



MEMORANDUM

TO: Members, New Haven Board of Education
Dr. Iline Tracey
Attorney Patricia King
Attorney Elias Alexiades

FROM: Thomas B. Mooney

RE: Authority to Investigate the Conduct of Members of the Board of Education

DATE: January 10, 2021

I. INTRODUCTION:

At the meeting of the New Haven Board of Education on December 14, 2020, the Board voted to request our legal opinion on the following question: “whether the investigation of elected board member Darnell Goldson’s conduct at board meetings followed by-laws, Robert’s Rules of Order, guidelines and procedures.” By email dated December 22, 2020, Assistant Corporation Counsel Elias Alexiades conveyed that request to me. In the following, I will provide the reasoning for my legal opinion that (1) Dr. Tracey, as Superintendent and chief executive officer of the Board of Education, had the authority to initiate the investigation in question through outside counsel, and (2) the scope of the formal investigation by Dr. Tracey through outside legal counsel was broader than appropriate. Dr. Tracey has the right and responsibility to investigate (through outside counsel or otherwise) whether conduct, by a Board member is violating or has violated the legal rights of a district employee. However, further investigation of whether a Board member’s conduct at Board meetings violates “any provision of the City Charter, Ordinance, section of the City’s Code of Ethics, or BOE by-laws” is not the responsibility of the Superintendent, but rather of the Board itself.

II. BACKGROUND:

On March 23, 2020, Phillip Penn, Chief Financial Officer of the Board of Education, wrote an email to Dr. Tracey setting forth a complaint against Mr. Goldson, as follows:

During tonight’s Board of Education meeting, Board member Darnell Goldson accused Attorney Michael Pinto and me of making decisions regarding the use of outside counsel on the basis of race.

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As a result of that outrageous accusation in a public meeting, my personal and professional reputation has been damaged by Mr. Goldson. Thus, I have no choice but to raise this formal harassment complaint against him.

When Attorney Alexiades advised us of this complaint, we responded that it would not be advisable to have Shipman & Goodwin investigate this complaint because we represent the Board of Education as a whole. Our investigation of a complaint against an individual member of the Board of Education would have been awkward at best and would possibly be a conflict of interest, given our duty to represent all members of the Board. We understand that the Office of the Corporation Counsel reached the same conclusion as to its undertaking this investigation. We later learned that by letter dated June 29, 2020, then-Chief Operating Officer Michael Pinto, acting on behalf of the Superintendent, retained the firm of Tinley, Renehan & Dost LLP for the purpose of investigating Mr. Penn's complaint of harassment against Mr. Goldson.

The engagement letter dated June 29, 2020 described the engagement as providing "general employment law advice, including investigation of allegations of misconduct, such as harassment, relating to employees." The letter stated further that "Upon finalizing the engagement agreement, we will confer on the special initial tasks to be undertaken." Attorney Amita Rossetti of Tinley, Renehan & Dost LLP acknowledged receipt of the engagement letter by letter dated July 1, 2020, stating in that letter that she and Attorney Tinley would be working on this matter.

By email to Attorney Rossetti dated July 28, 2020, after consultation with Board President Rivera, Assistant Corporation Counsel Alexiades described the scope of the engagement as follows:

The specific charge for the Penn matter is for legal advice with regard to:

1. A factual investigation of the circumstances underlying the complaint by BOE CFO Phillip Penn of harassment by BOE member Darnell Goldson;
2. An opinion as to whether the conduct found to have been committed constitutes harassment or violates any federal or state statutory or common law obligation of the City, or any provision of the City Charter, Ordinance, section of the City's Code of Ethics, or BOE by-laws;
3. An assessment as to the City's obligation to protect its employee from the conduct and if the City is so obligated, what steps the City should take to fulfill its obligation.

In that email, Attorney Alexiades invited comments, but I am not aware of any further discussion regarding the scope of the engagement. In a Progress Report to Dr. Tracey dated October 10, 2020, Attorney Rossetti restated her understanding of the engagement as follows:

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The issues under consideration, include but are not limited to the following:

- whether the conduct of Mr. Goldson constitutes harassment;
- whether there are any possible defenses to the conduct in question;
- whether the conduct is violative of any state or federal statutes and/or the City Charter, local ordinances and/or Board of Education Bylaws or Code of Ethics.

Finally, in her Investigation Report dated October 26, 2020 (hereinafter “the Report”), Attorney described her task as follows:

To determine whether the complaint is substantiated and what, if any, action should be taken in response. Necessary components of the work entailed the following;

A factual investigation of the circumstances underlying the complaint by BOE CFO Phillip Penn of harassment by BOE member Darnell Goldson;

An opinion as to whether the conduct found to have been committed constitutes harassment or violates any federal or state statutory or common law obligation of the City, or any provision of the City Charter, Ordinance, section of the City’s Code of Ethics, or BOE by-laws;

An assessment as to the City’s obligation to protect its employee from the conduct and if the City is so obligated, what steps the City should take to fulfill its obligation.

This description of the specific elements of the engagement conform to the proposed charge set forth in Attorney Alexiades’ email dated July 28, 2020, referenced above.

III. ANALYSIS

The question posed by the Board, “whether the investigation of elected board member Darnell Goldson’s conduct at board meetings followed by-laws, Robert’s Rules of Order, guidelines and procedures,” must be answered in the context of the complaint that was being investigated. In his complaint, Mr. Penn alleged that Mr. Goldson’s statements about outside counsel contracts on March 23, 2020 constituted illegal harassment: “Board member Darnell Goldson accused Attorney Michael Pinto and me of making decisions regarding the use of outside counsel on the basis of race.” Mr. Penn then stated that he had “no choice but to raise this formal harassment complaint against [Mr. Goldson].

In the following, I offer my opinion that it was appropriate for the Superintendent to investigate whether Mr. Goldson’s statements on March 23, 2020, were illegal harassment of Mr. Penn. However, the further investigation of whether Mr. Goldson’s statements that evening violated “any provision of the City Charter, Ordinance, section of the City’s Code of

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Ethics, or BOE by-laws” was not consistent with the Board Bylaws.¹ Investigation of whether a Board member’s conduct violates or has violated Board Bylaws is properly the responsibility of the Board of Education itself, not the Superintendent.

A. Investigation of Potential Illegal Harassment.

Harassment is illegal under state and federal law when unwelcome conduct against another person is based on a protected characteristic (such as race or gender), and “(1) enduring the unwelcome conduct becomes a condition of continued employment, or (2) the conduct is severe and pervasive enough to create a work environment that a reasonable person would find intimidating, hostile or abusive.” Report, at page 41, *quoting* EEOC Guidance.

The employees of the New Haven Public Schools, as all other employees, are protected by law from being the victims of harassment as defined above. In some circumstances, an employer may be liable for discrimination against employees by third parties, typically because they did not protect the employee from such discrimination. *See, e.g.*, cases cited in footnote 57 of the Report,² *Summa v. Hofstra University*, 708 F.3d 115 (2013).

Dr. Tracey therefore acted appropriately in investigating the charge of harassment, which Mr. Penn claimed was related to his race. To be sure, we did not find any cases imputing to a board of education discrimination against a school board employee based on comments or actions of a board member. However, responsibility for discrimination by third parties has been imputed to the employer in analogous situations. In any event, it appears that all agree that investigation of the allegation of illegal harassment was justified. *See* “Goldson Preliminary Response to the Tinley Report 12/14/20,” at 3 (“It was understandable that if the Superintendent received a valid complaint of harassment, it should be investigated. It was investigated and it was dismissed. That should have been the end.”).

Specifically, the investigation of Mr. Penn’s complaint required consideration of whether the statements made by Mr. Goldson at the Board meeting on March 23, 2020 constituted illegal harassment as defined above. The Report addresses that question on page 42. Based on her conclusion that Mr. Goldson’s comments cannot be imputed to the Board, Attorney Rossetti declined to offer an opinion on whether Mr. Goldson’s statements about the contracts for outside counsel on March 23, 2020 constituted illegal harassment of Mr. Penn:

¹ The Board Bylaws incorporate Robert’s Rules of Order, and otherwise serve as the guidelines and procedures that govern Board operation, and to answer the question posed by the Board, we may simply ask whether the investigation of Mr. Goldson’s conduct at Board meetings was consistent with Board Bylaws.

² “57. *See Bolick v. Alea Grp. Holdings Ltd.*, No. 3:03CV165 (PCD), 2005 WL 8166988, at *8 (D. Conn. Mar. 30, 2005) citing *Malik v. Carrier Corp.*, 202 F.3d 97, 105 (2d Cir. 2000) for the proposition that “[a]n employer’s investigation of a harassment complaint is not a gratuitous or optional undertaking....” *See also Flanagan v. Ashcroft*, 316 F.3d 728,730 (7th Cir.) (2003) (affirming dismissal of a discrimination claim arising from the employer’s decision to investigate employee for harassment because employer was obligated to do so); *Lipscomb v. Winter*, 577 F. Supp. 2d 258, 277 (D.D.C. 2008), *aff’d in part, remanded in part*, No. 08-5452, 2009 WL 1153442 (D.C. Cir. Apr. 3, 2009).”

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Therefore, even pursuant to federal law, harassment has not been defined in a civil context outside of the context of conduct by and/or otherwise attributable to an employer. Given that we find the conduct at issue is conduct of a single member, i.e. not properly attributable to the employer, it would be inappropriate to opine whether the conduct constitutes “harassment” as defined in the employment law context.

To the extent that the Report addresses whether the alleged harassment violated Mr. Penn’s legal rights, the investigation was appropriate. In her responsibility for the supervision of the school district, the Superintendent has the right and responsibility to determine whether the legal rights of a Board employee have been violated, by a Board member or otherwise.

B. The Board Itself is Responsible for Investigating Whether the Conduct of its Members Violate the Board Bylaws.

The question of whether conduct by a Board member violates “any provision of the City Charter, Ordinance, section of the City’s Code of Ethics, or BOE by-laws” is very different from the question of whether conduct of a Board member has violated the legal rights of a Board employee. The Report does not cite any provisions of the City Charter or Ordinances that were relevant to the investigation. Report, at pages 32-33. Moreover, the Report states that the City’s Code of Ethics was incorporated into the Board Bylaws. Report, at page 39. Accordingly, the question posed by the Board on December 14, 2020, boils down to asking whether it is appropriate for the Superintendent, acting through outside counsel, to investigate whether Mr. Goldson’s statements on March 23, 2020 violated Board Bylaws.³ I conclude that such further investigation was not appropriate. Investigating whether a Board member has violated the Board Bylaws is properly the responsibility of the Board of Education itself, not the Superintendent.

In the following, I will explain that conclusion by excerpting and commenting on the applicable Board Bylaws and policies.

- Board Policy 2131:

The Board of Education shall elect and fix the term of office and salary of a Superintendent of Schools, who serves as the chief executive officer of the Board and has authority and responsibility for the supervision of the school system.

NOTE: Responsibility for the supervision of the school system includes taking appropriate action to protect Board employees from illegal conduct. However, the Superintendent’s responsibility for supervision of the school system does not otherwise include oversight of Board member conduct. Rather, the actions of the Board members are subject to review by the Board of Education and its members, not the Superintendent. *See* Bylaw 9271(j)(f), Bylaw 9325.1, discussed below.

³ See note 1.

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- Board Policy 4104:

Any employee . . . who feels that he/she has been the victim of illegal discrimination may file such a complaint with his/her immediate supervisor The Superintendent of Schools and the Chairperson of the Board shall be notified immediately of all complaints, and the Superintendent of Schools shall notify the Board of Education that such allegations have been lodged at its next regular meeting.

NOTE: The Board members were notified of the complaint in the course of the investigation, but notification of Mr. Penn's complaint was not provided to the Board at the next Board meeting following Mr. Penn's complaint. This Policy does not contemplate a complaint against a Board member, and the Board may wish to consider whether it interprets this policy to apply to the instant situation.

- Bylaw 9271(j)(f) Code of Ethics:

(f) The leadership of the Board of Education – the President, Vice President and Secretary - shall determine and recommend to the Board of Education, the appropriate action concerning any member of the Board of Education, to be imposed consistent with these Bylaws, applicable federal and state laws, court decisions, policies, and the rules of the Board of Education.

NOTE: The Code of Ethics is set forth in this Bylaw, and it provides that the Board leadership “shall determine and recommend” action to the Board of Education with regard to one of its members. Its application may be limited to violations of the Code of Ethics, though perhaps it can be read to apply to Board member misconduct more broadly, as the Bylaw sets forth standards of conduct. In any event, this Bylaw is relevant to show that policing the actions of Board members is a responsibility that the Board has reserved for itself through its Bylaws.

- Board Bylaw 9325.1:

The rules contained in Robert's Rules of Order, Newly Revised shall govern the proceedings of the Board of Education in all instances in which they are consistent with the bylaws of the Board, state and local law.

NOTE: Robert's Rules of Order set forth procedures for members of a body to enforce appropriate standards of conduct. In the first instance, Board members may help each other assure appropriate conduct and decorum by raising a point of order. Robert's Rules of Order Newly Revised, 11th Edition (2011) (“Robert's Rules”), Section 23. For example, if a Board member believes that another

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Board member is violating Bylaw 9271, Standards of Conduct, Paragraph (c),⁴ in referring to other Board members or to Board employees, he or she may raise a point of order as to that alleged violation. In accordance with Robert's Rules, the Board President rules on the point of order as a matter of parliamentary procedure. Any two members of the Board who disagree with that ruling may seek review of that ruling by the appeal by one and a second by the other. In such case, the point of order is submitted to the Board as a whole for debate and decision.

Robert's Rules provides further means for the Board to police the conduct of its members if the Point of Order process does not result in compliance with the Board's rules. Section 61, Discipline of Members and Guests, sets forth procedures for maintaining order and assuring compliance with Board rules.

While a comprehensive review of the disciplinary procedures set forth in Robert's Rules is beyond the scope of this memorandum, it may be helpful to offer the following comments on procedures in Robert's Rules related to discipline of Board members:

- Such measures are uncommon and should be used only when less severe actions, such as calling the member to order or reviewing Board member conduct through a point of order has not corrected the problem. As stated in Robert's Rules: "Formal disciplinary procedures should generally be regarded as a drastic step reserved for serious situations or those potentially so. When it appears that such measures may become necessary, proper and tactful handling of the case is of prime importance. It is usually of the best interests of the organization first to make every effort to obtain a satisfactory solution of the matter quietly and informally."
- Robert's Rules distinguishes between conduct at a meeting and conduct outside of a meeting. When conduct that allegedly violates Board rules occurs at a meeting, there is no need for a trial. Rather, Robert's Rules describes the procedures as follows:

"Naming" an Offender. In cases of obstinate or grave breach of order by a member, the chair can, after repeated warnings, "name" the offender, which amounts to preferring charges and should be resorted to only in extreme circumstances. Before taking such action, when it begins to appear that it may become

⁴ Standards of conduct, Section (c), found at Bylaw 9271(k) provides: "(c) New Haven Board of Education members and New Haven Public Schools employees shall refrain from abusive conduct, personal charges, or affronts upon the character, motives, or intents of other New Haven Board of Education members or New Haven Public Schools employees, or of members of the public."

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necessary, the chair should direct the secretary to take down objectionable or disorderly words used by the member. This direction by the chair, and the words taken down pursuant to it, are entered in the minutes only if the chair finds it necessary to name the offender.

Although the chair has no authority to impose a penalty or to order the offending member removed from the hall, the assembly has that power. It should be noted in this connection that in any case of an offense against the assembly occurring in a meeting, there is no need for a formal trial provided that any penalty is imposed promptly after the breach (cf. pp. 250-51), since the witnesses are all present and make up the body that is to determine the penalty.” Robert’s Rules, at 646.

The rules are different when the conduct that may result in discipline occurs outside of a Board meeting. Since the Board members who will consider whether a penalty should be imposed on a Board member did not witness the conduct in question, Robert’s Rules, Section 61, contemplates that an investigation and trial should be held to determine the facts so that the Board can deliberate and impose a penalty a majority deems appropriate. Robert’s Rules, Section 63 sets forth those procedures.

- One further comment about these procedures may be helpful.
 - Robert’s Rules includes expulsion from the body among the penalties that may be imposed (only in extreme cases, of course). However, Board Bylaw 9325.1 specifies that Robert’s Rules apply “in all instances in which they are consistent with the bylaws of the Board, state and local law.” There is no authority under state law for the members of a board of education to take action to remove one of its members.

Given these Bylaw provisions, I conclude that only the Board itself should police the conduct of its members, through the progressive steps set out in Robert’s Rules. In so doing, the Board members should not view raising points of order as an antagonistic act. Rather, that preliminary step is a legitimate exercise of Board member responsibility to assure that the Board operates in accordance with its rules. By raising points of order when potential violations of Board Bylaws occur, the Board members may help their colleagues avoid the more serious actions described above.

I hope that this information is helpful to the Board and Dr. Tracey. Please let me know whether and how we may be of further assistance.

GOLDSON PRELIMINARY RESPONSE TO THE TINLEY REPORT

12/14/2020

Introduction

It was clear from the start that the purported “investigation” of Goldson’s conduct was not a legitimately board approved activity. Furthermore, after reviewing the Tinley report it became transparent that it is a seriously flawed attempt to undermine and silence Goldson’s passionate advocacy for parity in contracting, staff and student safety during a pandemic, fairness in hiring and fiscal discipline. The report author even went so far as to suggest that Goldson should not ask questions or make comments unless there was a consensus among the full board to those questions. Since this report was not sanctioned by the full board and is illegitimate, our general response is not to directly address every issue raised, since there will be a time and place to do so which is more appropriate. Instead, we will address the major issue of the claims of: 1) the harassment claim made by Mr. Phillip Penn, NHPS CFO; 2) the legitimacy of the conduct investigation; and 3) the conduct of Penn, board leadership abusing or misusing their power, and possible malfeasance by the attorney conducting the investigation.

This response addresses several issues:

1. **Investigation of harassment claims** – we agree that it is entirely appropriate to investigate any claims of harassment made by staff members, though this process was flawed by not informing the board and the accused of the complaint and the process to be used to investigate.
2. **Investigation of conduct/misconduct of a board member** – It was inappropriate and contrary to board policies for the superintendent to launch an investigation of a board member for accusations of misconduct at board meetings. Additionally, it is inappropriate and contrary to board policies for one or more board members to launch an investigation of a board member for accusations of misconduct at board meetings or against other board members without full board approval. Lastly, the accused member should be informed of the complaint, the complainant, and the right to a trial to defend themselves.
3. **Flaws with the report** - The report was seriously and fatally flawed because of numerous misrepresentations and omitted information by Tinley and/or Penn.
4. **Right to address issues of public concern** - This report concluded that Goldson, as an elected official, has the constitutional right and duty to address matters of public concern. These rights cannot be limited by the BOE, and is in fact supported by the bylaws. Additionally, contrary to the suggestion made by Tinley, Goldson does not require his questions or comments to be approved by “consensus” of a majority of board members.
5. **Selective Prosecution** - Goldson was selectively prosecuted for minor infractions that all board members at one time or another have made. In fact, Goldson did file a complaint of misconduct by several members of the board before this investigation was launched. We believe and evidence points to this investigation being launched:
 - a) as retaliation for a previous complaint of misconduct that Goldson filed against board leadership earlier this year, [Exhibit 1] and in which legal suggested be put on the agenda for discussion [Exhibit 2], but was never addressed, and;
 - b) to defame and silence his advocacy.

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Investigation - Penn Complaint of Harassment

In July 2020 the Superintendent of Schools, Dr. Iline Tracey, hired a law firm Tinley, Renehan & Dost, LLP (Tinley) from Waterbury CT, *to investigate a harassment complaint by Philip (sic) Penn, Chief Financial Officer (CFO) of NHPS concerning Darnell Goldson, an elected member of the NHPS Board of Education (BOE).*” [Report pg 1]. They added that Penn’s complaint alleges that Goldson *“unfairly accused him at public meetings of the BOE of making decisions regarding the BOE’s engagement of outside counsel on the basis of race.”*

We were originally confident that if the investigation focused on the original complaint against Goldson, that it would quickly become evident that there would be no evidence that Goldson accused anyone of making decisions based on race, including Penn. After five months and many hours of reviewing BOE meeting minutes and recordings as well as interviewing numerous people, they did not identify one quote of any accusation of race based accusations.

Instead, Tinley suggests that *“certain statements made by Mr. Goldson were defamatory in nature and when taken in context, are reasonably interpreted as raising an unfair inference that Mr. Penn acted out of racial animus.”* [Report pg. 2]. That statement says it all. Translated, it says that if you stretched your imagination enough, it could be implied that a question raised could be considered racially accusatory. Tinley also claimed that *“based upon our investigation, we conclude that several statements made by Mr. Goldson concerning contracts for service provided by minority-owned businesses were false.”* Yet again they did not cite one statement by Goldson as false.

In fact, buried deep in the report is an acknowledgement by Tinley that Goldson has a constitutional right and duty to question expenditures as well as other decisions to be made by the Board of Education. *“Primarily, the content of Mr. Goldson’s speech at issue attempts to address matters of public concern. While it can be argued that the delivery is less than ‘refined social or political commentary’, the content of the speech seeks to question the expenditures of the BOE budget. It is undoubtedly Mr. Goldson’s duty and responsibility to scrutinize the way in which those monies are spent on behalf of the voters who elect him and the NHPS in general. Therefore, we assume, for purposes of this analysis, that his speech addresses matters of public concern.”* [Report pg. 36]

But most importantly, in reference to the original complaint by Penn that he was harassed by Goldson, Tinley concluded that harassment DID NOT occur. *“(H)arassment’ as defined in the employment context by the United States Equal Employment Opportunity Commission (EEOC) is instructive for purposes of Connecticut law. The EEOC defines ‘harassment’ as ‘unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.’ Pursuant to the EEOC guidance, ‘harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Petty slights, annoyances and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful the conduct must create a work environment that would be intimidating, hostile or offensive to reasonable people.’”...Therefore, even pursuant to federal law, harassment has not been defined in a civil context outside of the context of the conduct by and/or otherwise attributable to an employer. Given that we find the conduct at issue is the conduct of a single member, i.e. not attributable to the employer, it would be inappropriate to opine whether the conduct constitutes ‘harassment’ as defined in employment law context.”* [Report pgs. 41-42]

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The Tinley report concluded:

1. Goldson has the constitutional right and duty to question public expenditures and public policy, and
2. They could not opine from the evidence that harassment of Penn by Goldson occurred.

Investigation of Goldson's Conduct at Board Meetings

It was understandable that if the Superintendent received a valid complaint of harassment, it should be investigated. It was investigated and it was dismissed. That should have been the end. But it was not. Instead, Tinley went further to investigate whether Goldson's behavior at BOE meetings had violated local, state or federal laws, policies, and/or bylaws. Now this investigation became a witch hunt – the goal became to find something to hang around Goldson's neck.

It is well beyond the authority of Superintendent Tracey to launch an investigation of a board member's "behavior" or "conduct" at BOE meetings, especially a duly elected member, being that she does not have a supervisory role over Goldson or the BOE as a whole.

It is also beyond the authority of individual or group of board members (per bylaws and Robert's Rules of Order) to launch an investigation of a board member's conduct without full board approval. There would be violations of several board policies to do so without board approval. The record shows that the full board never voted on a resolution to investigate Goldson's conduct. In fact, the board president had at one time denied even having knowledge of the investigation, stating in emails and board meetings that she was not involved and stating in a text message, "*Darnell, why do you assume this is coming from me? Again, I have nothing to discuss. I have no information.*" She further stated that it is "*a personnel issue*" and staff "*don't need my permission!!*" to launch an investigation of a board member. [Exhibit 3]

When this investigation of Goldson's board conduct was launched without board approval, at least five BOE policies were violated:

1. ***9010 – Limits of Authority – The powers delegated to a Board of Education by the State are delegated to the Board as a body. No authority is granted board members as individuals.*** [BOE Bylaws]

There are two possibilities as to whom launched this investigation of Goldson's conduct. Either it was the Superintendent or it was one or more board members. Neither had the authority to do so. The board never held a vote as to investigate a board member. Whomever authorized this investigation did so outside of their authority.

2. ***9271(j)(f) Code of Ethics – The leadership of the Board of Education - the President, Vice President, and Secretary – shall determine and recommend to the Board of Education, the appropriate action concerning any member of the Board of Education, to be imposed consistent with these Bylaws, applicable federal and state laws, court decisions, policies, and the rules of the Board of Education.*** [BOE Bylaws]

Again, the Bylaws and Robert's Rules set out rules for taking any action against another board member. Those rules clearly state that the full board must participate in the decision. Furthermore the superintendent is not a member of the board and therefore does not have the authority to participate in board related actions against members.

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3. **9271(k)(h) – Code of Ethics – New Haven Board of Education members shall not interfere with the duties or responsibilities of other New Haven Board of Education members or New Haven Public Schools employees over whom they do not have supervisory authority and responsibility.** [BOE Bylaws]

Individual board members do not have supervisory authority over other board members. Any individual or group of BOE members launching an unauthorized investigation of a member without full board approval interferes with the duties and responsibilities of the investigated member to carry out their duty and responsibility to scrutinize the way in which monies are spent on behalf of the voters who elect them and the NHPS in general.

4. **9271(k)(i) – Code of Ethics – New Haven Board of Education members shall support and contribute to the maintenance of a positive constructive workplace environment. Recognizing their special role in the public trust, New Haven Board of Education members shall refrain from inappropriate action toward other New Haven Board of Education members...** [BOE Bylaws]

It is an inappropriate action for one or more board members to launch a public investigation of a member without board approval, and works against contributing to a positive and constructive environment.

5. **9325.1 – Quorum/Rules of Order – The rules contained in Robert’s Rules of Order, Newly Revised, shall govern the proceeding of the Board of Education in all instances in which they are consistent with the bylaws of the Board, state and local law.** [BOE Bylaws]

Robert’s Rules of Order states that “several steps must happen before a trial can take place. The first step when members hear of misconduct by another member is to choose a committee to investigate the validity of the reports and to see if charges should be made. The members of this committee should be chosen for their integrity and good judgment. To establish such a committee requires that a resolution be made, seconded, discussed, and voted on. This resolution should avoid as much detail as possible to protect the parties, who may be innocent.” The BOE never adopted a resolution to investigate Goldson’s conduct at meetings, nor did it approve expenditures to a law firm for such an investigation.

Additional Issues to Address

Retaliation for previous complaint of misconduct filed by Goldson - Goldson filed his own misconduct complaint earlier this year against several members of the BOE, including President Yesenia Rivera, Vice President Matthew Wilcox, and Secretary Edward Joyner. [Exhibit 1]

Denial of 1st Amendment Rights - Goldson has publicly advocated for changes in board policy around contracting, employee pay, and decision making processes at board meetings, which has resulted in embarrassing newspaper articles and public comment against these members and Mayor Justin Elicker. We contend that this “investigation” was organized and designed as a calculated and pernicious conspiracy aimed at defaming Goldson and other board members

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who are currently in the minority on the BOE. We further contend that this investigation was meant as a message to other board members and staff that dissent was not acceptable, and for the opposition to be intimidated into silence.

Recommendations for Sanctions for Misconduct and Negligence against Tinley and/or Penn for deliberately omitting important and pertinent information

- A. Tinley, after studying the Board Bylaws, Robert's Rules of Order, and relevant local, state and federal laws should have known or been aware of the fact that the Superintendent did not have the authority to launch a misconduct investigation of a board member, nor did individual members have that authority without full board approval. Yet they provided a report which investigated that conduct, and made recommendations for sanctions against that board member. They did so after reviewing months of minutes and board videos. Those videos would have revealed that several board members were "guilty" of the misconduct charges made against Goldson, since he on the record complained about the misconduct and requested relief.
- B. There are several incomplete or inaccurate statements in the report provided by Tinley, actually too many to address in this preliminary response. But we will list some of the most egregious examples. Tinley did not include pertinent and important information.

Misquoting and/or omitting information

1. While claiming that Goldson violated a section 9020 regarding public statements "*when he continued to rehash the budgetary decisions after those decisions had already been approved by the F&O and the BOE vote.*" Tinley only partially quotes the section, leaving out a very relevant, perhaps the most relevant, statement of that section.

Tinley's citation - **Section 9020 Public Statements.**

Once a Board decision has been reached, all Board members shall abide by that decision until it is amended or rescinded by subsequent Board action. [Report pg. 32]

Tinley did not quote the entire section, but chose to leave out a very important citation. Below is the section on its entirety (the underlined section was omitted).

The full citation - **Section 9020 Public Statements.**

Before voting on any issue, all Board members shall be encouraged to present whatever evidence they may feel important to the matter at hand. The Board shall fully consider the implications and relevancy of all information so presented. All opinions, reactions and positions shall be openly discussed, so that each member may understand all aspects of the issue before the Board makes its decision.

Once a Board decision has been reached, all Board members shall abide by that decision until it is amended or rescinded by subsequent Board action.

Tinley attempts to address the issue of Goldson's advocacy and questions as a violation of the bylaws. No bylaw can take away the right to raise issues of concern, especially from an elected official, no matter how dated those concerns may be. Considering the fact that they omitted an important citation from that section, and earlier in the document supported Goldson's constitutional right and duty to speak on issues of public concern,

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we contend that this was deliberate attempt to muddy the waters and confuse the board members and the public.

2. When addressing the issue of harassment, Tinley raised an issue of contact outside work hours between Goldson and Penn. They stated that *“On Saturday, June 6, 2020 at 11:22 am, Mr. Goldson sent an email to Mr. Penn, posing questions about the financial materials for the upcoming meeting. Mr. Goldson sent another email to Mr. Penn at 12:43 pm with additional questions. On Sunday, June 7, 2020 at 11:21 pm, Mr. Goldson sent a third email to Mr. Penn regarding those same questions. At 1:07 am on Monday, June 8, 2020, Mr. Goldson sent another email regarding the same questions. The emails contained questions of Mr. Goldson himself, not questions reflecting the consensus of the BOE.”*

There are several concerns with this. First, they failed to indicate Goldson’s email was in response to an email Penn had sent to Goldson at 11:15 am, seven minutes earlier (see attachment). Second, the board had received the fiscal documentation from Tracey late the day before (Friday), and was being asked to approve the documents that Monday. Goldson initially responded to Tracey that Friday with copies to all the board members and upper management, and then received responses from Tracey, Penn and attorney Alexiades throughout the weekend. To suggest that Goldson was contacting Penn directly, rather than he responding to an email sent to Tracey, was categorically false.

Either Tinley deliberately omitted this information, or Penn did. One or both should be sanctioned for providing false information to this board.

3. Tinley cited an instance where *““Mr. Goldson sent an email to the Board dated May 16, 2020, which made reference to ‘white privilege’ containing a link to an article describing an interchange in which Mitch McConnell told Barack Obama ‘to keep his mouth shut’. Mr. Goldson’s email suggested that if it were Bush, or even Clinton, such conduct would never had happened. Mr. Goldson’s email further stated that ‘white privilege has not limits’. Mr. Goldson wrote ‘while I am emboldened by this disrespect to our former president I am going to keep speaking out whether certain folks are happy or not.’”* [Exhibit 4]

Tinley failed to mention in the report that email was not sent to Penn or any other staff member, but was sent to fellow board members.

4. Again, to buttress the claim for harassment, Tinley stated that *“On June 8, 2020, Mr. Goldson made a remark to Mr. Penn on the record that he knew Mr. Penn has ‘privilege’ and that Mr. Penn would not be using his privilege against Mr. Goldson “anymore”.*

Tinley omitted, or failed to mention that statement was in response to Penn interrupting him during a board meeting, which is a meeting of and debate between of board members, not staff. The transcript states [Report pgs 21-25]:

While Goldson was speaking, Penn with *“I really have to disagree with that character – Goldson – “Uhh you’re not going to interrupt me again. I know you have privilege. I know you have privilege. But you’re not going to use that privilege on me anymore.”*

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Dr. Iline Tracey – *“Who are you talking to?”*

Goldson – *“Whoever interrupted me. He knows who he is. I’m not going to mention his name, but you’re not going to interrupt me again.”*

Dr. Tracey – *“Yes, I’m saying that I’m going to ask, though, that this board be respectful to my staff and publicly and it was...”*

Goldson – *“Respect the board members.”*

Rivera – *“Thank you, Dr. Joyner. Mr. Goldson –*

Goldson - “Thank you. Let me be clear. I did not berate Mr. Penn because of his budget memo. What I did berate him on was interrupting me while I was speaking. And I thought it was rude. It was out of place. And it actually showed a little bit of privilege, because it was not the first time it was done...”

Penn – *“Sure, so first Mr. Goldson, I apologize for interrupting you. That was inappropriate.”*

Goldson – *“Thank you.”*

These are four of many misrepresentations in this document, such as the suggestion by Tinley that Goldson violated bylaws by asking questions which did not reflect *“the consensus of the BOE”*, while in the same document acknowledging Goldson constitutional right to ask questions. These misrepresentations either occurred because Penn didn’t provide all the information, or Tinley deliberately omitted the information.

Conclusion

This investigation was improperly launched, violated several board policies, and as stated earlier we contend that it was organized and designed as a calculated and pernicious conspiracy aimed at defaming Goldson and other board members who are currently in the minority on the BOE. This is evidenced by the glaring omissions from the document supporting Goldson’s position.

The BOE leadership has failed to address issues of fairness and transparency, and has very publicly attempted and often successfully obstructed board members’ constitutional rights to address matters of public concern, in violation of the constitution and our bylaws.

Most board members have been guilty at one level or another of violating our policies, no others have been investigated. The BOE failed to review the motion of censure made in March by Goldson. It failed to review complaints by the public of board members use of building facilities for their businesses. It failed to review legitimate complaints made by the public of against NHPS staff members and contractors who are related to Board members. A board member wrote an email to all board members except Goldson, calling him *“a...”* and a *“punk”*, and stating that *“his own siblings dislike him.”* [Exhibit 5]. A board member in a meeting late last year attempted to block the hire of an African American staff person because the person didn’t speak Spanish, nor was Latino. [link -] Recently, the Superintendent sent an email to board members suggesting that a contractor had tried to bribe her to increase a contract. Goldson insisted that it be reported to the proper authorities. It has not been reported or investigated. None of these complaints have been made against Goldson, yet he is the one investigated for what Tinley says was speech which was *“less than refined social or political commentary.”*

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We respectfully request that this board sanction Tinley and/or Penn, and then discard in the trash where it belongs.

Timeline of Events

Though the complaint was allegedly made in March, Tinley was not retained and the investigation did not begin until July, five months later. This timeline is important, since Mr. Goldson after that meeting filed a motion to censure several board members for misconduct.

March 23, 2020 – Penn allegedly filed a complaint of harassment against Goldson. We question whether this is the correct date, since we have not seen the original complaint.

April 13, 2020 - Goldson actually complained of unfair accusations of racism at this meeting. *“Madam President, if he (Wilcox) suggested I impugned anybody’s character I want him to put that in writing, so that I can know exactly what he’s talking about, because I didn’t impugn anyone’s character. I asked a question about why we’re spending this money, this way...We don’t know how much they’ve spent so far...Yet we are making decisions to add more money to their budget budget...And we’re doing it year after year after year that I’ve been fighting year after year after year. It is shameful that a board member would get up and accuse me and accuse me of impugning someone’s character. So put it in writing, I’d like to see it before the next meeting. Because I would like to get an apology when you can’t prove that I did it. Thank you, Madam President.”*

Goldson then asked for a written apology for several meetings.

May 15, 2020 - When he didn’t receive an acknowledgment, Goldson filed a motion to censure Wilcox and Rivera on, and forwarded to the Governance Committee. Rivera requested a legal opinion from Shipman & Goodwin attorney Thomas Mooney, who on May 18 wrote *“Read as a whole, we interpret Bylaw 9131 to mean that the Governance Committee is responsible for discussing and adopting specific procedures for Board operation. By contrast, the Motion to Censure relates to facts concerning actions by a Board member, not procedures. Therefore, we conclude that consideration of this Motion to Censure is the responsibility of the Board as a whole, and the appropriate procedure will be to place this matter on the agenda for a Board of Education meeting.”*

Rivera never placed the item on the agenda, and two months later a similar investigation was launched against Goldson.

June 29, 2020 – Tinley was engaged by either Superintendent Tracey or one or more board members, we still have not received a confirmation as to whom engaged this firm.

July 30, 2020 – Tinley writes to Goldson informing him of the investigation.



darnell goldson <dagoldson@gmail.com>

Fw: I request that you add this document to your governance committee for review, Motion to Censure

1 message

GOLDSON, DARNELL <DARNELL.GOLDSON@new-haven.k12.ct.us>

Sat, May 16, 2020 at 4:07 PM

To: "boetamiko@gmail.com" <boetamiko@gmail.com>

Cc: Darnell <dagoldson@gmail.com>, "Dr. Edward Joyner" <joyneredward57@yahoo.com>

<joyneredward57@yahoo.com>, Nico Rivera <nicorivera825@gmail.com>, "boetamiko@gmail.com"

<boetamiko@gmail.com>, "WILCOX, MATT" <MATT.WILCOX@new-haven.k12.ct.us>, Lihame Arouna

<arounalihame@gmail.com>, Larry Conaway <larryconaway2001@gmail.com>, "RIVERA, YESENIA"

<YESENIA.RIVERA@new-haven.k12.ct.us>, "TRACEY, ILINE (DR.)" <ILINE.TRACEY@new-haven.k12.ct.us>, Mayor Justin

Elicker <jelicker@newhavenct.gov>

Hello Chair Dr. Jackson,

FYI, I will be filing an additional censure request based on Ms. Rivera's latest email where she stated that:

1. "Mr. Goldson was insinuating that funds from an African American contractor were being reallocated to a Caucasian contractor based on racial motivations of two NHPS employees," and
2. "Food for thought.... instead of wasting countless hours, energy and brain damage on this negativity how about we use it to better our board, the staff and most importantly our students."

Thank you.

Darnell Goldson

From: GOLDSON, DARNELL**Sent:** Friday, May 15, 2020 3:46 PM**To:** tamiko mcarthur <BoeTamiko@gmail.com>, <boetamiko@gmail.com>**Subject:** I request that you add this document to your governance committee for review, Motion to Censure

see attached

**motion to censure Mr. Wilcox.docx**

35K

Motion to Censure Mr. Matthew Wilcox, Board Vice President

Whereas, On April 13, 2020, Vice President of the Board of Education (BOE) Matthew Wilcox accused BOE member Darnell Goldson of impugning the character of an as yet to be identified New Haven Public School employee(s) in violation of BOE Bylaws 9325(a) (E) and (H).

Whereas, Mr. Goldson denied the accusations and demanded a written explanation of the charges, identification of the supposed impugned staffers, an apology from Mr. Wilcox, and a correction of the record.

Whereas, Mr. Goldson requested the written explanation and apology at the April 13, April 27, and May 11, 2020 regular BOE meetings; and

Whereas, on May 13, 2020, Mr. Wilcox forwarded a written explanation by email to Mr. Goldson and Ms. Rivera stating that *"I called a point of order **because my interpretation** of your comments was that they were not in accordance with the above quoted portions of our bylaws." Mr. Wilcox additionally stated that *"I saw this as showing a lack of respect for staff members, **the implication being that they were not truthful and were misrepresenting to the board and the public how they were spending public funds.** Further, you made the point of connecting all this to taking funds from African American contractors and giving the funds to others. While it is accurate to note that in two meetings two not to exceed contract amounts were reduced for two African American contractors, adding that observation to your comments implied that there was a racially related motivation on the part of the staff involved."**

Whereas, 9271(j)(c) Bylaws of the Board - Code of Ethics, Standards of Conduct states that "New Haven Board of Education members...shall refrain from abusive conduct, personal charges, or affronts upon the character, motives, or intents of other New Haven Board of Education members..."

Whereas, 9271(j)(h) Bylaws of the Board - Code of Ethics, Standards of Conduct states that "New Haven Board of Education members shall not interfere or seek to interfere with the duties or responsibilities of other New Haven Board of Education members..."

Whereas, 9325(a) (E) Bylaws of the Board - Meeting Conduct states that a member of the Board "Shall show the utmost courtesy and respect to other colleagues and staff, as well as to all witnesses and members of the public in attendance, neither insulting witnesses nor mistreating them in any way"; and

Whereas, 9325(a) (H) Bylaws of the Board - Meeting Conduct states that a member of the Board "shall not cast personal insults, racial or religious epithets or any other derogatory remark, slur or falsehood which in any way attempts to impugn the character, personality or motives of a colleague."

Whereas, Mr. Wilcox violated Bylaw sections 9271(j)(c) and 9325(a) (E) and (H) by accusing Mr. Goldson of impugning the character of staff members, including accusing Mr. Goldson of implying that staff members were falsely presenting financial information, and showing lack of respect for Mr. Goldson's opinions and views. In his own words in his May 13 email stated that he substituted his own interpretation for the actual statements made by Mr. Goldson; "**because my interpretation of your comments was that they were not in accordance with the above quoted portions of our bylaws...I saw this as showing a lack of respect for staff members, the implication being that they were not truthful and were misrepresenting to the board and the public how they were spending public funds...** When a board member calls into question the motives of staff or implies that they are falsely presenting financial information, it erodes public confidence in the integrity of NHPS.

Whereas, Mr. Wilcox violated Bylaw sections 9271(H) by incorrectly using parliamentary procedure to interfere with Mr. Goldson's statutory and bylaw responsibilities to question school expenditures and request information available to make informed decisions, as outlined in By-Law section 9020; "Before voting on any issue, all Board members shall be encouraged to present whatever evidence they may feel important to the matter at hand. The Board shall fully consider the implications and relevancy of all information so presented. All opinions, reactions and positions shall be openly discussed, so that each member may understand all aspects of the issue before the Board makes its decision"; and

Whereas, Mr. Wilcox violated Bylaw sections 9325 (a)(H) by personally insulting Mr. Goldson during the meeting where he stated "I would think that the former Finance and Operations chair and Board president [Mr. Goldson] would understand something as simple as a contract not to exceed..."; and

Whereas Mr. Wilcox has refused to acknowledge these violations, apologize and correct the record; and

Whereas, Mr. Wilcox's actions and his lack of lack of acknowledgement and apology does not support and contribute to the maintenance of a positive and constructive workplace environment.

Now it is hereby resolved the Board of Education agrees that Mr. Wilcox has violated the Board of Education bylaws, disapproves of such violations, and officially censures Mr. Wilcox. Be it further resolved to correct the record to acknowledge that Mr. Goldson did not impugn the character of any staff person at the regular Board of Education meeting of April 13, 2020.

Motion to Censure - Explanation and use

The motion to censure is a main motion expressing a strong opinion of disapproval that could be debated by the assembly and adopted by a majority vote. According to [Robert's Rules of Order](#) (*Newly Revised*) (RONR), it is an exception to the general rule that "a motion must not

use language that reflects on a member's conduct or character, or is discourteous, unnecessarily harsh, or not allowed in debate."

Serious grounds for censure against presiding officers (presidents, chairmen, etc.) are, in general: arrogation or assumption by the presiding officer of dictatorial powers – powers not conferred upon him by law – by which they harass, embarrass and humiliate members; or, specifically:

- (1) they refuse to recognize members entitled to the floor;
- (2) they refuse to accept and to put canonical motions to vote;
- (3) they refuses to entertain appropriate [appeals](#) from his decision;
- (4) they ignore proper points of order;
- (5) they disobey the [bylaws](#) and the [rules of order](#);***
- (6) they disobey the assembly's will and substitutes his own;
- (7) they deny to members the proper exercise of their constitutional or parliamentary rights.

Censure (main motion)	
Requires second?	Yes
Debatable?	Yes
Amendable?	Yes
Vote required	Majority

Background Information

April 13, 2020 – at our regular Board of Education (BOE) meeting, Mr. Matthew Wilcox, Vice President of the BOE,

- stated that I had violated the bylaws and decorum of the board by “impugning and maligning” staff members (currently not identified by Mr. Wilcox) and cited the BOE bylaws sections:

9325(a) (E) - show the utmost courtesy and respect to other colleagues and staff, as well as to all witnesses and members of the public in attendance, neither insulting witnesses nor mistreating them in any way; and

9325(a) (H) - not cast personal insults, racial or religious epithets or any other derogatory remark, slur or falsehood which in any way attempts to impugn the character, personality or motives of a colleague.

- He further stated that "I would think that the former Finance and Operations chair and Board president [Mr. Goldson] would understand something as simple as a contract not to exceed... and I don't see any reason why we should be maligning and impugning the characters of our staff members." Mr. Wilcox was both insulting Mr. Goldson by

questioning his ability to comprehend the board action as well as again accusing him of maligning as yet to be named staff members.

- He further stated that "his [Mr. Goldson's] contention is that to suggest that staff members are steering business away from African American contractors...and to suggest that people are doing some sort of conspiracy impugns there [sic] character and he didn't appreciate it and he called it out because it is in the By-Laws."
- Ms. Yesenia Rivera commented that she agreed with Mr. Wilcox.
- Mr. Goldson denied these accusations and demanded a written explanation of the charges including what he actually said which impugned anyone's character and whom was impugned, an apology from Mr. Wilcox, and a correction of the record.
- Mr. Goldson's statements:
"Concerned with adding additional dollars to purchase additional cameras for school parking lot when we can't afford to pay our staff."
"Concerned with adding dollars to a plumbing contract when the use of plumbing has been drastically reduced [by over 95%] since people haven't been in the building for over a month and probably will not be so until the end of the school year."
"Next concern was about...increasing dollars for trash removal for All American Waste when we are creating 98+% less waste."
Mr. Goldson went further to I suggested that funds for snow removal (a local black contractor) were transferred to a waste management contractor (an out of town white contractor). This is a fact; the funds were for the same amount and from the same funding source. Mr. Goldson further commented I commented that we do not information as to how much the waste management contractor had already spent on waste management, and due to the highly reduced production of waste in our schools, we could not judge as to adding the need to adding funds to their contract. He then mentioned that this has happened for a second meeting where funds were transferred from a local black contractor to an out of town white contractor [this is also a fact] and thought that the snow removal reduction for the black contractor was reasonable but the waste management additional dollars was not reasonable based on the limited information we had.

April 27, 2020 – at the regular BOE meeting, Mr. Goldson reminded Mr. Wilcox and the BOE that he had still not received the requested written explanation of the accusations made by Mr. Wilcox, nor an apology.

May 11, 2020 – at the regular BOE meeting, Mr. Goldson again reminded the BOE that his request for a written explanation had not been responded to and that he intended to file a formal complaint if not resolved before the next meeting.

May 12, 2020 – Mr. Wilcox sent the following email to Mr. Goldson.

On Tue, May 12, 2020 at 2:50 PM WILCOX, MATT <MATT.WILCOX@new-haven.k12.ct.us> wrote:

Mr. Goldson,

Please note that I am sending this only to you and to Yesenia. It is my attempt to abide by our bylaws' suggestion to solve this by quiet and informal means.

I explained my reasoning when I made my point of order in the April 13 meeting. The video and minutes are available. In my opinion, comments from a passionate member of the board were going too far, so I made my point of order, citing some relevant parts of our bylaws. While that was the first meeting where I made my point of order, it was the second meeting in a row where I had the similar concern.

When one disagrees with a point of order that is upheld by the chair, Robert's Rules allows one to challenge the decision of the chair. If seconded, debate then happens under limited debate rules before the board decides the matter with a vote. After that, our bylaw 9325(a)(D) states that we shall abide by the rulings.

I do not intend to comment further. I suppose if you decide to continue with your stated intention to move to censure me at the next meeting, and if it is seconded, I will be ready to debate it. I'm the guy who goes through 1000 emails to be ready for a discussion, so I suppose it will be a thorough debate. It is difficult for me to imagine a more unfortunate use of the public's time.

Under your leadership, the board spent a lot of time revising the bylaws, and they are something of which to be proud. My hope is that all board members will review the bylaws relevant to meetings and that we abide by them. Our district has tremendous challenges before us and I hope we can all work together. When we do, it is great. Last night for instance: your knowledge of the process and your understanding of the need for clarity means that now the district has a grading policy for the 4th marking period two weeks earlier than we would have. That news is already out there to students, like my daughter and her fiends, and they are feeling a sense of relief. Thank you for that.

Best,
--matt

May 12, 2020 Mr. Goldson responded with the following email.

From: darnell goldson <dagoldson@gmail.com>

Sent: Tuesday, May 12, 2020 3:25 PM

To: WILCOX, MATT <MATT.WILCOX@new-haven.k12.ct.us>

Cc: GOLDSON, DARNELL <DARNELL.GOLDSON@new-haven.k12.ct.us>; RIVERA, YESENIA <YESENIA.RIVERA@new-haven.k12.ct.us>

Subject: Re: Board Members Behavior

Matt,

My response to you is real simple, this is not a question of opinion, it is a question of facts. If you have solid evidence that I impugned anybody, a quote (the video is available), a written statement, anything, then show it to me. If I impugned anyone, I would be happy to publicly apologize to that person(s) and move on.

If you made that opinion and accusation without evidence or facts, you are impugning my character, and actually slandering me. The way we move on is for you to man up and admit that mistake, on the record.

I won't try to make you understand how it is to walk in my shoes as a black man and a public figure, you'll never be able to understand it. I work hard to provide a positive image for my family, and my community, and I work hard to protect that image. Any public dent to that image is dangerous, and tends to grow with time. I won't let these slights go, no matter how small someone like you, who doesn't walk in my shoes, may think it is.

I may not perhaps be able to get a second on my proposal, and even if I did I would imagine that I probably won't get the votes to approve. But, luckily this is America and there are other remedies to get justice. I didn't allow mayor Harp or Dr. Birks to sully my character, and if you research my past you will see that I have not allowed others to do so also. As an alderman, I spent nearly \$5000 on legal fees fighting a false simple trespassing charge because I was innocent (and won), though I could have paid a \$25 fine and been done with it.

The video is available, I'll send you a link if need be. I did not impugn anyone, and I expect for you to do the right thing and fix it by admitting to your mistake. If not we will meet in another more costly venue to fix this. Either way, I will get my justice.

Darnell

May 13, 2020 Mr. Wilcox responded with the following email.

WILCOX, MATT
Wed 5/13/2020 3:54 PM
Darnell,

I appreciate you taking the time to explain how you see this event, and your reasons for working hard to protect your public image.

I am taking the time to review the recordings and write this response for two reasons. One is to try to work this out as our bylaws suggest, through quiet and informal means.

And second, because I truly respect you and what you bring to the board. I am certainly not responding out of any fear of your threats of legal action.

I have reviewed the recording as you requested. Clearly we have a disagreement on how to interpret the event and our bylaws.

In my point of order I cited part of bylaw 9325(a):

A member of the Board and members of the public shall:

(E) show the utmost courtesy and respect to other colleagues and staff, as well as to all witnesses and members of the public in attendance, neither insulting witnesses nor mistreating them in any way;

and

(H) not cast personal insults, racial or religious epithets or any other derogatory remark, slur or falsehood which in any way attempts to impugn the character, personality or motives of a colleague

As a long-serving BOE member you have voted to approve millions of dollars in not to exceed contracts. As a former BOE president and former F&O chair, I assume you are knowledgeable of the regular occurrence of how and why the not to exceed amount would be increased or decreased. A search of the record would show how many times you have voted to approve the changing of these types of funding amounts. You heard testimony in that meeting, as an example, as to why a snow removal not to exceed contract would be changed. In the past you have received various accounting statements, invoices, check registries, etc, as a former F&O member, and would know that all backup for every dollar spent through these contracts can be accounted for. In fact, the level of transparency the district has now is in no small part due to your efforts. And you know the board can require reports or audits or information on all of this.

In the meeting, even after explanations from staff and comments from board members who were former principals about the nature and reasons for the changes, you continued to suggest that none of the above was true. I saw this as showing a lack of respect for staff members, the implication being that they were not truthful and were misrepresenting to the board and the public how they were spending public funds. Further, you made the point of connecting all this to taking funds from African-American contractors and giving the funds to others. While it is accurate to note that in two meetings two not to exceed contract amounts were reduced for two African-American contractors, adding that observation to your comments implied that there was a racially related motivation on the part of the staff involved. As I recall, this was the second meeting where this implication was made.

As I stated in my previous email and in the meeting, I called a point of order because my interpretation of your comments was that they were not in accordance with the above quoted portions of our bylaws. You do not want anyone to sully your character. I assume our staff does not want anyone to sully their character, and I certainly do not want another board member to be doing that. I have had conversations with you about meeting conduct of board members while you were president, so you know my opinions on the subject. I assumed your comments that evening were made in the heat of the moment, so the point of order was an appropriate procedure to seek for the chair to enforce our meeting conduct rules. You could have challenged the decision of the chair that you were out of order, and we could have had the board vote on the matter there and then.

By definition, questions of bylaw interpretation, particularly around what defines “utmost courtesy and respect” or impugning character, involves opinion. The board has meeting conduct bylaws and can vote when there is a difference of opinion. If the intent of the board was to remove questions of opinion or interpretation about those bylaws, then the board could have provided definitions of precisely what constituted the conduct it does not allow.

Upon reflection and review of the materials, I still think what I thought in that meeting. When a board member calls into question the motives of staff or implies that they are falsely presenting financial information, it erodes public confidence in the integrity of NHPS. It also leads to a culture of fear when staff members know that their motives or character will be called into question in public meetings, in spite of bylaws to the contrary.

I suggest we think about this for several days. You list only two possible outcomes: I prove you wrong through some presentation of evidence that you deem solid and then you apologize to staff, or I publicly apologize to you. I suggest that we do both. I think you harmed some of our staff members with your comments. I think they think the same thing. You think I have harmed you. Your public image is vitally important to you. It is vitally important to me that when we create harm, we repair the harm. What a tremendous blessing it would be to the city if we were a board that repaired the harm we cause.

Best,
—matt

May 13, 2020 Mr. Goldson responded with the following email.

GOLDSON, DARNELL
Wed 5/13/2020 6:17 PM

To: WILCOX, MATT; darnell goldson <dagoldson@gmail.com>
Cc: RIVERA, YESENIA

Mr. Wilcox:

At 1:26:35 I was commenting on the adding of funding to contractors, and was especially concerned that we were adding funds to a waste management contract when we have reduced our use in building by 98+%. I suggested that funds for snow removal (a local black contractor) were transferred to a waste management contractor (an out of town contractor). I commented that we do not information as to how much the waste management contractor had already spent on waste management, and due to the highly reduced production of waste in our schools, we could not judge as to adding the need to adding funds to their contract. I mention that this has happened for a second meeting where funds were transferred from a local black contractor to an out of town white contractor, and thought that the snow removal reduction was reasonable but the waste management additional was not based on the limited information we had.

The April 13 minutes [attached] (which have not been posted to our website for some reason) states that Mr. Wilcox said "his [Mr. Goldson's] contention is that to suggest that staff members are steering business away from African American contractors...and to suggest that people are doing some sort of conspiracy impugns there [sic] character and he didn't appreciate it and he called it out because it is in the By-Laws."

You interrupted my comments to suggest that I was violation our policies by "maligning or assigning intentions to a staff member". At point 1:29:26 [link - <https://vimeo.com/408082223>] you begin the explanation of your point of order by stating "I would think that the former Finance and Operations chair and Board president would understand something as simple as a contract not to exceed," [a clear insult by questioning my ability to comprehend this transaction] and then you go on to say "and I don't see any reason why we should be maligning and impugning the characters of our staff members". The president of the Board (Rivera) then commented that she agreed with your point. You cited two sections of the bylaws:

9325(a) (E) - show the utmost courtesy and respect to other colleagues and staff, as well as to all witnesses and members of the public in attendance, neither insulting witnesses nor mistreating them in any way;

9325(a) (H) - not cast personal insults, racial or religious epithets or any other derogatory remark, slur or falsehood which in any way attempts to impugn the character, personality or motives of a colleague;

The word malign does not appear in our bylaws, but impugn clearly does. Impugn is defined as "dispute and/or call into question the truth, validity, or honesty of (a statement or motive)."

I responded that I did not malign or impugn anyone's character. I asked you to provide in writing when and how I impugned someones character during my comments. I have

politely reminded you at each board meeting since that I was still awaiting an explanation by you as to whom I impugned, and have waited more than two months to no avail. Your responses have been to suggest that you were within your rights to interrupt my comments to make the point of order. I will submit that each board member is within their rights to do so, though I believe some members have abused the right to try to limit debate.

But you have not addressed the underlying issue, and that was to actually prove your point that I impugned someone's character. additionally, you have not provided any proof, written or videoed to prove that I insulted witnesses or mistreating them in any way, cast personal insults, racial or religious epithets or any other derogatory remark, slur or falsehood which in any way attempts to impugn the character, personality or motives of a colleague.

You state in a previous email to me that *"I called a point of order **because my interpretation** of your comments was that they were not in accordance with the above quoted portions of our bylaws."* You additionally stated that *"I saw this as showing a lack of respect for staff members, **the implication being that they were not truthful and were misrepresenting to the board and the public how they were spending public funds.** Further, you made the point of connecting all this to taking funds from African-American contractors and giving the funds to others. While it is accurate to note that in two meetings two not to exceed contract amounts were reduced for two African-American contractors, adding that observation to your comments implied that there was a racially related motivation on the part of the staff involved."*

Your comments prove my point that I did not impugn anyone, but instead your "interpretations" as well as your "implied" interpretations of my comments that I said something which WAS NOT said directly was evidence enough that I had done what you thought, or wanted to think I had done.

I'm going to demand once again that you and the President correct this by the next meeting, in public and on the record. But quite frankly at this point I almost hope you do not, especially after the insult you made regarding my intellectual capabilities. The video, the written record, and your recent email to me provides more than ample evidence that your comments and interpretations of my comments were incorrect, as well being both slanderous and libelous.

This is my final polite request to correct this issue of concern. The next steps will be to provide a resolution for censure and/or a lawsuit seeking relief.

Best,

Darnell Goldson



darnell goldson <dagoldson@gmail.com>

Email 1

RIVERA, YESENIA <YESENIA.RIVERA@new-haven.k12.ct.us> Mon, May 18, 2020 at 2:58 PM
To: "Sieira Millan, Natalia" <nsieiramillan@goodwin.com>, "Mooney, Thomas" <TMooney@goodwin.com>
Cc: "TRACEY, ILINE (DR.)" <ILINE.TRACEY@new-haven.k12.ct.us>, "GOLDSON, DARNELL" <DARNELL.GOLDSON@new-haven.k12.ct.us>, Darnell <dagoldson@gmail.com>, "WILCOX, MATT" <MATT.WILCOX@new-haven.k12.ct.us>, "matthew.wilcox@gmail.com" <matthew.wilcox@gmail.com>, "JACKSON-MCARTHUR, TAMIKO (DR)" <DR.TAMIKO.JACKSON-MCARTHUR@new-haven.k12.ct.us>, Tamiko Jackson-McArthur <boetamiko@gmail.com>, Mayor Justin Elicker <jelicker@newhavenct.gov>, "justin.elicker@gmail.com" <justin.elicker@gmail.com>, Larry Conaway <larryconaway2001@gmail.com>, "Conaway, Larry" <Larry.Conaway@new-haven.k12.ct.us>, "joyneredward57@yahoo.com" <joyneredward57@yahoo.com>, "JOYNER, EDWARD" <EDWARD.JOYNER@new-haven.k12.ct.us>, "AROUNA, LIHAME" <LIHAME.AROUNA@new-haven.k12.ct.us>, "RIVERA, NICO" <nico.rivera@new-haven.k12.ct.us>, "nicorivera825@gmail.com" <nicorivera825@gmail.com>

Attorneys Sieira-Millan and Mooney,

Below is an email from Mr. Goldson which contains an attachment. I will also email you my response to another of his emails. These are all in relation to Mr. Goldson's motion to censure Mr. Wilcox and me.

Please provide the full board guidance with respect for whether this is an appropriate request for the governance committee to consider and the proper procedure for handling such requests.

Thank you,

Yesenia Rivera, BSBM

New Haven Public Schools

President, Board of Education

Vice Chair, Finance & Operations Committee

Chair, Facilities Naming Committee

Cell: 203.988.0774

From: GOLDSON, DARNELL <DARNELL.GOLDSON@new-haven.k12.ct.us>
Sent: Saturday, May 16, 2020 4:07 PM
To: boetamiko@gmail.com <boetamiko@gmail.com>
Cc: Darnell <dagoldson@gmail.com>; "Dr. Edward Joyner" <joyneredward57@yahoo.com> <joyneredward57@yahoo.com>; Nico Rivera <nicorivera825@gmail.com>; boetamiko@gmail.com <boetamiko@gmail.com>; WILCOX, MATT <MATT.WILCOX@new-haven.k12.ct.us>; Lihame Arouna <arounalihame@gmail.com>; Larry Conaway <larryconaway2001@gmail.com>; RIVERA, YESENIA <YESENIA.RIVERA@new-haven.k12.ct.us>; TRACEY, ILINE (DR.) <ILINE.TRACEY@new-haven.k12.ct.us>; Mayor Justin Elicker <jelicker@newhavenct.gov>
Subject: Fw: I request that you add this document to your governance committee for review, Motion to Censure

Hello Chair Dr. Jackson,

FYI, I will be filing an additional censure request based on Ms. Rivera's latest email where she stated that:

1. "Mr. Goldson was insinuating that funds from an African American contractor were being reallocated to a Caucasian contractor based on racial motivations of two NHPS employees," and
2. "Food for thought.... instead of wasting countless hours, energy and brain damage on this negativity how about we use it to better our board, the staff and most importantly our students."

Thank you.

Darnell Goldson

From: GOLDSON, DARNELL

Sent: Friday, May 15, 2020 3:46 PM

To: tamiko mcarthur <BoeTamiko@gmail.com>, <boetamiko@gmail.com>

Subject: I request that you add this document to your governance committee for review, Motion to Censure

see attached



motion to censure Mr. Wilcox.docx
35K



darnell goldson <dagoldson@gmail.com>

Email 1

Mooney, Thomas <TMooney@goodwin.com>

Mon, May 18, 2020 at 4:37 PM

To: "GOLDSON, DARNELL" <DARNELL.GOLDSON@new-haven.k12.ct.us>, "RIVERA, YESENIA" <YESENIA.RIVERA@new-haven.k12.ct.us>, "Sieira Millan, Natalia" <nsieiramillan@goodwin.com>
Cc: "TRACEY, ILINE (DR.)" <ILINE.TRACEY@new-haven.k12.ct.us>, Darnell <dagoldson@gmail.com>, "WILCOX, MATT" <MATT.WILCOX@new-haven.k12.ct.us>, "matthew.wilcox@gmail.com" <matthew.wilcox@gmail.com>, "JACKSON-MCARTHUR, TAMIKO (DR)" <DR.TAMIKO.JACKSON-MCARTHUR@new-haven.k12.ct.us>, Tamiko Jackson-McArthur <boetamiko@gmail.com>, Mayor Justin Elicker <jelicker@newhavenct.gov>, "justin.elicker@gmail.com" <justin.elicker@gmail.com>, Larry Conaway <larryconaway2001@gmail.com>, "Conaway, Larry" <Larry.Conaway@new-haven.k12.ct.us>, "joyneredward57@yahoo.com" <joyneredward57@yahoo.com>, "JOYNER, EDWARD" <EDWARD.JOYNER@new-haven.k12.ct.us>, "AROUNA, LIHAME" <LIHAME.AROUNA@new-haven.k12.ct.us>, "RIVERA, NICO" <nico.rivera@new-haven.k12.ct.us>, "nicorivera825@gmail.com" <nicorivera825@gmail.com>

Good afternoon, Board members:

At the request of Board President Rivera, we provide the following guidance to the Board of Education concerning Mr. Goldson's Motion to Censure, sent by emails dated May 15 and May 16. We understand that there is a meeting of the Board's Governance meeting this afternoon, and we can provide the following guidance on Ms. Rivera's question on behalf of the Board: "whether this is an appropriate request for the governance committee to consider and the proper procedure for handling such requests."

As described below, we do not believe that the Motion to Censure is properly directed to the Governance Committee. Rather, we believe that the Motion should be addressed to the Board as a whole. In any event, we note that consideration of the Motion to Censure is not listed on the agenda for today's meeting of the Governance Committee. Therefore, the Committee should not consider this matter today unless the meeting this afternoon is a regular meeting and the Committee places the matter of the Motion to Censure on the agenda for today's meeting by a two-thirds vote.

Before addressing the question as to the proper procedures, we note Mr. Goldson's assertion that Ms. Rivera's request of us for guidance on the proper procedure for handling a Motion to Censure is somehow improper. Respectfully, we disagree. The Board President regularly seeks guidance from legal counsel on appropriate procedures, and this request for guidance is consistent with that practice. Board Policy 9400.1, which Mr. Goldson cites, refers to Board members initiating legal action. However, the email from Board President Rivera seeking guidance on the proper procedure for handling such requests is just that, and it is not related to initiating legal action.

As to the proper procedures, we conclude that a motion to censure is properly addressed to the Board as a whole, not to the Governance Committee. The charge of the Governance Committee is set out in Board Bylaw 9131.

The Governance Committee shall guide and prioritize the focus of the Board of Education, ensuring that the Board has effective systems of governance as a board both in committees and as a public forum for all stakeholders. The Governance Committee shall determine appropriate topics and data for discussion and action with the full Board of Education or with the Finance & Operations Committee or the Teaching & Learning Committee as appropriate. The Governance Committee shall also consider and recommend changes to bylaws and policies which enable current Board development and effective governance. The Governance Committee shall also, with the Superintendent, track and follow up on issues raised by the Board and public, whether for information, consultation, or for decision by the Board, including issues raised in public comment and those identified by the Superintendent or his/her staff.

Ultimately, we must leave to the Board how to interpret its Bylaws, However, we note that the description of the jurisdiction of the Governance Committee refers to "effective systems of governance," and to "consider[ing] and recommend[ing] changes to bylaws and policies which enable current Board development and effective governance." We note that Policy 9131 also refers to the Committee's "follow[ing] up on issues raised by the Board and public," which we infer must refer to matters of governance.

Read as a whole, we interpret Bylaw 9131 to mean that the Governance Committee is responsible for discussing and adopting specific procedures for Board operation. By contrast, the Motion to Censure relates to facts concerning actions by a Board member, not procedures. Therefore, we conclude that consideration of this Motion to Censure is the responsibility of the Board as a whole, and the appropriate procedure will be to place this matter on the agenda for a Board of Education meeting.

We hope that this brief response is helpful to you, the Governance Committee and the full Board. Given FOIA requirements, please do not comment further to all on this issue except in a properly posted meeting. Thank you.

Tom Mooney

Shipman & Goodwin

C O U N S E L O R S A T L A W

Thomas B. Mooney

Shipman & Goodwin LLP

Partner

One Constitution Plaza
Hartford, CT 06103-1919

Tel (860) 251-5710

Fax (860) 251-5215

tmooney@goodwin.com

www.ctschoollaw.com

Privileged and confidential. If received in error, please notify me by e-mail and delete the message.

From: GOLDSON, DARNELL [mailto:DARNELL.GOLDSON@new-haven.k12.ct.us]

Sent: Monday, May 18, 2020 3:25 PM

To: RIVERA, YESENIA <YESENIA.RIVERA@new-haven.k12.ct.us>; Sieira Millan, Natalia <nsieiramillan@goodwin.com>; Mooney, Thomas <TMooney@goodwin.com>

Cc: TRACEY, ILINE (DR.) <ILINE.TRACEY@new-haven.k12.ct.us>; Darnell <dagoldson@gmail.com>; WILCOX, MATT <MATT.WILCOX@new-haven.k12.ct.us>; matthew.wilcox@gmail.com; JACKSON-MCARTHUR, TAMIKO (DR) <DR.TAMIKO.JACKSON-MCARTHUR@new-haven.k12.ct.us>; Tamiko Jackson-McArthur <boetamiko@gmail.com>; Mayor Justin Elicker <jelicker@newhavenct.gov>; justin.elicker@gmail.com; Larry Conaway <larryconaway2001@gmail.com>; Conaway, Larry <Larry.Conaway@new-haven.k12.ct.us>; joyneredward57@yahoo.com; JOYNER, EDWARD <EDWARD.JOYNER@new-haven.k12.ct.us>; AROUNA, LIHAME <LIHAME.AROUNA@new-haven.k12.ct.us>; RIVERA, NICO <nico.rivera@new-haven.k12.ct.us>; nicorivera825@gmail.com

Subject: Re: Email 1



darnell goldson <dagoldson@gmail.com>

Email 1

Tamiko McArthur <boetamiko@gmail.com>

Mon, May 18, 2020 at 5:26 PM

To: "Mooney, Thomas" <TMooney@goodwin.com>

Cc: "AROUNA, LIHAME" <LIHAME.AROUNA@new-haven.k12.ct.us>, "Conaway, Larry" <Larry.Conaway@new-haven.k12.ct.us>, Darnell <dagoldson@gmail.com>, "GOLDSON, DARNELL" <DARNELL.GOLDSON@new-haven.k12.ct.us>, "JACKSON-MCARTHUR, TAMIKO (DR)" <DR.TAMIKO.JACKSON-MCARTHUR@new-haven.k12.ct.us>, "JOYNER, EDWARD" <EDWARD.JOYNER@new-haven.k12.ct.us>, Larry Conaway <larryconaway2001@gmail.com>, Mayor Justin Elicker <jelicker@newhavenct.gov>, "RIVERA, NICO" <nico.rivera@new-haven.k12.ct.us>, "RIVERA, YESENIA" <YESENIA.RIVERA@new-haven.k12.ct.us>, "Sieira Millan, Natalia" <nsieiramillan@goodwin.com>, "TRACEY, ILINE (DR.)" <ILINE.TRACEY@new-haven.k12.ct.us>, "WILCOX, MATT" <MATT.WILCOX@new-haven.k12.ct.us>, "joyneredward57@yahoo.com" <joyneredward57@yahoo.com>, "justin.elicker@gmail.com" <justin.elicker@gmail.com>, "matthew.wilcox@gmail.com" <matthew.wilcox@gmail.com>, "nicorivera825@gmail.com" <nicorivera825@gmail.com>

Board Attorneys and Fellow Board of Education Members,

As I said to Mr Goldson, President Rivera and VP Wilcox, multiple times, the request is not on today's agenda and it never has been.

I respectfully stated to Mr Goldson, President Rivera, and VP Wilcox, that I would forward the emails to President Rivera.

So, the focus on Governance is out of order. I had already notified all parties involved.

I ask that President Rivera please handle this matter with haste and expeditiously, as we are in a PANDEMIC! Our families need our full attention. Governance is focused on moving our district forward through strong, best practice operational and educational policies.

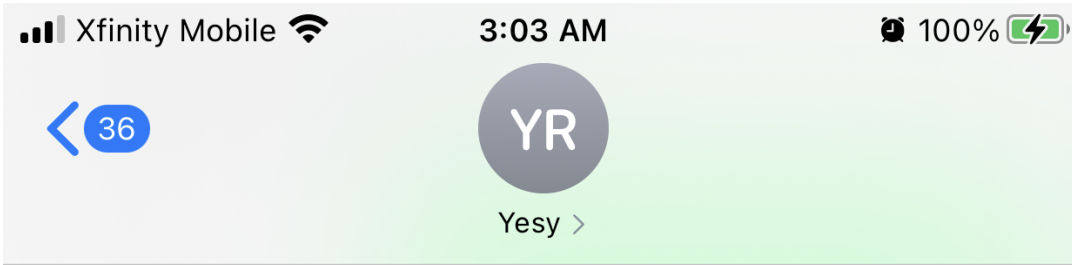
Thank you

Dr Jackson

[Quoted text hidden]

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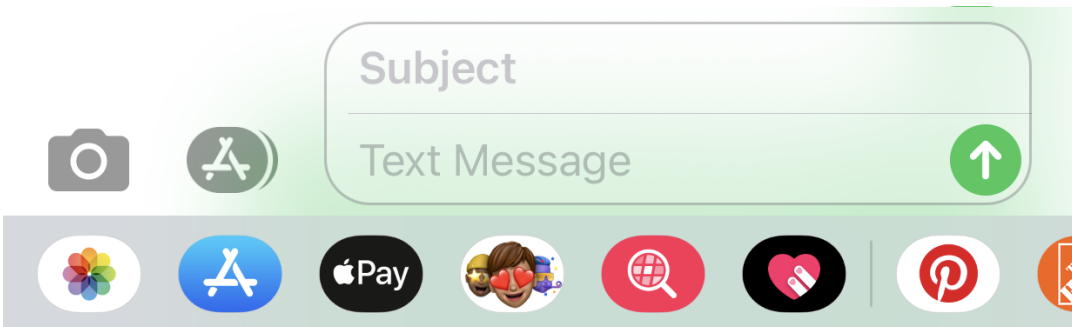
Tamiko Jackson McArthur, MD
New Haven Board of Education
Chair, Governance Committee
203-999-2260

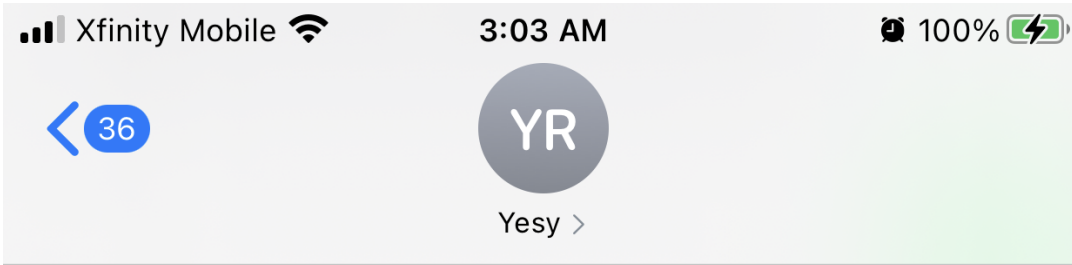


Fri, Aug 21, 5:05 PM

Good afternoon madam president. I thought the meeting yesterday went well. I requested an update of our proposal to add timelines and costs estimates by early Monday at the latest for our review. I know you were go into discuss with Dr. Tracey offline, who was pushing back in regards to the delivery date. Is there an update? Thanks -- Darnell

We did discuss it. If it's not in the packet we should have by early Monday. Hopefully, you can appreciate that there is a lot they're working on and this is not an easy thing to do. So she's putting something together, it may not be an intense dive but we'll have something to look at. A more detailed report can follow if we need it.

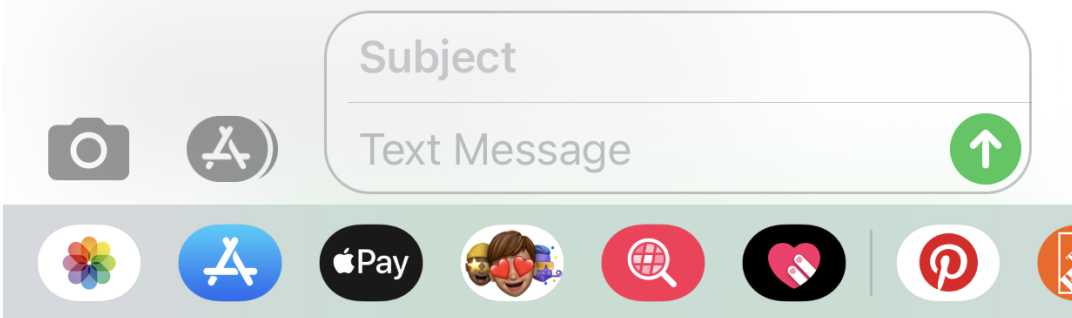


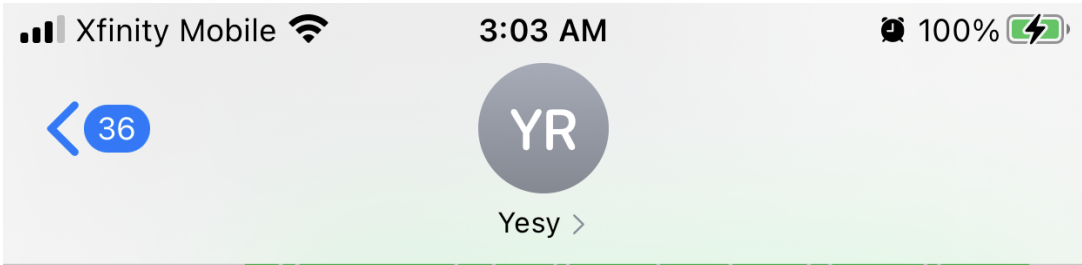


I don't mind having a public discussion, but you should expect that I will aggressively defend myself and argue against the boards authority to do so. It will not be pretty. Additionally, my lawyer will be monitoring, which means that the board will be on the clock for this bill. Everyone will see this attack on my as revenge for my advocacy. So let's go.

Darnell, why do you assume this is coming from me? Again, I have nothing to discuss. I have no information. I put it in the agenda because you asked.

Yesenia, I don't understand how the staff would launch in investigation against a board member without the sign off by the board President. Are you telling me that you didn't not approve this investigations?





Yesenia, I don't understand how the staff would launch in investigation against a board member without the sign off by the board President. Are you telling me that you didn't not approve this investigations?

It is personnel matter they don't need my permission!!

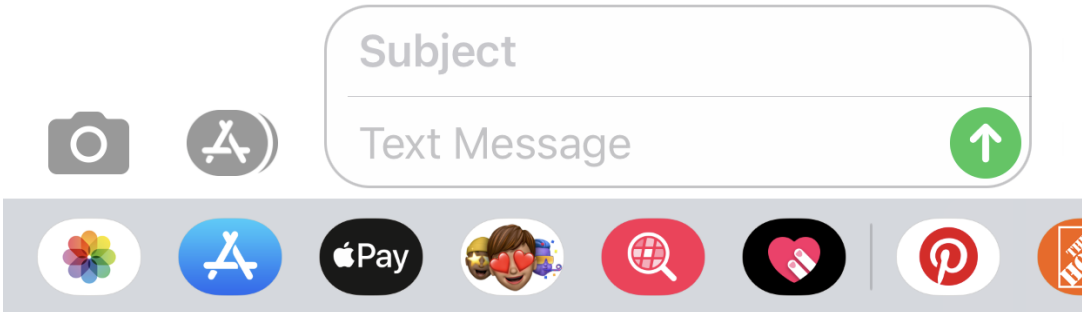
Oh, so a staff member has fueled a complaint. That is helpful, that is the most info my and my lawyer I have received . Thank you for that update.

Filed, not fueled

I thought you knew that already

We haven't received any info whatsoever

Got it thanks





darnell goldson <dagoldson@gmail.com>

Privilege - Mitch McConnell told former President Barack Obama to "keep his mouth shut."

darnell goldson <dagoldson@gmail.com>

Sat, May 16, 2020 at 12:57 AM

To: Ed Joyner <joyneredward57@yahoo.com>, "GOLDSON, DARNELL" <DARNELL.GOLDSON@new-haven.k12.ct.us>, Justin Elicker <JElicker@newhavenct.gov>, Larry Conaway <larryconaway2001@gmail.com>, Matthew Wilcox <matt.wilcox@new-haven.k12.ct.us>, "RIVERA, YESENIA" <YESENIA.RIVERA@new-haven.k12.ct.us>, Tamiko Jackson-McArthur <boetamiko@gmail.com>

<https://www.yahoo.com/huffpost/barack-obama-coronavirus-decisions-045613039.html>

Mitch McConnell told former President Barack Obama to "keep his mouth shut."

Would he had said the same thing to former presidents Bush, Bush or even Clinton?

It seems that white privileged has no limits!

Well, I'm emboldened by this disrespect to our former president and I'm going to keep speaking out, whether certain folks are happy or not.



moment of being sick and tired of.....

I agree. I wasn't trying to be sensitive to his supposed emergency, never again. I feel terrible about Dr. Tracey. I wish she had texted or emailed me. I did speak with her when she logged off

*I was trying to be sensitive

Dr. Joyner

You are a great human being. We are dealing with a complete a.....I have no sympathy for him and you can never do enough for him. I continue to be disappointed by



Text message



10:14



LTE 88%



him. I continue to be disappointed by Larry. He knows that what they did to Ivie was wrong. I hope she appreciates how hard we fought for her. This punk goes down in history as voting against removing Columbus's name from the school by trying to act like he cares about Italians. And, he equated Columbus with hard working Italian Americans who had nothing to do with rape and slavery. Columbus was lost. The A...thought he was in Asia. He should have to apologize to you and Dr Tracey, but his



Text message



10:14



LTE 88%

✕ 1



voting against removing Columbus's name from the school by trying to act like he cares about Italians. And, he equated Columbus with hard working Italian Americans who had nothing to do with rape and slavery. Columbus was lost. The A....thought he was in Asia.

He should have to apologize to you and Dr Tracey, but his apologies mean nothing to me. His sister was sincere when she congratulated you. His own siblings dislike him.

D

Tue 12:14 AM

 Attach recent photos

Text message

