

October 29, 2015

To: Bellevue Football past/present/future football players and families

It has been a couple of months since a letter was sent out providing information on what was happening with regard to the Bellevue Football program and many of you have been asking for an update. It is such a moving target with so many pieces in motion it can be difficult to track. As I mentioned in my first letter back in late August, we conducted our own investigation and we continue to do so. We continue to perform our own public record requests and some of them have proven very interesting. Here is what I learned so far:

Last Friday BSD informed us that one of the investigators had to actually be removed from the investigation due to improper conduct on his part. In short, the WIAA has acknowledged that one of their investigators is behaving improperly. Investigators have been intimidating people by referencing their status as being affiliated with the FBI and the prosecutor's office. In fact, they are no longer employed by either.

Butch is now at a level four appeal, the principal has acknowledged, in writing, that Butch did in fact report the incident to the principal contrary to the front page newspaper article, and in fact his letter of reprimand has been withdrawn. The Seattle Times failed to mention that. The key source of the Seattle Times Diploma Mill article (Jason Gardner the teacher who left Academic Institute) was found by the State of Washington to be "not credible", members of our African American community are upset because WIAA investigators are overwhelmingly just contacting them and ignoring similarly situated Caucasian and Asian student athletes and families, people's garbage is being sifted through, minors have been contacted without parental permission, the list goes on. Hard to believe we have essentially been "under investigation" since last January--it is November this Sunday...it takes a lot of "endurance" to deal with this. Here are the issues as we currently know them:

1: The additional WIAA investigation which was announced over two months ago is still ongoing and now enters its third month. You know, the one we were told would take two to four weeks to complete☺. A number of complaints have been made at recent school board meetings and directly to the BSD administration with regard to:

- a) Minors** being contacted by WIAA investigators without parental consent
- b) Investigator claiming** to be with the "FBI" contacting minors without permission or consent and contacting families (this investigator was apparently formerly with the FBI but no longer is) .
- c) Concerns** raised about the appropriateness of claiming to be an FBI agent or a former FBI agent or a former federal prosecutor and using that as a means of intimidation with parents and students and former students.
- d) Concerns** as to why the Seattle Times was contacting these same families within five to ten minutes of the WIAA investigator's contact and how that connection was not appropriate....ie why is the WIAA and its lawyers collaborating with the Seattle Times on this investigation and how can that be appropriate particularly given the slant of the Seattle Times to date with regard to Bellevue Football?

e) **Concerns** raised as to why the only students/families being contacted were overwhelmingly of African-American heritage and how this raises the question of racial profiling by the WIAA investigators. Another family was contacted by the WIAA yesterday...and again, they are of African-American heritage.

f) **Concerns** and complaints that people's trash and recycle was being searched and the neighbors of these same families being contacted and the word "federal" continuing to be used inappropriately by the investigators as part of these contacts.....similar issue and complaint as item "b" above.

g) **Concerns** over the news article where the lead investigator Mr. Westinghouse states, "Well, all that I'm in the position to tell you that the WIAA has made it crystal clear that they want a fair, reasonable and thorough investigation," Westinghouse told the Reporter. "They want to level the playing field for high school activities." The concern from the community with regard to Mr. Westinghouse's comments in the paper are that it should have said, "Make sure the playing field is level" rather than stating that they want to level it.....as there is a huge difference between the two.

2: A rather important bit of information has come out about Jason Gardner who was the Seattle Times primary reference....the "teacher" who improperly referred to the Academic Institute as a "diploma mill". Records show that the State of Washington Unemployment Security Department found Mr. Gardner "not credible" with regard to his story and required him to repay the funds he had received from them after leaving the Academic Institute. Mr. Gardner fought the State on that decision and lost yet again on appeal. There has been no mention of this very important and telling fact by the Seattle Times. Given how much weight was placed on his words (including the horrible mischaracterization of the Academic Institute being a diploma mill), given the Seattle Times chose to use this person's words as their headline on August 23, 2015, and given that this article sparked BSD to start yet another investigation into the BHS football program.....when one reads the letter sent by Mr and Ms Freeman and rereads the article with the understanding that the State of Washington found Mr. Gardner to not be credible.....I don't know much, but it sure sounds to me like a lot of people rushed to judgment and believed a newspaper article written by some rather overzealous reporters who trusted sources they should not have.....all to sell a newspaper. As Elizabeth Sytman of BSD stated to the BSD administration back in June....the Seattle Times is "clearly trying to make news and they don't know anything about WIAA or high school athletics". I always thought it was the newspaper's role to report the news, not to create the news?

3: While I cannot speak for the Academic Institute, I understand that they have met already with the WIAA investigators. In reading their statement which they provided to the WIAA investigators, Academic Institute made it very clear that no preferential treatment is given to any of their students with regard to scholarships. It was also made very clear in their letter that no coaches directed any students to attend there. Per their letter, any scholarship dollars provided by Academic Institute to any of their students are in fact available to all, and is not based on being an athlete or not being an athlete. They also made it very clear that no one directed any funds, and that Academic Institute has complete control and autonomy over any funds it receives in donations. The letter also made it clear that any scholarships offered to any student were based solely on financial need. It was also interesting to note that even though there are currently zero football players from Bellevue High School attending the Academic Institute, the Club still continues to donate to the Academic Institute. In the donation letters provided by Academic Institute to the WIAA investigators, it states, "This contribution is to be used by

your institution to assist with education support for any student, male, female, athlete or non-athlete, at your discretion, based on their financial need and in accordance with your policies." Again, the Seattle Times failed to mention any of this.

4: Coach Goncharoff's grievance through the BSD Coaches Union: Coach Goncharoff did not accept BSD's Level 3 decision offered by BSD. In the BSD Level 3 proposed resolution, BSD offered to "remove Coach Goncharoff's letter of reprimand from the file". Additionally, it also acknowledges that Coach Goncharoff did in fact report contrary to the Seattle Times headline dated June 11, 2015 which stated that Coach Goncharoff did not report at all. It states, "I acknowledge you informed me in a timely manner" and it also states, "I should have pushed you for more details as well". The proposed resolution did not mention how or why the mysterious charges of "illegal practices and illegal off season conditioning" were ever determined (we still don't know what they are talking about on that one), the proposal did not address the "available to all" issue raised, nor did it address the two game suspension or the three year probation individually placed on Butch prior to his fourteen calendar day time period to not agree and file a grievance, nor did it address BSD offering up these punishments to Kingco prior to the aforementioned appeal period lapsing....contrary to the union contract of the coaches. This matter is currently now at a Level 4 grievance to be heard independently by the American Arbitration Association. There has been no retraction of any kind in the Seattle Times to date.

5: In addition to concerns and issues being raised with regard to the "new" WIAA investigation, additional questions and concerns raised at the school board meetings with regard to the following:

aa) **Concerns** that the Bellevue School District (as found out through public record disclosure) elected NOT to send extremely supportive and well written documents from Elizabeth Sytman of the Bellevue School District (spokesperson for BSD) sent on Sunday June 7, 2015 at 6:06 pm to Dr Mills and John Harrison. The documents proposed by Ms. Sytman were to be released in early June by the district, but were stopped from being released by John Harrison and Dr Mills of the Bellevue School District via an email dated June 7, 2015 at 10:27pm. The Bellevue School District documents (acquired through public records) stated, "The Seattle Times Editorial Board got it wrong in their editorial on the Bellevue High football program. They connected earlier investigations to the outcomes that took place this spring and **willfully mislead the public.**" (Emphasis Added). They also state, "The Seattle Times Editorial on Butch and our football program was personal, misleading and lacked character." Another part states, "The portrayal of Butch, our coaches and school, by the editorial board is uninformed." Again, these documents were written by the Bellevue School District in early June 2015 but they (Dr Mills and John Harrison) chose not to release them to the media even though their own person in charge of writing those types of things advised them to do so. The concerns raised at the public school board meetings were from people questioning why the district would feel the way that they felt above, write it down and prepare it for release to the media, and then not release it to the media. Of particular concern is how it was quite clear that BSD felt that the Seattle Times "willfully mislead the public", and yet BSD then willfully neglected to inform the public of the Seattle Times "misleading" and "uninformed" statements....and how that does not sound like transparency....in fact quite the opposite.

bb) **Concerns** of nepotism were also raised as to why the district athletic director of the Bellevue School District (who at the time was the President of the Board of Directors of the Kingco Conference, and his spouse who was the Treasurer) was directing an internal investigation, then taking that same

investigation to Kingco where it was apparently voted on but amazingly absolutely no meeting minutes were in fact kept, and then the next day taking it to SeaKing District 2 where the parents of his spouse are the Directors for approval. The general feeling was that the district athletic director and his family were the prosecutor, the judge and jury, and the appeals court all wrapped up into one.

cc) Concerns raised as to why in a June 15, 2015 email (where the superintendent, the school board and John Harrison were copied) the district athletic director writes to a resident of Bellevue in response to a complaint of how the BHS football HIB investigation was not handled more forcefully. The district athletic director states that he is "not at liberty to discuss the specific employment action taken by the District", yet in a later paragraph writes, "In the case at hand we were disappointed to learn that this expectation was not met in a timely manner" which was in reference to the claim that Coach Goncharoff failed to report. The concern being raised is how these two statements to a resident of Bellevue conflict with each other and general concern as to why our district athletic director is commenting to citizens like this about a District employment action when he quite obviously knows he should not be doing so....which coincides with complaints from the coaches that the district athletic director incorrectly advised them to NOT have representation during the investigation and specifically told them not to speak to anyone. There is great concern over the motives of the district athletic director throughout this entire investigation dating back to the date he was hired.....which is when quite a few feel the "investigation" actually began.

dd) Concerns raised as to why another portion of the June 7, 2015 email from Elizabeth Sytman to Superintendent Mills and Jon Harrison was not made public. It is the portion which states, "Additionally, we learned that a Sea-King Director also submitted a letter questioning the editorial board on their coverage and basically called them out for not verifying facts".

The concern raised was why Dr. Mills and John Harrison elected to not follow the advice of Elizabeth Sytman of BSD yet again and chose not to mention to the BSD or even the BHS families anything about this letter or the fact that a Sea-King director felt that the Seattle Times was out of line.

ee) Concerns raised from the June 6, 2015 email from Elizabeth Sytman to Jeff Lowell, John Harrison and Scott Powers which stated, "Can you think of any well regarding community members who could help us by writing a counter narrative to their made up "smoking gun". If there is a Kingco or WIAA connection, that would help as they should be the official voice who calls the Seattle Times out for their misstep and it is a misstep. When I read the editorial, all I could think was that the editorial board is clearly trying to make news and that they don't know anything about WIAA or high school athletics".

The obvious concern was again why BSD administration has elected to remain "quiet" when then have obvious knowledge of the Seattle Times being out of line and that the Seattle Times is "clearly trying to make news and that they don't know anything about WIAA or high school athletics". Of even further concern is the appearance that BSD and the WIAA are still actually working in conjunction with the Seattle Times rather than pointing out their "missteps" and improper attempts to "make news".

6: Following the numerous complaints made by parents and community members with regard to what they felt was very inappropriate behavior and actions on the part of the WIAA investigators mentioned

at the beginning of this letter, BSD finally released a statement on Friday, October 23, 2015 to all Bellevue High Football Families signed by John Harrison. It refers to the "Diploma Mill" article by the Seattle Times and that because of this article, BHS and BSD made a request to the WIAA to conduct a fact finding investigation specific to the allegations raised in the article. The fact that the Bellevue School District is allowing their actions to effectively be dictated to by the actions of a newspaper does not seem proper. The Seattle Times story is crumbling and was based on statements from persons who are "not credible"....ironically, the Seattle Times did not do their homework particularly with regard to their sources. However, the Seattle Times does not want to print any of this as it is about selling newspapers rather than the truth.

Anyhow, the letter from BSD lists five specific allegations. Two of them were investigating whether coaches directed athletes to AI or coordinated tuition payments to AI. Another was to determine whether boosters paid for tuition of athletes at AI, the fourth was investigating whether athletes received subsidized housing to gain eligibility and the last was investigating whether the athletes used false addresses to gain eligibility. Interestingly enough, that last one (regarding the addresses) would have nothing to do with the program or coaches or anyone other than BSD itself as it is the one who would check addresses and approve students, etc....puzzling why BSD is asking the WIAA for help to check on BSD? The biggest part of this letter is the following where it states, "Concerns about the method and scope of the investigation have been expressed by members of the Bellevue High School community to our School Board and District Administrators. Concerns included the methods employed by one of the investigators working for the firm hired by WIAA. The District contacted WIAA and shared these concerns. The WIAA has agreed to prohibit this individual from further participation in the investigation." To us, this sure would seem like front page news...it sure would be if the shoe was on the other foot. However, there continues to be "silence" from the Seattle Times when it comes to things like this coming out, The Seattle Times is not apparently interested in the truth.

So an investigator has essentially been fired from the investigation but nothing is said. People's trash is gone through, neighbors contacted, reporters calling just minutes after the investigators as if on cue, minors contacted without parental consent, and so many African American families contacted....seems way beyond fishy. The Seattle Times main source is "not credible" per our own State, the parents of the student in question refute the article in writing completely....and BSD bases their request for an investigation on a newspaper article? By the way, who is paying for this investigation...as I suspect these former federal prosecutors are not inexpensive? What a waste of public money.

Should yet another spiteful Seattle Times article emerge....and I suspect one will....it will be interesting to see if it includes any of the above information and if they start printing retractions and if so, what page they will hide the retractions on. I doubt it will, but it sure should. If any of you would like the public documents I am referring to above, I would be happy to email them or perhaps post them to the website....they are all public record items. You know how to reach me.



Pat Jones