



4. Critical to the issues in this appeal, I have been part of Warring's Transformation Team (Instructional Council) which is designed to enhance student achievement and remove Warring from its current status as a "priority school." This has entailed a great deal of work, commitment and leadership.

5. Our team has achieved a marked increase in the number of students reaching proficiency on state assessments. In urban areas such as ours, such increases are difficult to come by, but are vitally important as research shows that students who fall behind in elementary school have a very limited likelihood of catching up in middle school.

6. My additional responsibilities in Warring have included being assigned to teach other teachers how to teach, being the Coordinator of our School's Science Fair and, until Dr. William's transfer orders, I was going to be working on a STEAM Laboratory in Warring which would have been of invaluable benefit to our young students.

7. The present Superintendent of Schools, the Petitioner in the appeal Dr. Nicole Williams, has previously gone so far in recognizing my contribution to the District that she offered me a position in central administration. After the offer was conveyed to me through another administrator, Dr. Williams specifically told me in-person that she builds great leaders. When I declined this offer, there was a dramatic change on her part in our relationship.

8. For example, during February 2015, I was asked by then Warring Principal Nadine Dargan and Dr. Williams to co-present with Ms. Dargan at the Warring Data Presentation to the School Board. It was stated I had enormous knowledge about Warring's Building data. During the evening of February 24, 2015 [REDACTED] I voluntarily supported Ms. Dargan. On March 10, 2015, I received a letter reprimanding me for my involvement. The letter Ms. Dargan issued was riddled with factual inaccuracies, and she stated that Dr. Williams

and then school board viewed my tone as disrespectful and she was directed by Dr. Williams to issue me the letter. I asked Ms. Dargan if she viewed me as being disrespectful and she stated to me she did not. In a meeting, my union representative asked about the wording of the letter, stating it didn't sound like Ms. Dargan. Ms. Dargan stated that the wording is from Dr. Williams and Ms. Nadine Dargan was opposed to the letter but was directed by Dr. Williams to issue it to me.

9. [REDACTED]

[REDACTED]

#### **June 2016 Transfer Order**

10. During the 2016-2017 school year, I taught 4<sup>th</sup> grade at Warring.

11. The applicable collective bargaining agreement between the teachers union and the District provides that teachers must be given a tentative notice of the next year's assignment by June 15<sup>th</sup>.

12. On June 15, 2017, I was notified -- completely out of the blue -- that I was switching buildings with a teacher at Krieger Elementary School and would now be teaching 5<sup>th</sup> grade. *See* Exhibit "A" hereto. I tried in earnest to obtain any type of legitimate explanation for this transfer. None was provided. *See* Exhibit "B." I was told it was because I was "high will" and "high skill" and I needed to be challenged. On June 23, 2017, I was told by my building principal, Jason Gerard, the directive came from Dr. Williams.

### **July Board Resolution**

13. On July 14, 2017, the Board of Education adopted a resolution prohibiting building to building transfers. As a result of this resolution, I spent the rest of the summer up to August 28, 2017 preparing to return to my fourth grade class in Warring.

### **August 28, 2017 Directive**

14. Without any hint of prior notice, on August 28, 2017, I was directed by Dr. Williams to report to Poughkeepsie Middle School. *See Exhibit "C."* I did not receive so much as a courtesy phone call from her about this transfer. The first day of school for the 2017-2018 school year for staff was September 6, 2017, and for students September 8, 2008. I was told in an email from Mr. Gerard that Dr. Williams had directed me to "pack my belongings." I viewed this directive to be belligerent, as if I were some sort of criminal. *See Exhibit "D."*

15. I was never advised about the PMS plan nor approached about it by anyone at any time. In fact, on September 1, 2017 prior to receiving a memo from the School Board advising me to report to my assignment from the 2016/2017 school year I contacted Mr. Da'Ron Wilson Principal of PMS via email. I advised Mr. Wilson I would be unavailable until school started and asked Mr. Wilson for information about a schedule, the subject I am assigned to, grade level resources being utilized, the content, as well as the scope and sequence to try and get prepared.

16. On September 1, 2017 he responded via email and provided me with a schedule and subject (Social Studies); however he never supplied me with any information about the resources being utilized, nor the Social Studies content or the scope and sequence. Without having this information, I could not actually be prepared to teach entirely new content in an entirely new grade level in nine days.

17. Later in the day on September 1, 2017 I received an email from the School Board advising me to return to the same school building I served in the 2016/2017 school year a school that is not in receivership. On September 5, and September 6, per the board notification I reported to Warring for the workshops Mr. Gerard had planned to prepare staff for student arrival on September 7, 2017.

18. Again, on September 1, 2017 I was informed that I would be teaching sixth grade social studies. **I have never taught this course before.** It would take a highly skilled teacher at least an entire summer to prepare to teach a new course in a competent manner. I was given the initial directive by Dr. Williams on August 28, 2017 to transfer to the Middle School. The Board rescinded that directive and advised me to return to Warring. Dr. Williams then directed me again via a phone call with Mr. Gerard on September 7, 2017 to report to the Middle School, **giving me less than one (1) day to prepare to teach an entirely new subject.**

19. Since August 28, 2017 I have tried in earnest to obtain any legitimate reason why -- on virtually no notice right before the start of school -- I was transferred from an elementary school where I had a leadership position and was successfully improving student achievement to a middle school to teach a course I have never taught before. *See Exhibit "D."* To date, no explanation has been given.

20. As one of the leading educators in our District, I cannot even imagine of any legitimate educational reason for Dr. Williams' two transfer orders.

21. Based on the facts relating to my involvement with the superintendent, she has created confusion and not provided clarity, she has been inaccurate with facts relating to my actions, she has impacted me with forced directives of administrators I worked for, and has had

omissions of facts relating to me. More importantly, she has been retaliatory towards me. With this understanding, I feel any reasonable person would be intimidated and fearful in my situation.

22. Throughout my 16 years in the District, I have been a loyal educator and advocate. There is no legitimate reason for Dr. Williams to treat me with such utter disrespect and disregard.

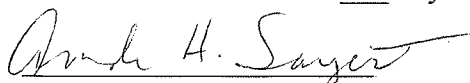
23. I should be in my classroom in Warring helping my students, building a STEAM lab and continuing the important work of the Transformation Team. [REDACTED]

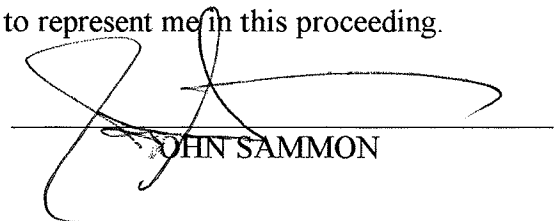
24. To the extent that Dr. Williams' directives were motivated by my declination of a central office position and/or my known opposition in the recent board elections to her supporters on the Board, that should be of great concern to the Commissioner of Education.

25. This appeal should be dismissed. I should be allowed to continue teaching in Warring pursuant to the will of the duly elected Board of Education.

26. Finally, because I acted with sincere good faith, I respectfully request that the Commissioner provide me with a certificate of good faith pursuant to Education Law § 3811. I notified the Board in writing the day after being served with this petition of such service and requested in writing that the School District appoint legal counsel for me. The Board duly designated the law firm of Bond, Schoeneck & King to represent me in this proceeding.

Sworn to before me this 19<sup>th</sup> day of October, 2017

  
Notary Public

  
JOHN SAMMON

AMANDA H. SARGENT  
Notary Public - State of New York  
No. 4893019  
Qualified in Ulster County  
My Commission Expires May 4, 2019

# Exhibit “A”



## Poughkeepsie City School District

Delivering on the promise of a high-quality education

*Every scholar. Every day. Every classroom.*

TO: *John Saurion*  
FROM: *Jason Genard*  
DATE: June 15, 2017  
RE: Notice of Assignment

Pursuant to Article XVIII, Section 5 of the Collective Bargaining Agreement, teachers will be given tentative notice of assignment by June 15, whenever possible. Teaching Assignments will not be changed except where necessary for the effective management of the District. The wishes of tenured unit members shall be a primary factor in determining whatever changes shall be made.

Your tentative assignment for the 2017-2018 school year will be:

Location:

*Wriege*

Assignment:

*5<sup>th</sup> Grade*

If you have any questions, please contact me.

cc: Personnel file



# Exhibit “B”

6/16/2017

Dear Mr. Gerard,

I am in receipt of my tentative assignment for the 17-18 school year. I consider this an involuntary grade and building transfer. My ascertainment of wishes was Warring Grade 4. As a tenured teacher, I am requesting the reasons for the change and transfer based on the effective management of the district as negotiated in the current PPSTA contract below:

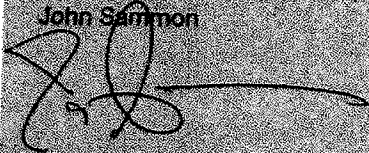
**ARTICLE XVIII. TEACHING AND NON-TEACHING ASSIGNMENTS**

**SECTION 5. Notice of Assignment.** Tentative notice of assignment shall be given by June 15th, wherever possible, to all unit members, including those who are returning from leave who confirm their intent to return in writing by May 15th. Teaching assignments will not be changed except where necessary for the effective management of the District. The wishes of tenured unit member shall be a primary factor in determining whatever changes shall be made. A reasonable effort shall be made to ascertain these wishes by consultation with the tenured unit members.

I am respectfully requesting a meeting to discuss and would like to bring union representation. Please advise.

Sincerely,

John Sammon



# Exhibit “C”



# POUGHKEEPSIE CITY SCHOOL DISTRICT

11 College Avenue, Poughkeepsie, New York 12603 | Telephone 845-451-4900 | Fax 845-451-4955

Felicia Watson, Ed.D.  
Board President

Deborah Clifford  
Board Vice President

Raymond Dufosse  
Board Member

Randal Johnson  
Board Member

Debra Long  
Board Member

Nicole L. Williams  
Superintendent  
Schools

## MEMORANDUM

TO: Mr. John Sammon  
FROM: Dr. Nicole Williams *NW*  
Superintendent of Schools  
SUBJECT: Notice of Assignment 2017-2018 School Year  
DATE: August 28, 2017

Pursuant to Article XVIII, Section 5 of the Collective Bargaining Agreement, **Notice of Assignment**. Tentative notice of assignment shall be given by June 15, wherever possible, to all unit members, including those who are returning from leave who confirm their intent to return by May 15. Teaching assignments will not be changed except for the effective management of the District. In accordance with the "effective management" provision: Your assignment for the 2017-2018 school year will be Poughkeepsie Middle School (PMS).

Please contact the building principal, copied on this correspondence, for your schedule and responsibilities.

Thank you for your attention to this matter.

cc: PMSD BCC  
Mr. Da Ron Wilson, Building Principal, PMS  
Mr. Jason Geord, Building Principal, Warring  
Mrs. Stephanie Green, President, PPSTA  
Mrs. Phoe Simpson, President, PPSAA  
Personnel File

**PMS Assignment John Sammon**

Inbox x

**John Sammon** <[jsammon@poughkeepsieschools.org](mailto:jsammon@poughkeepsieschools.org)>  
to Da'Ron, Jason, bcc: Michelle, bcc: Stephanie

# Exhibit “D”

**Transfer Directives**

Inbox x

**Jason Gerard**

to me, psimpson, Nicole, Stephanie September 6

Mr. Sammon,

Today at 12:05PM I received a directive via telephone from our superintendent, Dr. Nicole Williams, to direct you to pack your belongings in your classroom immediately upon the conclusion of your lunch today. You will have four (4) hours to pack your belongings and my understanding is that if packing lasts beyond the school day, you will be reimbursed for your time up to the balance of those four (4) hours. I was informed that your assignment will be the Poughkeepsie Middle School.

Respectfully,

**Jason Gerard**

**Principal**

**Charles B. Warring Elementary School**

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