

MIAMI UNIFIED SCHOOL DISTRICT #40



Dr. Sherry Dorathy, Superintendent
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Miami, AZ 85539
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August 25, 2021

Sent via: drmpettitt@gmail.com & Certified Mail – Return Receipt Requested

Michelle L. Pettitt
742 First Avenue
Miami, AZ 85539

Re: Parent Contact Management Plan =

Dear Ms. Pettitt:

The Miami Unified School District has appreciated the opportunity to provide a quality educational experience for your two sons at Miami Junior-Senior High School (MJSHS). As a parent, you play an important role and District and school personnel have sought to work in a collaborative way with you. However, you have demonstrated a pattern of conduct that has resulted in significant disruption to District and school operations. Therefore, I am writing to provide you with notice that effective immediately, you will be expected to adhere to the parent contact management plan (“the Plan”) as described below.

This letter describes the reasons for the Plan, the Plan’s steps to protect your right to have input on your children’s education, and the Plan’s provisions to protect MJSHS and the District.

A. Facts Giving Rise to the Plan

MJSHS and MUSD have made reasonable efforts to manage your disruptive and unproductive communications with and about our school and our employees. Your unwarranted behavior has wasted valuable time and resources. Your repeated mistreatment of school staff amounts to intimidation and bullying. Examples include but are not limited to:

1. At the Open House on July 26, 2021, you cut a line of more than a dozen students and parents waiting for assistance and demanded that a staff member change contact information for a student who does not reside with you. When your demand was refused, you falsely stated that you are “in a lawsuit with the school”.
2. You have filed complaints with the school or made public statements about teachers, coaches and administrators, including assertions in September 2017 that solid pedagogy and meeting state standards somehow constituted illegal acts, and as recently as August 17 assertions that school employees have committed crimes. The allegations have been false or unfounded.
3. On January 13, 2021, you emailed the Superintendent and Governing Board falsely claiming that a school administrator improperly interfered in a custody case with an “unprofessional, unethical and possibly illegal” letter to a judge. No letter was ever sent to the judge in question.

4. On April 1, 2021, you emailed the Superintendent demanding to know why you were excluded from knowledge about an overnight student event in the gymnasium. The event did not exist.
5. Despite annually signing enrollment documents since August 2016 that include an agreement to follow MUSD and MJSHS Policies, you have failed to follow protocols for expressing questions, concerns and complaints.
6. In January, June and July of this year, you repeatedly demanded copies of cumulative files, ignoring the fact that information in such files changes only marginally and slowly, wasting significant time and resources. Upon receipt of those files, you have then demanded to know why specific documents were not provided, when those documents were included.
7. On January 13, 2021, you improperly demanded changes in your student's educational records (e.g. changing addresses on records where the address was correct at the time the record was created).
8. You have recently expanded your range of targets with online attacks on a local judge, the judge's family, and at least one member of the MUSD Governing Board.

School staff has reported that they feel intimidated and demeaned by your speech and behavior. You are disrespectful toward staff and are highly confrontational when you speak with School and District staff. Your communications with School staff have increased to the point that the Principal and others feel harassed.

Moving forward, the District will not tolerate the behaviors you have demonstrated in the past. School personnel have a right to work in an environment free from intimidation and hostility. This cannot be accomplished if a parent disrupts the business of the school. As Superintendent, I am exercising my authority to impose restrictions on you to avoid further disruption to the District's educational or other operations.

B. Review of Pertinent Laws and Governing Board Policies.

A.R.S. 15-507 – This statute provides: “A person who knowingly abuses a teacher or other school employee on school grounds or while the teacher or employee is engaged in the performance of his duties is guilty of a class 3 misdemeanor.”

Governing Board Policy KFA, “Public Conduct on School Property” – This Policy provides in part:

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of an educational institution by doing any of the following: * * *

- Intentionally or knowingly entering or remaining on the property of an educational institution for the purpose of interfering with or denying lawful use of the property to others.

- Intentionally or knowingly refusing to obey a lawful order given by the Superintendent *
* *

A person may also interfere with or disrupt the District function by committing any of the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by the Board.

- Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District. * * *

- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.

- Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.

- Knowing violation of a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.

- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board. from the appropriate school administrator.

A complete copy of Policy KFA is enclosed with this letter.

C. Protecting Parental Rights

The District understands that you may want or need to communicate with District personnel regarding your children or general school matters, just as District personnel sometimes need to communicate information to you. To preserve your ability to communicate with District personnel on school related matters and at the same time protect the staff from unwarranted verbal abuse, intimidation and unfounded allegations, the District is expecting you to adhere to the instructions set forth below until further notice:

1. You may submit questions, suggestions or concerns about your children’s education via email at any time. Your emails must:
 - a. Be addressed to both the MUSD Superintendent and the MJSHS Principal.
 - b. Include no other MUSD or MJSHS recipients.
 - c. Be written in polite language with no false statements, threats, intimidation, or harassing content.
 - d. Involve no issues unrelated to the education of your children.

2. MJSHS and/or MUSD will conduct timely investigation of concerns if needed and otherwise respond when and only when further information is required, or administration deems a reply to be helpful to advancing your children's education.
3. If a meeting is required, it will be held via electronic means. The meeting will be recorded, and a copy of the recording provided to you, to avoid any misunderstanding or misrepresentation.
4. You may speak with administrators, teachers or staff members who call you regarding your children so long as you are not abusive, threatening or use the telephone contact to undermine any staff member's authority.
5. You may contact the Principal or the Vice Principal by telephone in the event of a true emergency involving your children.

D. Protecting Students, Staff & School

To protect the staff from unwarranted verbal abuse, intimidation and unfounded allegations and to minimize campus or disruptions in the future, **you may not come onto District owned property at any time unless your presence falls within the exceptions delineated below.** For purposes of this letter:

- District property includes: MJSHS buildings, Dr. Charles A. Bejarano Elementary School, Lee Kornegay School, Auditorium, Gymnasium, athletic fields, Ragus Stadium, MUSD parking lots, and any other property owned or controlled by MUSD.
- "Any time" includes the instructional day, any extracurricular school activity, any athletic competition or student performance, any school- or district-sponsored event, or any event hosted on campus by an outside organization.

Exceptions: You are permitted to come onto District owned property as follows:

1. You may be in the north parking lot between 7:30 am and 7:45 am to drop off your children. You may not exit your vehicle absent a true emergency and the need to do so. You must obey all traffic regulations and conduct your vehicle in a safe and orderly manner.
2. You may be in the north parking lot between 3:30 pm and 3:45 pm to pick up your children. You may not exit your vehicle absent a true emergency and the need to do so. You must obey all traffic regulations and conduct your vehicle in a safe and orderly manner.
3. If the school requests the emergency pick up of your children, you may be in the north parking lot at the appointed time. A staff member will deliver the child to your vehicle and obtain your signature on the check-out form. You must leave campus immediately after signing the paperwork and once your child is safely in your vehicle. You must obey all traffic regulations and conduct your vehicle in a safe and orderly manner.
4. If you wish to attend a school event involving a minor child in your custody, you must:
 - a. Request permission to attend via email to the Principal and the Superintendent no later than noon two (2) school days before the event. The email may not include any additional MJSHS or MUSD recipients.

- b. The request must be written in polite language with no false statements, threats, intimidation, or harassing content.
- c. The Principal will respond with reasonable promptness, clearly indicating that your request is approved or denied. An approval may be conditional as to time, parking arrangements, or other requirements. The response may be based on our experience during prior approved events, on general security requirements, and on other reasons.

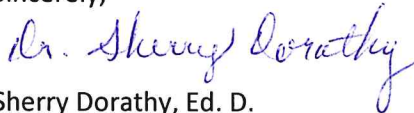
This Plan may be changed by MJSHS and MUSD as needed. Should you demonstrate compliance with the Plan, I am willing to revisit or discontinue the plan at the end of the fiscal year.

If the District determines that you have violated the above expectations, or you have otherwise conducted yourself in a manner that is disruptive to its operations, we will take further appropriate action, including appropriate legal action against you.

If you have questions regarding this letter or need any clarification of the District's expectations for you going forward, please send me an email at sdorathy@miamiusd40.org.

Your anticipated cooperation is appreciated.

Sincerely,



Sherry Dorathy, Ed. D.
Superintendent

Enclosure: Policy KFA

Cc: Glen Lineberry, Principal & CTE Director, MJSHS

**KFA ©
PUBLIC CONDUCT ON
SCHOOL PROPERTY**

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A person commits interference with or disruption of an educational institution by doing any of the following:

- Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of an educational institution by either:
 - Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
 - Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
- Intentionally or knowingly entering or remaining on the property of an educational institution for the purpose of interfering with or denying lawful use of the property to others.
- Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. [13-2911](#).

A person may also interfere with or disrupt the District function by committing any of the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by the Board.
- Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- Illicit use, possession, distribution, or sale of tobacco, alcohol, or drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
- Knowing violation of a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.

- Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

Additional Requirements of the General Public

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. [13-2911](#) and to any other applicable civil or criminal proceedings, or to tribal ordinance.
- Persons attending special functions shall confine themselves to the specific part of the facility assigned in the permit.
- Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- The use of facilities shall be granted only for legitimate purposes. Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.
- No person shall possess or engage in the use of medical marijuana on District property, at a District event, or in a District vehicle.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[13-2905](#)

[13-2911](#)

[13-3102](#)

[15-341](#)

[15-507](#)

[36-2801](#) *et seq.*

[36-2802](#)

CROSS REF.:

[GBEB](#) - Staff Conduct

[GCQF](#) - Discipline, Suspension, and Dismissal of Professional Staff
Members

[GDQD](#) - Discipline, Suspension, and Dismissal of Support Staff Members

[JIC](#) - Student Conduct

[JK](#) - Student Discipline

[KI](#) - Visitors to Schools