



# Santa Monica Malibu Schools

Extraordinary Public Education

September 9, 2010

Michael Chwe  
422 26<sup>th</sup> Street  
Santa Monica, CA 90403

Re: Response to September 8, 2010 Correspondence

Dear Mr. Chwe:

I am in receipt of your correspondence sent on September 8, 2010, in which you ask several questions about the District's efforts at informing individuals about inaccurate statements made about one of its employees.

When the District becomes aware that information about an employee that is inaccurate and potentially disruptive has been disseminated to a larger audience, it is duty-bound to protect the interests of the employee. In the matter you have referred to, a correspondence from Patrick DeCorolis, the District responded to the recipients regarding significant inaccuracies in the letter that DeCorolis sent to a large number of people who were simply referred to as "teachers, parents, administrators, and friends." The District response to the recipients directed them not to further disseminate the information. While the District is in a contractual relationship with employees and, as such, may direct the activities of employees, you have questioned the District's authority to direct the actions of parents.

The District has an obligation to protect both the confidentiality and the liberty interests of its employees. When the District receives confirmation that inaccurate information about an employee is being disseminated, it has the authority, if not the obligation, to protect the liberty and reputation of that employee. Given the importance of the liberty interests being jeopardized, the utilization of directive language is certainly not inappropriate. The further dissemination of inaccurate information, which may include slanderous accusations, comes with it legal risk or liability. As such, the District response to the recipients about the information did not mince words in describing the seriousness of further dissemination.

The District cannot provide additional information about this confidential personnel matter, but it felt obligated to act to appropriately to protect the interests of its employee. We certainly hope that you can accept the District's response in the light intended; that is, as an effort to provide important information regarding a very serious issue and to prevent further harm to the interests of the District. Rest assured the District is in full compliance with its legal obligations and has acted, and will continue to act, to protect the safety of its students as well as the interests of its employees.

Thank you for your correspondence. If you have further questions, please feel free to respond.

Sincerely,

Tim Cuneo, Superintendent

## Santa Monica-Malibu Unified School District

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