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**Dominguez, Diana**

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**From:** Hoyack, Chuck  
**Sent:** Sunday, December 20, 2009 6:52 PM  
**To:** Dominguez, Diana  
**Subject:** FW:

**From:** Hoyack, Chuck  
**Sent:** Thursday, April 09, 2009 3:25 PM  
**To:** Hoyack, Chuck  
**Subject:**

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by me to me;  
Not shared with anyone else.  
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### **Why Earl Pettit should NOT be reinstated as Superintendent of DUSD on April 9, 2009**

1. The investigation is not complete and the ADE has not submitted its final report. On March 10, the board voted to reassign Mr. Pettit pending completion of an investigation by the ADE or Auditor General or [an] internal investigation of district policy. Ms. Staton has indicated the investigation is ongoing and we hope to receive the ADE report in 2-3 weeks.
2. Ms. Staton told us on Tuesday that, in essence, Mr. Pettit did not violate any Arizona statutes as it relates to the ELD situation. Perhaps he has not violated any state laws in a black and white interpretation, but I would argue that he has violated the spirit of the law in failing to take appropriate action when he came to know about the situation at Stevenson Elementary. Mr. Pettit has failed in his handling of the whole situation at Stevenson Elementary. It is very clear that he knew early on of the potential problems with the ELD program and did not act with conviction to comply with the duties and responsibilities he is charged with as the administrative leader of DUSD. Early action and direction to staff would have had the probable result of compliance with the law and would have prevented

the turmoil we have been experiencing at DUSD and in the community.

3. It is clear that Mr. Pettit has violated or failed to follow at least four DUSD Policies in regard to his handling of the ELD situation:
  - Policy CA-Administrative Goals/Priority Objectives
  - Policy CB- Superintendent
  - Policy CBA- Qualifications and Duties of the Superintendent
  - Policy GBEA- Staff Ethics
4. His handling of the ELD situation at Stevenson is symptomatic of the less than acceptable internal condition of the District under the supervision of Earl Pettit. Our children, employees, and the community deserve better leadership.

**Policy CBA – Qualifications and Duties of the Superintendent**

**(Performance Responsibilities)**

The Superintendent shall have appropriate certification. Further, the Superintendent shall supervise, either directly or through delegation, all activities and all personnel of the school system according to the laws of the state of Arizona, rules of the Arizona State Board of Education, and adopted policies of the Governing Board.