

SUMMARY OF THE FACTS PERTAINING TO MY WRONGFUL DISMISSAL FROM THE
METHUEN PUBLIC SCHOOL SYSTEM

I was fired on April 9th of 2007. Not for anything that I actually did, contrary to the lies manufactured by a very small group of teachers, administrators, and lawyers in the Methuen public school system, but for what I know and can prove. Harassing me in the workplace to run me out of the school system is one thing. Concealing information and committing perjury to sabotage my relationship with my son is a whole other matter.

I am guilty of absolutely nothing but standing up for myself and attempting to hold those who harmed me, and my son, accountable.

I met my son's mother (hereinafter "the Mother") at Methuen High School, where we both worked as teachers in the school's science department. When I would not agree to the Mother's plan to quit her job and have me be the sole provider for the three of us, she broke off our engagement and chose to "punish" me for our failed relationship by opposing my efforts to be an equal parent to our son.

Aware that the facts of the case would not convince a competent and honorable court to give her sole custody of our son, the Mother resorted to Fatal Attraction-type behavior and the recruitment of accomplices in the school system to lie for her and slander me.

The crimes committed by the Mother's accomplices and my response to these crimes to hold them accountable generated two groups of people who conspired to run me out of the school system.

The first group consisted of the Mother's accomplices, who knew that I had the evidence to confirm their crimes against me and who figured that if they could manufacture a case against me with baseless disciplinary actions, it would drive me out of the school system or discredit me and reduce the threat of a successful lawsuit against them.

The second group consisted of the union-connected lunatics at the high school, who took issue with me because I sued one of the Mother's accomplices, Diane Dandreta, and exposed the union-related crimes committed by Dandreta as the school system's union president.

The majority of teachers in the school were unaware of the harassment against me because my hands were tied by former school superintendent, Phil Littlefield, who thought that he could keep HIS actionable crimes concealed by illegally restraining my First Amendment right to talk about them.

Over my first six years in the school system, Littlefield had never met me or spoken to me directly. He also had never observed me either in or outside of the classroom. This reality did not prevent Littlefield from stating to a DSS investigator on April 8, 2004 that my custody case was "the worst he had ever seen" and that I am "revengeful and hateful toward [the Mother]".

Littlefield also denied knowledge of the Mother's poor attendance record despite the fact that she had been absent 150 times over her five years at the high school.

On this same date and to the same DSS worker, Diane Dandreta, portraying herself as a neutral school official, fraudulently claimed that she had seen me "out of control verbally at the school" and "fears" me.

Dandreta also concealed the Mother's excessive absences, including her knowledge of the Mother's two mental breakdowns.

Littlefield and Dandreta's wildly slanderous statements, combined with their concealment of material facts, convinced the DSS worker, who only questioned individuals hand-picked by the Mother, to write in her report that "[The Mother] describes Mr. Thompson as very intimidating and verbally abusive toward her. This has been confirmed by speaking with the school."

The judge in our family court case, Judge Peter C. Digangi, described this DSS report at a June 4, 2004 contested child custody trial as the most influential piece of evidence to justify his decision to steal from me my parental rights to my son.

The irony of this incompetent DSS investigation, which did not even include an interview with me, is that I did not speak to the Mother at all in school or so much as glance in her direction during her last two years at the high school.

Moreover, Arthur Nicholson, the high school principal, and Joe Harb, the head of the science department, conducted their own investigation into the Mother's complaints of a hostile work environment and concluded that her allegations were baseless and unfounded - a finding that was documented in an April 2, 2004 memo.

Despite the fact that this school investigation into the Mother's allegations was conducted just one week before the DSS investigation and reached a conclusion that was the polar opposite of the conclusion reached by the DSS after speaking with the Mother's accomplices, not one school employee questioned by the DSS chose to share these results.

The accusations of a hostile work environment continued in the 2004-2005 school year and the school's efforts to manufacture a case against me with baseless reprimands began.

When it became clear that Dandreta was still conspiring with the Mother to run me out of the school system with fraudulent complaints, I filed a lawsuit against her for defamation of character, slander, and workplace harassment on March 2, 2005.

On March 3, 2005, a day after the filing of my lawsuit, Dandreta wrote a letter to the superintendent, fraudulently accusing me of "watching her every move" and of being "a threat to kill her".

On March 4, 2005, two days after the filing of my lawsuit, I received a baseless written directive from my department head, per order of the superintendent, to not discuss my custody case in school.

I refer to this directive as "baseless", because I had not been discussing my custody case in school with anyone at the time to warrant a directive. In fact, there had not been a single "discussion" on the topic of my custody case for a full year prior to Littlefield's March 4, 2005 directive.

I responded to Littlefield's baseless directive in writing and a meeting was called three days later on March 7, 2005 to address the Mother's complaints and my response.

In this meeting, the Mother alleged that the work environment was hostile with the claim that I had been using a school computer to write motions and using the school copier to make copies of legal documents for our family court case.

Aside from the mystery as to how these actions would cause *the Mother's* work environment to be "hostile", the allegations were simply untrue.

What I did point out in response to this false allegation was the fact that the Mother would have no knowledge of what I am copying or doing on the computer unless she was literally spying on me from an intrusive distance and, in effect, harassing *me*.

Although Littlefield admitted at this meeting that the Mother communicated nothing that supported her accusations, Littlefield kept this baseless directive in my personnel file so that he could fraudulently reference it in the future as a reprimand.

A month later, on April 11, 2005, I reported Dandreta's unethical stunts involving our union's nomination and election process after she denied Joe Harb's nomination and my self-nomination for union president.

To be more specific, I put a four-page letter in the faculty mailbox of every union member in Methuen, detailing the corrupt schemes that had allowed Dandreta to run "unopposed" in seven of the eight years that I had been working in the school system.

After filing my lawsuit against Dandreta and exposing the corruption in the Methuen union's nomination and election process, the harassment against me escalated.

A group of Dandreta's "people" went to the principal, Arthur Nicholson, with the claim that I had used school supplies to make copies of my whistleblower letter and had used students to put the letter in faculty mailboxes for me.

Although both allegations were easily discredited with Staples receipts and witnesses who saw me put the letters in the mailboxes myself, my accusers did not receive so much as a reprimand from Nicholson for their lies about me.

Another group went straight to Littlefield at a school telethon to convince him to fire me. This discussion was overheard by my department head, Joe Harb, who quoted Littlefield as saying, "What do you want me to do? I reviewed his file and his record is outstanding."

The Mother was also overheard arguing with Dandreta in her office at the beginning of the 2004-2005 school year because Dandreta had not come through on her promise to run me out of the school system.

Since I am an exceptional teacher with tenure, who has always received outstanding evaluations from my immediate supervisors and praise from my students in my 23 years in the classroom, the individuals who were conspiring to run me out of the school system faced a dilemma.

They knew that I could not be fired legally without just cause. Consequently, they resorted to lies and unethical stunts to make up in quantity what they lacked in quality.

On April 19, 2005, I faxed a letter to Jill Coleman, an MTA regional consultant in Lynnfield, requesting an investigation into the union's nomination and election process in Methuen. Coleman took this private, MTA-addressed letter and forwarded it to the defendant in my lawsuit, Dandreta, who illegally shared the content of the letter with several teachers and administrators.

The letter served Dandreta's purpose by generating disruption in the school setting and animosity toward me. One of Dandreta's friends, Ann Marie Krusell, who could have only found out about the letter from Dandreta, threatened to sue me through her attorney for referencing her by name in the letter.

At some point, the MTA-addressed letter ended up in the hands of Littlefield, who took this confidential union letter, which he should have never had access to in the first place, and referenced my mention of Dandreta's impact on my custody case in the letter, as a pretext excuse to suspend me without pay for three days (May 4 - May 6, 2005).

Littlefield claimed that I had violated his March 4, 2005 directive to not "discuss" my custody case in school because Dandreta's impact on my custody case was referenced on the last two pages of this 8-page letter and I had admitted to "showing the letter" to four similarly outraged union members, two of them administrators, who each intended to speak at the special executive board meeting that had been called to respond to my claims of corruption.

Littlefield's suspension letter included the fraudulent claim that my reference to Dandreta in the letter was a "tirade" and the fraudulent claim that there had been "several warnings and infractions".

To support his LIE about prior infractions, Littlefield ironically referenced the April 2, 2004 memo containing the findings from Nicholson and Harb's investigation into the Mother's complaints of a hostile work environment, **which was the memo confirming that the Mother's allegations of a hostile work environment were unfounded**, to claim that I had been "disciplined in the past" for discussing my custody case in school.

According to Littlefield and his penchant for revising history, I had been "disciplined in the past" for discussing my custody case in school because the school had concluded that the Mother had falsely accused me of harassing her in the workplace.

With regard to the union's nomination and election process, Dandreta cowardly did not attend the meeting called to address *her* misconduct, but instead had her "people" boo over me and cause a scene when I got up to speak. It got so childish and abusive that two members of the board stood up at two different times of my speech to scold their fellow board members.

Although I proved conclusively that Dandreta had manipulated the nomination process to avoid an election and was given access to nomination details that were prohibited to her as a candidate for office, the unopposed results were allowed to stand and my request for an election that would allow me to run for union president was denied without explanation.

Over the summer of 2005, I appealed my three-day suspension and requested that the union take my grievance to arbitration.

Although the suspension was clearly illegal, which I proved at the meeting called to address my suspension, with references to the First Amendment and case law; the union's executive board, made up of the same people who booed over me three months earlier, voted to deny my request for arbitration.

The harassment and retaliation continued in 2006. On May 12th of 2006, I was placed on paid administrative leave through the end of the school year for using ten minutes of a ninety-minute long block class answering student questions about my appearance on a television show, which was seen locally by several of my students.

The conversation was exclusive to civil rights and the First Amendment as it pertained to a book that I had written, which became a news story when it was banned by a judge who is criticized in the book. There was absolutely nothing about the discussion that was inappropriate. In effect, I was suspended for having a ten-minute conversation on a civics topic in a physics class.

This ten minutes spent off topic was brought to the attention of the superintendent by a union-connected teacher at the school, who initially tried to use these ten minutes to blackmail me into changing her daughter's physics grade.

Only after I refused to change the student's grade was I suspended and handed a notice of intent to dismiss.

Over the summer of 2006, I met with Littlefield, who agreed to drop his efforts to dismiss me if I would agree to sign a "memorandum of agreement" that illegally restrained my speech.

It should be noted that Littlefield did not make this agreement out of the goodness of his heart, but because he knew that I had legitimate grounds to sue him directly.

Littlefield resigned over the summer of 2006 and Jeanne Whitten took over as superintendent, but the harassment against me continued.

On January 11, 2007, a harassing, anonymous note was left in my faculty mailbox. The note was a response to my efforts to be helpful and provide a couple of options to the proposed changes to the school's bell schedule.

I immediately forwarded the letter to the superintendent at 10:40 AM with a proposal to share the letter with the entire staff by email so that I could address the ongoing harassment that I was experiencing head on.

I reasoned that the email should be sent to the entire staff because the coward who wrote the harassing note did not sign it to allow me to confront him or her directly and because he or she claimed to be speaking for everyone.

This was also not the first time that I had reported items left anonymously in my faculty mailbox to harass me.

Whitten responded by email at 12:17 PM of the same day with the words,

The [letter] that you received is, quite frankly, malevolent. Personally speaking, I have no use for such rhetoric... Although your anger is well founded, I still think you win if you ignore the complaint... This is just my point of view."

What was NOT communicated was Whitten's "opinion" that my email proposal would violate Littlefield's memorandum of agreement and cost me my job.

To avoid needless drama, I chose discretion and did NOT send the bulk email message to the entire staff as I had originally proposed. Instead, I shared the letter and the same thoughts and opinions that I had communicated to the superintendent with a select group of teachers at the school, who I thought I could trust to be discreet.

Apparently, my trust was betrayed because the email did get into the hands of my enemies at the school, who generated their own disruption by running around the school to rant and rave to whoever would listen or was forced to listen.

A meeting was scheduled shortly after this incident with Whitten, who defied my due process rights to be heard and confront her witnesses against me by denying my request to attend this meeting.

Whitten testified at the arbitration hearing to the fact that this meeting included Whitten, Nicholson, and the six specific people who I identify as my enemies at the school. These six people put on a tear-filled performance for the superintendent to deceive her into believing that I was a disruptive force at the school and hated by the majority of teachers in the school.

For the record, I got along very well with the vast majority of teachers in the school, including EVERY teacher in the science department who I worked with on a daily basis. I can also show

message after message from teachers who were very supportive of my whistleblower efforts against the union.

And with regard to the claim that I was disruptive, let's look more closely at the school disruptions that were blamed on me:

- (1) I wrote a letter on the corruption occurring in my local union's nomination and election process and distributed the letter to my fellow union members via faculty mailboxes (a protected union activity).

Dandreta and her small group of union-connected friends responded to the letter by running around the school to rant and rave to whoever would listen; by stealing the letter from individual faculty mailboxes at the high school; and by falsely accusing me of using school supplies and students to produce and distribute the letter.

- (2) I faxed a letter to the MTA's regional office, requesting an investigation into Methuen's nomination and election process (a protected union activity), and I discreetly shared the letter with four people, who kept the content of the letter to themselves.

The MTA forwarded this private letter to Dandreta, who illegally passed this letter around the school to rile up her friends, who generated their own disruption in the school setting at my expense.

- (3) I received an anonymous harassing note in my faculty mailbox and shared the note and my thoughts on who would write such a note in a private email addressed to 25 teachers.

My enemies found out about the letter and, once again, ran around the school during school hours and in front of students to rant and rave to whoever would listen. Individual teachers were put on the spot and interrogated about why they would be included as recipients of my email.

With the exception of the Mother and Dandreta's persistent efforts to slander me with false allegations, which were only a disruption for me, the three incidents summarized above represent ALL of the school "disruptions" during my nine plus years at Methuen High School.

I was disciplined for behavior that pales in comparison to the "over the top" reaction from my enemies, who did not receive so much as a slap on the wrist for their more significant "hand" in the disruptions.

On January 30, 2007, without a warning or an attempt to get both sides prior to taking action, I was placed on paid administrative leave for the second straight school year and served with another "notice of intent to dismiss" with the claim that my email violated the memorandum of agreement that was signed the previous summer.

The school system fought my claim for unemployment benefits, going so far as to appeal the Division of Unemployment Assistance's decision.

The school with the burden of proof to overcome showed up to both court-recorded evidentiary hearings without a single first-hand witness.

The personnel manager, Colleen McCarthy, who represented the school system at the original hearing, and the school superintendent, Jeanne Whitten, who represented the school system at the appeal, both admitted that I would not have been fired if I had not sent the email and Whitten admitted that the dismissal had nothing at all to do with my teaching.

On December 20, 2007, the Board of Review affirmed the DUA's original decision in my favor, stating:

Under G.L. c. 151A, § 25(e)(2), the burden of proof is upon the employer to establish that it discharged the claimant either for a knowing violation of a reasonable and uniformly enforced rule, or for deliberate misconduct in willful disregard of the employer's interest. The employer has not met its burden... Even though the claimant contacted the superintendent specifically to ask her advice about sending the email, the superintendent failed to inform the claimant that she considered the email to violate the memorandum or that she would consider the publishing of the email to be a dischargeable offense. The superintendent spoke in-person to the claimant the next day, and still did not inform him that sending the email violated the memorandum. In fact the employer took no formal disciplinary measure against the claimant until two weeks later, when it suspended the claimant pending discharge.

The school system did not appeal the case further and the decision became final on January 23, 2008.

At the arbitration hearing, the City of Methuen again showed up without a single first hand witness and repeated its claim that I was fired for sending the email, which it once again claimed was a violation of the June 29, 2006-signed "memorandum of agreement".

At this hearing, Whitten and Personnel Manager McCarthy repeated the claim that I would not have been fired if I had not sent the email and Whitten admitted that she had nothing negative to say about me that was not conveyed to her by someone else.

Incredibly, the specific reason alleged by the school system to justify my dismissal (the email) was deemed baseless by Gary D. Altman (the arbitrator) as a reason to dismiss me.

Altman stated on page 25 of his "Arbitration Decision and Award":

It is difficult to view Mr. Thompson's January 11, 2007 e-mail as a specific violation of the parties June 29, 2006 last chance agreement. In particular, Mr. Thompson's e-mail does not mention any of his ongoing litigation, nor does it refer to his custody dispute. In addition, Mr. Thompson, in his email, does not disparage School Administration officials for actions that occurred prior to the date of the Agreement. Thus, it cannot be concluded that Mr. Thompson's actions in sending the e-mail can warrant a finding that he should be summarily dismissed based upon violation of the last chance agreement.

Regarding the same email, evaluated independent of the Memorandum of Agreement, Altman wrote on page 26 of his "Arbitration Decision and Award":

In and of itself, it cannot be concluded that this email would justify an employee's discharge. The email refers to "worms" and "suspects"; hardly flattering terms, but they are certainly not obscene comments.

Instead, Altman came up with his own "theory" to justify my dismissal, which he called the school system's "progressive discipline."

This "progressive discipline theory" required Altman to ignore the burden of proof that the school system was legally required to overcome; ignore the FACT that I did not have the opportunity to confront the school system's witnesses against me (because none were at the hearing to question!); AND ignore the pages and pages of well-supported facts and argument contained in my two briefs, which confirmed the FACT that the school system's "progressive discipline" was nothing more than a paper trail of fraud, baseless allegations, and First Amendment-defying reprimands, generated by six specific staff members and the former superintendent to run me out of the school system.

I refer to Altman's progressive discipline argument as a "theory" because the school system did not even attempt to justify the "other" disciplinary actions against me with either witnesses or evidence that had not already been discredited by me at the hearing and in my post hearing briefs.

Altman's "progressive discipline theory" also required him to disregard item 3 of the June 29, 2006 "Memorandum of Agreement", which unambiguously states:

Mr. Thompson shall not be in violation of this agreement for any actions or statements, either orally or in writing, made prior to the execution of this Agreement.

Ironically, what Altman called "progressive discipline" is my evidence of employer fraud, employer retaliation, and the "grounds" for my federal court lawsuit.

Since it is unlikely that an arbitrator could possibly be as incompetent as his ruling would prove him to be; since the MTA was singing the praises of this arbitrator by name in federal court, days before the release of his ruling; since a third ruling in my favor would have made it difficult, if not impossible, for the MTA to justify its negligent failure to represent me; and since the arbitrator congratulated me for getting a teaching job in Lawrence, despite the fact that this information was not shared with the arbitrator at the hearing; I contend that the arbitrator was illegally influenced by the MTA to rule against me.

The only thing that has prevented me from getting this wrongful dismissal overturned, up to now, is a wildly corrupt court system that has made up its own rules and blatantly defied the law to avoid a judicial review of the arbitrator's decision.