

# Fired to hide a lack of training

The substitute teacher was handed her schedule and a form to sign on her first day of work. It was her first day of work at the Cheyenne junior high school. She may have signed that day that she was provided a manual which had not been provided her earlier. Nor that day. She doesn't remember for sure.

In her haste to perform her first day of substitute teaching at a new school, she went to her classroom and began the day's activities. As students filled the classroom, boisterous as usual, she busied herself writing on the white board at the "front" of the classroom. The door into the classroom was at the rear - the far end of the classroom. Behind her.

At some point early in the class period, she heard a brief "commotion" and turned to see what had happened. She saw a group of students clustered in one spot and went back to see what had happened. The sound she had heard was not excessively loud - just a noise.

She went directly to an area with four or five students around a single student who was seated on the floor, in the process of getting up. Students volunteered that boys had been "play fighting" to explain why one was down. None offered that a standing boy had knocked or pushed down the one seated on the floor. No student corrected the offering of the incident being "play fighting" and that is a common occurrence in junior high classrooms. It is akin to shadow boxing, with "pretend" blows or slaps being administered but none connecting.

The new teacher noticed that the boy on the floor was wearing a hoodie and his sleeves had been pushed up. She could see a small amount of blood pooling near an elbow and asked the student if he wanted to visit the school nurse. He wiped the blood with the sleeve of his hoodie and declined her offer.

There was no evidence of bullying and the student sitting on the floor never made such an accusation. There were girls in the vicinity and they did not correct the assertion the boy was on the floor other than accidentally, by slipping or losing his balance in the crowded area.

During the class period, the substitute teacher continued to try to instruct the new-to-her students as best she could. There was a time for silent reading and she had noticed that the fallen student had gone to a table with two girls and had rested his head on the table, with the hood of his hoodie over his head.

She went to him and asked if he was all right and told him that having the hood over his head was against the rules and asked him to remove it. He did not. Because he was not belligerent or disruptive, she did not pursue the matter. Substitute teachers, as poorly prepared as they may be, realize that it is not in their best interests to turn the students as a group against them. To cause a scene.

Near the end of the class period, she approached him again and asked if he'd like to go to the bathroom, that she would

issue him a "pass" so he would be authorized to be in the hall or bathroom during a class period. She thought maybe he'd like to freshen up or compose himself before his next class.

Again, he declined. He told her he was "all right" and she let that pass.

As she spoke with other students at the front area of the classroom, a girl called out, "he's going to the bathroom." Because she had offered him a pass for that purpose, she did not overreact to his leaving. He had her implicit permission to do so.

In the interview with me, the substitute teacher had told me the student had shown no signs of being physically assaulted or hit. There was no bleeding on his face area, no redness, no swelling - no evidence that anyone had bullied him physically. And she had heard no verbal bullying either.

Before the class period ended, other students left the classroom against the rules. She went to the open doorway - she was not supposed to leave her classroom during the period. A boy's bathroom was very close to the door to this classroom and that is where the student had gone. Other male students had also gone into that bathroom.

At no time, she told me, did any student come out of the bathroom and tell her that there was a student in there who was threatening to hurt himself or was in the act of trying to harm himself. She told me she would have violated school rules and gone into the boys restroom if she had been told anything like that.

The later statements that she acquired from the Cheyenne Police Department provided her the first "evidence" of what students said had transpired in that restroom that morning - the substitute teacher's first time at that junior high.

And, while accusations were thrown at her, she was not then asked to provide a written recitation of her account of events in her classroom that morning.

She has said that, at a time when she asked the student if she could help him, if he was all right, he answered by saying something like, "Yes, you can get me a gun so I can shoot myself."

She did not know at the time that those words should have triggered a contact with the principal's office. That, said even in jest, any threat of suicide or harm to oneself by a student, called for such a contact. She didn't know that because she had never been trained, indoctrinated nor provided a copy of a Faculty Manual in which the instruction is given.

Teachers should have known that but substitute teachers had never been told - not until well after this incident, when LCSD1 held special training sessions for substitute teachers to inform them of what action they were to take if a student made such a threat - serious or not.

This substitute teacher finished out her

day. Except for an assistant principal "yelling" at her in the hallway, she didn't really know the extent of the "incident."

What she didn't know was that the student's mother is an attorney. An attorney who is a Democrat, serving in the Wyoming House of Representatives. A Representative supported financially by the Wyoming Education Association, a group that is supposed to represent dues-paying members when they are accused of wrongdoing. The WEA has made three campaign contributions to the mother of the student - \$200 twice in 2006 and \$500 in 2008. \$900 total.

The substitute teacher didn't stand a chance.

LCSD1 must have felt they had no choice but to make an example of her. To throw her to the wolves in the hope of avoiding costly litigation by the parents. That is why this woman was kept in the dark as matters progressed. If LCSD1 could convince the parents that the teacher was incompetent and had been told, had been trained, had been instructed, what to do in such a case, the parents would have felt less confident in bringing an action against LCSD1. Had the parents known the truth, that the substitute teacher had never been told about nor trained in how to handle such an incident, the parents had a better cause of action.

It was the perfect storm for the teacher. Everyone ganged up against her. The school, some of the students, the union and the parents. And she could get no help. She cannot afford a private attorney and most do not want to get on the wrong side of the school district. Local attorneys, to a great extent, hold out hope they may get some of the scraps tossed from the table by the school district, LCCC and government and will not take cases against any of them.

The substitute teacher had paid union dues. She had changed employee categories before beginning to substitute teach and union dues had been deducted from her paycheck. Those dues were returned and she was told by WEA that they would not defend her.

How could they? The organization had made campaign contributions to a legislator who may have become a litigant against the teacher. That was not a chance they were going to take. It is hard enough to get Democrats elected in Wyoming - and the WEA and NEA need Democrats to do their bidding in legislative matters. They dare not offend them.

When provided statements of probable cause, the CPD tried to have her prosecuted for "child endangerment." She learned that students had told a very different story to authorities than they had to her that morning. And that students were in the restroom with the student in question, encouraging him to hurt himself.

In spite of that admitted despicable behavior on their parts, other students' statements against the teacher were taken as gospel and none of them were criminally charged with anything.

Some students, unidentified of course, said the teacher knew about the bullying and did nothing about it. Some said she was told the boy was in the restroom trying to hurt himself and did not take any action. The authorities could not put two and two together and understand why the students would say that - to take responsibility off their shoulders for their instigation - encouragement - for the boy to harm himself and for their inaction toward stopping it - to implicate an adult and exonerate their own wrong behavior.

What would this teacher have to gain? What would be in it for her to allow the student to remain in her classroom at some risk to her, him and others, had she known she could have rid herself of the problem by simply calling the principal's office? She did know principals don't like to be called into every "situation" that may develop in a classroom - that they demand teachers deal with most issues they face during the day.

LCSD1 officials did not even have the courage or class to tell the substitute teacher that she would no longer be "on call" - that she no longer would be able to make a living doing what she had prepared herself to do over a long period of time. And they did not present her an opportunity to tell her side of the events - to defend herself against accusations made by children - many of whom probably had no idea what had really happened but were trying to back their friend's stories to keep them out of trouble. She had no opportunity to "confront her accusers." She was provided no legal advice nor counsel and when she asked, WEA refused to take her side.

Unions are notorious for taking workers sides even when they know the workers are in the wrong. That is what makes the workplace somewhat even. But this woman was left to her own devices. By refunding her union dues, WEA believes it has no responsibility, no duty, to her.

A silver lining here is that the boy did not harm himself - then or later. The incongruity to this is the contrast with the behavior of a community college president who knew firsthand the frailty of a student in his charge and still deliberately did nothing to remove the risk to her.

We are a nation of paranoia now. At the airport, one cannot call out to a friend across the terminal. A "Hi, Jack," might get you detained. If I thought for a minute that this middle aged substitute teacher had breached her known responsibility that morning, I wouldn't have given her story an inch in one of my papers. But, it is my belief that the handling of her is related to CYA of those superior to her. They know she had not been trained as to what to do in such an event. And, she was face-to-face with the boy. Her assessment was that he was not serious. She handled the situation as she thought she should and no harm befell the student while in her care. None.

The harm was going to fall on her. Had it not been for ADA Craig Jones, she would have been prosecuted on charges that cannot apply in the classroom. More ...