

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

JUN 11 2015

MAURA HEALEY
ATTORNEY GENERAL

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(617) 727-4765 TTY
www.mass.gov/ago

June 9, 2015

Regina Williams Tate, Esq.
Murphy Hesse, Toomey & Lehane, LLP
Crown Colony Plaza
300 Crown Colony Drive
Suite 410
Quincy, MA 02169

RE: Y our letter of June 5, 2015/Wayland Public Schools

Dear Ms. Tate:

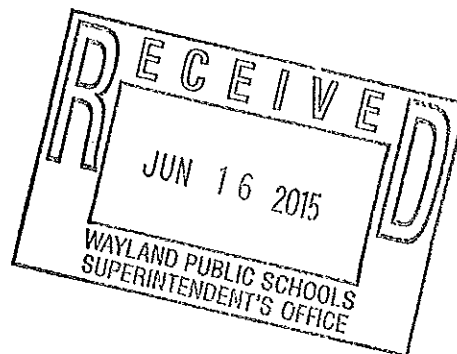
Confirming our telephone conversation yesterday, we acknowledge receipt of your letter informing the Division that certain claims have been made against the Wayland Public Schools and its School Committee. Where neither of these entities is a public charity subject to Division oversight, we will take no action at this time.

Thank you

Sincerely

A handwritten signature in black ink, appearing to read "Nora J. Mann", with a long horizontal stroke extending to the right.

Nora J. Mann
Assistant Attorney General
Deputy Division Chief
Non-Profit Organizations/Public Charities Division



MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

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Felicia S. Vasudevan

Ann M. O'Neill, Senior Counsel

Please respond to Quincy

June 5, 2015

Mr. Joel Berner
Regional Director, Region I
Office for Civil Rights
Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921

Dear Mr. Berner:

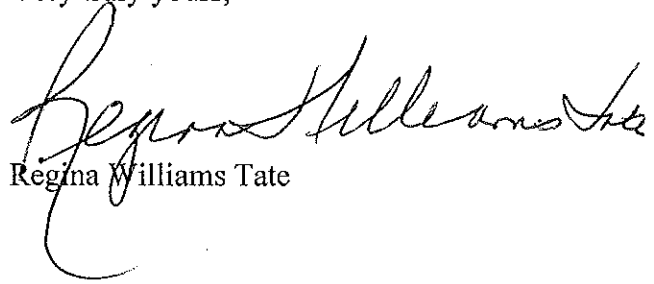
I represent the Wayland Public Schools and its School Committee. The Athletic Director for the District, Stephen Cass, has recently brought written allegations to the attention of the Wayland School Committee. Please see attached letter dated May 19, 2015. Some of the allegations center on the lack of gender equity in the athletic department of Wayland High School. While Mr. Cass could have brought these allegations to various agencies for investigation and enforcement, he did not do so. By a unanimous vote of the Wayland School Committee on June 3, 2015, the School Committee has requested that I refer Mr. Cass' written allegations concerning alleged gender inequity to your agency for investigation and enforcement if necessary. Mr. Cass has not provided any further detail than what is contained in his letter, and therefore, please contact him for specifics. He can be reached at Wayland High School at (508) 358-3718 or stephen_cass@wayland.k12.ma.us.

The Wayland School Committee and the administration are ready and willing to provide you with any information you need for your investigation. I will be the contact person for the

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School Committee and the administration. If I can provide you with any assistance, please feel free to call upon me. Should you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Regina Williams Tate".

Regina Williams Tate

cc: Dr. Paul Stein
Ellen Grieco, Esq., Chairperson, Wayland School Committee

May 19, 2015

Dear Wayland School Committee Members,

As you may be aware, I was recently informed that my contract with Wayland Schools will not be renewed for next year. I am writing to you because I believe it is important to make you aware that there is a long backstory to this situation with future legal ramifications, and I hope that you can intervene to resolve this situation for the good of the Wayland athletic program and Wayland Public Schools.

I was hired by the Wayland Schools to fix a long-standing fiscal problem. While 'budgetary concerns' were mentioned during my interview, I learned of the real scope of the problem during my second week on the job in late July 2013. That fiscal reality was that I would have to cut annual athletic spending by \$100,000 (or approximately 30% of past spending). Despite opposition from prominent coaches and having an interim principal, I was able to accomplish this feat. Most coaches or parents did not notice a thing, but three coaches who had been accustomed to preferential treatment resisted measures to promote fiscal responsibility and gender equity throughout the athletic department.

The directive to be fiscally responsible did not come from my principal. Instead, it came from people in the Town Building -- the Superintendent, Assistant Superintendent, School Committee members, and two business managers. After in-depth evaluation of athletic finances, I found many disturbing practices, ranging from unethical to blatantly illegal. These practices included coaches being paid under the table, with parents required to pay directly for their work; coaches hired without proper screening, including CORI checks; violations of conflict of interest laws; violations of MIAA rules; violations of WTA contracts; violations of the \$50 limit on gifts to coaches and the \$200 limit on gifts to the school; misuse of fundraising money; and a lack of gender equity in funding and resources for girls' versus boys' teams. As a taxpayer in the Town of Wayland, it was disturbing to uncover taxpayer funds and user fees being diverted to several boys teams to fund activities that fall far outside the normal operating budget of any high school athletic department. As an athletic director, it also bothers me to have seen tens of thousands of dollars of parent money find its way into various coaches' possession, only for some of it to disappear. I feel bad for those parents who raised concerns about the whereabouts of their substantial monetary donations. I instituted reforms to end some of these practices and reported all such practices to my superiors (John Ritchie, Allyson Mizoguchi, Brad Crozier, and Paul Stein).

As a result of these efforts, I experienced furious pushback from three coaches of boys' teams, and a lack of support from the principal. The more I pushed for fiscal responsibility and gender equity in athletics at Wayland, the more pushback I got. Finally, on May 8—three days after sending a long email to the Superintendent detailing many of the issues described above—I was informed that my contract would not be renewed. It is apparent that my contract is not being renewed in retaliation for my bringing forth these violations of town, state and federal law and my advocacy for gender equity. Among the concerns listed in an April 15 performance review from Allyson Mizoguchi are: Does not get along with coaches; Does not support the teams; Has a 'top down' approach to decision making. Those of you who know me or have witnessed my work know these statements are simply not true.

While it is not unusual for those who push for reforms to encounter barriers and hostility, I have worked to manage my role both professionally and collegially. Even the most cursory look at the facts will reveal that I expertly managed an impossible budget situation and fully supported all teams, not to mention guided Wayland athletics through its most successful year ever. Given these circumstances, the

articulated justifications for not renewing my contract raise grave concerns about how this situation is being managed.

I have hired legal counsel and am considering my options regarding next steps. After consultation with my lawyers, I believe that Wayland Schools' retaliation against me for opposing illegal practices and gender discrimination within the Wayland athletic program violates Title IX, the state whistleblower statute, and other state and federal laws. If I have to, I am prepared to pursue those legal remedies. That said, the bottom line is that I want to keep my job for another year. I love my work for the Wayland Schools, enjoying living in Wayland, and believe that I can productively contribute going forward in a way that is both legally responsible and successful. I hope that you can help me and the administration to resolve this situation without further conflict or litigation. If we are able to resolve things, I will continue to work collaboratively with the Superintendent and principal as well as with coaches, parents and students.

Sincerely,

Stephen Cass

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Ann M. O'Neill, Senior Counsel

Please respond to Quincy

June 5, 2015

State Ethics Commission
One Ashburton Place, Room 619
Boston, MA 02108

Dear Sir or Madame:

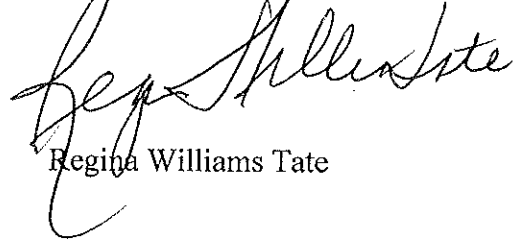
I represent the Wayland Public Schools and its School Committee. The Athletic Director for the District, Stephen Cass, has recently brought written allegations to the attention of the Wayland School Committee. Please see attached letter dated May 19, 2015. Some of the allegations center on alleged conduct by staff members which violates M.G.L. c. 268A. While Mr. Cass could have brought these allegations to various agencies for investigation and enforcement, he did not do so. By a unanimous vote of the Wayland School Committee on June 3, 2015, the School Committee has requested that I refer Mr. Cass' written allegations concerning this matter to your agency for investigation and enforcement if necessary. Mr. Cass has not provided any further detail than what is contained in his letter, and therefore, please contact him for specifics. He can be reached at Wayland High School at (508) 358-3718 or stephen_cass@wayland.k12.ma.us.

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Ellen Grieco, Esq., Chairperson, Wayland School Committee

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June 5, 2015

Office of the Inspector General
One Ashburton Place, Room 1311
Boston, MA 02108

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Please respond to Quincy

June 5, 2015

The Non-Profit Organizations/Public Charities Division
Office of the Attorney General
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June 5, 2015

Program Quality Assurance
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148

Dear Sir or Madame:

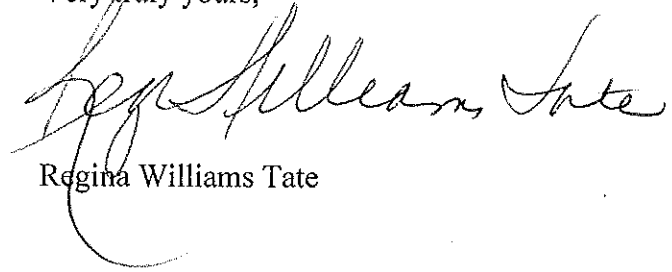
I represent the Wayland Public Schools and its School Committee. The Athletic Director for the District, Stephen Cass, has recently brought written allegations to the attention of the Wayland School Committee. Please see attached letter dated May 19, 2015. One of these allegations is that the District has not complied with M.G.L. c. 71, sect. 38R regarding its entire coaching staff. While Mr. Cass could have brought these allegations to various agencies for investigation and enforcement, he did not do so. By a unanimous vote of the Wayland School Committee on June 3, 2015, the School Committee has requested that I refer Mr. Cass' written allegations concerning this matter to your agency for investigation and enforcement if necessary. Mr. Cass has not provided any further detail than what is contained in his letter, and therefore, please contact him for specifics. He can be reached at Wayland High School at (508) 358-3718 or stephen_cass@wayland.k12.ma.us.

The Wayland School Committee and the administration are ready and willing to provide you with any information you need for your investigation. I will be the contact person for the

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

School Committee and the administration. If I can provide you with any assistance, please feel free to call upon me. Should you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Regina Williams Tate". The signature is written in black ink and is positioned above the printed name.

Regina Williams Tate

cc: Dr. Paul Stein
Ellen Grieco, Esq., Chairperson, Wayland School Committee

May 19, 2015

Dear Wayland School Committee Members,

As you may be aware, I was recently informed that my contract with Wayland Schools will not be renewed for next year. I am writing to you because I believe it is important to make you aware that there is a long backstory to this situation with future legal ramifications, and I hope that you can intervene to resolve this situation for the good of the Wayland athletic program and Wayland Public Schools.

I was hired by the Wayland Schools to fix a long-standing fiscal problem. While 'budgetary concerns' were mentioned during my interview, I learned of the real scope of the problem during my second week on the job in late July 2013. That fiscal reality was that I would have to cut annual athletic spending by \$100,000 (or approximately 30% of past spending). Despite opposition from prominent coaches and having an interim principal, I was able to accomplish this feat. Most coaches or parents did not notice a thing, but three coaches who had been accustomed to preferential treatment resisted measures to promote fiscal responsibility and gender equity throughout the athletic department.

The directive to be fiscally responsible did not come from my principal. Instead, it came from people in the Town Building – the Superintendent, Assistant Superintendent, School Committee members, and two business managers. After in-depth evaluation of athletic finances, I found many disturbing practices, ranging from unethical to blatantly illegal. These practices included coaches being paid under the table, with parents required to pay directly for their work; coaches hired without proper screening, including CORI checks; violations of conflict of interest laws; violations of MIAA rules; violations of WTA contracts; violations of the \$50 limit on gifts to coaches and the \$200 limit on gifts to the school; misuse of fundraising money; and a lack of gender equity in funding and resources for girls' versus boys' teams. As a taxpayer in the Town of Wayland, it was disturbing to uncover taxpayer funds and user fees being diverted to several boys teams to fund activities that fall far outside the normal operating budget of any high school athletic department. As an athletic director, it also bothers me to have seen tens of thousands of dollars of parent money find its way into various coaches' possession, only for some of it to disappear. I feel bad for those parents who raised concerns about the whereabouts of their substantial monetary donations. I instituted reforms to end some of these practices and reported all such practices to my superiors (John Ritchie, Allyson Mizoguchi, Brad Crozier, and Paul Stein).

As a result of these efforts, I experienced furious pushback from three coaches of boys' teams, and a lack of support from the principal. The more I pushed for fiscal responsibility and gender equity in athletics at Wayland, the more pushback I got. Finally, on May 8—three days after sending a long email to the Superintendent detailing many of the issues described above—I was informed that my contract would not be renewed. It is apparent that my contract is not being renewed in retaliation for my bringing forth these violations of town, state and federal law and my advocacy for gender equity. Among the concerns listed in an April 15 performance review from Allyson Mizoguchi are: Does not get along with coaches; Does not support the teams; Has a 'top down' approach to decision making. Those of you who know me or have witnessed my work know these statements are simply not true.

While it is not unusual for those who push for reforms to encounter barriers and hostility, I have worked to manage my role both professionally and collegially. Even the most cursory look at the facts will reveal that I expertly managed an impossible budget situation and fully supported all teams, not to mention guided Wayland athletics through its most successful year ever. Given these circumstances, the

articulated justifications for not renewing my contract raise grave concerns about how this situation is being managed.

I have hired legal counsel and am considering my options regarding next steps. After consultation with my lawyers, I believe that Wayland Schools' retaliation against me for opposing illegal practices and gender discrimination within the Wayland athletic program violates Title IX, the state whistleblower statute, and other state and federal laws. If I have to, I am prepared to pursue those legal remedies. That said, the bottom line is that I want to keep my job for another year. I love my work for the Wayland Schools, enjoying living in Wayland, and believe that I can productively contribute going forward in a way that is both legally responsible and successful. I hope that you can help me and the administration to resolve this situation without further conflict or litigation. If we are able to resolve things, I will continue to work collaboratively with the Superintendent and principal as well as with coaches, parents and students.

Sincerely,

Stephen Cass