



From the desk of

Ralph R. Hernandez, VP Executive Affairs
Buffalo Board of Education
West District Representative

March 4, 2008

Richard P. Mills, Commissioner of Education
President, University of the State of New York
State Education Department, Education Building
Albany, New York 12234

RE: Request for inquiry into allegations at McKinley High School

Dear Commissioner Mills:

I request that your office initiate or conduct investigations into allegations of employee misconduct and/or criminal activity by employees at McKinley High School.

I am particularly concerned with allegations surrounding violations of the Americans with Disabilities Act for students, employee and vendor violations, theft of services, abuse of special education services, stolen equipment, separation of church and state, corporal punishment, and regents' exam fraud, as these matters have been identified in the attached three page letter submitted anonymously by a retired teacher from McKinley High School. The magnitude and degree of detail of the allegations contained therein causes me to give this letter greater credibility than I would normally attach to an anonymous communication.

I have received numerous phone calls from parents and teachers who are concerned over the lack of transparency and accountability at McKinley High School.

Under normal circumstances, I would discuss these allegations with Superintendent Williams and colleagues on the board. However, in light of the on-going investigation and recent allegations of abuse of power lodged against McKinley H.S. Principal Mrs. Barton and Superintendent Williams in the Jayvonna Kincannon suspension and termination of volunteer coach Stiles, I have decided instead to forward this information directly to the State Education Department for review, consideration and advice.

If you wish to contact me, I can be reached at [REDACTED]

Sincerely,

Ralph R. Hernandez

Attachment: Three page letter containing allegations
cc: Superintendent, Board of Education

February 17, 2008

Ralph Hernandez, Buffalo School Board

Dear Mr. Hernandez,

Who I am and Why I'm Writing You

I am a former teacher from McKinley High School. I have no axe to grind with Crystal Barton personally, but I feel she needs to be stopped for the sake of those who still work there and the reputation of the school district itself. I know that I too (like so many others who have come forward) must remain anonymous to protect myself, my family (there are still teachers in the district in my family), and my former co-workers from Crystal Barton and her staff. If you only knew how many experienced, caring teachers have left Buffalo Public Schools because they could not get out of McKinley, you would be outraged. Why hasn't someone in the downtown office ever looked at all of the number of transfers, resignations, and untimely retirements from McKinley? Check out the people who handle these requests downtown and learn what their loyalties to Mrs. Barton are. Maybe they are relatives or members of her church.

Upcoming Investigation

I am writing you because I fear that the scope of the upcoming investigation will not look at Crystal Barton, and they must investigate her and those persons (paid staff, volunteers, and substitutes) who acted under her direction at McKinley High School.

Only an independent, experienced, and hard-working investigator will be able to get to the "real" heart of the matter at McKinley High School. Pay the investigators what they want; you owe it to the taxpayers. You owe it to the parents whose children have been denied a vocational education at McKinley because they had no "inside connections" with the **school placement team** (take a look and see who is on this team that has motive to be on Barton's side) or Crystal Barton's in-house team.

Your investigators really need to check out [REDACTED] and all of the relatives **brought in daily** as paid "subs" who never actually worked as substitutes (they probably weren't even teachers) but rather answered phones, stuffed envelopes, patrolled the halls and stairwells, hung out in the office, made copies, checked up on teachers, and ran errands for C. Barton.

School-Church Connection

If you do not investigate any of the points I raise in this letter, I urge you to consider just one: **church-school connection**. It is not a coincidence that so many of Barton's close associates at McKinley are ordained ministers. For a moment, please consider the financial gain for a tax-free religious organization if it could "guarantee" a parent that a child would be placed at McKinley. I'm surprised that no one on the Board ever questioned why [REDACTED] held religious instruction each morning in room 114, or that certain students attended choir practice in the auditorium each morning while others waited outside until the school bell rang.

- library** - cases of church hymnals have been purchased through the library.
- school busses** - Buffalo public school buses were dispatched to churches to transport families of graduating students to and from McKinley High School last June.

Teacher Attrition Rate

-check the numbers (if they can be found) to verify the attrition rate at McKinley. Look at what this amount of turnover in staffing is costing students, staff, and taxpayers.

Regents' Exam Fraud

-check the NY Regents Exams from [REDACTED] English Gr. 11 class in June 2007, and you will find that almost every one of her students wrote the same answer to the essay question. The only way such a thing could have happened is if the teacher had the question in advance and presented it to her class as a practice essay. From what I have been told about this matter, the majority of this teacher's students gave an identical interpretation of the quote, used the same two works of literature, and gave almost identical examples in their essays. The way [REDACTED] handled the Regent's exams at McKinley would allow a teacher to switch a practice essay for one written under the observation of a proctor. I say this because from what I know about the English exam, the teachers have to collate their exams in their rooms (or at home) before submitting them to the department for grading. This problem was presented to Mrs. Barton and she took no action to my knowledge.

Abuse of ESIS

-check to see who in the guidance department is abusing the ESIS grading system. Certain staff persons were given high-level passwords that allowed them to limit what a teacher could see with regard to student grades and even enrollment. In cases that I know of or have been told of, failing students got passing grades and students who dropped out after a semester or more were automatically removed from a teacher's

roster for the entire year. The removal of a student from an ESIS enrollment would create a conflict in a teacher's overage report which is based on the teacher's actual grade book records. To "get even" with a teacher who had a long-term sub due to surgery or illness, Mrs. Barton would have the guidance department reassign an entire class retroactively to a different teacher so as to create a conflict in the original teacher's claim to classroom overages.

Theft of Services—sports tee shirts & photocopying

sports tees - check out the dark room in the shop area to see if you can find any proof of someone making silk-screened tee shirts for the Buffalo Sabres (the new logo) and other teams. Someone (maybe a relative of Barton's or Daye's) was printing sports tees in the dark room. They most likely made the logo at school and used school inks and the school probably bought the tee shirts. Check to see how many times McKinley paid [REDACTED] private business for tee shirts given to students for awards. Also, check to see if the school paid [REDACTED] private printing business for lanyards that students were mandated by Mrs. Barton to purchase.

color copier -check out the Xerox color copier in [REDACTED] room [REDACTED]. Since teachers were not permitted to request colored copies, it must have been being used for non-school purposes. Clearly, it was used to make the brochures and posters for Mrs. Barton's African American Conference, and maybe it was used to produce **political brochures** or church bulletins which would be inappropriate.

Abuse of Special Education Service

-athletes on the boys' basketball and football teams under coach Daye were automatically placed into special education classes with [REDACTED]. This was to guarantee that their grades would stay up so they could play sports. Sadly, there were many students who really needed special education support who couldn't get it, while the athletes who didn't need it were helped with homework, tests, and in some cases, on their state exams.

Stolen Equipment

Check the computer and video equipment inventory to discover the unbelievable number of computers and cameras that have disappeared from McKinley. I think you will be able to follow a trail right to the doors of the church centers where they are being used to **promote political ambitions** of certain elected officials.