty worked with) who have not been trained in SIOP required concept for ELL – CP 578-580) versus how one serves the students and all the stakeholders in the educational setting(s) connected to the required model of teaching rejected by Tahoma although required by the State of

Washington (SIOP – Sheltered Instruction Observation Protocol) developed in California) – CP 539-546 Project GLAD Tahoma has had 3-day training Mike Maryanski, the Superintendent attended with Didem Pierson, Tahoma School Board Chairwoman in October 2009 after which he imposed the “probation” on Grazyna Prouty (and failed to give the rights of appeal to Grazyna Prouty) as Rhonda Ham and Tony Davis told in the letter what he already knew – they got away with marking all areas “unsatisfactory” on Grazyna Prouty the evaluations they signed and sent a letter to him informing about as he already knew as he spoke to me about it on June 3, 2009 and I asked for change in “visits”.

Why did M. Maryanski agree to “probation” without giving the appeal rights? Is Didem Pierson still Tahoma School Board Chairwoman /President? What happened?

1. Exhibit B p. 1 (CP 487) – Grazyna Prouty’s continuous learning connects to Quality Control Model that Tahoma School Board lacks in the strategic design (therefore needs the improvement plan) as actions in ill faith and routines are costly.

How does Tahoma implement communication? Training? Teamwork? Leadership? Integrity and ethics? What model does it use? – connected to the evidence against Grazyna Prouty?

2. Exhibit B p. 2 – Inclusion Protocol for ELL given to

Grazyna Prouty at the end of August 2009 by Rhonda Ham and Tony Davis as they said they wrote it – this “Inclusion” would never be approved by the Special Education of any school district when a grain of leadership prevails. Who approved it? – HR: Bruce Zahradnik – as a part of as a former Special Education teacher who collaborated with the evaluators bringing additional outside observer Mary Pachek (former Tahoma’s HR who knew the evaluators, Superintendent, etc.) and Carol Banks – former Special Education teacher called “ELL coach” as Tahoma did not have coaches - against one ELL teacher Grazyna Prouty and two students.

How does Tahoma School Board view this “Inclusion Protocol” Did she approve it and when? On what basis? Again, it relates to strategic Action Plan for Tahoma (alignment of goals and accountability).

3. Exhibit B p.3 - the trainings of evaluators: what were they and when in relation to inclusion, diversity, cultural competence?

4. Exhibit B p. 4 – 5: the heads up for Tahoma to develop the Action Plan as three - four years ago it was considered that Tahoma brings outside help to address the issues that mounted in the district when new, diverse students were enrolling, Tahoma failed to identify later eradicating ELL Program. Grazyna Prouty advocated the opposite standing and filed

four grievances. How did Tahoma address the need to serve all the students, including ELL?

5. Exhibit B p. 6 – 8: as Grazyna Prouty submits a sample of the training she had as on-going, what submission will the legal Tahoma representation file in regards to administrators’ trainings – Tony Davis’ and Rhonda Ham’s, outside evaluator’s Mary Pachek, and the appointed “coach’s” trainings – Carol Banks?

When will Tony Davis and Rhonda Ham respond to the questions Grazyna Prouty filed for discovery? And - filed with the superior court. Are they missing?

6. Exhibit B p. 9 – 10: continuing contract of Grazyna Prouty has been renewed yearly – why did Tahoma School Board fail to hear Grazyna Prouty? Who arranged that inactive board “will not hear her”. When will Tahoma legal representation submit the policy, when developed?

7. Exhibit B p. 11 – 12: detailed evaluations of Dr. Stowitschek of Grazyna Prouty. What evidence against Grazyna Prouty will Tahoma submit in opposition - evaluations? How do they look as the Tahoma School Board “routinely” vote to not renew Grazyna Prouty’s contract – what did the Board see?

8. Exhibit B p. 13 – connects to CP 508 – 509 and CP 513

where the teacher explains that in the book “inventors are not necessary people talented in this area” and in CP 514 in regards to communism the teacher states: “Although it sounds horrible, it really is not”.

The ELL student was late to that English class as in CP 507 – came to class at 1:12 p.m. as other ELL student who is from native Spanish-speaking country in CP 501 – came late to Spanish class (the first year of Spanish).

Why the ELL student late and the teacher did not ask for the reason?

Is it because the author Ayn Rand’s philosophy is a mediocre and obsolete for the 21<sup>st</sup> century but elevated in Tahoma?

When did the Tahoma School Board familiarize herself with this curriculum, Objectivism, the author and the philosophy and what citizens and traits is it to develop in students – “it sounds horrible but it really is not? Who is to say? as Rand devotes herself to political theory – does Tahoma Board advocate for this theory? With what consequences and purpose? Is it the same as the “routine” vote to non-renew the teacher’s continuing contract and not to hear her in the name of “collectivism”? (“Groupthink” traits).

9. Exhibit B p. 14 – when R. Ham and T. Davis wrote “Inclusion protocol”, they attached the logs Grazyna Prouty was to complete CP 500, CP 502-505 as she wrote an example. What vocabulary

was to be developed in PE as Jana Haag was not trained in SIOP? Was it at a filler as Grazyna Prouty's hours of work were changed from morning to the end of the day when T. Davis and R. Ham had time to "do errands" bi-weekly for the 60-day "probation" and meetings weekly at the time convenient to administrators and not students – how was SIOP to be implemented in PE, and other subjects while none of the teachers had SIOP training? If they did, when was it?

10. Exhibit B p. 15 – show the grades ( \* \* ) noted as posted by Grazyna Prouty but they were removed. Why? Was it because for the block period split by the two teachers – Kathleen Kinney before she was moved back to elementary level she taught before, the students could only receive a single credit? What was the purpose of two teachers if the students could receive one grade? Why was Grazyna Prouty to grade students separately? Why was Kathleen Kinney required to grade students separately? Who decided to remove Grazyna prouty's grades? Why was Grazyna Prouty puppet teacher? Was it because Tahoma was piloting not only ELL program but teacher's evaluation? Where is the evidence that students got the credit for both classes – one taught by Kathleen Kinney? And – another by Grazyna Prouty?

11. Exhibit B p. 16 – the reference to falsifications as Kathleen Kinney did PE assessments after the student completed the PE assessment in regular PE class (with all students). Why?

12. Exhibit B p. 17 – Reemployment and the credit for the time out of work connects coming back to the environment that aims at improvement (Action Plan) – not groupthink and “collectivism” with the lack of quality control model.

13. Exhibit B p. 18 – The Action Plan incentive filed with the second notice of appeal ignored by Judge Bruce Heller. What training was an obstacle for the judge? Research leads to the question – how does the justice’s trainings influence the judicial process and poses an obstacle to hear education related issues, or a woman teacher?

14. Exhibit C p. 1 – 2010 calendar as it relates to the dates that needed to be specified by Tahoma on documentation when failing to provide appeals rights, how one defines “filing” – so ambiguities eliminated and clarity promoted – deadlines with the exact day, month, and the year in letters, responses, etc.

15. Exhibit C p. 2 - 4 – March 2010 crucial as on March 30, 2010 Tahoma School Board voted to non-renew the continuing contract of Grazyna Prouty, the ELL teacher with seniority (six years in Tahoma alone), lack of response of Didem Pierson – the Chairwoman to any letter.

16. Exhibit C p. 5 – the envelope Tamara Wheeler signed.

What is Tamara Wheeler's position and the authorization to sign the paperwork addressed to the Board President? Whose signatures are registered with the Secretary of State? Who did Didem Pierson authorize to sign the certified, registered, timely correspondence on her behalf – does Tahoma legal representation have the proof?

This envelope is also in opposition to what Tahoma legal representation was not submitting – nothing addressed to/received by Didem Pierson.

What communication did Tahoma legal representation have with Hon. Bruce Heller that finally Tahoma brought the envelope addressed to Didem Pierson to September 17, 2010 the so-called oral argument and showed it to me but failed to file it – why?

There was no oral argument as Hon. Bruce Heller structured the proceedings to him asking question “how does one define filing?” Grazyna Prouty did not have e.g. 20 minutes to state the facts (then, Tahoma). And then, the rebuttal.

Hon. Bruce Heller prejudiced against Grazyna Prouty and consequently stopped Grazyna Prouty, abridged her rights to file an appeal or a complaint, court case after October 1, 2010 order, justified a lack of accountability of the school board and grossly limited Grazyna Prouty's –

voice as the teacher, discounted that the teacher has over three years to pursue the matter (Tahoma legal counsel: how many years does the teacher have to pursue the matter as do other employees if the continuing contract is not renewed?)

It is prejudicial against the ELL teacher and promotes administrators brutality as it exists and the school boards inactions and indifference, joining the mobbing processes and injuring the teachers versus aligning curricula as in CP 527, work on climate that surveys showed lacked for years in Tahoma so the Action Plan is overdue - using the Quality Control Model (example Exhibit B p.1).

Grazyna Prouty should not pay the price for it.

Dismissing the matter “with prejudice” after one hearing limited to perceived receipt of one letter late by Tahoma (as in further Exhibits, Grazyna Prouty asked for “hearing” constantly) so organizations like Tahoma School District act frivolously, capriciously, arbitrarily, continue not hearing teachers, seeking their input is against the public interest – “with prejudice” sanctions “collectivism” as Tahoma is trained teaches– CP 512 : clarifying that the book is “about people who behave like animals” corresponds to Ayn Rand’s philosophy but harmful as allowed and authorized behaviors for the young generation of educated people in the 21<sup>st</sup> century.

Where is the inspiration for students? What did Tahoma School Board consider for this curricula, Grazyna Prouty was set to be in the class to support the student? What role does Tahoma School Board expect the ELL teacher like Grazyna Prouty when implementing SIOP required by the State of Washington – CP 488 – SIOP registration – why didn't Grazyna Prouty attend it? Who attended it in Tahoma? SIOP correct book CP 489 versus Exhibit I p. 2? Where is the evidence and the receipts that show the purchases of the SIOP and other books? - it is the public information and for the interest of public: the clarity versus ambiguity; how do the logs to complete (Exhibit I p. 4) connect to it?

17. Exhibit C p. 6 – Tahoma School Board voting on March 30, 2010 – the letter of continuing contract non-renewal.

18. Exhibit C p. 7 – the first letter when Grazyna Prouty requests the hearing by the School Board as Jerry Fernandez (whom Tony Davis also supervised) had. Who did the Board listen to when failed to respond (Didem Pierson failed to respond. Why?).

Why didn't Tahoma quote a policy in regards to it and failed to give “the timeline – the deadline: exact day, month, and year – concerning this or any other hearing? (“what was the timeline? As Grazyna Prouty states: Please inform me what the timeline of it is” in reference to be heard.

19. Exhibit C p.8 – why didn't Tahoma School Board fail to renew the continuing contract? Failed to hear Grazyna Prouty? Was it because it piloted the teacher's evaluations? How is Tahoma legal representation involved with Office of Superintendent of Public Instruction in regards to teacher's/administrator's evaluations?

20. Exhibit C p. 9 – one of the letters dated March 15, 2010 as Tahoma has put Grazyna Prouty on the leave she did not request (for no reason). Why did the Tahoma School Board fail to correct it at that time? "I ask I return to work and serve the students as soon as possible". What was the purpose of hiring Thom Rohm, the former Spanish and French teacher who never before Tahoma administered annual tests required by the State of Washington (retired-rehired)?

21. Exhibit C p. 10

Why didn't Didem Pierson respond to the letter? When did she receive it since she never signed for it? Similarly previously – Mike Maryanski – never signed for the letters addressed to him. Is his assistant the only person authorized (signature registered with the Secretary of State: Linda Reed?)

22. Exhibit C p. 11 – deliberate choice (and free will) – destroy versus build people – why didn't Ms. Pierson respond?

23. Exhibit C p. 12 – When is going Tahoma School Board work on accountability of all?

24. Exhibit D p.1 – the organization define “filing”. What is Tahoma School Board definition of “filing”? How does Tahoma School Board define the deadlines – the exact date: day, month, and the year?

25. Exhibit D p. 2 – the word “file” many meanings, must be explain in context as this example from English-Polish dictionary indicates. It is the burden of the organization who wants “the filing” completed. When will Tahoma School Board start working on own accountability? (the School Board does “self-assessments” online).

26. Exhibit E p. 1-2: How many processes of ambiguities did Mike Maryaski write in Tahoma? Why was there no exact date: day, month, and the year for this teacher?

27. Exhibit F – when the growth of ELL students in the State of Washington is significant what has been reflected in the number of served and identified students by Grazyna Prouty CP 52, CP 53 – the enrollment in Tahoma Senior School 13 (before Tony Davis became ELL supervisor/evaluator), and Tahoma Junior School 16 students (before Rhonda Ham became ELL supervisor/evaluator) – HR sponsored, and before – ELL Program has been destroyed by them as they “befriended”

the students first and then – if the student did not drop out off school, the neighboring districts were to educate them so Tahoma scores “look” better, and the evaluators run “the errands” chasing the teachers versus focusing on the students and – the service, collaboration, again “quality control model” – example Exhibit B p. 1.

28. Exhibit G p. 1 (CP 62, CP 527, CP 558) – how did Tahoma School Board work on standards, vision, assessment, accountability, alignment, climate, collaborative partnership, continuous improvement in regards to ELL?

29. Exhibit G p. 2 – why was it no answer to March 15, 2010 received by Tahoma on March 15, 2010?

30. Exhibit H p. 1 - 5 – why, no answer to the letter dated March 15, 2010 and received by Tahoma on March 15, 2010 no answer (What “policy” did prevent it?) as Grazyna Prouty when heard would outline what she wrote to Mike Maryanski – retired-rehired during the last years (including the letter to the Board that Mike Maryanski, the Superintendent did not give to the Board although also the Secretary to the School Board – conflict of interests?).

Exhibit H p. 2: “urgency” of issues not an interest for the Tahoma Board as the status quo convenient – who is now the Tahoma School

Board President? What are the names of the School Board at the present time who is not previous “president”?

Exhibit H p. 3 – connects to the p. 1 and 2 as “change” not embraced (and necessary) to serve ELL, respect teachers with various perspectives – diverse teachers and students versus “collectivism” as opposite to Ayn Rand – the new generation must learn empathy (Ayn Rand: characters do not articulate a hint of kind, concerned human feeling” as the philosophy dismisses the common man and the common good). When were the Tahoma School Board introduced to Ayn Rand as the author?

31. Exhibit H p. 4 - 5 connects to “objectivism” that is opposite – what one may think as “being objective” is – and that is specifically the point – extended to speaking up about it as Irene Gut Opdyke, interviewed for “In My Hands” book, opposite to Ayn Rand’s philosophy recognized when “enough is enough” (connects to Tahoma High School bulletin quote of the day concerning successful, ordinary people – such as Irene Gut Opdyke as an example).

32. Exhibit I p.1 -8: Exhibit I p. 1 – when T. Davis and R. Ham decided to “pilot” the teachers evaluations with Human Resources, and Mike Maryanski as a part of “reduction in force” why didn’t Tahoma School Board intervene when the ELL program was forced to be “in

boxes”, and without placement tests R. Ham and T. Davis gave many components of the Keystone “Building Bridges” Program?

Why didn’t the Board listen that “Classroom Instruction that Works” is not the SIOP or GLAD?

When did the Tahoma School Board see the receipts of the purchase of “Classroom Instruction that Works?” What are the dates?

33. Exhibit I p. 5 connects to CP 21 – CP 24 that outside observer lectures how to teach to keep the students “not ?” “confused” as they break pens after “visitors” – Exhibit J p.1 as “the timelines” taught (Exhibit I p. 7), and they learned mean “enough is enough” as the Special Ed. student does well (Exhibit I p. 6) in Special Ed. class Grazyna Prouty supported.

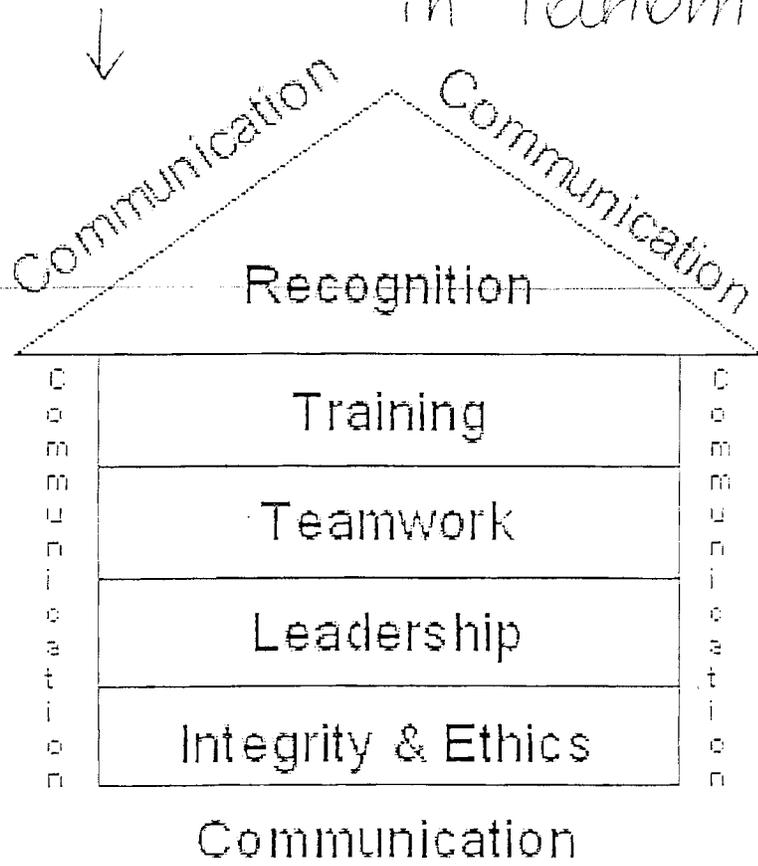
34. Exhibit I p. 8 –Grazyna Prouty worked well with many people every day in practice: in real world context (Exhibit J p.2) as the voices demanded the change and leadership so the reflections were in quotes as in Exhibit K: “A successful person is one who went ahead and did the thing the rest of us never quite got around to.”

Respectfully submitted: This 27<sup>th</sup> day of June, 2011

  
\_\_\_\_\_  
Petitioner/ Appellant: Grazyna Prouty

12609 SE 212<sup>th</sup> Place,  
Kent, WA 98031

Total Quality Control - not present in Tahoma



Inclusion - absent as well.

Proceeds -

## Inclusion Protocol

1. Check teacher websites or email teachers at least a day before the class you will be in to understand the focus of the lesson for the day. *on-line class?*
2. Once you understand the focus of the lesson, evaluate it for areas that need to be modified to help your ELL student access the information.
3. Before class create/modify any documents the student will need to help him/her better understand the lesson of the day.
4. Do not bring undue attention to the ELL students when you are in the classrooms (i.e. do not sit right next to or behind the ELL student).
5. Become as much a part of the class as you can by listening to the teacher and helping any student that needs help.
6. Any communication with the teacher needs to occur at appropriate times:
  - a. After instruction
  - b. When the teacher is not engaged with other students
  - c. ~~After class or via email (preferred)~~
  - d. ?
  - e. ?
7. Fill out the logs as required in order to document any modifications you have made to assignments and how you communicated the modifications to the teacher.

#16. (December 27, 2010 - the Court of Appeals). Not research based, not supported-related to Quality Control.  
This is Tahoma School District  
Inclusion Protocol

1, 2 - Quality Control:  
Who is ELL teacher in the classroom?

CP470 What is a role of mainstream teacher?  
CP494  
CP 9, CP204, CP538 EXHIBIT B P. 2

The Honorable Bruce Heiler

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

Grazyna Prouty

Plaintiff/Petitioner,

vs.

Tahoma School Board

Defendant/Respondent.

NO. 10-2-12633-~~SEA~~  
3 KNT

Inclusion in is attached.  
Tahoma

What trainings did HR (Zahradnik), former Special Ed. teacher took to support it?

What trainings did Rhonda Ham (supervisor - Tahoma Junior School) take it to support it?

What trainings did Tony Davis take to support it?

*Grazyna Prouty*

GRAZYNA PROUTY

L:\forms\cashiers\gr14coversheet

CP 492

EXHIBIT B p 3

Tahoma School District receives these documents with the Notice of Appeal to prepare the Action Plan (end of April 2010 to the end of August 2010 – 5 months) and involve new stakeholders to build it (the study what the Inclusion is as a start).

Please do not waste resources, precious time, and lives of students, and – staff.

This case is about the Boards looking beyond the entitlement and status quo.

Three years ago both WEA and Tahoma School District were going to bring outside help.

None of the parties wanted it as now none of the parties wanted an open hearing (neither school district nor WEA).

It did not happen and it is overdue.

Two years ago I filed three or four grievances. Three Rs continued (rumors, railroading, and ruthlessness).

This matter is beyond an opportunity for OPEN hearing and the contract.

According to 28A.405.300 in the event any such notice or opportunity for hearing is not timely given, or in the event cause for discharge or other adverse action is not established by a preponderance of the evidence at the hearing, such employee shall not be discharged or otherwise adversely affected in his or her contract status".

This matter is about serving students to prepare them for the 21<sup>st</sup> century.

The School District prefers to use lawyers than the free input it received after Dr. Stowitschek left while the students were demanding other Program and supplier from me.

All file records, all my input records given will give an enormous insight what needs to change so the students are ready for the 21<sup>st</sup> century.

RCW 28 A.405.240: the district failed to give a supplemental contract to me to meet the requirements Teaching and Learning set forth to accomplish. The district eradicated the class of two students in TSHS so they set time for weekly meetings that took the teaching time to satisfy the Teaching and HR goals so three evaluators come to do the paperwork.

That is why Tahoma School District is an excellent example what must be done to lead the students in that direction.

Tahoma will start with Inclusion, trainings since has non-existent staff development benefiting a few (not because of lack of resources).

EXHIBIT B p. 4

The place of teachers is in the class not courtrooms. But – with 3Rs administration, the students are the losers.

99.99 % of unsatisfactory evaluations tolerated for two years – that is the counter intelligence and offensive to the 21<sup>st</sup> century education.

These behaviors affect students (and – staff).

Prouty

12609 SE 212TH PL  
KENT, WA 98031

8<sup>th</sup> day of June,  
2010

EXHIBIT B: p 5

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

Grazyna Prouty

Plaintiff/Petitioner,

vs.

Tahoma School  
Board

Defendant/Respondent.

NO. 10-2-12633- [ ] SEA  
3 KNT ~~[ ] KNT~~

A sample of my trainings is attached.  
on file in Tahoma

- 1) Diversity/cultural competence (Pro Diversity Curriculum, Integrating Multi-Cultural Education, Multicultural Awareness, Multicultural Parent Involvement, Colors of Diversity, Cultural Competence)
- 2) Management - Conflict Management, Positive Interactions with Students, Communication with Students, Parents, Community, Behavioral Problem Management, Accommodating the Needs of all students, Social Skills Direct Instruction, Managing Behavioral Problems, Comprehensive Approach - students At Risk, Discipline Strategies, etc.

*Grazyna Prouty*  
GRAZYNA PROUTY

EXHIBIT B p 6

ad-Credit Records - Tahoma

Employee: Prouty, Grazyna Z.  
 Position: Secondary Teacher

Serial Number: ~~655~~  
 Location: THS

Base Contract: Continuing

Bachelors  
 Masters  
 Date  
 Recorded

Multi-cultural education  
 Cultural competency

Date Recorded	Course	Grade	Units	Course Title	Grade	Units	Grade
09/07/04	11/10/92	GREEN RIVER COMMUNITY	ECE	240	Pro Diversity Curric		
09/07/04	11/10/94	GREEN RIVER COMMUNITY	ECE	202	Manage Behav Prob	QTR	2.00 2.00
09/07/04	03/10/92	SEATTLE PACIFIC UNIVERSI	EDUC	5208	Intgrt Multicult Ed	QTR	1.00 1.00
09/07/04	11/10/92	SEATTLE PACIFIC UNIVERSI	EDTC	5052	Oct Mac Intro	QTR	2.00 2.00
09/07/04	11/10/93	SEATTLE PACIFIC UNIVERSI	EDSU	1110	Communic Skills 1	QTR	2.00 2.00
09/07/04	03/10/94	SEATTLE PACIFIC UNIVERSI	EDCO	5234	Deal W/grief, Loss	QTR	1.00 1.00
09/07/04	11/10/94	SEATTLE PACIFIC UNIVERSI	EDHE	5000	Stu With Fetal Alc S	QTR	1.00 1.00
09/07/04	11/10/94	SEATTLE PACIFIC UNIVERSI	EDUC	5376	Office As A Team	QTR	1.00 1.00
09/07/04	11/10/94	SEATTLE PACIFIC UNIVERSI	EDUC	5402	Primary Social Skls	QTR	1.00 1.00
09/07/04	11/10/94	SEATTLE PACIFIC UNIVERSI	EDSP	5421	Com Apprch At Risk	QTR	1.00 1.00
09/07/04	11/10/94	SEATTLE PACIFIC UNIVERSI	EDTC	5675	Scan Graph & Text	QTR	1.00 1.00
09/07/04	11/10/94	SEATTLE PACIFIC UNIVERSI	EDUC	5747	Multicult Awareness	QTR	1.00 1.00
09/07/04	06/10/95	SEATTLE PACIFIC UNIVERSI	EDU	5235	Multicult Parnt Invl	QTR	1.00 1.00
09/07/04	08/10/95	SEATTLE PACIFIC UNIVERSI	EDSP	5421	Comp Apprch At Risk	QTR	1.00 1.00
09/07/04	11/10/95	SEATTLE PACIFIC UNIVERSI	EDSP	5421	Comp Apprch At Risk	QTR	1.00 1.00 X
09/07/04	11/10/95	SEATTLE PACIFIC UNIVERSI	EDU	5610	Instr Roles Paraed	QTR	2.00 2.00 X
09/07/04	03/10/97	SEATTLE PACIFIC UNIVERSI	EDTC	5706	Internet Homepage	QTR	1.00 1.00 X
09/07/04	03/10/97	SEATTLE PACIFIC UNIVERSI	EDUC	5822	Paraprof & Teacher	QTR	2.00 2.00 X
09/07/04	06/10/97	SEATTLE PACIFIC UNIVERSI	EDCA	5027	Disc Strat	QTR	2.00 2.00 X
09/07/04	06/10/97	SEATTLE PACIFIC UNIVERSI	EDU	5500	English & Grammar	QTR	2.00 2.00 X
09/07/04	11/10/97	SEATTLE PACIFIC UNIVERSI	EDWR	5320	Writing For Results	QTR	1.00 1.00 X
09/07/04	03/10/98	SEATTLE PACIFIC UNIVERSI	EDAD	5805	Diff Dec Val In Wrkp	QTR	2.00 2.00 X
09/07/04	06/10/98	SEATTLE PACIFIC UNIVERSI	EDSU	1306	Pb Image, Teamwork	QTR	1.00 1.00 X
09/07/04	06/10/98	SEATTLE PACIFIC UNIVERSI	EDSP	5724	Postiv Intract Spec	QTR	1.00 1.00 X
09/07/04	11/10/98	SEATTLE PACIFIC UNIVERSI	EDCA	5176	Stress Reduc & Relax	QTR	1.00 1.00 X
09/07/04	05/10/99	SEATTLE PACIFIC UNIVERSI	EDUC	5875	Wellness For Educatr	QTR	2.00 2.00 X
09/07/04	03/10/99	SEATTLE PACIFIC UNIVERSI	EDCA	5352	Tv/video Impact	QTR	4.00 4.00 X
09/07/04	11/10/99	SEATTLE PACIFIC UNIVERSI	EDAD	5145	Ldrship & Coaching	QTR	2.00 2.00 X
09/07/04	11/10/99	SEATTLE PACIFIC UNIVERSI	EDCA	5315	Grant Writing Fundin	QTR	2.00 2.00 X
09/07/04	11/10/99	SEATTLE PACIFIC UNIVERSI	EDUC	5403	Dvlp Ldrship Skills	QTR	1.00 1.00 X
09/07/04	03/10/00	SEATTLE PACIFIC UNIVERSI	EDUC	5576	Bldg Partner W/paren	QTR	1.00 1.00 X
09/07/04	03/10/00	SEATTLE PACIFIC UNIVERSI	EDCA	5641	Sec Tchg Brain Aprch	QTR	2.00 2.00 X
09/07/04	06/10/00	SEATTLE PACIFIC UNIVERSI	EDU	5396	Verbal Self Defense	QTR	1.00 1.00 X
09/07/04	11/10/00	SEATTLE PACIFIC UNIVERSI	EDCA	5843	Colors Of Diversity	QTR	1.00 1.00 X
09/07/04	03/10/01	SEATTLE PACIFIC UNIVERSI	EDTE	5138	Intro Publisher 2000	QTR	2.00 2.00 X
09/07/04	03/10/01	SEATTLE PACIFIC UNIVERSI	EDCA	5458	Interest Prob Solv	QTR	2.00 2.00 X
09/07/04	06/10/01	SEATTLE PACIFIC UNIVERSI	EDTE	5139	Internet Clsrn Resou	QTR	1.00 1.00 X
09/07/04	06/10/01	SEATTLE PACIFIC UNIVERSI	EDRD	5411	Socratsem Tchg Crit	QTR	2.00 2.00 X
09/07/04	06/10/01	SEATTLE PACIFIC UNIVERSI	EDU	5705	Cult Competence	QTR	1.00 1.00 X
09/07/04	06/10/01	SEATTLE PACIFIC UNIVERSI	EDCA	5902	Pwr Of Retelling	QTR	1.00 1.00 X
09/07/04	08/10/02	SEATTLE PACIFIC UNIVERSI	CEU	2255	Effectv School Modl	CLK	70.00 7.00 X
09/07/04	11/10/02	SEATTLE PACIFIC UNIVERSI	EDMA	5600	Navigate Geometry	QTR	1.00 1.00 X
09/07/04	08/10/03	SEATTLE PACIFIC UNIVERSI	CEU	2255	Effectv School Modl	CLK	50.00 5.00 X
09/07/04	03/18/95	SEATTLE UNIVERSITY	EDPD	491A	Heres Looking At You	QTR	1.00 1.00

**ed Credit Records - Tahoma**

Employee: Prouty, Grazyna Z.

Serial Number: ~~3333~~

Position: Secondary Teacher

Location: THS

Base Contract: Continuing

07/04	06/10/95	SEATTLE UNIVERSITY	EDPD	491A	<del>Postv Interact W/std</del>	QTR	1.00	1.00	
07/04	06/10/95	SEATTLE UNIVERSITY	EDPD	491B	<del>Conflict Mgmt</del>	QTR	2.00	2.00	
09/07/04	09/11/95	SEATTLE UNIVERSITY	EDPD	491A	<del>Communic Std/par/com</del>	QTR	1.00	1.00	X
09/07/04	12/09/95	SEATTLE UNIVERSITY	EDPD	491A	<del>Oct/internet Clis 1</del>	QTR	1.00	1.00	X
09/07/04	12/09/95	SEATTLE UNIVERSITY	EDPD	491B	<del>Oct/wndw Intro 1</del>	QTR	2.00	2.00	X
09/07/04	03/16/96	SEATTLE UNIVERSITY	EDPD	491A	<del>Behav Prb Mgmt 2</del>	QTR	1.00	1.00	X
09/07/04	03/16/96	SEATTLE UNIVERSITY	EDPD	491A	<del>Electronic Mail 1</del>	QTR	1.00	1.00	X
09/07/04	03/16/96	SEATTLE UNIVERSITY	EDPD	491B	<del>Accom Need All Stcnt</del>	QTR	2.00	2.00	X
09/07/04	06/08/96	SEATTLE UNIVERSITY	EDPD	491B	<del>Soc Skills Dir Instrc</del>	QTR	2.00	2.00	X
09/07/04	09/09/96	SEATTLE UNIVERSITY	EDPD	491A	<del>Internet Intro 5</del>	QTR	1.00	1.00	X
09/07/04	12/14/96	SEATTLE UNIVERSITY	EDPD	491A	<del>Child Abuse Issues</del>	QTR	1.00	1.00	X
05/03/07	09/01/05	TAHOMA SCHOOL DISTRICT	0506	20	Spt Lrng All Student	CLK	23.00	2.60	2
09/22/06	05/12/06	TAHOMA SCHOOL DISTRICT	0506	01	Dist Prof Dev	CLK	33.00	3.30	2
09/14/06	08/31/06	TAHOMA SCHOOL DISTRICT	0607	19	Address 4 Critical Q	CLK	20.50	2.10	2

A glimpse of some of the trainings.

Cutoff: 10/01/07

My education is

on-going  
leaders are in demand  
in the school system.  
Some of

the classes I have  
taken.

Tahoma does not offer staff  
development as lawyers cost  
a lot.

CP209 The trade-off  
CP534 does NOT work.

Prouty  
K-V-H I R I T J R D R

COPY



COPY

CERTIFICATED EMPLOYEE CONTRACT  
(NON-SUPERVISORY)  
2005-2006 SCHOOL YEAR

DATE: MAY 12, 2005  
NAME: GRAZYNA Z. PROUTY  
LOCATION: TAHOMA SENIOR HIGH SCHOOL  
*supervisor: Teaching and Learning - Judy Yasutake.*  
*All: Tahoma School District files.*

CONTRACT TYPE: CONTINUING

This contract is made by and between the Board of Directors of Tahoma School District No. 409, King County Washington ("District") and GRAZYNA Z. PROUTY ("Employee").

Employee is hereby employed by the District to perform assigned services as a .505 annual FTE TEACHER during the 2005-2006 school year, which shall include 182 days of service, exclusive of school holidays, school vacations and any regularly scheduled school days canceled because of inclement weather or emergency. Employee's salary schedule placement will be based on experience, degrees, and credits on file in Human Resources for placement on the 2005-2006 salary schedule pursuant to the terms of the collective bargaining agreement between the District and the Tahoma Education Association ("Association"). Employee's interim placement is MA+90/PHD, STEP 12. Salary placement will be adjusted upon receipt of official transcripts and verifications of employment/experience pursuant to the terms of the collective bargaining agreement between the District and the Association.

Employee shall perform such duties as may reasonably be assigned by his or her principal or other supervisor, including such duties as may be prescribed by the applicable collective bargaining agreement between the District and the Association, applicable state and federal statutes and regulations, and District policies, procedures and regulations. Employee shall be subject to assignment, reassignment and transfer by the District Superintendent or other designated administrative authority, subject to the limitations of the applicable collective bargaining agreement. Employee shall be granted all the rights and benefits pursuant to the collective bargaining agreement between the District and the Association.

Employee's annual base salary shall be based on the applicable salary schedule as determined above. The annual salary shall be payable in twelve installments commencing on September 30, 2005, with successive installments being payable on the last working day of each month.

This contract does not become effective until:

- (a) Employee registers a valid state certificate with the Human Resource Office, and
- (b) Employee signs and returns this contract to the Human Resource Office on or before May 31, 2005.

If Employee is new to the District, this contract is subject to the acceptable outcome of the criminal history records review of Employee and/or state-mandated sexual misconduct background check. Employee affirms that he/she is not bound by another contract that might interfere with the performance of Employee's duties hereunder.

In the event Employee fails to sign and return this contract on the terms stated on or before May 31, 2005, this contract will be void and the District will consider Employee to have rejected the contract and waived any right to employment with the District.

BY ORDER OF THE BOARD OF DIRECTORS:

CP 476-477  
CP 42

E X H I B I T B - page 2

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

Grazyna Prouty

Plaintiff/Petitioner,

vs.

Tahoma School Board  
(Tahoma School District)  
Defendant/Respondent.

NO. 10-2-12633- SEA  
 KNT  
3 KNT

Continuing Contract is attached.  
(EXHIBIT H) - attached.

Continuing contract is difficult to receive as the supervisor's written input is required why it is in place versus provisional. All employees first hired (all certificated: teachers, principals, superintendents start with first contracts - provisional).

'Annual basis' not applicable to distinction as all contracts annual due to other reasons. 'Annual' does not pertain to different types of goals, evaluations.

**Addendum 9: Formal Observation Form A**

Tahoma School District #409

**Standards for Quality Teaching and Learning -  
Formal Observation Form A**

Name Grazina Prouty Position ELL Teacher Bldg. HS  
 Observation Date/Time 9:37 - 11: Subject/Lesson ELL

	Problem Area	Approaches Standard	Meets/Exceeds Standard	Not Observed at this time
<p><b>CLASSROOM ENVIRONMENT</b></p> <ul style="list-style-type: none"> <li>Staff/student interactions are friendly and demonstrate general warmth, caring, and respect. Interactions are consistently appropriate to students' culture, gender, and developmental level.</li> <li>Staff/student interactions are generally polite and respectful.</li> <li>Staff is fully aware of district resources and utilizes multiple resources for planning, teaching, and classroom activities.</li> <li>The classroom is safe and the furniture arrangement is a resource for learning activities.</li> <li>Staff conveys genuine enthusiasm for what is being taught, and students demonstrate consistent commitment to its value.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>CLASSROOM MANAGEMENT</b></p> <ul style="list-style-type: none"> <li>Expectations for behavior are posted and are clear to all students.</li> <li>Staff response to misbehavior is appropriate, successful, and demonstrates respect for student.</li> <li>Routines for handling materials and supplies occur smoothly with little loss of instructional time.</li> <li>Transitions occur smoothly with little loss of instructional time.</li> <li>Staff's spoken and written language are clear, correct, and appropriate to students' levels and interests.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>INSTRUCTIONAL &amp; CLASSROOM TEACHING PRACTICE</b></p> <ul style="list-style-type: none"> <li>Uses a wide variety of active processing strategies, including cooperative learning and questioning strategies.</li> <li>Uses flexible groupings to deliver instruction and meet individual needs.</li> <li>Teaches to multiple intelligences.</li> <li>Teaches thinking skills and thinking behaviors using course content.</li> <li>Provides for student self-selection to promote learning.</li> <li>Learning activities are motivating, suitable to students and instructional goals.</li> <li>Instructional goals are assessed through assessment tools. Assessment criteria and standards are clear and have been communicated to students.</li> <li>System for maintaining records is accurate and timely (tracking assignments, attendance, etc.)</li> <li>Incorporates available technology to improve instruction.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- Ms. Prouty exhibits a positive attitude and an honest open relationship with her students. The classroom environment is welcoming and appropriate for the needs of this class.

- Students are respectful to Ms. Prouty and appear to be comfortable with and to welcome a visitor.

- Ms. Prouty deals 1:1 with students who need to be reminded of school rules (e.g. the "silent" feature of SSR). Student returned to SSR.

- Danilo is a continuing challenge in the class.

- The preparation for and use of instructional materials are appropriate to student skill levels.

- Good use of materials available and appropriate for student skill level

- Call on all students

CP43

EXHIBIT B

"Not observed at this time" means that the evaluator did not measure or did not observe this standard during this specific observation.

Dr. Stawitschek was very thorough

ELL Program grew to 26 students

Problem Area	Approaches Standard	Meets/Exceeds Standard	
<b>LESSON PLANNING &amp; DESIGN</b> <ul style="list-style-type: none"> <li>Designs instruction to focus on the EARLs and/or district continuum.</li> <li>Integrates curriculum using content, guiding questions, themes, thinking skills, and student experience.</li> <li>Uses multiple resources to deliver instruction.</li> <li>Determines pacing based on student needs and interests.</li> <li>Uses district curriculum and documents.</li> <li>Consistently relates curriculum content to the six district outcomes.</li> <li>Uses content to develop skills and strategies, including thinking skills.</li> <li>Makes an accurate assessment of a lesson's effectiveness and the extent to which it achieved its goals and makes suggestions to the refinement of the lesson.</li> <li>Instruction and activities reflect current research.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>ASSESSMENT</b> <ul style="list-style-type: none"> <li>Uses multiple assessment tools appropriately, including rubrics, scales, checklists, and objective tests to monitor student learning and set future goals.</li> <li>Designs and uses performance assessments to measure skill application, including thinking skills.</li> <li>Develops portfolios with students, which document student growth over time.</li> <li>Supports student involvement in the assessment process through goal setting, self-reflection, and critique.</li> <li>Uses assessment to plan appropriate instruction and document student achievement over time.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>PROFESSIONAL DEVELOPMENT &amp; RESPONSIBILITIES</b> <ul style="list-style-type: none"> <li>Communicates with parents about instructional program and students' progress according to building plan.</li> <li>Responds to parent questions and concerns in an appropriate and timely manner.</li> <li>Seeks out opportunities for professional development to enhance content knowledge and teaching skills.</li> <li>Utilizes peer and supervisor feedback to refine and shape practices.</li> <li>Works within the context of a particular team or department to ensure that all students learn.</li> <li>Provides support to and seeks support from professional colleagues. Discusses problems, new ideas, gives/receives feedback, respecting/accepting various viewpoints.</li> <li>Participates in decision-making to ensure decisions are based on the highest professional and democratic principles.</li> <li>Participates in school's improvement and refinement of curriculum/instruction practices, assessing for alignment with national, state, district and school goals.</li> <li>Participates in school/district events/projects.</li> <li>Effective system for managing paperwork and timelines associated with profession.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Students receive lots of appropriate practice and use appropriate materials. Vocabulary is a strong on-going focus.

Use LAS to initially assess. It is used to determine level. WLPT is used to determine next yr. placement or exit. Academic tests in class.

Ms. Prouty and Ms. Denny constitute the ELL professional staff. They communicate with and support each other with shared materials.

The signature below does not necessarily imply that the employee agrees with the preceding report, only that he or she has seen and discussed it with the evaluator and has been provided a copy. Employee may attach a statement.

Employee Signature: [Signature] Date: 3/10/05  
 Evaluator Signature: [Signature] Date: 3/10/05 Employee statement attached:  Yes  No

EXHIBIT B CP44 P12

11/1/2010

Read & annotate your reading

- underline or highlight important parts
- write notes in the margins you don't know.
- circle words

Individualism vs. Collectivism

Individual all on or group. Look all for themselves

The principal political issue in *Anthem*—and in society at large—is the issue of individualism vs. collectivism. The society depicted in *Anthem* is a collectivist society. "Collectivism," Ayn Rand wrote, "means the subjugation of the individual to the group—whether to a race, class or state does not matter." In such a society, the individual is owned by the group; he has no right to a private existence, which means no right to lead his own life, pursue his own happiness or use his own property. The individual exists only as part of the group, and his worth is determined by his service to the group.

-she describes it in 2 ways

The alternative to collectivism is individualism, the view advocated by Ayn Rand. "Individualism," she wrote, "regards man—every man—as an independent, sovereign entity who possesses an inalienable right to his own life, a right derived from his nature as a rational being." Individualism does not mean that one can do whatever he feels like doing; it means that every man is an individual and has the same rights. "An individualist is a man who says: 'I will not run anyone's life—nor let anyone run mine. I will not rule or be ruled. I will not be a master nor a slave. I will not sacrifice myself to anyone—nor sacrifice anyone to myself.'"

- saving yourself over everyone
- being a leader of your own life

Teacher (Lara) talks, students - listen

Reference to Tahoma "Inclusion" - I am - who?

If - reference to "e-mails" versus "interaction" (ELL)

EXHIBIT B p.13

~~09-10~~  
Gender Male

SEMESTER 1	Mon	Tue	Wed	Thu	Fri	Trm	Bldg	Room	Course/Cls	Course Description	Teacher	Credits
	1	1	1	1	1	S1	449	750	PE203/01	WEIGHT TRAINING I	AHURT	1.000
	2	2	2	2	2	YR	449	P6	MAT300/01	MATH ESSENTIALS I	DELEON	1.500
	3	3	3	3	3	S1	449	114	ENG210/01	READING LAB	DURRETT	1.000
	4	4	4	4	4	YR	449	104	SOC401/03	BASIC APGI	STROJAN	1.500
	5	5	5	5	5	YR	449	302	ELL400/01	ENGLISH ASA SECOND LANGUAGE-12	KKINNEY	1.500
	6	6	6	6	6	S1	449	506	VCA200/04	DIG GRAPHIC ART	KFEIST	1.500
Credits SEMESTER 1											3.000	
SEMESTER 2	Mon	Tue	Wed	Thu	Fri	Trm	Bldg	Room	Course/Cls	Course Description	Teacher	Credits
	1	1	1	1	1	S2	449	409	ENG410/01	DRAMA	COREY	1.500
	2	2	2	2	2	YR	449	P6	MAT300/01	MATH ESSENTIALS I	DELEON	1.500
	3	3	3	3	3	S2	449	553	VAT200/03	AUTO MAINTENANCE I	WCOOPER	1.500
	4	4	4	4	4	YR	449	104	SOC401/03	BASIC APGI	STROJAN	1.500
	5	5	5	5	5	YR	449	302	ELL400/01	ENGLISH ASA SECOND LANGUAGE-12	KKINNEY	1.500
	6	6	6	6	6	S2	449	750	PE203/02	WEIGHT TRAINING II	JHAAS	1.500
Credits SEMESTER 2											3.000	
Total Credits											6.000	

T. Davis chose

PE class

for me to  
do SLOP

for Miguel

for Majok

(dropped off

school when he was told  
he had 11 absences (he told  
me somebody put it / computer  
& that he was not absent 11 times

CP 495

EXHIBIT B p. 14

~~Handwritten signature~~

RECEIVED  
 2010 MAY 18 PM 12:38  
 2010 MAY 24 AM 11:47  
 KING COUNTY  
 SUPERIOR COURT CLERK  
 SEATTLE, WA

Semester 1 2009-10

	T1	S1
BI AM EXPRESS DURRETT	P	P COURTEOUS & WELL-MANNERED
MATH 10 SUHOVERSKI	P	P
READING LAB DURRETT	A-	P WORKS HARD AND ATTEMPTS TO DO HIS/HER BEST
BI AM STUDIES RMORROW	F	D+
ELL-10 KKINNEY	A	A WORKS HARD AND ATTEMPTS TO DO HIS/HER BEST STUDENT DISPLAYS GOOD EFFORT SELF-DIRECTED LEARNER
SPANISH I-II MGAUTHIER	F	P MUY BIEN
		Normal
		Normal

→ Ms. Prouty's grade  
 REMOVED

Why?

Moreover, no - 1<sup>st</sup> semester  
 grade  
 (Prouty)

CP 46

EXHIBIT Bp.15

SIGNATURE

T1	
BI AM EXPRESS DURRETT	P COURTEOUS & WELL-MANNERED
MATH 10 SUHOVERSKI	P A PLEASURE TO HAVE IN CLASS
READING LAB DURRETT	A- AN ASSET TO THE CLASS
BI AM STUDIES RMORROW	F
ELL-10 KINNEY	A SHOWING PROGRESS IN MEETING CLASS OBJECTIVES EXCEPTIONAL EFFORT IN DIFFICULT SUBJECT
ELL READING Prouty	A
SPANISH I-II MGAUTHIER	F STUDY HABITS NEED IMPROVEMENT FREQUENTLY WITHOUT NECESSARY CLASS MATERIALS HOMEWORK NEEDS TO BE COMPLETED

\*

\*

CP47

SIGNATURE

EXHIBIT B p.15

Reference:  
noted: August 6, 2010 hearing

MAY 20 2011

KNT DEPARTMENT OF  
JUDICIAL ADMINISTRATION

The falsification of documents has taken place in Tahoma when the grades for the quarter and semester were removed from students' transcripts (Exhibit A page 1 - Hon ELL Reading grade, the class I taught).

The falsification has also taken place and has had a detrimental effects on ELL student when assessments linked to state tests were left in my mail box, marked "done" - giving a preference to a particular student over others as the secure tests cannot be put in a teachers' mailbox and done on other days to improve the grade and scores (the computer records and all ELL files are a part of the determination what parts of documents remain true as HR did not allow me to record the log of the documents I left in Tahoma when the meeting was set up for March 11, 2010 to do so and then rescheduled for March 15, 2010.

Due to the false statement of Dionne and Rorick Grant Wiens (Tahoma School District) under the title: Factual Background starting "beginning in 2005" regarding the contract for the 2005/2006 year when the ELL Program was taken by Teaching and Learning (supervisor: Judy Yasutake\*), falsification of records when ELL Program has been under the Teaching and Learning, withdrawing information, failing to identify ELL students, providing applicable placement tests, the motion without oral argument, if granted, may overlook the significant parts that not only have merit in the matter, but need to be prevented from occurring in the future.

I requested the open hearing within ten days, served papers (RCW 80.04.075) by certified mail (WAC 388-02-0050), and the service was completed within ten days (WAC 388-02-0060).

\* many people left Tahoma

As I request reemployment and when it is granted, the case No 10-2-12633-3 KNT grants my relief.

The Tahoma School District due to the fact that it had the sufficient information not to vote and did vote, bears the accountability for the action.

Due to the fact that Tahoma School Board chose to neglect and vote to non-renew the continuing contract, the safe and conducive working conditions must be established to prevent "routine" voting as Dionne and Rorick label Tahoma School Board actions.

"Routines" have consequences and such routines were not limited to voting. Tahoma School Board "routines" are costly. It is not the reason for the Motion to Strike.

Accountability is to set forth the future actions so it is Tahoma that will not strike more as it routinely did in the past (enclosed a letter dated May 24, 1994 – Tahoma School Board voting).

Allowing the Motion to Strike would intensify Tahoma School Board routines and that includes their appropriation of funds to defend some stakeholders, further engagement of lawyers versus leaders in the school system.

Sworn testimonies, in front of the judge will safeguard against the falsification and induce the accountability that is the key lacking that lead to the case No. 10-2-15425-6 KNT.

Pursuant to RCW 28A.405.320 I filed a Notice of Appeal for the case No 10-2-12633-3 KNT although nobody informed me that it was my right to do so.

Tahoma School District failed to respond to my requests pursuant to RCW 28 A.405.310, RCW 28A.405.210, RCW A.405.310 and all related statutes.

This 25<sup>th</sup> of May, 2010



EXHIBIT B p. 17

RECEIVED  
KING COUNTY WASHINGTON

MAY 24 2010

KING COUNTY DEPARTMENT OF  
JUDICIAL ADMINISTRATION

Continuation here is short:

First time  
given: the 2nd  
Notice of Appeal

Tahoma School District receives these documents with the Notice of Appeal to prepare the Action Plan (end of April 2010 to the end of August 2010 – 5 months) and involve new stakeholders to build it (the study what the Inclusion is as a start).

Please do not waste resources, precious time, and lives of students, and – staff.

This case is about the Boards looking beyond the entitlement and status quo.

Three years ago both WEA and Tahoma School District were going to bring outside help.

None of the parties wanted it as now none of the parties wanted an open hearing (neither school district nor WEA).

It did not happen and it is overdue.

Two years ago I filed three or four grievances. Three Rs continued (rumors, railroading, and ruthlessness).

---

This matter is beyond an opportunity for OPEN hearing and the contract.

According to 28A.405.300 in the event any such notice or opportunity for hearing is not timely given, or in the event cause for discharge or other adverse action is not established by a preponderance of the evidence at the hearing, such employee shall not be discharged or otherwise adversely affected in his or her contract status".

This matter is about serving students to prepare them for the 21<sup>st</sup> century.

The School District prefers to use lawyers than the free input it received after Dr. Stowitschek left while the students were demanding other Program and supplier from me.

All file records, all my input records given will give an enormous insight what needs to change so the students are ready for the 21<sup>st</sup> century.

RCW 28 A.405.240: the district failed to give a supplemental contract to me to meet the requirements Teaching and Learning set forth to accomplish. The district eradicated the class of two students in TSHS so they set time for weekly meetings that took the teaching time to satisfy the Teaching and HR goals so three evaluators come to do the paperwork.

That is why Tahoma School District is an excellent example what must be done to lead the students in that direction.

Tahoma will start with Inclusion, trainings since has non-existent staff development benefiting a few (not because of lack of resources).

EXHIBIT B p. 18

The place of teachers is in the class not courtrooms. But – with 3Rs administration, the students are the losers.

99, 99 % of unsatisfactory evaluations tolerated for two years – that is the counter intelligence and offensive to the 21<sup>st</sup> century education.

These behaviors affect students (and – staff).

Proutys—

This 26<sup>th</sup> day of April, 2010

12609 SE 212TH PL.

Kent, WA 98031

---

EXHIBIT B p 19

# Calendar for year 2010 (United States)

<p><b>January</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p> <p>7:☉ 15:☿ 23:♁ 30:♃</p>	<p><b>February</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28</p> <p>5:☉ 13:☿ 21:♁ 28:♃</p>	<p><b>March</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p> <p>7:☉ 15:☿ 23:♁ 29:♃</p>
<p><b>April</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p> <p>6:☉ 14:☿ 21:♁ 28:♃</p>	<p><b>May</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30 31</p> <p>6:☉ 13:☿ 20:♁ 27:♃</p>	<p><b>June</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30</p> <p>4:☉ 12:☿ 19:♁ 26:♃</p>
<p><b>July</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30 31</p> <p>4:☉ 11:☿ 18:♁ 25:♃</p>	<p><b>August</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p> <p>3:☉ 9:☿ 16:♁ 24:♃</p>	<p><b>September</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30</p> <p>1:☉ 8:☿ 15:♁ 23:♁ 30:♁</p>
<p><b>October</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p> <p>7:☉ 14:♁ 22:♁ 30:♁</p>	<p><b>November</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30</p> <p>6:☉ 13:♁ 21:♁ 28:♁</p>	<p><b>December</b></p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30 31</p> <p>5:☉ 13:♁ 21:♁ 27:♁</p>

## Holidays and Observances:

Jan 1 New Year's Day	Jun 20 Father's Day	Nov 11 Veterans Day
Jan 18 Martin Luther King Day	Jul 4 Independence Day	Nov 25 Thanksgiving Day
Feb 14 Valentine's Day	Jul 5 'Independence Day' observed	Dec 24 'Christmas Day' observed
Feb 15 Presidents' Day	Sep 6 Labor Day	Dec 24 Christmas Eve
Apr 4 Easter Sunday	Oct 11 Columbus Day (Most regions)	Dec 25 Christmas Day
May 9 Mother's Day	Oct 31 Halloween	Dec 31 'New Year's Day' observed
May 31 Memorial Day	Nov 2 Election Day	

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9/7/2010

CP537

EXHIBIT Cp. 1

March 2010

S	M	T	W	T	F	S
10 MAY 24 AM 11:48			3	4	5	6
7	KING COUNTY SUPERIOR COURT 8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

L Tahoma Board vote

called by Tahoma School Board and Dionne & Ronick "routine" vote

Routines - dangerous to innovations.

No more such "routines", voting routines when students, staff, my life is affected (are affected) must be stopped and reconsidered - new solutions.

*Prody*  
05/24/2010

## Calendar for April 2010 (United States)

April						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
			Grazyna Prouty ↳ filed request for 14 opens hearing AFTER the VOTE			
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

The "routine" of stating "did not grieve" district's action was established long ago (letter to a teacher dated May 24, 1994). Teachers are busy teaching and nobody tells them about Appeal, Wa state law, etc.

*Prouty*

CP 474, CP 199

EXHIBIT C p 3

## Calendar for May 2010 (United States)

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
			→	1	2	3
16	17	18	19	20	21	22
4	5	6	7	8	9	10
23	24	25	26	27	28	29
30	31	Hearing May 24, 2010 Tahoma School District motion without oral argument omits step # 3 - the moving party's reply to the opposition				

Holidays and Observances: 9: Mother's Day, 31: Memorial Day

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Court closed

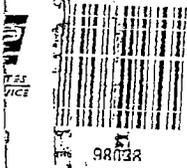
Had to file by May 21<sup>st</sup>, 2010

- Tahoma School District shortens time to respond - 9 days instead of 10
- Tahoma School District Board setting up the hearing date on May 24, 2010

CP 117

EXHIBIT C. 4

From: Emayna Prouty  
12609 SE 212<sup>TH</sup> Place  
Kent, WA 98031



7009 1410 0000 4240 7380

U.S. POSTAGE  
PAID  
KENT, WA  
98031  
MAR 15, 2010  
AMOUNT  
**\$5.10**  
00035327-44

MAR 16 2010  
11:42 am  
Shaw

RETURN RECEIPT  
REQUESTED

To:  
Mr. Mike Maryanski, the Superintendent  
Tahoma School District  
25720 Maple Valley-Black Diamond Rd. SE  
Maple Valley, WA 98038



98038038

Where  
is  
the  
Correspon-  
dence to  
Didem  
Pierson?  
Prouty



Central Services Center

25720 Maple Valley-Black Diamond Road S.E. • Maple Valley, WA 98038 • 425.413.3400 • Fax 425.413.3455  
Web address: www.tahoma.wednet.edu

March 30, 2010

Ms. Gazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031

Dear Ms. Prouty:

This is to inform you that at the regular meeting of the Tahoma School Board of Directors on March 30, 2010 the Board voted to not renew your employment contract with the Tahoma School District for the ensuing school year, as I had recommended and informed you in my letter to you on March 5, 2010.

Secondly, in my role as Secretary to the Board of Directors I'm responding to your two letters to Didem Pierson, President, dated March 25, 2010 on her behalf:

- With respect to your request for a hearing with the Board of Directors, please refer to my letter to you dated March 11, 2010. In writing this letter I was responding to your request on behalf of the Board of Directors.
- With respect to your second letter to Ms. Pierson relating to your due process rights under RCW 28A.405.210 and related statutes please refer to my letter to you dated March 16, 2010.

The correspondence which I reference above represents the response to your requests from myself and from the Tahoma school Board of Directors.

Respectfully,

  
\_\_\_\_\_  
Michael K. Maryanski, Superintendent

Cc: Didem Pierson, President  
Tahoma Board of Directors

EXHIBIT C p. 6

MAR 10 2010

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
[GPPremier@msn.com](mailto:GPPremier@msn.com)

Phone: 425.413.0421

March 10, 2010

Ms. Didem Pierson, President  
Tahoma School Board  
25720 Maple Valley-Black Diamond Rd SE

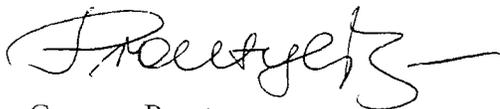
Re.: Request for the hearing by the Tahoma School District Board

Dear Ms. Pierson,

I would like to request the hearing by the Tahoma School Board as soon as possible as the Tahoma School District made the decision to non-renew my continuing contract based on the input of the supervisors who evaluated me for two years and each area was marked unsatisfactory.

On June 4, 2009 Bruce Zahradnik stated that he was going nowhere with the supervisors.

Sincerely,



Grazyna Prouty  
ELL Teacher  
Tahoma School District

P.S. Neither Tahoma School District nor TEA/WEA informed me that I had a right to be heard by the School Board. I ask to be heard and please inform me what the timeline of that is. I appreciate it.

Please confirm via e-mail (above) you received the letter. Thanks.

CP 478<sup>GP</sup> 556

EXHIBIT C p. 7

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
[GPPremier@msn.com](mailto:GPPremier@msn.com)

Phone: 425.413.0421

March 15, 2010

Ms. Didem Pierson, President  
Tahoma School Board  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

Re.: The Renewal of Continuing Contract – Grazyna Prouty

Dear Ms. Pierson:

I am looking forward to the Tahoma School District renewing the Continuing Contract as soon as possible. Thank you.

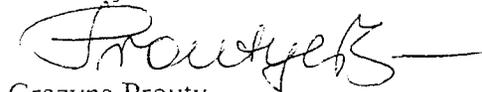
I have been on Continuing Contract and for the last five years. The 60 days probationary period should have not been instituted.

Rhonda Ham and Tony Davis have not had basic ELL (English Language Learners knowledge). Neither did Nancy Skirritt (she at least admitted) and when Nancy Skirritt was my supervisor, she did not evaluate me due to these circumstances (two years).

I am looking forward to receiving the Continuing Contract for 2010/2011 year as soon as possible.

Thank you.

Sincerely,



Grazyna Prouty  
ELL teacher  
Tahoma School District

EXHIBIT C p. 8

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
[GPPremier@msn.com](mailto:GPPremier@msn.com)

Phone: 425.413.0421

March 15, 2010

Mr. Mike Maryanski, the Secretary to the School Board  
Tahoma School Board  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

Re.: Continuing Contract – Grazyna Prouty

Dear Mr. Maryanski,

This letter is given on March 15, 2010 to Bruce Zahradnik in TSHS as you share it with Bruce Zahradnik and the School District Board of Directors that I am ELL teacher on Continuing Contract (not Provisional).

Bruce Zahradnik supervised the process (imposed probation) when T. Davis and R. Ham requested it while they pilot their ideas for the English Language Learners in Tahoma School District.

I ask I return to work and serve the students as soon as possible. Thank you.

Respectfully,



Grazyna Prouty  
ELL teacher

EXHIBIT C p. 9

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
GPPremier@msn.com

Phone: 425.413.0421

March 15, 2010

Ms. Didem Pierson, President  
Tahoma School Board  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

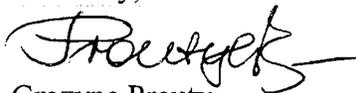
Re.: The Request for Hearing after receiving the notice of Probable Cause (Mike Maryanski's letter)

Dear Ms. Pierson:

I was instructed that pursuant to RCW 28 A.405.210 and related statutes to inform you (10 days) that I am requesting an open hearing, as my right, over the Tahoma School District's decision – a notice of probable cause to nonrenew my contract.

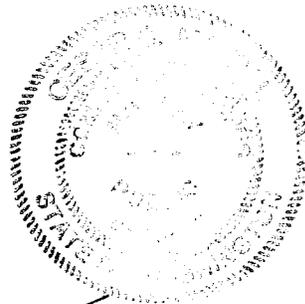
However, since I am on Continuing Contract and T. Davis and R. Ham requested the probation while they pilot their ideas for the English Language Learners in Tahoma School District. The "process" needed to be stopped - I ask I return to work as soon as possible and serve the students. Thank you.

Sincerely,



Grazyna Prouty  
ELL teacher  
Tahoma School District

Sent: March 15, 2010



3/29/10

CP 192  
CP 460  
CP 479

EXHIBIT C p. 10

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
GPPremier@msn.com

MAR 25 2010

alh

Phone: 425.413.0421

March 25, 2010

Ms. Didem Pierson, Tahoma School Board President  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

Re.: No response of the Tahoma School Board President: Didem Pierson concerning  
RCW 28 A.405.210 and related statues – Grazyna Prouty's certified letter of  
March 15, 2010 (Request for OPEN HEARING).

Dear Ms. Pierson:

I regret that I have to send you again this letter to confirm that you did not respond to the request sent to you on March 15, 2010 (certified U.S. mail letter) for open hearing pursuant to RCW 28 A.405.210 and related statues where I stated: "I inform you (10 days) that I am requesting an open hearing, as it is my right to do so".

Respectfully,

Grazyna Prouty



ELL teacher

P.S. How we behave: morally – or not (and what it means) – is "In Our Hands".

I hope it helps. I ask you inform the Tahoma School Board and me of an OPEN Hearing as soon as possible.

Did the Tahoma School Board consider the following:

"I do because I can" – entitlement.

- deliberate choice (and free) to do so – what is wrong (and – destroy versus build people)
  1. It is serious
  2. Done with sufficient knowledge of its gravity/burden
  3. Done with freedom and will

Moreover, on March 15, 2010 (certified letter) I stated: I am on Continuing Contract and T. Davis and R. Ham requested the probation while they pilot their ideas for the English Language Learners in Tahoma School District, the "process" needed to be stopped. Did you stop it? Did the Tahoma School District Board stop it?

GP

EXHIBIT C p 11

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
GPPremier@msn.com

MAR 25 2010

*alb*

Phone: 425.413.0421

March 25, 2010

Ms. Didem Pierson, Tahoma School Board President  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

Re.: No response of the Tahoma School Board President: Didem Pierson concerning the correspondence for the Tahoma School Board – TSD date stamp March 15, 2010 the letters for the Board.

Accountability (it is a must for all of us).

Dear Ms. Pierson:

This letter is to confirm that you did not respond to the letters (date stamp – TSD) and it is my request for your prompt action as well as informing the Tahoma School Board about all the correspondence you received from me as the Board President. Thank you.

It concerns the accountability of all and it could lead to the removal of the two Assistant Superintendents.

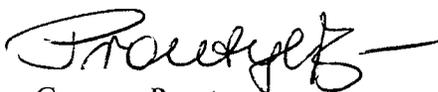
Moreover, you and the Tahoma School District Board did not allow me to present:

- Vision
- Continuous Improvement
- Assessment
- Climate
- Collaborative partnership
- Accountability

I ask you to write to me promptly of the actions taken.

Moreover, I am looking forward to keep me posted what Tahoma School Board will do.

Sincerely,



Grazyna Prouty  
ELL Teacher  
Tahoma School District

EXHIBIT C p. 12

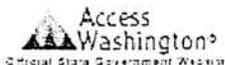


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- ★ TVW
- ★ Washington Courts
- ★ OFM Fiscal Note Website



RCWs > Title 65 > Chapter 65.04 > Section 65.04.015

Beginning of Chapter << 65.04.015 >> 65.04.020

### RCW 65.04.015 Definitions.

The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Recording officer" means the county auditor, or in charter counties the county official charged with the responsibility for recording instruments in the county records.

(2) "File," "filed," or "filing" means the act of delivering or transmitting electronically an instrument to the auditor or recording officer for recording into the official public records.

(3) "Record," "recorded," or "recording" means the process, such as electronic, mechanical, optical, magnetic, or microfilm storage used by the auditor or recording officer after filing to incorporate the instrument into the public records.

(4) "Recording number" means a unique number that identifies the storage location (book or volume and page, reel and frame, instrument number, auditor or recording officer file number, receiving number, electronic retrieval code, or other specific place) of each instrument in the public records accessible in the same recording office where the instrument containing the reference to the location is found.

(5) "Grantor/grantee" for recording purposes means the names of the parties involved in the transaction used to create the recording index. There will always be at least one grantor and one grantee for any document. In some cases, the grantor and the grantee will be the same individual(s), or one of the parties may be the public.

(6) "Legible and capable of being imaged" means all text, seals, drawings, signatures, or other content within the document must be legible and capable of producing a readable image, regardless of what process is used for recording.

[1999 c 233 § 10; 1993 c 27 § 3; 1996 c 229 § 1; 1991 c 26 § 3.]

#### Notes:

Effective date -- 1999 c 233: See note following RCW 4.28.320.

*Grazyna Prouty*  
 GRAZYNA PROUTY

*filing*

EXHIBIT D p. 1

**fil·ar·i·id** (fi lăr'ē id), *adj.* 1. of or pertaining to filariae. —*n.* 2. a filaria. [1925-30; FILARI(A) + -ID<sup>2</sup>]

**fil·asse** (fi las'), *n.* any of various vegetable fibers, other than cotton, processed for manufacture into yarn. [1855-60; < F; OF *filace* < VL \**filācea*, equiv. to L *fil(um)* thread + -acea, fem. of -aceus; see -ACEOUS]

**fil·ate** (fi'lät), *adj.* Zool. threadlike. [1820-30; < L *fil(um)* a thread + -ATE<sup>1</sup>]

**fil·a·ture** (fil'ə chər, -chōr'), *n.* 1. the act of forming into threads. 2. a reel for drawing off silk from cocoons. 3. the reeling of silk from cocoons. 4. an establishment for reeling silk. [1750-60; < F < ML *filātūra* the spinning art, equiv. to *filāt(us)* spun (ptp. of *filāre*; see FILA-MENT) + -ūra -URE]

**fil·bert** (fil'bɜrt), *n.* 1. the thick-shelled, edible nut of certain cultivated varieties of hazel, esp. of *Corylus avellana*, of Europe. 2. a tree or shrub bearing such nuts. [1250-1300; ME, short for *filbert nut*, so called because ripe by Aug. 22 (St. Philbert's day)]

**filch** (filch), *v.t.* to steal (esp. something of small value); pilfer: to *filch* ashtrays from fancy restaurants. [1250-1300; ME *filchen* to attack (in a body), take as booty, OE *fylician* to marshal (troops), draw (soldiers) up in battle array, deriv. of *gefylce* band of men; akin to *FOLK*] —**filch'er**, *n.* —**filch'ing-ly**, *adv.*

—**Syn.** purloin, take, swipe, lift, snaffle, pinch.

**Filch'ner Ice Shelf** (filk'nər, filkh'-), an ice barrier in Antarctica, in the SE Weddell Sea, bordered on the W by Berkner Island.

**file**<sup>1</sup> (fil), *n., v., filed, fil-ing.* —*n.* 1. a folder, cabinet, or other container in which papers, letters, etc., are arranged in convenient order for storage or reference. 2. a collection of papers, records, etc., arranged in convenient order: to *make a file for a new account*. 3. **Computers.** a collection of related data or program records stored on some input/output or auxiliary storage medium: *This program's main purpose is to update the customer master file.* 4. a line of persons or things arranged one behind another (distinguished from *rank*). 5. **Mil.** a. a person in front of or behind another in a military formation. b. one step on a promotion list. 6. one of the vertical lines of squares on a chessboard. 7. a list or roll. 8. a string or wire on which papers are strung for preservation and reference. 9. **on file**, arranged in order for convenient reference; in a file: *The names are on file in the office.* —*v.t.* 10. to place in a file. 11. to arrange (papers, records, etc.) in convenient order for storage or reference. 12. **Journalism.** a. to arrange (copy) in the proper order for transmittal by wire. b. to transmit (copy), as by wire or telephone: *He filed copy from Madrid all through the war.* —*v.i.* 13. to march in a file or line, one after another, as soldiers: *The parade filed past endlessly.* 14. to make application: to *file for a civil-service job.* [1425-75; late ME *filen* < MF *filer* to string documents on a thread or wire, OF: to wind or spin thread < LL *filāre*, *v.* deriv. of L *filum* thread, string] —**file'a-ble**, *adj.* —**fil'er**, *n.* —**Syn.** 11. classify, label, catalog, index, list, categorize.

**file**<sup>2</sup> (fil), *n., v., filed, fil-ing.* —*n.* 1. a long, narrow tool of steel or other metal having a series of ridges or points on its surfaces for reducing or smoothing surfaces of metal, wood, etc. 2. a small, similar tool for trimming and cleaning fingernails; nail file. 3. **Brit. Slang.** a cunning, shrewd, or artful person. —*v.t.* 4. to reduce, smooth, or remove with or as if with a file. [bef. 900; ME: OE *fil*, *fēol*; c. G *Feile*; akin to Gk *phrōs* sharp] —**file'a-ble**, *adj.* —**fil'er**, *n.*

**file**<sup>3</sup> (fil), *v.t., filed, fil-ing.* Archaic. to defile; corrupt. [bef. 1000; ME; OE *fylan* to befoul, defile, deriv. of *fūl* foul]

**fil·lé** (fi lă', fē'lă), *n.* **New Orleans Cookery.** a powder made from the ground leaves of the sassafras tree, used as a thickener and to impart a pungent taste to soups, gumbos, and other dishes. Also called **filé' powder**. [1800-10, *Amer.*; < LaF; lit., twisted, ropy, stringy (perh. orig. applied to dishes thickened with the powder), ptp. of F *filer*; see FILE<sup>1</sup>]

**file' band'**, an endless steel band to which straight lengths of steel files are attached, used on a band mill or band saw.

**file' card'**, a card of a size suitable for filing, typically 3 × 5 in. (7.62 × 12.7 cm) or 4 × 6 in. (10.16 × 15.24 cm). [1965-70]

**file' clerk'**, an office employee whose principal work is to file and retrieve papers, records, etc. [1915-20]

**file·fish** (fil'fish'), *n., pl. (esp. collectively) -fish, (esp. referring to two or more kinds or species) -fish-es.* 1. any of several flattened marine fishes of the family Monacanthidae, having an elongated head with a small mouth and small, spiny scales. 2. a triggerfish. [1765-75; FILE<sup>2</sup> + FISH]

**file' fol'der**, a thin cardboard folder of a size to be stored in the drawer of a file cabinet and for containing correspondence and other files.

the relation of a child to a parent. 3. **Genetics.** pertaining to the sequence of generations following the parental generation, each generation being designated by an *F* followed by a subscript number indicating its place in the sequence. [1350-1400; ME < LL *filialis*, equiv. to L *fil(ius)* son + -ālis -al<sup>1</sup>] —**fil'i-al-ly**, *adv.* —**fil'i-al-ness**, *n.*

**fil·i·ate** (fil'ē āt'), *v.t., -at-ed, -at-ing.* **Law.** to determine judicially the paternity of, as a child born out of wedlock. Cf. **affiliate** (def. 5). [1785-95; < ML *filiiatus* like the father (said of a son), equiv. to L *fil(ius)* son + -ātus -ATE<sup>1</sup>]

**fil·i·a·tion** (fil'ē ā'shən), *n.* 1. the fact of being the child of a certain parent. 2. descent as if from a parent; derivation. 3. **Law.** the judicial determination of the paternity of a child, esp. of one born out of wedlock. 4. the relation of one thing to another from which it is derived. 5. the act of filiating. 6. the state of being filiated. 7. an affiliated branch, as of a society. [1425-75; late ME *filiacon* < ML *filiacon* - (s. of *filiaō*). See FILIATE, -ION]

**fil·i·beg** (fil'ə beg'), *n.* the kilt or pleated skirt worn by Scottish Highlanders. Also, **philibeg**. [1740-50; < ScotGael, equiv. to *feile* kilt + *beag* little]

**fil·i·bus·ter** (fil'ə bus'tər), *n.* 1. **U.S. Politics.** a. the use of irregular or obstructive tactics by a member of a legislative assembly to prevent the adoption of a measure generally favored or to force a decision against the will of the majority. b. an exceptionally long speech, as one lasting for a day or days, or a series of such speeches to accomplish this purpose. c. a member of a legislature who makes such a speech. 2. an irregular military adventurer, esp. one who engages in an unauthorized military expedition into a foreign country to foment or support a revolution. —*v.i.* 3. **U.S. Politics.** to impede legislation by irregular or obstructive tactics, esp. by making long speeches. 4. to act as an irregular military adventurer, esp. for revolutionary purposes. —*v.t.* 5. **U.S. Politics.** to impede (legislation) by irregular or obstructive tactics, esp. by making long speeches. [1580-90; < Sp *filibustero* < MF *filibustier*, var. of *frībustier*; see FREEBOOTER] —**fil'i-bus'ter-er**, *n.* —**fil'i-bus'ter-ism**, *n.* —**fil'i-bus'ter-ous**, *adj.*



# Administrative Agency Record - pending. Important to file Tahoma School District

BOARD OF DIRECTORS

Alana J. McIalwain

Connie E. Methven

Johanna P. Nagel

Jennifer C. Rydberg

Joë Vresburg

until this year "the Board, President"

25720 Maple Valley-Black Diamond Rd. S.E. · Maple Valley, WA 98038 · (206) 432-4481 FAX (206) 432-5792

Routine Voting  
must stop in  
Tahoma.

May 24, 1994

The "process"  
Tahoma  
undertakes  
is evident

Randy Hammack  
27400 132nd S.E. #C-206  
Kent, WA 98042

Dear Randy:

VOTING: in this letter:  
1) probable cause 2) non-renewal 3) termination

This letter is to inform you of my determination that there exists probable cause for your discharge as a certificated employee of the district. The bases for my determination are as follows:

1. You are involved in an intimate relationship outside of school with a female student of the district. The district considers the fostering and maintenance of this relationship inappropriate and unprofessional conduct.
2. Your fostering and maintenance of this relationship is also in direct violation of the terms of the reprimand and warning given you on April 5 at the conclusion of the district's prior investigation of your involvement with this female student. At that time, you were reprimanded both for your involvement with this female student and for having lied to the district in connection with its investigation of that involvement. You were directed to have no further contact with the student on pain of termination. You did not grieve this disciplinary action in any way. While admitting you lied about your contacts with this student, at the time you persisted in the claim that you had engaged in no inappropriate conduct toward her. In light of what I now know about the relationship, I am strongly skeptical that this claim by you was ever true.

These grounds, both individually and collectively, constitute probable cause for discharge. They reflect unprofessional conduct and insubordination. They undermine my trust and confidence in you.

Tahoma has experience writing that teachers did not appeal (or did not request the hearing).

Vocabulary

Ham, Davis used mere as in this letter

'lied', 'confused', 'accused' I asked these supervisors to eliminate these words as they did not apply.

CP205  
CP485

EXHIBIT - panel

Fransys

Randy Hammack  
May 24, 1994  
Page 2

Under RCW 28A.405.300 you have ten days from the date of receipt of this notice  
in which you may request a hearing to determine whether or not there is/are sufficient  
cause or causes for your discharge.

Sincerely,

*Michael K. Maryanski*

Michael K. Maryanski  
Superintendent

MR:MKM:bh

*Prouty*

Submitted by G. Prouty

CP 206  
CP 486

EXHIBIT Page 2



# Summary Judgment

cannot determine

- identification vs non-identification of ELL vs Sp. Ed. Files, records needed.

## Problems

### Question:

- Keystone Program, etc.
- SLOP (Sheltered Instruction Observation Protocol)

Changes – or the “status quo” continues?

- Opportunity gap widens for low-performing students
- Growth of ELL students – 63.3 %

not only non-existent training, Improvement Plan and probation - not applicable.

Problems -

EXHIBIT F

CP 011

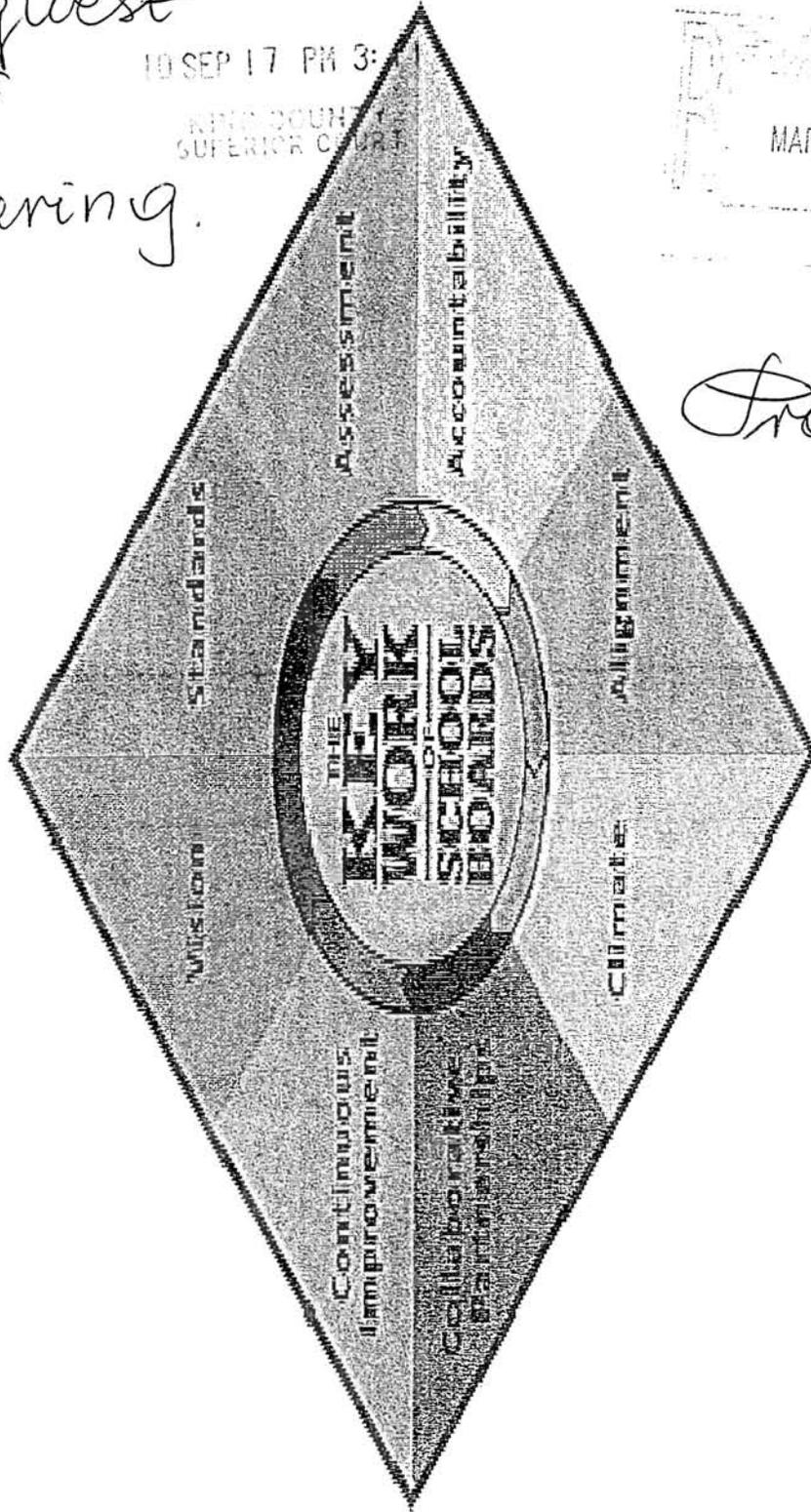
# Communication with All Stakeholders

Request  
of  
hearing.

10 SEP 17 PM 3:

CLERK OF  
SUPERIOR COURT

MAR 15 2010



*Trout*

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
[GPPremier@msn.com](mailto:GPPremier@msn.com)

Phone: 425.413.0421

March 15, 2010

Ms. Didem Pierson, President  
Tahoma School Board  
25720 Maple Valley-Black Diamond Rd SE

Re.: Request for the hearing by the Tahoma School District Board

Dear Ms. Pierson:

I am requesting the hearing by the Tahoma School Board concerning the following:

(I will talk about):

- Vision
- Continuous Improvement
- Assessment
- Climate
- Collaborative partnership
- Accountability

I am looking forward to hearing from you.

Sincerely,

Grazyna Prouty  
ELL Teacher  
Tahoma School District



EXHIBIT G p.2

Grazyna Prouty  
12609 SE 212<sup>th</sup> Place  
Kent, WA 98031  
GPPremier@msn.com

Phone: 425.413.0421

March 15, 2010

Mr. Mike Maryanski, the Secretary to the School Board  
Tahoma School Board  
25720 Maple Valley-Black Diamond Rd SE  
Maple Valley, WA 98038

Re.: Request for the hearing by the Tahoma School District Board. In regards to the letter received: I will not talk about (stated below).

Dear Mr. Maryanski:

Since I have received your response to my request of March 10, 2010 I am sending another request on March 15, 2010. I kindly inform you that my plan is not to talk about the contract (I am on Continuing contract. The contract IS NOT provisional) and not to talk about the below items.

However, I ask the Board of Directors to read all the information I submitted to the district within the last four years when HR and Teaching and Learning supervised ELL. It is urgent.

I knew that the Board was not ready in 2009 to hear me and it is the best time to pave a way in regards to the statements that one "has to be persistent as the status quo does not want to change". (January 4, 2010). It does not.

It must change and it will as the student I taught said to me in TJS: "You have not done anything" (in regards to the information I left in summer 2009).

The student is correct in a sense I did not talk to the Board, then.

I am not waiting – till summer. The time is now.

I also enclose the TSHS bulletin – so the support I have has always been there in Tahoma.

"A successful person is one who went ahead and did the thing the rest of us never quite got around to".



EXHIBIT H p.1

, G.

If Tahoma wants to change status quo, it has not been proactive to hold all accountable.

I will NOT talk about that:

I have witnessed the despair (security officer who never has been the same since talked to the Board, about the teacher(s) who taught the students about Holocaust and kindness but ran from the class to the supervisor as was under tremendous pressure, or a teacher who comes to class and says to the students: "I am under such stress that I can hardly breathe, or an intern - Dean of students sharing: "Grazyna, it is hard to be yourself in Tahoma" (I will NOT talk about that).

When I asked the students what they learned from that theme, the unified answer was that it did not relate to them because they were not Jewish and Holocaust happened to mainly to Jewish people (I will NOT talk about that)

- I will not talk that it is time to hold the two Assistant Superintendents accountable as they had the influence on "the direction" – ELL. And - if Lesson 10 was incorporated (or Lesson 5) and Tahoma staff bought into Habits of Mind and Thinking Skills, I would not write to you.

Please relate these Thinking Skills and Habits of Mind – and the Lesson 10 to the behaviors the two Superintendents exhibited for four years.

**However, I ask the Tahoma School District Board to start to read all the information that I gave the district concerning ELL after the ELL was under Teaching and Learning (four years).**

**It is urgent and long overdue. We are all accountable.**

Will the Board recognize mobbing has been a part of the process and when you look what have been collected as I mentioned in the first e-mails to you, you will be able to know the vision.

- I will not talk that it is not about contract renewal but the conditions that are overdue to change, the conditions of respect cultural competence that are not present (and the Board needs to be a part of a new beginning as denial cannot continue).
- I will not talk to you that Mr. Maryanski asked me not to lead as only a few could talk to the Board that started after the ELL Program was taken by Teaching and Learning
- I will not talk about the fact that if Mike Maryanski had a heart attack, Tahoma is endangered because of the status quo (and as Mike Maryanski mentioned when talking about levy on January 4, 2010 "status quo does not want to change". Therefore, how many do want the change? Is the Board finally ready?

Students lose because we cannot afford as society to let the students witness and be involved in the processes I witnessed with them.

- I will not talk about the teachers' decision making matrix and that I was elected (consensus) as Mike Maryanski was present in TJS during the Inservices as a

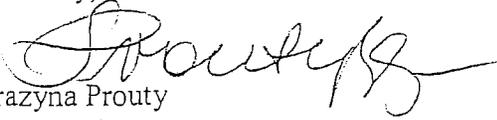
EXHIBIT H p. 2



representative of ELL as a separate department and received the payment only once. Why? Who stopped it? (ELL as a part of Elective group – consensus).

- there are a lot of things I will NOT talk about – but, I ask the Board: please start holding the Assistant Superintendents accountable first as some jobs are outsourced by technology and instigating incidents over the years versus collaborative work have been the “job” invented.
- It is urgent and – you can be the change. Thank you.

Sincerely,



Grazyna Prouty  
ELL Teacher  
Tahoma School District



EXHIBIT Hp. 3-3-16

----- Original Message -----

From:

To: [GPPremier@msn.com](mailto:GPPremier@msn.com)

Sent: Friday, March 12, 2010 5:32 AM

Subject: Re: Irena Sedler and - more

Hello Grazyna ,

thanks for the advice. I searched for the book and think it is " In my hands" by Irene Gut

Opdyke [http://www.amazon.de/gp/product/0385720327/ref=ox\\_va\\_oh\\_product](http://www.amazon.de/gp/product/0385720327/ref=ox_va_oh_product).

All the best from cold Germany

Thomas

Friendship and mutual understanding of people can transform distances, cultures, historical events.

However, so far  
• stakeholders involved lack it.

GP

3/12/2010

EXHIBITH p.4

Hallo! [Melden Sie sich an](#), um persönliche Empfehlungen zu erhalten. Neukunde? [Bitte hier starten](#).

Alle rund ums Osterfest

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### In My Hands: Memories of a Holocaust Rescuer (Taschenbuch)

von [Irene Gut Opdyke](#) (Autor), [Jennifer Armstrong](#) (Autor) "There was a bird flushed up from the wheat fields, disappearing in a blur of wings against the sun, and then a gunshot and it..." [\(mehr\)](#)

(24 Kundenrezensionen)

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#### Produktinformation

Taschenbuch: 288 Seiten

Verlag: Anchor; Auflage: Reprint (17. April 2001)

Sprache: Englisch

ISBN-10: 0385720327

ISBN-13: 978-0385720328

Größe und/oder Gewicht: 20,3 x 15,5 x 1,5 cm

Durchschnittliche Kundenbewertung: (24 Kundenrezensionen)

Amazon.de Verkaufsrang: Nr. 23.410 in Englische Bücher (Die [Bestseller Englische Bücher](#))

Beliebt in diesen Kategorien:

Nr. 28 in [Englische Bücher](#) > [History](#) > [World](#) > [Jewish](#)

Nr. 99 in [Englische Bücher](#) > [Biographies & Memoirs](#) > [Historical](#)

Möchten Sie die [Produktinformationen aktualisieren](#) oder [Feedback zu den Produktabbildungen geben](#)?

#### Produktbeschreibungen

Amazon.co.uk

Age range: 11 and over

[Irene Gut Opdyke](#) was just 17 when the Nazis invaded her native Poland. From that moment she was wrenched away from her family and forced --literally--to run for her life. Eventually, while bearing witness to and falling victim to the brutality of war, she was forced to work as housekeeper to a Nazi officer. It was there that she took her life in her hands and committed the most audacious of acts in the name of humanity: she hid 12 Jewish people in the basement of her Nazi employer's house.

In *In My Hands* Irene recounts her extraordinary history, leaving no stone unturned as she takes the reader through time from the moment of Nazi invasion to her eventual departure for America. But the most remarkable thing about this book is the matter-of-fact tone in which it is written, which somehow allows readers to observe the events of Irene's life without forcing them to wallow in any kind of sentimentality. And although there is no doubt as to how Irene thought, felt and reacted, readers are required only to observe and draw their own conclusions.

This is by no means an easy read: the effects of war on the lives of ordinary people are surfaced to the point where it is impossible to not feel pain, and although it is ultimately a story of hope and inspiration, the spoils of the human condition are laid bare in a no-holds-barred manner that sometimes takes the breath away.

[Jennifer Armstrong](#), who interpreted Irene's story to form the narrative of *In My Hands* says: "I was afraid to write this book, to put my self into her past." Irene's past is indeed frightening, and being forced to confront evil in this way is certainly uncomfortable. But if nothing else, it serves as a reminder that there are some things we should never, ever forget. --Susan Harrison -- Dieser Text bezieht sich auf eine andere Ausgabe: [Taschenbuch](#).

Amazon.com

When World War II began, Irene Gutowna was a 17-year-old Polish nursing student. Six years later, she writes in this inspiring memoir, "I felt a million years old." In the intervening time she was separated from her family, raped by Russian soldiers, and forced to work in a hotel serving German officers. Sickened by the suffering inflicted on the local Jews, Irene began leaving food under the walls of the ghetto. Soon she was scheming to protect the Jewish workers she supervised at the hotel, and then hiding them in the lavish villa where she served as housekeeper to a German major. When he discovered them in the house, Gutowna became his mistress to protect her friends--later escaping him to join the Polish partisans during the Germans' retreat. The author presents her

EXHIBIT H p.5 (AP)

TSHS

#123

The "Program"  
developed was  
packed in  
room #123 as HR and  
Teaching and Learning  
took over ELL



EXHIBIT I p.1

This was not included in  
trainings with the other  
together book I  
mentioned.



# Classroom Instruction *that works* with English Language Learners Participant's Workbook

LC  
372  
.H

In any case, it WAS  
NOT STOP Sheltered  
ELL

EXHIBIT  
p.2

Jane D. Hill and Cynthia L. Björk



EXHIBIT I p.3

March 31, 2010

This is the "Program" Tahoma chose to teach ELL (wanted to pilot it). • no placement test given

Tahoma stated (ELL Director) that they are "expensive" and - other components missing as well

R. Ham T.  
Rowls  
- who  
did not  
I do?  
EXAMPLE

Date	Grade for Monitored Class	Strategies used to build success for student in monitored class
0/00/00	C	Developed a vocabulary list to be used as a reference for math terms to help student understand concepts being discussed in class
		All completed by me logs on file in Tahoma.
		Without cultural competence and students' needs - misunderstood.
		3 forms (this is an example) given by supervisors as they wanted to learn about ELL.

EXHIBIT I p.4

"I got a book and they asked me to teach teachers" — Thom Rohn

SIOP® Lesson Plan Template 3



<b>Topic:</b> Timelines		<b>Class:</b>	<b>Date:</b>
<b>Content Objectives:</b> Student will be able to .....		<b>Language Objectives:</b> Student will be able to.....	
by.....		by..... who stated "the boss and Carol Banks said"	
<b>Key Vocabulary:</b>	<b>Materials (including supplementary and adapted):</b>		
	my "coach" (?!) <span style="float: right;">not to share with you</span>		
<b>Higher Order Questions:</b>			
<b>Time:</b>	<b>Activities</b>		
	<p><b>Building Background</b></p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> </ol> <p style="text-align: center;"> <span style="border: 1px solid black; border-radius: 50%; padding: 5px;">ONLY</span> This input when/after Mary Pachek came.         </p> <p><b>Links to Experience:</b></p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3. In addition to</li> </ol> <p><b>Links to Learning:</b> two supervisors</p> <p><b>Key Vocabulary:</b> Who wanted to learn about</p> <ol style="list-style-type: none"> <li>1. ELL, Tahoma employee</li> <li>2. outside observer - former HR who confirmed that ELL knowledge - is for</li> </ol>		

ELL Teacher



student info

Date 02/25/2010  
(Answer ID # 0465124)

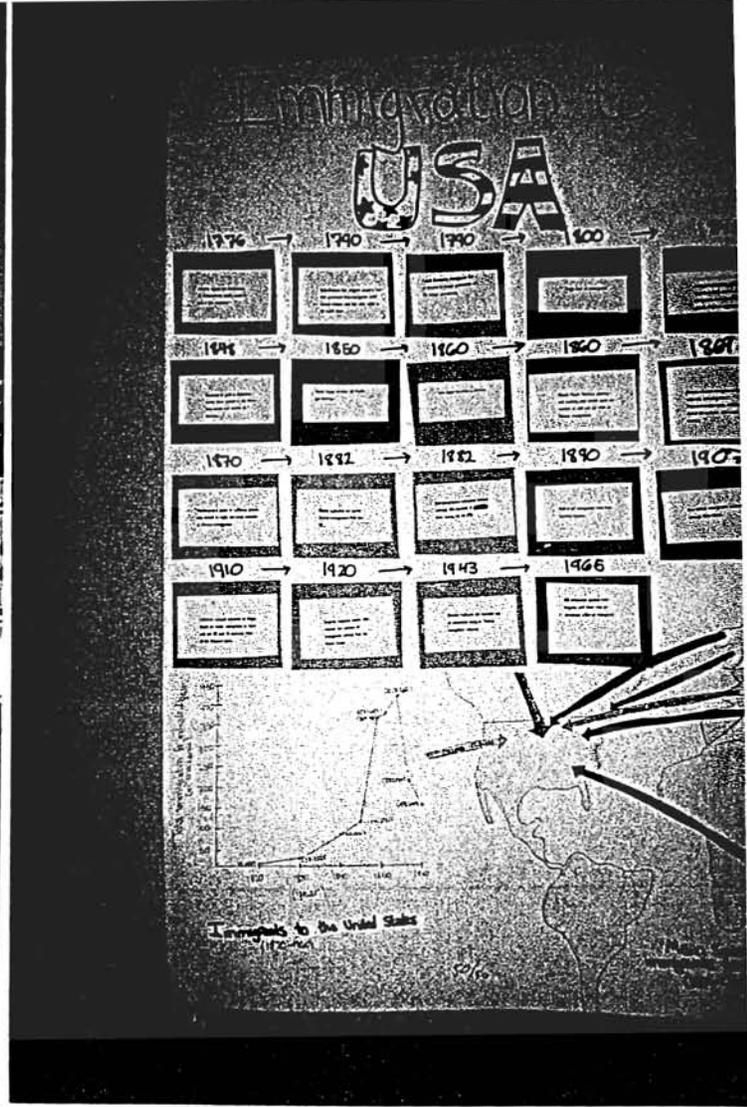
## Using their, theirs, they, and there's

Circle the word that best completes each sentence.

- |  |
|--|
| 1. The experienced campers used twine to hold down <u>(their)</u> theirs, they, there's) tent.   |
| 2. Some fourth graders revert to <u>(their)</u> theirs, they, there's) kindergarten behavior.  |
| 3. <u>(Their, Theirs, They, There's)</u> a very old oak tree in the park.  |
| 4. Mrs. Smith does not like her students to approach her with a question until <u>(their, theirs, they, there's)</u> have first tried to figure out the answer on their own. |
| 5. Our favorite hobby is woodcraft, but <u>(their, theirs, they, there's)</u> is rock climbing.  |
| 6. Cherokees refused to cede <u>(their, theirs, they, there's)</u> right to govern themselves.   |
| 7. Mike jabbed Mark in the chest and <u>(their, theirs, they, there's)</u> almost got into a fight.  |
| 8. Paul and Ronnie whispered in the library so <u>(their, theirs, they, there's)</u> would not disturb others.   |
| 9. <u>(Their, Theirs, They, There's)</u> was the last apartment to be sprayed for bugs.  |
| 10. The people signed the mortgage on <u>(their, theirs, they, there's)</u> new house.   |
| 11. <u>(Their)</u> Theirs, They, There's) a mirror in the bathroom.  |
| 12. It was awful to see how sad the class was after <u>(their, theirs, they, there's)</u> were told that their teacher was sick.   |
| 13. Though penguins can sometimes be graceful, that walk of <u>(their, theirs, they, there's)</u> is not.  |
| 14. <u>(Their, Theirs, They, There's)</u> a beautiful blue dish in the shop.   |
| 15. If <u>(their, theirs, they, there's)</u> a monopoly, there is only one seller for the commodity.   |
| 16. Mrs. Smith does not like her students to approach her with a question until they have first tried to figure out the answer on <u>(their, theirs, they, there's)</u> own. |
| 17. <u>(Their, Theirs, They, There's)</u> was the largest house on the block.  |
| 18. <u>(Their, Theirs, They, There's)</u> a small rip in her skirt.  |
| 19. If Danny and Will dig that hole any deeper, <u>(their, theirs, they, there's)</u> may find water.  |
| 20. With a family as fun as <u>(their, theirs, they, there's)</u> , it must be nice to be at home every day.   |

The student works in  
Ms. Siren's class supported  
by me.

\* Other work in Sp. Ed. class  
available upon request.



March 31, 2010

Timelines  
 connect  
 to student  
 learning in other

I have originals of students' work and — connections why teaching timelines is important.  
 EXHIBIT I p. 7

to the names below; <sup>↑ This list is not limited</sup>

The witnesses I want at an open hearing are: (please inform the district)

Bud Cross, Science

Dan Lehman, Science

Dan Strojan – present in class I taught for most of the time during my teaching

Sue Siren, Special Education

Marie Gauthier, Spanish

Alex Hipolito, Spanish

Jami Suhovshnik, Math

Lori Molinaro, Math

Naomi Whyllie, Counselor

Monica Robbins, Drug and Alcohol Intervention Specialist

Thom Rohm, Spanish Teacher (and ELL)

Allison Querro, Speech Therapist

Kirsten Feist

Kathy McGhee, Attendance Secretary

guardians: - Magot Lewis – Maury Clark  
Angelina: Lori Romley

Banks “coaching” discussed:

- only stripe book given last year, 2 websites from V. Moreno resource list
- irrelevant advice: students should develop the class rules for the teacher
- Prouty teaches about “treason” (GLAD songs) – Tahoma School

Board received. I ask that Tahoma School Board receives also (in addition to e-mails and delivered materials) the packet given to Superintendent before Plan of Improvement (November 2009) and 4-year input.  
EXHIBIT T. n. 8

2 students  
and

4 "learners"

results →

↓  
This is

how student  
reacted  
(broken pens)  
when

- 2 supervisors
- coach
- outside Tahoma's expert

visited ELL - their  
schedule Tahoma can  
provide



There  
are  
MORE  
examples

EXHIBIT 7 p.1

Although

- "spirit days" →
- validations
- "Be the Change" etc. etc. etc.



displayed  
in Tahoma  
NONE

communicated,  
Therefore,  
the teachers  
who  
communicate  
it, perceived  
in the manner  
documented  
by me -  
info. in Tahoma

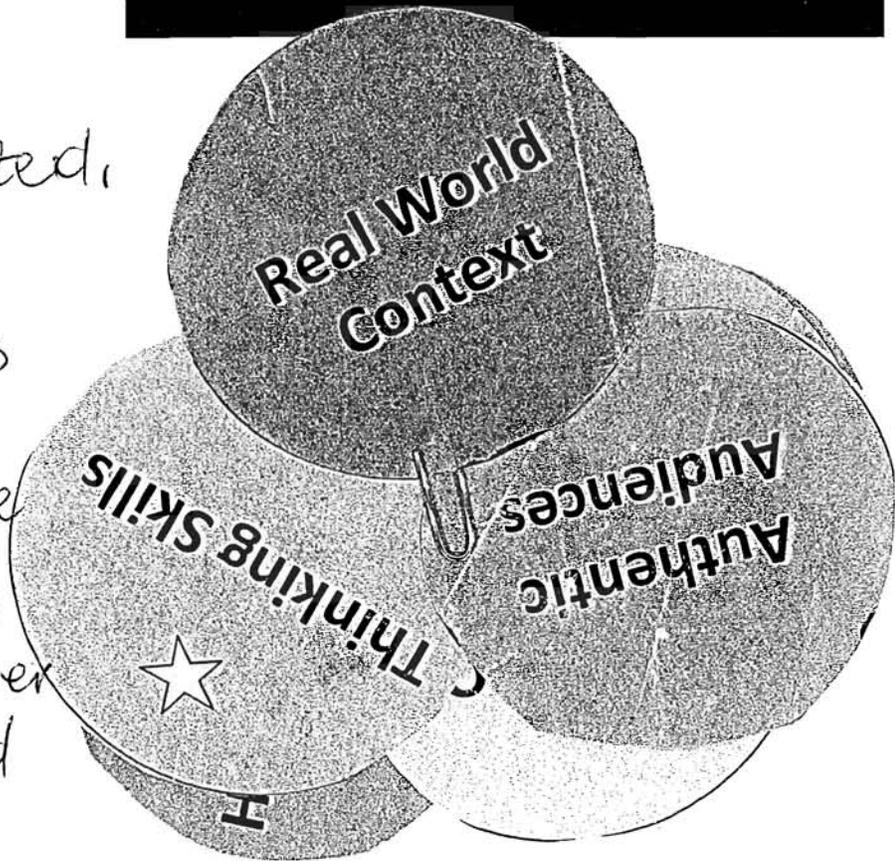


EXHIBIT J. p2

Grazyna Prouty

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From: Brandi Ostendorf  
Sent: Monday, March 01, 2010 3:34 PM  
To: TH Staff  
Subject: DB 3/2 Tues

## Daily Bulletin: March 2, 2010

TODAY'S LUNCH: Mozzarella Stuffed Bread Sticks w/Dipping Sauce, Salad & Finishing Bar, and Milk

The clock is tick-tick-ticking, and you need to sign up for you AP exams. Don't leave it until the last minute and add extra stress to your life. Bring your registration form and check to Mrs. Suchanek, the Cashier, as soon as possible.

Applications for AP U.S. History and AP Literature are due by Friday to Mrs. Dillon in office 118 or room 115. You must submit an application if you did not earn a B- or above for first semester in Pre-AP Literature or AP European History.

Seniors: Jostens will be here on Friday during lunches to deliver your graduation announcements. Also, if you haven't checked your name on the diploma list, please do it before Friday.

Interact Members: There will be a meeting on Wednesday at 8:15 in room 407.

Registration for Grad Night is in full swing! Get your forms in as quickly as possible before the fee goes up to \$140. The registration forms are available in the main office. There are scholarships available in case there is a need for financial assistance. Please contact Heidi Young in the counseling office for more information.

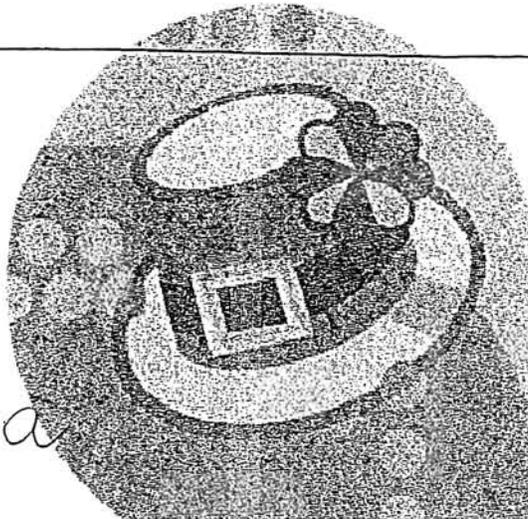
Coming soon is the Celebration of the graduating class of 2010. Don't let those kids who want to participate in the 2010 "After the Graduation Event" be left out. Any parent (even those with sophomores and juniors) who wants to contribute to the fund can do so by writing a check to PTA and noting that it is for a scholarship ticket. The scholarship tickets are \$125 but any donation will be much appreciated. Thanks so much for helping every senior in being able to take advantage of this wonderful and safe event.

STAND Club will be meeting this Thursday from 2:50-3:45 in room 501 to continue planning our 3<sup>rd</sup> Annual Benefit concert. All are welcome to attend!

Our LOST & FOUND bin is overflowing. Please stop by and look for any of your missing items.

*Thought of the Week: A successful person is one who went ahead and did the thing the rest of us never quite got around to.*

Always  
support  
in Tahoma



• small district; almost everybody knows what is going on GP  
E.V.H.I.P.I.T. ↓

FILED  
COUNTY CLERK'S DIV. #1  
STATE OF WASHINGTON  
2011 JUN 27 PM 2:09

**COA**  
IN THE ~~SUPERIOR COURT~~ OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

Grazyna Prouty  
vs.  
Tahoma School Board

Plaintiff(s)  
Petitioner

Defendant(s)  
Respondent

COA 662040 ✓  
NO. (66204-0-1)  
(66208-6-1)  
CONFIRMATION OF SERVICE  
SCOMIS CODE: CS/CSSRV

All the named defendants or respondents have been served or have waived service. (Check if appropriate; otherwise, check the box below.)

*App. / Pet. Brief (and Appendix)*

One or more named defendants or respondents have not yet been served. (If this box is checked, the following information must also be provided.)

The following defendants or respondents have been served or have waived service: \_\_\_\_\_

The following defendants or respondents have not yet been served: \_\_\_\_\_

Reasons why service has not been obtained: \_\_\_\_\_

How service will be obtained: \_\_\_\_\_

Date by which service is expected to be obtained:  
27<sup>th</sup> day of June, 2011

No other named defendants or respondents remain to be served.

27<sup>th</sup> day of June 2011

Date

*Provey*

Attorney or Party

WSBA No. \_\_\_\_\_