

December 18, 2022

Dear Wayland School Committee:

I continue to have concerns that your investigation into the purported complaints about Dr. Easy is unwarranted, and that your management of the investigation to date is flawed.

The circumstances leading up to your decision to investigate are suspect. It remains unclear whether any complaint was put in writing despite an apparent policy requiring such complaints to be signed and in writing.¹ Then, the inherent unreliability typically associated with anonymous complaints is compounded when, as here, one individual appears to have solicited complaints from others and marshaled them forth to the Chair on their behalf. This unreliability is *further* compounded when you consider the safeguards in place against retaliation in a public-employer setting. Additionally, that a striking number of District employees have openly complained to parents about basic changes implemented by Dr. Easy since Day One—enduring complaints for *well over a year* regarding the shift to iReady, for instance—signals to me they have been given free rein to disparage, undercut and subvert Dr. Easy by their administrative supervisors.

I have spoken with several District employees who have adopted the claims that Dr. Easy “bullied” staff members in the very meeting that he called to address *teacher-on-teacher* bullying. Yet, when pressed for more information—for any indication that they had the slightest bit of personal knowledge regarding his conduct—it quickly became apparent they were simply parroting what they’d heard from others. In short, these employees had zero first-hand knowledge of any situation in which Dr. Easy conducted himself in a manner that was less than professionally courteous and appropriate.

Consider carefully the alleged, anonymous accusers’ motivations in bringing forward their complaints. Consider why they are unwilling to come forward despite the multitude of legal and procedural safeguards in place. Consider whether the October 13 meeting was a genuine cause for their concern, or just a convenient vehicle through which disgruntled staff members—who may, themselves, have been the focus of concerns regarding teacher-on-teacher bullying—could target Dr. Easy. Finally, consider whether the School Committee has adequately supported Dr. Easy from Day One as he has attempted to effect change in a District historically resistant to any. Be mindful that your silence does not tread into the territory of complicity.

An employer’s duty of care extends to investigations. Any failure by the District to ensure the investigation into Dr. Easy’s conduct is procedurally sound will expose the District to vicarious liability claims of harassment, claims of discrimination, and a reasonable inference that the District’s investigation of Dr. Easy was pretextual (thus guaranteeing protracted litigation of any such claims). I take no sides in the matter because I have no personal knowledge regarding the October meeting, myself; however, this smacks of ambush.

¹ https://cdn5-ss2.sharpschool.com/UserFiles/Servers/Server_1036352/File/Human%20Resources/Mandated%20Training/Harassment_Sept_2018.pdf at p. 5.

I was troubled to learn at the November 10 meeting that Dr. Easy and his attorney had made multiple requests for information regarding the purported allegations against him and had been repeatedly denied this information by you, a governmental body. As an attorney whose practice focuses on employment law, this is the first instance I've heard of in which an investigatory subject was not provided with specifics regarding the allegations against him, or with clear parameters regarding the scope of the intended investigation. It benefits the District to hear from witnesses *after* they have had the opportunity to reflect on specifics of certain events, whereas the only benefit to withholding the specific allegations and the scope of the investigation is to further an ulterior agenda through the element of surprise.

The Committee's decision to launch an investigation on November 10, despite your members' casual unawareness of the number of already-hazy complaints and their obvious ignorance as to the veracity of the allegation regarding timely completion of performance evaluations, spurred my concerns that these purported complaints were not properly scrutinized by you. Need I remind you that this meeting was recorded? Or inform you that subjecting an employee to an investigation can, in and of itself, be considered an adverse action in the employment-law context? Dr. Easy is entitled to any emails purporting to contain anonymous complaints against him. And if the purported complaints were made via telephone to the School Committee Chair, then principles of fairness dictate that a summary of the specific information provided to the Chair as to *each, specific complaint*, along with the identities of these individuals, must be provided to Dr. Easy. Subjects of internal municipal investigations are similarly consistently provided with detailed information about the scope of an investigation. What specific WPS policies are implicated? And why wasn't Dr. Easy provided with even this base-level information despite his and his attorney's multiple requests for same? The inferences to be drawn from this are unfavorable.

It seems that a vast majority of Wayland parents and teachers support Dr. Easy, and I suspect many of those who do not have been misguided by District employees who have systematically poisoned the well. At the outset, this investigation should have been initiated *only* on the condition that the would-be complainants come forward and submit written, signed complaints, and *only* after a more careful consideration of those specific complaints by you. If you continue with this unwarranted investigation, I ask that you at the very least fulfill your duty as Dr. Easy's employer to ensure the appropriate procedural safeguards are in place.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sasha Gill', with a stylized, cursive script.

Sasha Gill

50 Old Connecticut Path