

1320 West Main Street, Suite 202
Franklin, Tennessee 37064-3700
(615) 472-4000
fax (615) 472-4190



July 20, 2017

Re: *Brentwood Track and for-profit use of WCS facilities*

Dear Valued Parent:

As a superintendent, I value parent engagement and involvement. Parents are critical to the success of our district and I am thankful for your commitment and willingness to add positively to the work being done at Brentwood High School. Unfortunately, the BHS Track and Cross Country program has been riddled with discord and conflict in recent months. As a result, I contemplated shutting the program down temporarily. Instead, I assigned staff to investigate all complaints, allegations, and accusations levied against the program and associated staff. This letter is intended to provide a definitive conclusion to the issues we discovered with the BHS Track and Cross Country programs. It is my sincere hope that this letter will help bring closure to the discord existing amongst groups of parents, student athletes and coaches so that BHS can once again become an exemplar of what quality schools and parents can accomplish by working together.

1. Some Brentwood High School track & cross country coaches violated WCS Board Policy 5.608, Tutoring for Pay, by taking direct payment from parents for tutoring their children as runners or field athletes. By doing so, these coaches also potentially placed Brentwood High School in the position of violating Tennessee Rules & Regulations 0520-1-3-.03(14), which prohibits public schools from charging students fees which have not been approved by the Board of Education. One practical purpose of this policy is to prevent a conflict of interest in which a parent feels obliged to pay a WCS employee for services for which the employee has already committed to WCS to perform; it is unethical for a government entity offering a free education per State law to facilitate placing parents in such a position. Although some of you have opined that you wanted to pay these WCS employees because they offered a good service, we cannot allow such a conflict of interest to exist as we serve public school students.
2. Brentwood High School leaders facilitated this violation of policy by giving coaches incorrect information about this prohibition. More specifically, some coaches were told that they could not charge parents for track services during the season but could charge parents in the off-season. The policy's prohibition does not distinguish between in-season or off-season; the same ethical conflict exists whether or not such payment is in the off-season, unless the student was to no longer be on the BHS team and would no longer be subject to that coach's supervision the next season.

3. The evidence we found established that one coach violated even that incorrect instruction and was seeking & receiving direct payment from parents during the season while working as a coach for WCS. We concluded that this coach was insubordinate and exacerbated the policy violations with this practice.
4. Some Brentwood High School coaches violated Board Policy 3.206, Community Use of School Facilities, by using BHS' track facilities and equipment for their for-profit businesses, taking direct payment from parents. That policy prohibits for-profit entities from using WCS facilities unless contracted by WCS to perform a particular service.
5. Brentwood High School leaders were aware of or should have been aware of this improper use of facilities and did nothing to stop that use. At the same time, across the district, other for-profit entities who requested use of the facilities were denied that use based on the policy terms. This administrative failure placed WCS in the position of violating federal equal access laws related to use of facilities, as government entities must be consistent in application of its policies. To use vernacular, government entities in this country can't do favors for some without giving that same opportunity to all.

When we find employee violations such as these, we review our policies and procedures and check to see whether other schools have also similarly violated the standard. We did not find these problems at our other schools, other than discovering that one of BHS' coaches had also been using another WCS high school's facilities for his private business. It appeared that the other schools knew, understood and obeyed these policies.

Each WCS employee and coach who was involved in these violations received discipline deemed appropriate for them. We have heard arguments from some of you that the decisions were too harsh and from others that the decisions were not harsh enough. Some of you expressed unhappiness with our ethical standards, arguing that we should allow tutoring for pay, allow use of the facilities by our coaches for their personal profit, etc. Others expressed frustration with those coaches based on a feeling of being "trapped" into paying them directly for their services because they had authority over your children at BHS and you were afraid to refuse. The latter example is a practical reason why these conflict of interest standards exist.

As a result of all this, some of the coaches have chosen to no longer work for WCS. Once they have left their WCS position, there is no policy or rule against their accepting pay from you; we no longer have decision-making power over them. However, if they are doing any for-profit work for you, they cannot use WCS facilities to do it; like every other for-profit business in the world, they will need to find other facilities for that work.

Since our investigation was completed, some of you have submitted additional complaints that duplicate earlier complaints, have alleged other violations of law or policy, have complained about employee decisions that are within policy & law that you didn't like, etc. These included parent arguments for and against particular coaches, claims that coaches were hired for "political" reasons, allegations of "discrimination" without specifying what illegal discrimination might have occurred, etc. All of these complaints have been fully investigated, and we have found no policy or law violations over which we have control other than the violations described above.

Some of you have argued for a change in policy, with suggested changes ranging from allowing WCS coaches to receive direct pay from parents & allowing them to use WCS facilities

for their own profit to restricting WCS coaches from making decisions on how often students are expected to attend practice. We have also been told of continuing arguments in social media supporting or attacking particular coaches and each other, apparently depending on whether each of you like or dislike a particular coach. We have been told that parents have "picked sides" with some of these coaches.

We firmly believe in the wisdom of our policies, and we are not going to recommend any policy restrictions against coach discretion for his or her team, so long as they are acting within the bounds of the law, policy and our ethical standards. We also wholly disagree with the idea of parents paying their child's coach extra money for the same services the coaches have already committed to provide as a WCS coach. Such a practice places both parents and coaches in an impossible ethical situation. We will not facilitate this practice. If a coach believes he or she can make more for those services in the open market rather than for a public school, that coach has the power to make that decision for himself or herself.

Any further complaints or attempts to influence WCS policies and ethical standards to accommodate your favorite coach or interfere with the work of a WCS coach with whom you disagree needs to stop. The behavior of a few of you has reached the point of interfering with our ability to best serve the 100+/- other track and cross country team members whose parents were not involved in these policy violations.

We hope that for the good of your children you end this battle between each other and against the coaches who will be serving your children. If you want to keep your private coach, that's your decision. Your private coaches are capable of finding appropriate locations to run their for-profit business. At the same time, if your children choose to be on a school team that we offer, they will be subject to the WCS coach's rules and decisions just as any other students.

I hope everything goes well for your children.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Looney", with a long, sweeping horizontal line extending to the right.

Mike Looney, Superintendent
Williamson County Schools