

January 27, 2021

#2

## School Board Complaint

To Whom It May Concern:

My name is Michelle Pettitt and I am the mother of Justin K. Cook, a Junior at Miami Junior-Senior High School in Miami, Arizona. My husband, Douglas Pettitt, and I have been the primary caregiver and legal guardian of Justin for the past 16.5 years.

I have a complaint/concern regarding Mr. Glen Lineberry, principal of Miami Junior-Senior High School, and his inappropriate and unprofessional conduct with my son, Justin Cook.

I believe that Mr. Lineberry has violated the Family Educational Rights and Privacy Act of 1974 for the following reasons:

- Copied Justin, a minor, on emails that I had sent to Justin's teachers
- Has ongoing conversations with Justin, a minor, concerning a custody issue
- Knowledge of custody issues
  - Had conversation with Justin regarding his Hybrid schedule
- Wrote an email regarding Justin, a minor, for a custody issue without a court order or subpoena
  - Failed to mention any communication that I had with Mr. Lineberry and/or teachers concerning issues for the past two and a half years
  - Was one-sided and biased
  - Had conversations with Justin regarding custody issues
  - Based only on Justin's two-month Junior year

Below is a timeline of events:

### December, 2019

- Justin's biological father moved back to Arizona from Mississippi

### March, 2020

- Justin was caught at a desert party where alcohol was involved
- Justin was subsequently "grounded" from his phone and car

### April, 2020

- Justin was allowed to spend 3 weeks with his father during pandemic.
  - Mother is a physician who treats cancer patients
  - Was fearful Justin's need to be everywhere would put her patients at risk
- Time for Justin to return, father refused to return child
- Law enforcement contacted for child's return

- Next day father filed for custody

### June, 2020

- Court ordered that the father and I share 50/50 parenting time with shared legal decision-making
- Checking in with the teachers on a weekly basis
  - Justin started missing numerous classes
  - Justin failed to turn in numerous assignments

### August, 2020

- August 4<sup>th</sup> – school starts

### September, 2020

- September 15<sup>th</sup> (EXHIBIT 1)\*\*
  - At 8:42am, Mr. Lineberry sent an email to all the students stating that hybrid learning would start next week
  - Schedule would be determined where you live for “brick” and “click” days
    - Stated “No switching”
- September 17<sup>th</sup> (EXHIBIT 2)
  - At 8:17am, Mr. Lineberry sent a second email to all the students stating that hybrid learning would start next week
    - Again, stated “No switching”
- September 21<sup>st</sup>
  - School Hybrid sessions start
    - Two in-person “brick” days
    - Two on-line “click” days
    - Schedule depends on where you live
      - **No switching due to the bus/lunch schedule**
- September 24<sup>th</sup>
  - Dropped off Gavin, Justin's younger brother, at school at 8:30am
    - Gavin left his phone in the car so I pulled into the teacher's parking area
    - Noticed Justin and called him over to my car and asked him to take Gavin's phone to him as Gavin was already inside the school building
    - Noticed that Justin was wearing a Playboy shirt that I didn't approve of and I mentioned that the “school will probably send you home to change”
    - The school did not send Justin home but let him wear the shirt
      - Special treatment of Justin and/or athletes
  - Driving away, Mr. Lineberry started frantically running toward my car with his hands flailing in the air to STOP

- He had a sheriff's deputy following close behind him
- I tried to explain to Mr. Lineberry about the phone
- Mr. Lineberry screamed "I KNOW YOUR SITUATION; I KNOW WHAT'S GOING ON WITH YOU AND THE FATHER"
- He also said that he cannot be at my car unless we drive together
  - Justin drives himself to school
  - I do not recall any documentation from the school that stated I could not talk to my own son at the school

**\*\*Based on the emails dated September 15<sup>th</sup> and 17<sup>th</sup>, if Justin lives with mom (Globe), his "brick" days would be Wednesday and Thursday; but if he lives with his dad (Claypool), his "brick" days would be Monday and Tuesday. I specifically notified the school immediately to let them know that Justin would fall under the "brick" days of his father.**

I was concerned about the schedule because Justin and Gavin would be on different schedules. Even though it would be more convenient to have my two children on the same schedule, I knew that it would be better for Justin to be on the Claypool schedule since that would limit his time with his best friend, who lives in Globe. Justin and his best friend have been making numerous unwise decisions together, including sneaking out, being kicked out of a class, and the party.

### **October, 2020**

- October 1<sup>st</sup> (**EXHIBIT 3**)
  - Without a court subpoena, Mr. Lineberry wrote the attached letter
    - Stated that Justin would not need to adhere to this policy
      - This is in direct contradiction to the two September emails (Exhibits 1 and 2)
      - Justin had only been on the hybrid learning schedule for eight days
        - Should be easy to change
      - Mr. Lineberry had a conversation with Justin, a minor, stating that he would not make him change schedules before letter was written
        - Justin told his grandmother about that conversation
          - Mr. Lineberry and Justin "are buddies"
      - Again, special treatment
- Email from father's attorney to mother's attorney (**EXHIBIT 3**)
- Gila County Superior Court determined that Justin was of suitable age to decide where he wants to live and he chose his father
- October 7<sup>th</sup> (**EXHIBIT 4**)

- At 10:44am, Justin's father, John Cook, sent an email and a screen shot of the Minute Entry from the court, not a signed court order
- The judge did not sign the document until October 28, 2020
  - The Oct 7<sup>th</sup> communication was not between the "custodial parent" and principal
- MJSHS did not simply add father's information, they removed me from all communication per father's request. Again, before final orders were made by the court.
  - I **STILL** have equal decision-making authority
  - I **STILL** should be receiving all communication from the school
- MJSHS/Mr. Lineberry accepted a screen shot of a document, accepting that document as proof, yet it had not been made effective until Oct 28<sup>th</sup>.
- My mother is homeschooling our youngest son, Gavin. Mr. Lineberry tells my mother that she needs to obtain a **court order** (and not just a notarized statement to allow my mom to communicate for Gavin)
  - Special Treatment/bias
  - Superintendent stated that we needed a statement, notarized by both, my husband and I, to allow my mom to communicate for Gavin Pettitt to MJSHS
  - I find it concerning that Mr. Lineberry accepts screen-shots, after admitting knowledge of parents in an active custody trial, but will make parents who live together and raise a child together, get a court order.

#### December, 2020

- Justin now has a criminal record
- Justin has missed 41 classes and grades dropping
- December 19<sup>th</sup> (EXHIBIT 5)
  - At 9:25pm, I emailed Justin's teachers concerning his absences and missing assignments
  - I did **NOT** copy Mr. Lineberry on the email
  - I did **NOT** copy Justin on the email
- December 21<sup>st</sup> (EXHIBIT 5)
  - At 10:27am, Spanish teacher, Ms. Crawford, replied and copied Mr. Lineberry
- December 21<sup>st</sup> (EXHIBIT 5)
  - At 10:44am, Mr. Lineberry responded to my email
  - Mr. Lineberry copied Justin, the minor
    - Justin now had a head's up that we were going to have a conversation regarding his absences and grades
  - Under FERPA, a student only has rights to their school records once they turn 18

#### January, 2021

- January 5<sup>th</sup> (EXHIBIT 6)

- At 2:04pm, Mr. Lineberry sent out an email to all the students
- Email stated:
  - "That last point is really important. We realize nothing is easy in the pandemic, but **every student who failed last fall missed a bunch of classes, didn't turn in a pile of work, or both.**" *dr*
- January 6<sup>th</sup>
  - Met with Dr. Sherry Dorothy, Superintendent Miami School District #40
    - Discussed issues regarding Mr. Lineberry
    - Ms. Dorothy agreed that Mr. Lineberry should not be writing letters or offering to attend Court
- January 13<sup>th</sup> (EXHIBIT 7)
  - At 4:34pm, I sent an email to Mr. Lineberry
    - Requesting to NOT copy Justin on any further communication between myself and his teachers
- January 14<sup>th</sup> (EXHIBIT 8)
  - At 9:19pm, sent 1<sup>st</sup> email request to Mr. Lineberry requesting a copy of the email that was requesting letter from school to father's attorney
- January 19<sup>th</sup> (EXHIBIT 9)
  - At 10:44am, sent 2<sup>nd</sup> email request to Mr. Lineberry requesting email from the attorney
- January 20<sup>th</sup> (EXHIBIT 10)
  - At 5:18am, Mr. Lineberry's email response stating that I could not have that document
    - Stated that in fact, it is public record
    - "our attorney" instructed him to refuse sending me a copy
- January 21<sup>st</sup> (EXHIBIT 11)
  - At 8:11pm, sent Mr. Lineberry an email clarifying my request
- January 22<sup>nd</sup> (EXHIBIT 12)
  - At 7:04am, Mr. Lineberry sent an email stating "his facts"
    - Items listed in fact, shows that he had conversations with a minor child

At the beginning of Justin's Sophomore year, he transferred to Globe. Approximately 6 days after Justin started at Globe HS, Justin wanted to come back to Miami. I was struggling with making Justin live with his decision until the 1<sup>st</sup> Quarter was over. Mr. Lineberry persuaded me to let Justin return to Miami to play sports (as he is a skilled player on the football and basketball teams, and he would have to sit out if he played even one game at Globe).

I have had approximately 4-5 meetings with Mr. Lineberry, several meetings with various teachers and Superintendent Dorothy concerning Justin's academic progress, a concern with a math class, a concern of Justin's behavior, etc (most conversations have been recorded).

I realize that this is a lot of information and so my major concerns are that Mr. Lineberry (1) **has an inappropriate and unprofessional relationship with my son**, Justin Cook, who is only 17 years old and still considered a minor; and (2) Mr. Lineberry wrote a biased letter for a court proceeding without a court subpoena and without first-hand knowledge of our family dynamic. The letters did not include any information about Justin's ninth grade, Freshman and Sophomore years at MJSHS, while the father had no involvement. The court made a decision based on these two letters from Mr. Lineberry.

I am requesting Mr. Lineberry held accountable for his actions and I want Mr. Lineberry to stop his inappropriate, unprofessional, and at times, illegal conduct with my son, Justin Cook. My prayer is that another family doesn't have to suffer due to the actions of this Principal.

Michelle Pettitt

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