

Human Resources
200 North Bernard Street
Spokane, WA 99201-0282

phone (509) 354-7265
fax (509) 354-5963
www.spokaneschools.org



September 13, 2016

James Sharkey
3807 E. 16th Avenue
Spokane, WA 99223

Subject: **Written Warning**

Jim:

As you are aware, I met with you and your principal, Ken Schutz, on August 31, 2016. The purpose of this meeting was to give you notice of and ask you questions related to allegations received about concerns that you failed to supervise the safety of students, that adults had been drinking alcohol while driving students around the ranch in vehicles, and that you had interacted inappropriately with students while at a Football Summer camp in August. Although you were offered representation several times during this meeting, you chose to hold the meeting without representation.

In response to allegations, you reported the following:

1. Allegation: During the August, 2016 Football Summer camp at the Brett Ranch in Idaho, you failed to appropriately supervise the safety of students.

In answer to this allegation, you confirmed that there were 45 students and two coaches present for this camp. You added that the students slept in tents down by the river (a location that is approximately $\frac{3}{4}$ mile removed from the ranch house). You stated that the other Ferris coach did not spend the night on any of the nights and that you had slept at the ranch house. You told me that you had invited your fiancé to join you at camp and that she had also stayed at the ranch house. You communicated that you had parents sign a permission slip for each student to attend, and that you had arranged for "yellow" school busses to transport students to and from the camp. You also added that you, the other Ferris coach in attendance, and the "hosts" of the ranch did drive the 45 Football students around in trucks during the weekend. You explained that the purpose of this retreat was to have the students assist with clean-up on the ranch and this required hauling limbs and brush to clear pathways and that you, the other Ferris coach, and the camp "hosts" used the vehicles to take the students to the locations, on the ranch property, which needed to be cleared of brush.

2. Allegation: During the August, 2016 Football Summer camp at the Brett Ranch in Idaho, students were driven around in vehicles by “coaches” who were under the influence of alcohol.

In answer to this allegation, you stated that the hosts of the ranch (the owner, his brother, a nephew, and a ranch hand) also drove the students around on the ranch. You clarified that none of the “hosts” had been cleared for a background check nor were any of the “hosts” acting as chaperones for the retreat. You stated that neither you, the other Ferris coach nor the “hosts” of the ranch were drinking alcohol or were under the influence of alcohol while driving students in vehicles on the ranch property.

You further denied that you or the other coach had consumed alcohol at any time during the retreat. You did admit, however, that you were aware that the “hosts” were drinking alcohol at night in front of the students as dinner was being prepared near the ranch house. You said, “There was some drinking...without a doubt....it was not a drunken situation.” You further shared that two of the “hosts” became engaged in a “heated” argument after dinner near the ranch house, where yelling and expletives could be heard. You told me that while you attempted to “mediate” this argument, one of the other “hosts” went down to the tent area where the students were sleeping and had unsupervised access to students for over an hour. This was the same “host” that you had confirmed had been drinking in front of the students at dinner time.

You further shared that some of the things that happened at this camp, involving the camp “hosts” was “upsetting” and that you “knew it would have to change if you were going to attend this camp in the future.”

3. Allegation: During the August, 2016 Football Summer camp at the Brett Ranch in Idaho, you exposed yourself to students, while grilling hotdogs. It was reported specifically that when a student asked for an additional hotdog, you said, “You want another hotdog?...I’ll show you a hotdog,” at which point you were reported to have exposed yourself to students.

In answer to this allegation, you stated that this was “a big lie” and that it was “absolutely false.” When asked why you think someone would report this, you stated that you believe that some of the Ferris parents could be trying to get you fired.

My specific findings are as follows:

1. The District was able to substantiate that you compromised the safety of students by failing to supervise them appropriately and failing to sufficiently provide for their safety. The following is a list of areas where you failed to adequately supervise students and provide for their safety during this Summer Football camp in Idaho:
 - You failed to follow District policy 2321 by failing to ensure an adequate student/chaperone ratio, by inviting a friend/family member (your fiancé) to

participate in the extracurricular event, by failing to supervise students at all times during the extracurricular event, and by failing to ensure necessary steps were taken to meet student safety needs as it relates to ensuring that adults who were consuming alcohol/under the influence of alcohol did not have unsupervised access to students during the extracurricular event.

- You failed to follow District policy 6625 by failing to ensure that students were appropriately transported during the extracurricular event when you allowed students to be transported in non-district provided vehicles and by allowing non-district employees to transport students during the event. Further, you failed to submit a completed Prospectus Form for Overnight Excursion.
2. The District was not able to substantiate that any adult who drove students in vehicles on the ranch property was either drinking alcohol or was under the influence of alcohol. The District was, however, able to substantiate by your own admission, that there was alcohol consumed in front of students by the camp “hosts” and that at least one camp “host” had unsupervised access to students while under the influence of alcohol.
 3. The District was not able to substantiate the allegation that you had inappropriately exposed yourself to students.

Jim, I considered the information you shared during the District’s investigation, as well as your willingness to be forthcoming and reflective. [I also considered that you are an employee with no prior disciplinary history in your ten years of employment with the District.] I further considered the procedures and guidelines established in Policy 6625 (*Instructional field Trips and Extracurricular Event Travel Procedure*) and Policy 2321 (*Supervision and Chaperones for Instructional Field Trips and Extracurricular Events*). Additionally, I considered the interviews conducted with students and staff regarding these concerns. In response to the allegations and my interview with you, I find that you did fail to supervise the safety of students. I was not able to substantiate that you had acted inappropriately with students by exposing yourself. I was further unable to substantiate that you or any Ferris staff member consumed alcohol during the trip, or that students were driven in vehicles by adults who were drinking alcohol or who were under the influence of alcohol.

Notwithstanding these findings, remorse and reflection can be considered mitigating factors when determining the appropriate level of disciplinary action to be taken. Thus, though your failure to supervise the safety of students was inappropriate and warranted a higher level of disciplinary action, I am issuing you a **Written Warning**. In issuing you this Written Warning, I wish to make it clear to you that future instances of similar behavior may result in disciplinary action. You are directed by the District to interact appropriately with students at all times and to appropriately supervise the safety of students. I am including Policy 6625 and Policy 2321 with this letter for your review.

Jim, in the event you have questions about these findings or the expectations listed herein, it is important that you contact me immediately. As we discussed at the end of our meeting, be advised that any form of retaliation toward students, colleagues or witnesses in this matter will not be tolerated and would be grounds for discipline in and of itself.

Consistent with the applicable provisions of your collective bargaining agreement, a copy of this letter will be maintained in your personnel file and district records as evidence of our handling of this matter.

Thank you,

A handwritten signature in cursive script, appearing to read "Mary Templeton".

Mary Templeton
Human Resources, Director of Certificated Personnel

Enclosure

cc: Personnel File
District Records