



PERSONNEL AND
RESOURCES

OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4200

November 7, 2011

MEMORANDUM FOR ACTING DIRECTOR, DEPARTMENT OF DEFENSE EDUCATION
ACTIVITY

SUBJECT: Investigation of Alleged Inequities and Conflicts at Zama American High School
(ZAHS)

Attached is the completed report of investigation and case file of associated evidence for the subject report. The report of investigation is based on the testimony obtained during an on-site investigation that occurred September 19, 2011 through September 23, 2011 and a review of evidence.

The recommendations provided in the report are my own based on witnesses' testimony, review of data, and on-site observations. I am available to answer questions on the findings and recommendations of the report.



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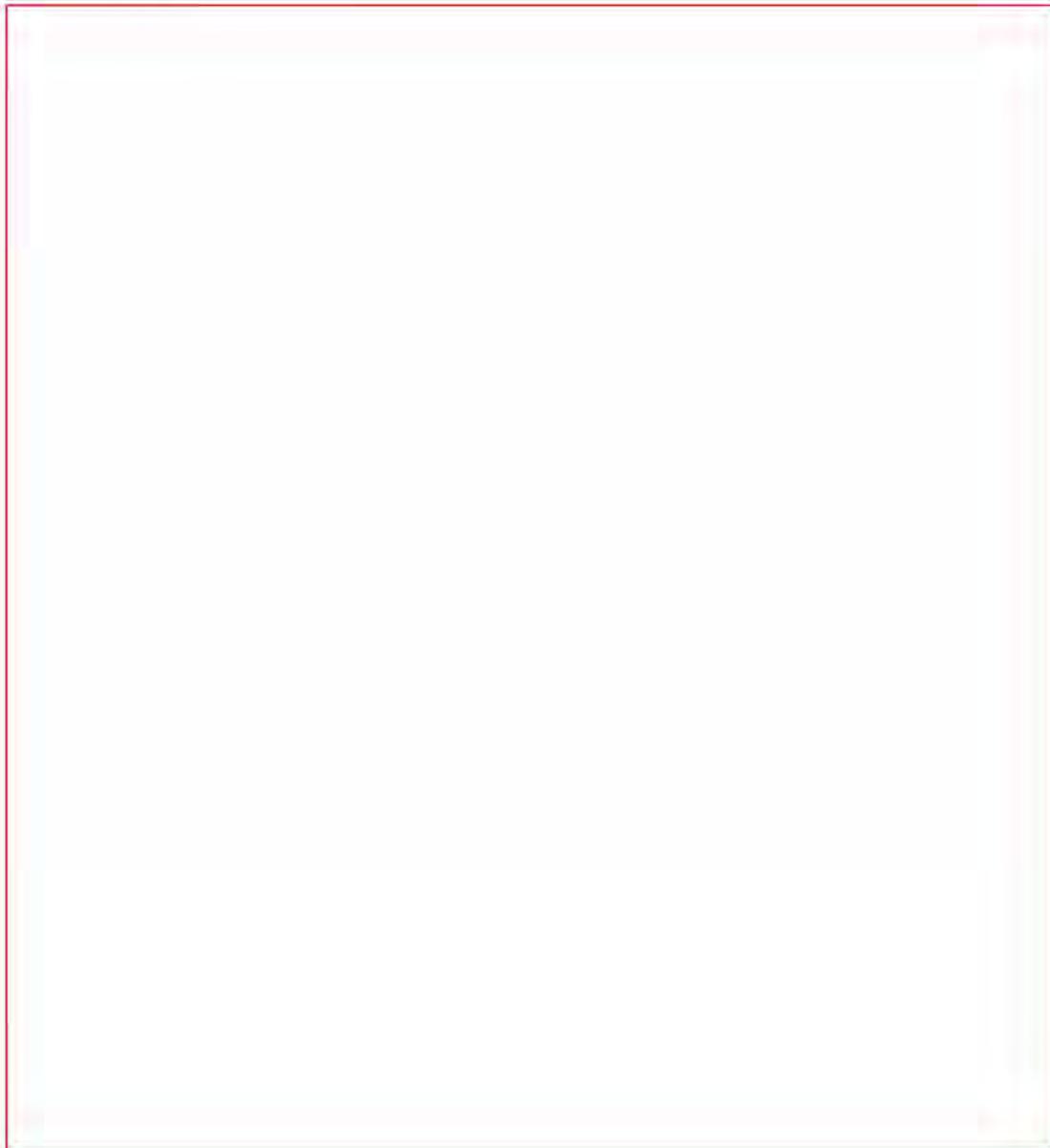
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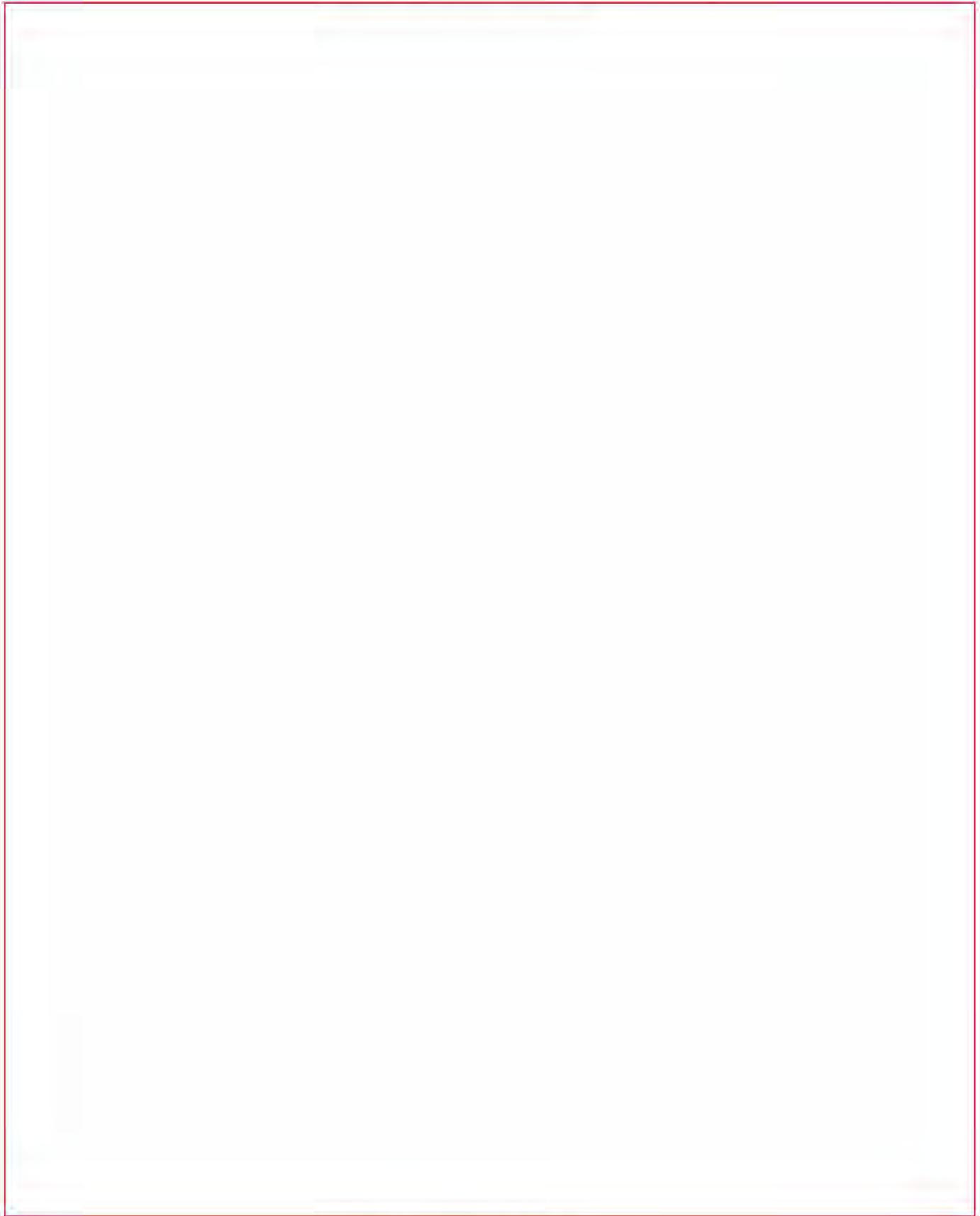
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DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
4040 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22203-1635

SEP 14 2011

MEMORANDUM FOR MR. [REDACTED]

SUBJECT: Investigation of Alleged Inequities and Conflicts at Zama American High School (ZAHS)

I hereby appoint you to conduct an investigation into the facts and circumstances surrounding alleged inequities and conflicts at ZAHS. This appointment has been coordinated with the Office of the Secretary of Defense (OSD), Personnel and Readiness (P&R). You will investigate the specific allegations as set forth in the attached Terms of Reference (TOR).

During the course of this investigation you are authorized to interview DoDEA personnel, take sworn statements or testimony and examine and copy any and all relevant DoDEA records, files, and correspondence germane to this investigation. The other members of your team are:

[REDACTED]

Though not a member of your team, you will contact [REDACTED] who will coordinate your logistical support and direct you to any documentary evidence that has been segregated and stored for your investigation.

You will meet with [REDACTED] your designated legal advisor for purposes of this investigation, prior to beginning your investigation. [REDACTED] will serve as your subject matter expert. Additionally, you have the authority to enlist the support of additional subject matter experts, as needed, as set forth in the attached TOR.

In conducting the investigation, you will follow the guidance in the attached Command-Directed Investigation Guide. Prepare and submit a report of investigation (ROI) in the format described in the guide. Submit the completed report to [REDACTED] for legal review not later than October 7, 2011, unless I grant you a written extension. Your report will include recommendations that address the allegations in the attached TOR, but will not include recommendations on disciplinary actions for DoDEA personnel.

You and your team may not release any information related to this investigation without my prior approval.

Sincerely,

Marilee Fitzgerald
Acting Director

Attachments:

1. Terms of Reference
2. CDI Guide





DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
4040 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22203-1635

SEP 14 2011

MEMORANDUM FOR [REDACTED] ZAMA AMERICAN HIGH SCHOOL
(ZAHS)

SUBJECT: Investigation of Alleged Inequities and Conflicts at ZAHS

This memo is to inform you that I have directed an investigation into specific allegations related to the above subject. As you are probably aware, concerns from a variety of sources in recent months have been raised about issues at ZAHS. Current complaints and prior inquiries indicate the current situation involves both emerging issues and vestiges from the past. More importantly, there are strong indications that these unresolved matters are negatively affecting the learning environment at the school. Therefore, in an effort to clarify and resolve these issues, I have appointed an independent investigating officer (IO) to look into specific allegations generally related to the following:

- A. Inequitable Treatment of Students;
- B. Inequitable Treatment of Teachers;¹
- C. Conflicts between ZAHS Staff Negatively Affecting the Learning Environment

With the support of the Office of the Secretary of Defense (OSD), Personnel and Readiness (P&R), I have appointed [REDACTED]

[REDACTED] to serve as the IO for this investigation. The on-site investigation will be conducted during the week of September 19-23, 2011 in a facility that is in close proximity to ZAHS. During the course of this investigation, the IO will be authorized to interview DoDEA personnel, take sworn statements or testimony and examine and copy any and all relevant DoDEA records, files, and correspondence germane to this investigation. [REDACTED]

The IO is currently putting together a list of persons to be interviewed. [REDACTED] will provide you with an initial list of Zama personnel that [REDACTED] plans to interview. We anticipate that many of your teachers will be interviewed during the course of the week, so please make contingency arrangements to provide substitute coverage for teachers participating in the interview. The IO plans gather relevant testimony on the issues above from all available witnesses in the ZAHS community. It is imperative that you invite your school and community to participate in this investigation. Accordingly, you will note that I have copied the PTO and the Battalion Commander on this memo. Therefore, anyone in your community who has information related to the topics above is encouraged to set up an interview with the investigation team at this e-mail address: DoDEA_ZAMA@hq.dodea.edu. This address was created for the investigation and can only be accessed by the investigation team for the purpose of scheduling interviews. Teachers, parents, and command authorities, are welcome to provide relevant information to the team. They must know that that this will be an objective investigation and that all

¹ This will not include individual complaints of discrimination by teachers as that would fall under the Equal Employment Opportunity process managed by the DoDEA, Diversity Management Equal Opportunity Office (DMEO).

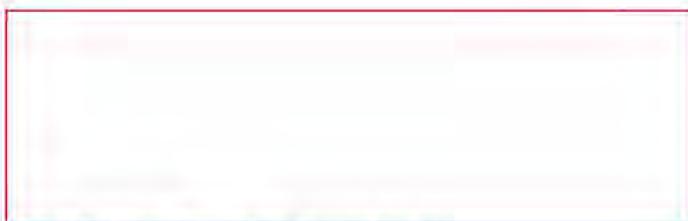
may participate without fear of reprisal or retribution as I am committed to protecting the integrity of this process.

Your support for this important investigation is appreciated.

Sincerely,



Marilee Fitzgerald
Acting Director



ZAHS, Parent Teacher Organization
Camp Zama Japan, Garrison Commander

TERMS OF REFERENCE

Background:

In recent months, concerns from a variety of sources have been raised about Zama American High School (ZAHS) regarding leadership, communication, disparate treatment of students and teachers, discrimination and negative organizational climate. In this context, [redacted] at Department of Defense Education Activity (DoDEA) at Zama American High School (ZAHS) in Japan contacted [redacted] Congressman in January 2011 alleging that ZAHS administrators were discriminating against African-American teachers, and that ZAHS teachers and/or administrators were discriminating against African-American students. Additionally, during the spring 2011 ZAHS school visit, the Acting Director was approached by several ZAHS staff members expressing their concerns and requesting that a fair and impartial investigation be conducted in ZAHS. Further, [redacted] [redacted] conflicts between the ZAHS staff were well known in the school community and these conflicts were negatively affecting the learning environment at ZAHS.

Inquiries into ZAHS reveal that this is a school with a long-standing history of systemic problems unable move forward due to both emerging issues and vestiges from the past. In an effort to address this critical situation, the DoDEA Acting Director, with the support of the Office of the Secretary of Defense (OSD), Personnel and Readiness (P&R), has directed an investigation into specific allegations related to the three areas set forth below:

- A. Alleged Inequities Related to School Administrative Operations and Processes¹
- B. Alleged Discrimination Against Students
- C. Alleged Conflicts Between ZAHS Staff Negatively Affecting the Learning Environment

[redacted] will serve as the investigating officer (IO) for this investigation. The composition of the entire investigation team along with the issues to be addressed is set forth below. [redacted]

[redacted]

¹ This will not include individual complaints of discrimination by teachers as that would fall under the Equal Employment Opportunity process managed by the DoDEA, Diversity Management Equal Opportunity Office (DMEO).

Objectives and Scope:

1. To investigate the allegations set forth below.
2. To address new allegations, should they arise, related to the allegations set forth below.
3. To document the circumstances surrounding said allegations, regardless of whether the allegations are found to be substantiated or unsubstantiated, to include evidence of community perceptions (i.e., by school staff, command, parents, or students).

Guiding Principles:

1. The investigation will be conducted in a manner that conveys objectivity to the school community.
2. The investigation will be conducted in a manner that minimizes disruption to the school's learning environment.
3. The investigation will not include specific matters currently being processed in other forums, e.g., existing EEO complaints.

Team Member Responsibilities:

- A. Investigating Officer (IO), [redacted] will:
- Read and review Command-Directed Investigation (CDI) Guide.
 - Consult with legal advisor, [redacted] prior to and during the course of the investigation.
 - Collect and review relevant documentary information.
 - Interview witnesses and obtain signed witness statements. Interviews will be conducted with the close advice of OGC and in a manner that avoids unnecessary disruption to the school community.
 - Prior to interviewing any parents and students, specific information must be obtained by the IO suggesting that interviews of specific parents/students is warranted and beneficial notwithstanding the potential disruption to the ZAHS community.
 - Upon discovery of new allegations, if any, the IO will obtain permission from the Appointing Authority, DoDEA Acting Director, prior to adding new allegations to the investigation.
 - Provide a completed report of investigation (ROI) to OGC by October 7, 2011. The ROI will include recommendations, but will not provide specific recommendations on disciplinary actions to be taken against employees.
 - Submit a written request to the Appointing Authority if additional time is needed to complete the ROI.
- B. Legal Advisor, [redacted] will:
- Provide legal advice to IO prior to and during the course of the investigation on all legal issues and ROI format;

- Present the completed ROI to the OGC attorney designee for an independent legal review for the ROI;
- Provide the ROI, with OGC legal review, to the Appointing Authority within 14 calendar days of receiving the ROI from the IO.

C. Subject Matter Expert (SME), [redacted]
 [redacted]
 [redacted] will:

- Provide the Investigating Officer all necessary subject matter assistance with respect to student record review and student assessment;
- Enlist the support of additional subject matter experts as needed.

Local Support for Investigation Team:

A. Logistical and Administrative Support will be provided by:
 [redacted]

B. Subject Matter Support, as needed, will be provided by:
 [redacted]

Allegations to be Investigated:

- A. Alleged Inequities Related to School Administrative Operations and Processes such as the following:²
1. Class scheduling and workload preparation;
 2. Recognition and awards;
 3. Accessibility to leadership/administrators;
 4. Professional development;
 5. Classroom assignments and conditions;
 6. Professional/unprofessional interaction with subordinates by school administrators

² These are allegations of a general nature. The IO will primarily gather and consolidate information on these six areas/allegations. Therefore, a specific finding of "substantiated" or "unsubstantiated" is not warranted with respect to these allegations.

B. Alleged Discrimination Against Students

1. That, during the school year 2010-11, African-American students at ZAHS, or other minority students, were inappropriately told by ZAHS teachers or administrators that they “do not look smart enough” to participate in certain courses or programs (e.g., honors, advanced placement, etc.) or words to that effect, in violation of Executive Order 13160;
2. That, during the school year 2010-11, African-American students at ZAHS, or other minority students, were inappropriately removed by ZAHS teachers from honors or advanced placement courses, and in so doing, treated differently from their white counterparts, in violation of Executive Order 13160;
3. That, during the school year 2010-11, African-American students at ZAHS, or other minority students, were inappropriately refused entry by ZAHS teachers into honors or advanced placement courses, as a result, treated differently from their white counterparts, in violation of Executive Order 13160;
4. That, during the school year 2010-11, ZAHS teachers or administrators generally treated minority students in a manner that interfered with or limited the students’ ability to participate in or benefit from ZAHS courses, programs, or activities, in violation of Executive Order 13160;
5. That, during the school year 2010-11, African-American, students and/or parents in the ZAHS community, perceived discriminatory, disparate, or unfair treatment by ZAHS teachers or administrators, against ZAHS minority students.³

C. Alleged Conflicts Between ZAHS Staff Negatively Affecting the Learning Environment

1. That, during the school year 2010-11, conflicts occurred between ZAHS staff which negatively affected the learning environment at the school
2. That, during the school year 2010-11, conflicts between ZAHS staff created concerns and anxiety within the school community which negatively affected the school learning environment.

Duration:

The investigation will begin on September 19, 2011 and will continue until September 23, 2011 unless extended by the Appointing Authority.

Deliverables:

³ This allegation is only to be investigated if the IO obtains reasonable evidence of real or perceived discriminatory or unfair treatment by ZAHS personnel against minority students.

The Investigating Officer will provide his Report of Investigation (ROI) to the Office of General Counsel, [REDACTED] by October 7, 2011. The ROI will contain recommendations to the Appointing Authority as to how findings should be addressed, but will not include recommendations of specific disciplinary action to be taken against DoDEA personnel.

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Background

Zama American High School is a DoDEA school located and operating on Camp Zama, Japan. During the School Year (SY) 2010-11, approximately 280 students were enrolled at the ZAHS attending grades 9-12 [redacted]. The school is administered by [redacted] [redacted] the Principal, [redacted] the Assistant Principal, and [redacted] [redacted] is the District Superintendent. ZAHS employs approximately 39 positions and the employees are represented by the Overseas Education Association, affiliated with the Federal Education Association [redacted].

This case involves concerns expressed from a variety of sources about Zama American High School (ZAHS) regarding leadership, communication, disparate treatment of students and teachers, discrimination and a negative organizational climate. In this context, [redacted] at Department of Defense Education Activity (DoDEA) at Zama American High School (ZAHS) in Japan contacted [redacted] Congressional representative in January 2011 alleging that ZAHS administrators were discriminating against African-American teachers, and that ZAHS teachers and/or administrators were discriminating against African-American students [redacted] [redacted].

Additionally, during the spring of 2011, the Acting Director, was approached by several ZAHS staff members expressing their concerns and requesting that a fair and impartial investigation be conducted at ZAHS. [redacted]

[redacted] conflicts between the ZAHS staff are known in the school community and these conflicts may be negatively affecting the learning environment at ZAHS [redacted]. The Terms of Reference indicates that inquiries into these issues by DoDEA officials reveal ZAHS has a long-standing history of systemic problems and unable to move forward due to emerging issues and vestiges from the past [redacted]. As such and in an effort to address this critical situation, the DoDEA Director directed this subject investigation.

The issues surrounding Allegation A involve general allocations of alleged inequities related to school administrative operations and processes (the allegation is comprised of six subparts). Since the allegations are of a general nature, a finding of substantiated or unsubstantiated is not warranted regarding these allegations. Further, the IO did not investigate issues raised in individual complaints of discrimination by teachers as that they fall under the auspices of the Equal Employment Opportunity process managed by the DoDEA, Diversity Management Equal Opportunity Office (DMEO).

Allegation B involves the allegations of discrimination against ZAHS students. The allegation has five subparts and covers inappropriate comments made to minority students; inappropriate removal of students from honors or advanced placement classes; inappropriate refusal of students into honors or advanced placement classes; interference or limiting student's ability to participate in or benefit from ZAHS classes or activities; and perceived discriminatory, disparate, or unfair treatment by ZAHS teachers or administrators against minority students.

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Allegation C involves alleged conflicts between ZAHS staff which have negatively affected the learning at the school and that those conflicts created anxiety within the school community which also negatively affected the school learning environment.

The IO interviewed [redacted] on-site and [redacted] on [redacted] return to Washington, DC. The average interview with witnesses lasted approximately 2 hours each. The IO completed [redacted] investigation independently and with no influence from any DoDEA officials or other government entities. The recommendations provided in this report are [redacted] own based on [redacted] knowledge of events, review of data and witnesses testimony. Again, individual allegations of discrimination issues were not within the scope of [redacted] investigation and not the focus of this inquiry.

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Analysis, Findings, and Recommendations

Allegation A. Alleged Inequities Related To School Administrative Operations and Processes such as the following: *(Note that these allegations are of a general nature. The IO's task with regard to this allegation was to gather and consolidate information on these six area allegations. As such, a specific finding of "substantiated" or "unsubstantiated" is not rendered with respect to allegations A-1 through A-6).*

1. Class scheduling and workload preparation;

Since the allegations were of a general nature, the IO focused on the Operations and processes on how class scheduling and workload preparation assignments, including how requests for changes to the schedule operate and if there were inequities in that process. The IO noted that some of the witnesses wanted to raise issues and allegations specifically relating to themselves which was beyond the scope of the IO investigation. Again, the focus is on the allegation as outlined in the terms of reference. For Allegation A and its subparts a substantiated or unsubstantiated determination was not warranted or rendered.

Applicable Rules/Regulations:

OEA-DODDS AGREEMENT NEGOTIABILITY PROPOSALS FROM 39 FLRA NO 10 DECISION, 12 July 1994 *This document does not describe the process, however, does address management's responsibilities to "make reasonable efforts to provide a reasonable amount of preparation time for each unit employee during the employee's instructional day."*

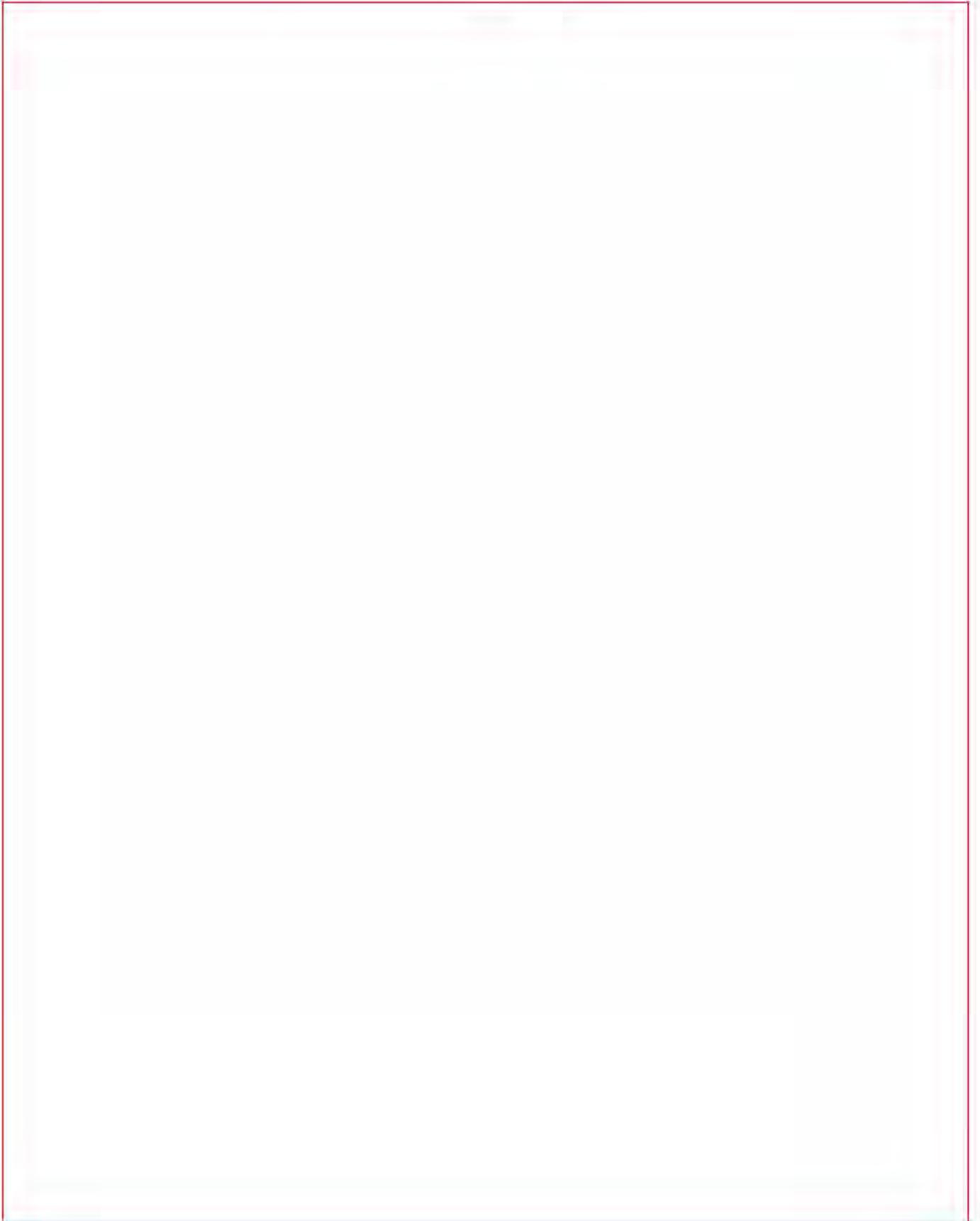
PowerPoint presentation titled "Introduction to Aspen A Whirlwind Tour!"

Analysis

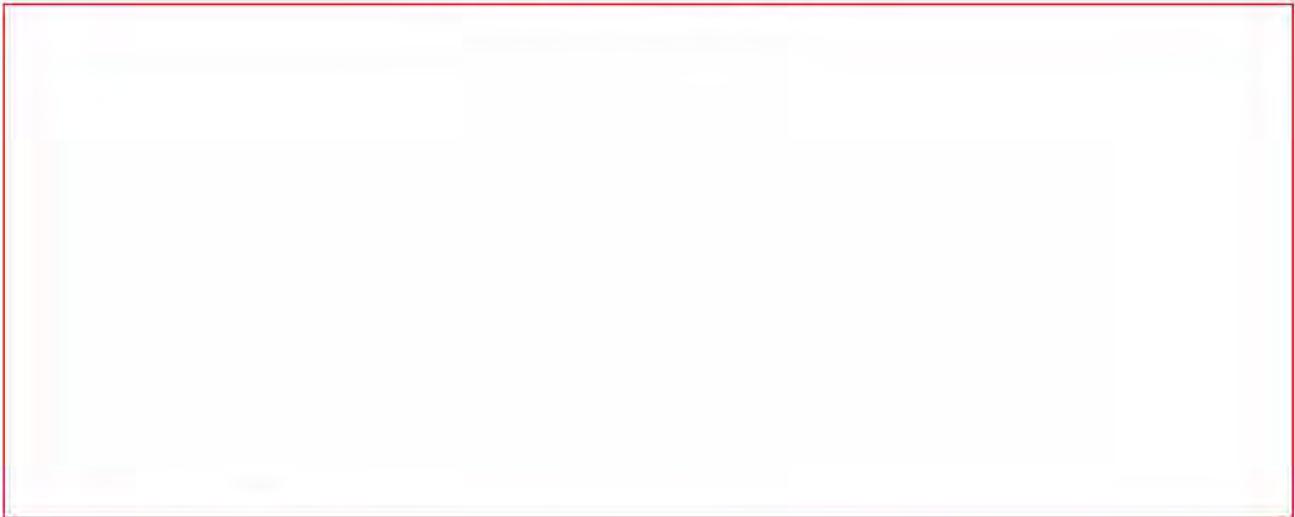
Interviews from teachers revealed that there is lack of understanding and transparency among some teachers on how overall teacher class scheduling and workload preparation assignments are established at ZAHS. Specifically, understanding on how teacher requests are accommodated as part of the overall process.



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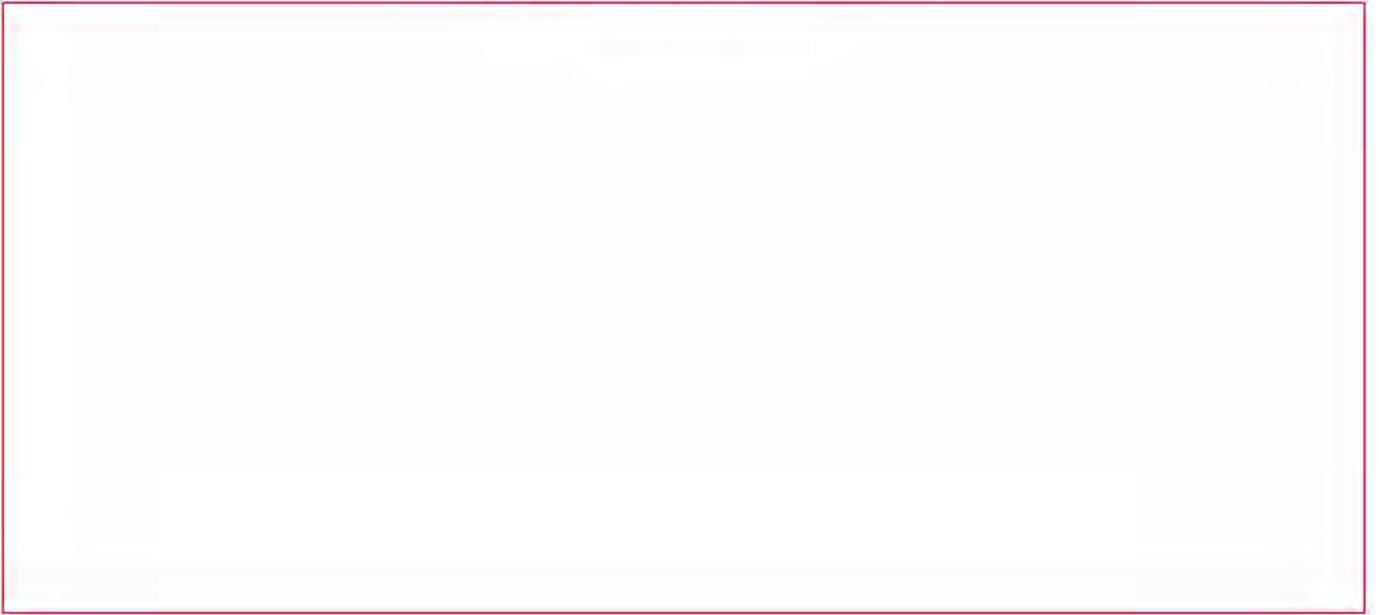


A review of the negotiated agreement does not address class scheduling assignments. It does address work load preparation assignments [redacted]. A review of faculty agendas and department head meetings, and minutes does not show the master schedule development or its process as a topic of discussion [redacted]. The IO noted that ZAHS appears to have established a Master Scheduling Committee for SY 2011-12 [redacted].

[redacted]



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Allegation A. Alleged Inequities Related To School Administrative Operations and Processes such as the following: *(Note that these allegations are of a general nature. The IO's task with regard to this allegation was to gather and consolidate information on these six area allegations. As such, a specific finding of "substantiated" or "unsubstantiated" is not rendered with respect to allegations A-1 through A-6)).*

2. Recognition and awards;

Applicable Rules/Regulations

DoDEA Regulation 5451.9 – Department of Defense Education Activity Incentive Awards Program, June 10, 1997. (updated June 10, 2003)

DS Regulation 5430.9, Performance Management System", dated December 5, 1988

The majority of the witnesses stated that they had no knowledge surrounding allegations of inequities. They, however, stated that they believed that awards were given to employees for work or activities that are considered "above and beyond" and for which they were not compensated

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[REDACTED]

The award documents that were provided to the IO contain the names and dollar amounts awarded to employees in School Years (SY) 07, 08, 09, 10, and 11. The IO was not provided with supporting documents to justify the reasons why the individuals were being considered for an award or why the dollar amounts of awards varied. A review of individuals nominated for awards does show a mixture of minority and non-minority staff receiving awards, including for SY 10 [REDACTED]. The IO noted that for SY 10 that no African American women were nominated for an award. However, the evidence shows that in years prior to SY 2010-11, the list of award recipients does contain the names of African American women [REDACTED].

Based on the testimony and how the witnesses responded to the IO's questions, the IO concluded that ZAHS administration and staff appeared to not be fully aware of the DoDEA awards program or the different type of awards that could be presented to staff. Other than the District Superintendent [REDACTED], none of the witnesses mentioned performance based awards.

[REDACTED]

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Allegation A. Alleged Inequities Related To School Administrative Operations and Processes such as the following: *(Note that these allegations are of a general nature. The IO's task with regard to this allegation was to gather and consolidate information on these six area allegations. As such, a specific finding of "substantiated" or "unsubstantiated" is not rendered with respect to allegations A-1 through A-6)).*

3. Accessibility to leadership/administrators;

Applicable Rules/Regulations: None were identified or provided to the IO.



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Several witnesses confirmed that the ZAHS administration has an open door policy. Several of the witnesses interviewed said they make appointments via email or request to see ZAHS administration in person. [REDACTED]

The evidence showed that the ZAHS administration practice and have an open door policy. [REDACTED]

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Allegation A. Alleged Inequities Related To School Administrative Operations and Processes such as the following: *(Note that these allegations are of a general nature. The IO's task with regard to this allegation was to gather and consolidate information on these six area allegations. As such, a specific finding of "substantiated" or "unsubstantiated" is not rendered with respect to allegations A-1 through A-6).*

4. Professional Development:

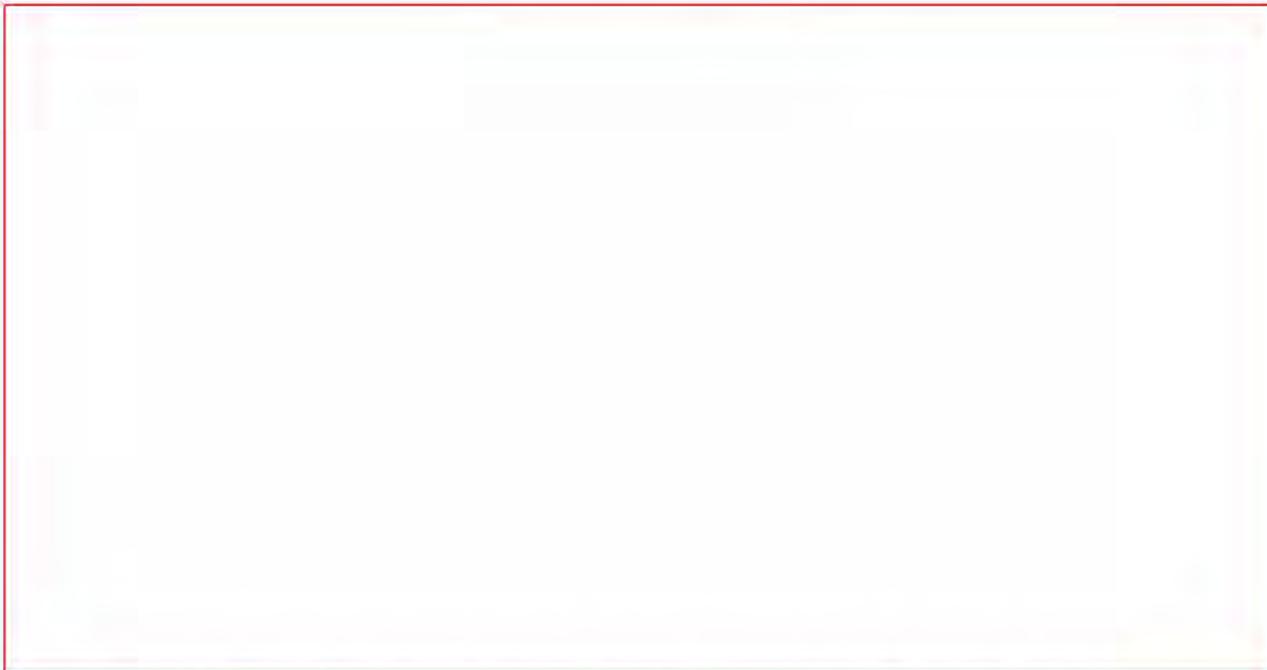
Applicable Rules/Regulations:

Negotiated Agreement Between DoDEA and Overseas Education Association, Article 31, Educational Opportunities, Article 32, In-Service Education: Article 33, Article 34, Development of New/Special programs: Article 35, Certification/Recertification: September 1989 ()

[Note: The IO requested additional documents, if any, regarding ZAHS or DoDEA policy on training and professional development. All that was provided was a copy of the negotiated agreement.]



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The IO observed that most witnesses (teachers) appeared to be unclear about how training and professional development opportunities are offered and unaware about written policies or guidance on training and professional development. [REDACTED]



Article 31, 32, 33, and 34 of the negotiated agreement [REDACTED] describe the agency's responsibilities regarding training and supports the process as cited by [REDACTED] in his testimony. However, other than the labor agreement, ZAHS does not appear to have a policy describing how professional development or training opportunities are offered to the staff. If such a policy exists it was not provided to the IO. [REDACTED]



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Allegation A. Alleged Inequities Related To School Administrative Operations and Processes such as the following: *(Note that these allegations are of a general nature. The IO's task with regard to this allegation was to gather and consolidate information on these six area allegations. As such, a specific finding of "substantiated" or "unsubstantiated" is not rendered with respect to allegations A-1 through A-6)).*

- 5. Classroom assignments and conditions;

Applicable Rules/Regulations: None.



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The IO team members toured the ZAMA school campus and visited the various class rooms (including those of the witnesses listed above). The IO noted that most, if not all class rooms were comparable in size and condition (the math/science class rooms appeared to be larger and newer). [REDACTED]

[REDACTED] All the buildings where the teachers were located included elevators which could accommodate those needing assistance with stairs.

[REDACTED]

[REDACTED]

The IO team was housed in the temporary buildings during the on-site visit. Other than the IO team, there were no other teachers occupying or classes being conducted in the temporary building. In the view of the IO, the conditions in the temporary building appeared to be of a lesser quality than the classrooms where teachers were currently assigned. The IO did not see elevators in the temporary school buildings. In fact, the class rooms in the temporary building appeared to be used as temporary storage facilities for excess supplies and school equipment.

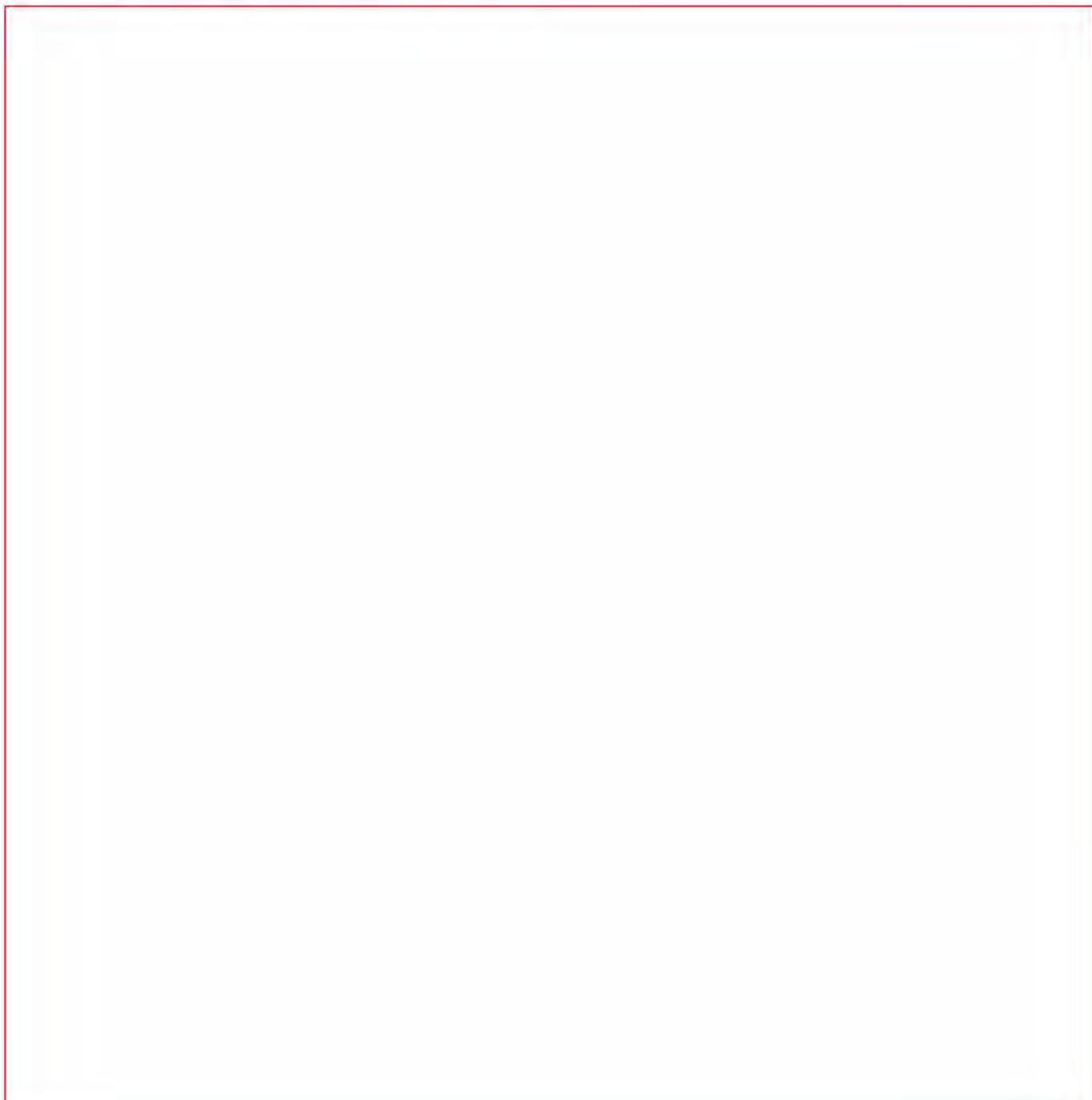
[REDACTED]

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Allegation A. Alleged Inequities Related To School Administrative Operations and Processes such as the following: *(Note that these allegations are of a general nature. The IO's task with regard to this allegation was to gather and consolidate information on these six area allegations. As such, a specific finding of "substantiated" or "unsubstantiated" is not rendered with respect to allegations A-1 through A-6).*

- 6. Professional/unprofessional interaction with subordinates by school administrators.**

Applicable Rules/Regulations: None identified.



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The preponderance of the evidence does not support allegations of unprofessional interaction by ZAHS administration with staff.



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Allegation B. Alleged Discrimination Against Students

1. That, during the school year 2010-11, African-American students at ZAHS, or other minority students, were inappropriately told by ZAHS teachers or administrators that they “do not look smart enough” to participate in certain courses or programs (e.g., honors, advanced placement, etc) or words to that effect, in violation of Executive Order 13160;

Rules and Regulations:

Executive Order 13160, Nondiscrimination on the basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a parent in Federally Conducted Education and Training Programs

DODEA Policy Memorandum Implementing EO 13160 (March 18, 2009)

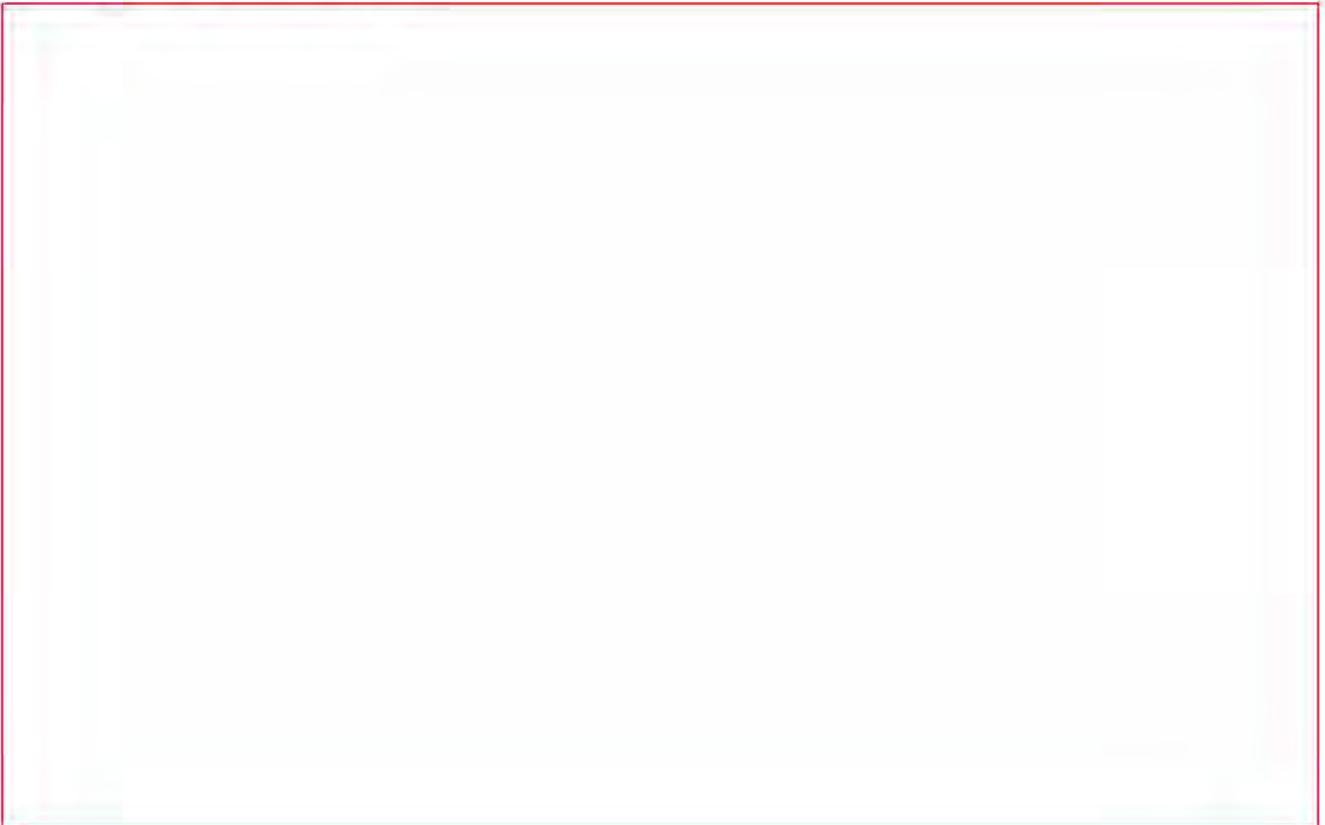
Negotiated Agreement Between DoDEA and Overseas Education Association, 1989,

Zama High School – Student Handbook 2011-12

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Findings: Unsubstantiated



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Allegation B . Alleged Discrimination Against Students

2. That, during the school year 2010-11, African-American students at ZAHS, or other minority students, were inappropriately removed by ZAHS teachers from honors or advanced placement courses, and in doing so, treated differently from their white counterparts, in violation of Executive Order 13160;

Applicable Rules/Regulations:

Executive Order 13160, Nondiscrimination on the basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a parent in Federally Conducted Education and Training Program

DODEA Policy Memorandum Implementing EO 13160 (March 18, 2009)

Negotiated Agreement Between DoDEA and Overseas Education Association, 1989

Zama High School – Student Handbook 2011-12

Policy on Honor's Class.

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Findings: Unsubstantiated

The IO was informed by [redacted] technical advisor that student's generally have two weeks to [redacted] add or drop a class at the beginning of the school year. [redacted] was no documentation to confirm this practice. The SY2010-11 started on August 30, 2010 and as such, the students could elect to add/drop a class until September 10, 2010 [redacted]. A review of student records showing adds/drops shows that no students dropped from the [redacted] honors classes. The evidence shows that [redacted] students dropped from the [redacted] honors classes. [redacted] of the students dropped before the September 10, 2010 date [redacted]. The records also show student, [redacted] dropped [redacted] and added [redacted] [redacted] on October 14, 2010 [redacted].

A review of the evidence provided to the IO does not support the allegation that [redacted] inappropriately removed minority students from honors classes. [redacted]

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Allegation B . Alleged Discrimination Against Students

- 3. That, during the school year 2010-11, African-American students at ZAHS, or other minority students, were inappropriately refused entry by ZAHS teaches into honors or advanced placement courses, as a result, treated differently from their white counterparts, in violation of Executive Order 13160;**

Applicable Rules/Regulations:

Executive Order 13160, Nondiscrimination on the basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a parent in Federally Conducted Education and Training Program

DODEA Policy Memorandum Implementing EO 13160 (March 18, 2009)

Negotiated Agreement Between DoDEA and Overseas Education Association, 1989

Policy on Honor's Class, undated



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[Redacted]

Findings: Unsubstantiated

[Redacted]

[Redacted] Overall, the evidence does not support the allegation that students were inappropriately refused entry into advanced placement or honors classes based on their race.

[Redacted]

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Allegation B. Alleged Discrimination Against Students

- 4. That during the school year 2010-11, ZAHS teachers or administrators generally treated minority students in a manner that interfered with or limited the students' ability to participate in or benefit from ZAHS courses, programs, or activities, in violation of Executive Order 13160;**

Rules and Regulations:

Executive Order 13160. Nondiscrimination on the basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a parent in Federally Conducted Education and Training Program

DODEA Policy Memorandum Implementing EO 13160 (March 18, 2009)

Negotiated Agreement Between DoDEA and Overseas Education Association, 1989

Zama High School – Student Handbook 2011-12

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Findings: Unsubstantiated

There was no evidence presented that show that ZAHS administration interfered with or limited the students' ability to participate in or benefit from ZAHS courses, programs, or activities. In fact, the majority of other witnesses indicated they had no direct knowledge of the allegation or found it to be untrue. 



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Allegation B. Alleged Discrimination Against Students

5. That, during the school year 2010-11, African-American, students and/or parents in the ZAHS community, perceived discriminatory, disparate, or unfair treatment by ZAHS teachers or administrators, against ZAHS minority students.^{iv}

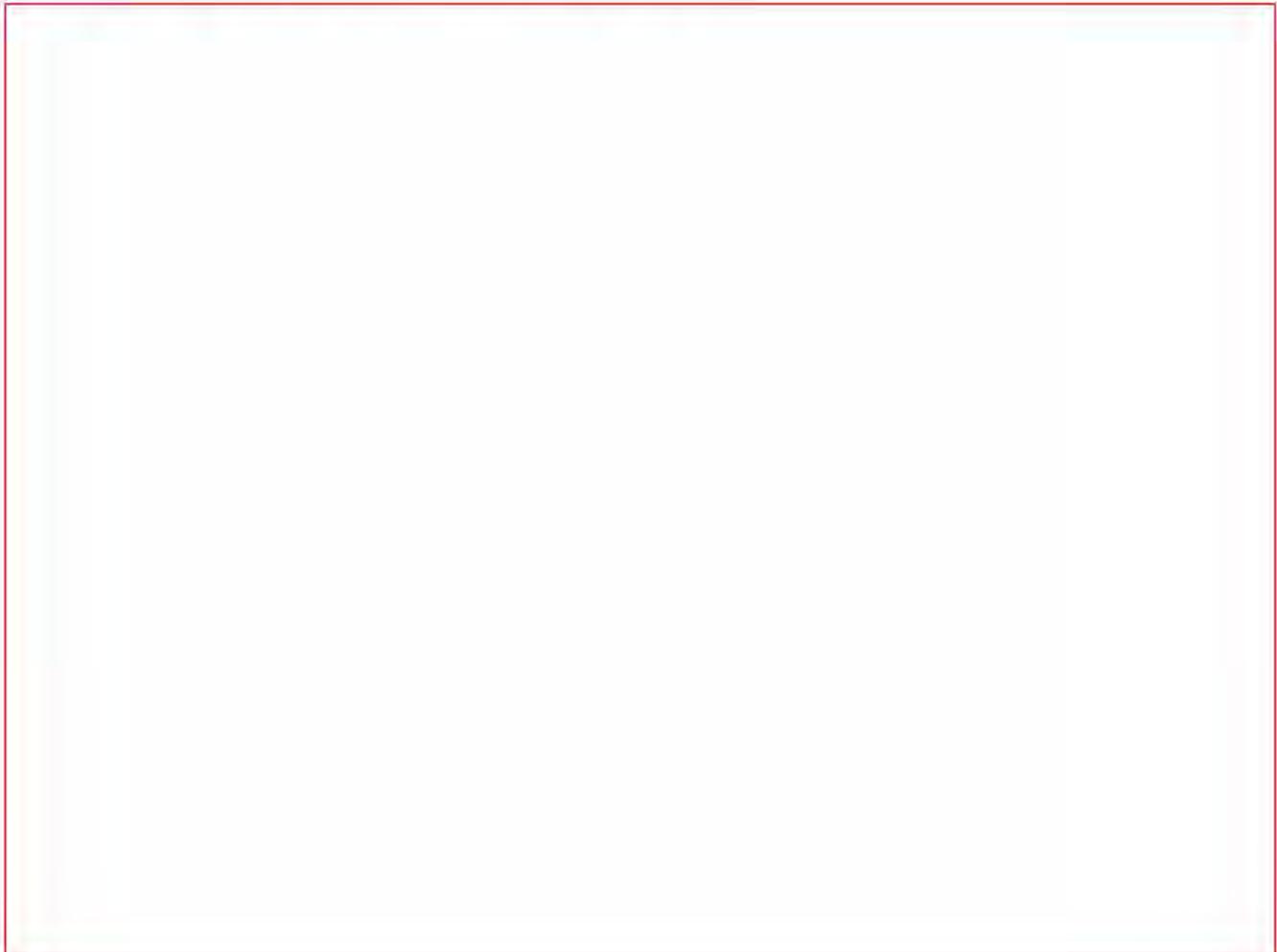
Applicable Rules/Regulations:

Executive Order 13160. Nondiscrimination on the basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a parent in Federally Conducted Education and Training Programs

DODEA Policy Memorandum Implementing EO 13160 (March 18, 2009)

Negotiated Agreement Between DoDEA and Overseas Education Association, 1989

Zama High School – Student Handbook 2011-12



Findings: Unsubstantiated

Based on the testimony there does appear to be some perceptions by parents and students that some practices by ZAHS administration and teachers are unfair. These include perceptions that some students are given extra homework and that ZAHS does not listen to their concerns. There was, however, no evidence to support that the perception of "unfairness" was racially based or directed to minority students.

No evidence was presented to support that the [redacted] received less homework assignments than those on other activities. [redacted]

[redacted] The IO found no written policy governing how make-up work assignments were assigned [redacted]

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Allegation C

- I. Alleged Conflicts Between ZAHS Staff Negatively Affecting the Learning Environment
 - a. That during the school year 2010-11, conflicts occurred between ZAHS staff which negatively affected the learning environment at the school
 - b. That, during the school year 2010-11, conflicts between ZAHS staff created concerns and anxiety within the school community which negatively affected the school learning environment.

Applicable Rules/Regulations: None



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[Redacted]

Findings: Substantiated

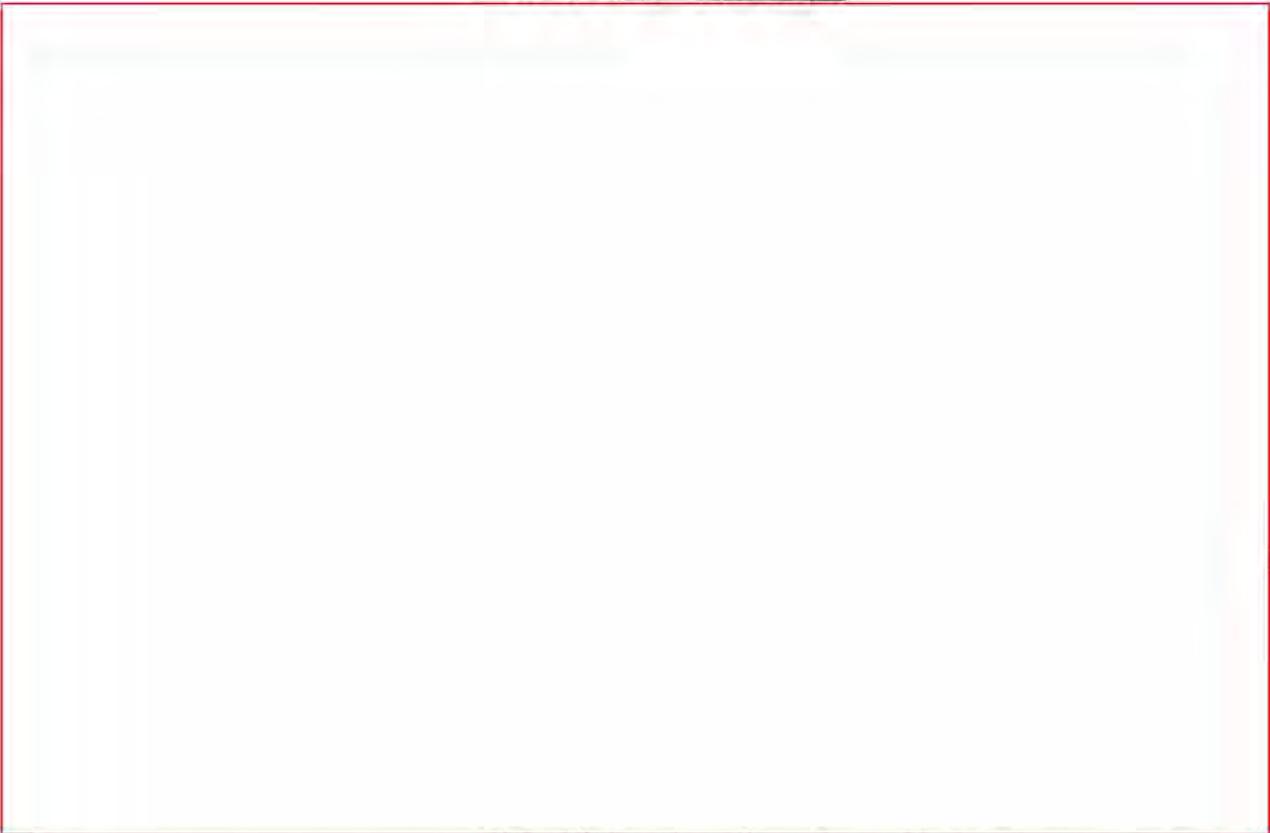
It was evident to the IO that an environment of mistrust and lack of communication exists at the school. [Redacted]

[Redacted]

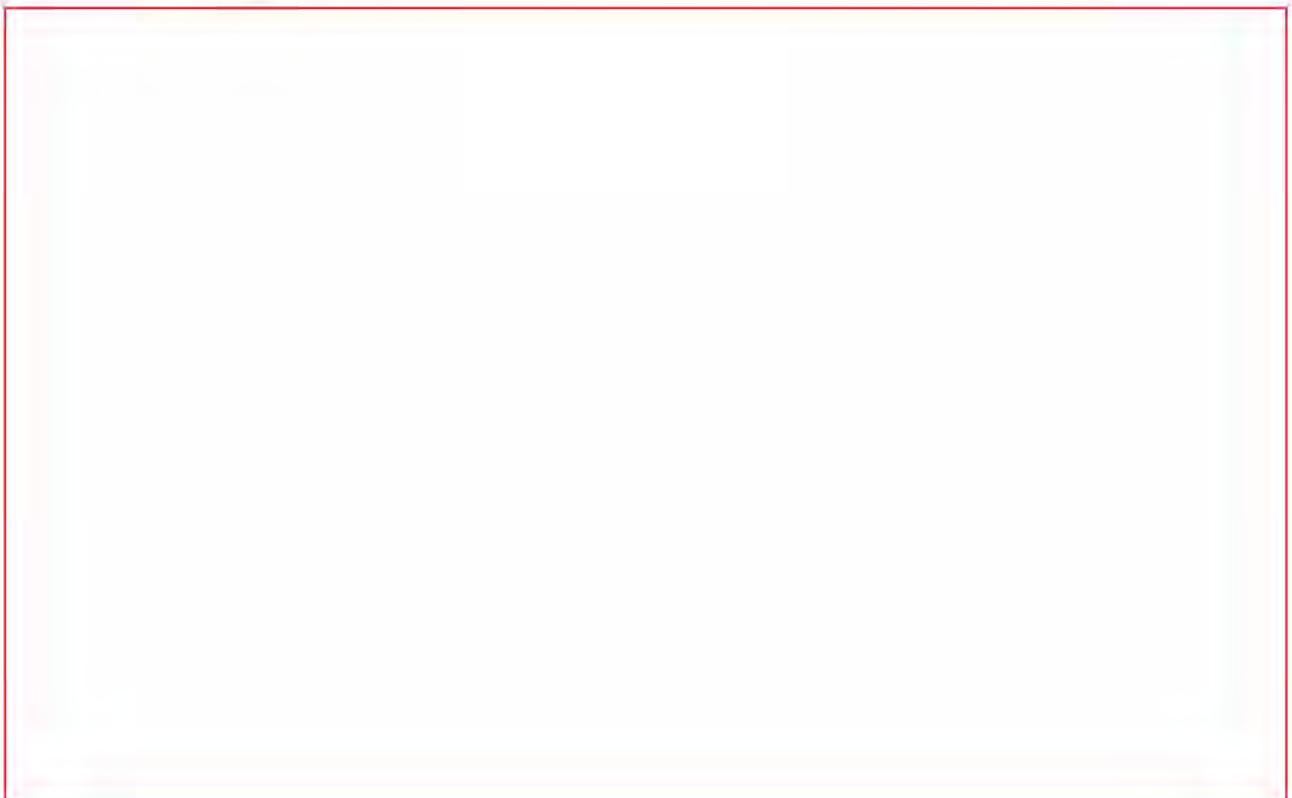
Disputes among teachers appear not to reach a resolution [Redacted]

[Redacted]

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[REDACTED] Overall, based on discussions with the witnesses during the gathering of the testimony phase, the IO concluded that the witnesses wanted to express their concerns and be heard.



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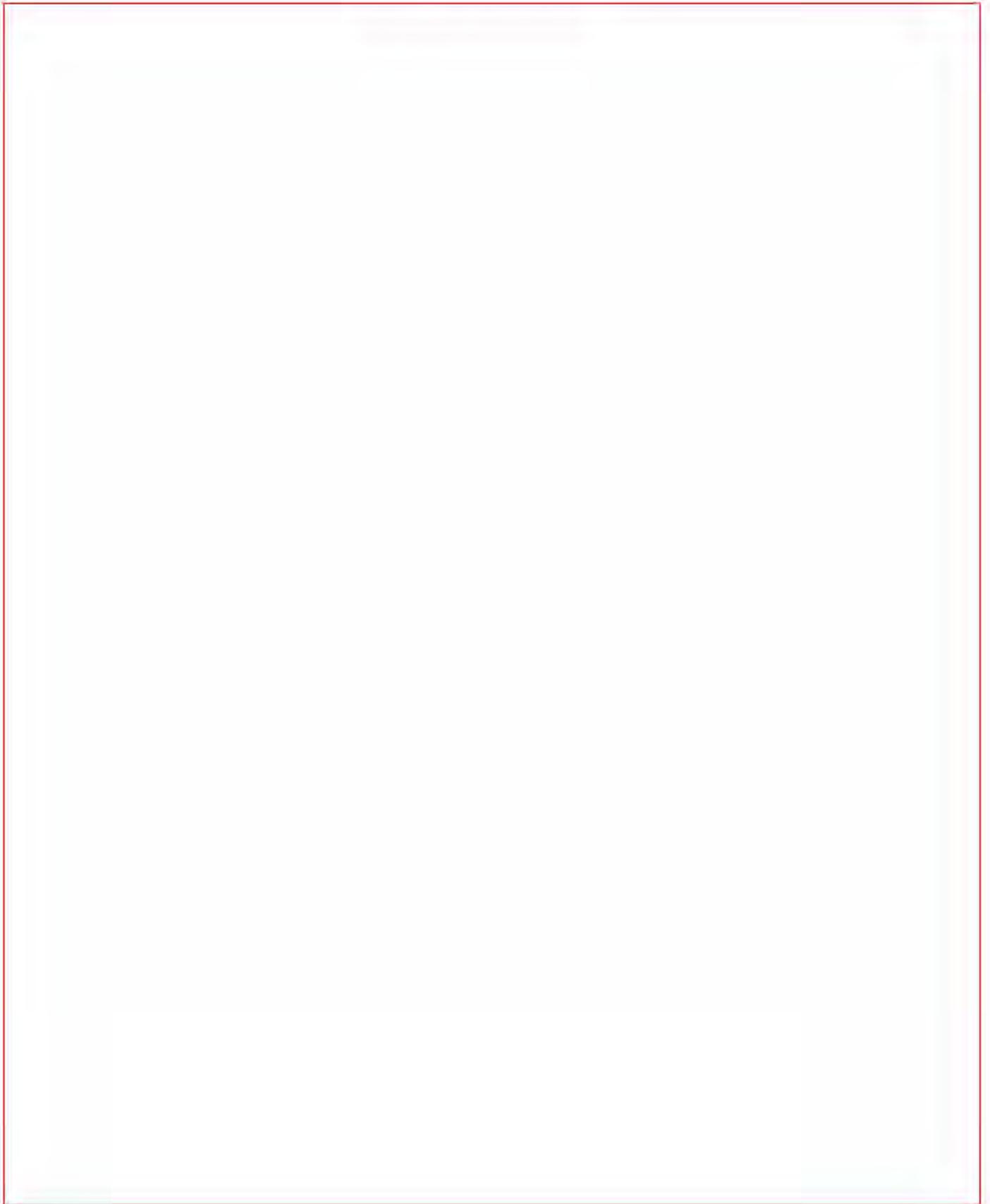
ⁱ This did not include individual complaints of discrimination by teachers as that falls under the Equal Employment Opportunity process managed by the DoDEA, Diversity Management Equal Opportunity Office (DMEO).

ⁱⁱ These are allegations of a general nature. The IO will primarily gather and consolidate information on these six area/allegations. Therefore, a specific finding of “substantiated” or “unsubstantiated” is not warranted with respect to these allegations.

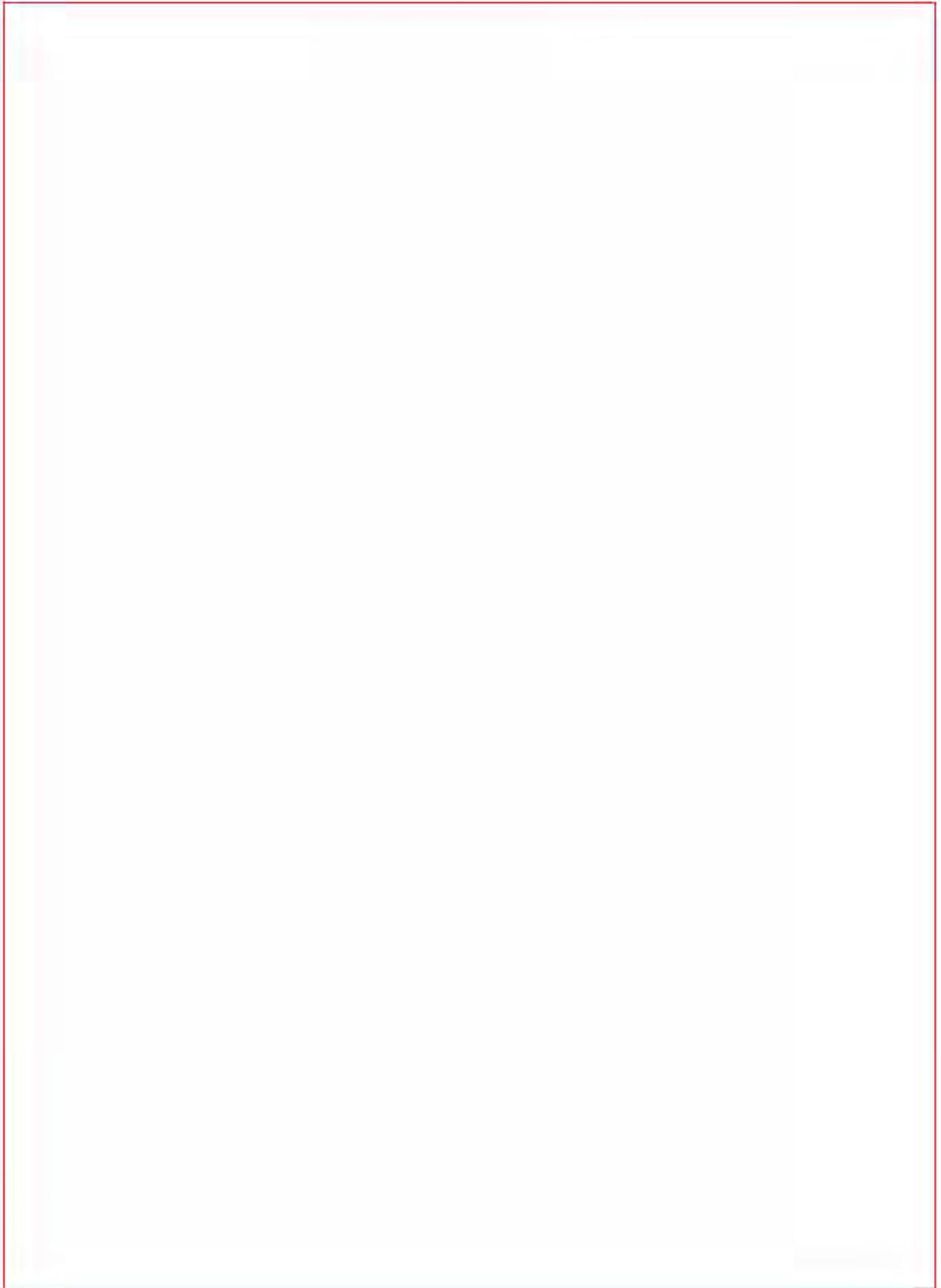
ⁱⁱⁱ This allegation is only to be investigated if the IO obtains reasonable evidence of real or perceived discriminatory or unfair treatment by ZAHS personnel against minority students.

^{iv} This allegation is only to be investigated if the IO obtains reasonable evidence of real or perceived discriminatory or unfair treatment by ZAHS personnel against minority students.

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