

Affidavit in reference to my professional experience with Joe DiSalvo

July 28, 2020

[REDACTED]
[REDACTED]

Superintendent Mary Ann Dewan
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose CA 95131

Dear Superintendent Dewan,

I worked as the Physical Education Instructional Supervisor (IS) at Jane Lathrop Stanford Middle School (JLS) in Palo Alto when Joe DiSalvo was Principal. During that time he harassed me and behaved abusively toward me. I was involuntarily deployed to The Office of Naval Intelligence following the 2001 Terrorist Attacks on the World Trade Center. During this time Mr. DiSalvo became Principal at JLS. Before I left on deployment, the Superintendent of Personnel ensured that I would return from deployment to my current IS job, as guaranteed by federal law. However, I returned to find I would not be given my previous position back and Joe wanted to keep the current IS. I was forced to go through legal channels to get back my position at JLS as Instructional Supervisor of the PE Department.

Throughout my time at JLS, I felt Joe was harboring animosity and hostility toward me, possibly because I had replaced his original choice for IS. I have a PhD. and rather than call me by my first name as the entire staff did with one another, he addressed me derisively as “Dr. [REDACTED]”. His sarcastic tone of his voice was creepy and insincere and to me, felt disrespectful. I am a strong woman, devoted to teaching students, and an outspoken advocate for what I felt was in the best interest of our students and our school. Joe’s abusive behavior, which I never saw him use toward men, made me wonder if his animosity toward me was because I was a lesbian, a woman, or a military officer?

An example of the difference between how Joe treated a woman and a man was when we discussed a male teacher candidate. This man had a lifetime credential in woodshop and was the least qualified candidate for the position. It was my responsibility as IS to evaluate PE teacher candidates, solicit feedback from our department members, and make a recommendation. We felt this candidate was not the best choice for the department and there were two other more qualified prospects. Joe chose the least qualified candidate, like the decision had been made well before the interview.

During this school year, I wanted to meet with Joe and the assistant (female) principal and the new teacher to discuss job performance. When I got to the meeting the assistant principal wasn’t there. I was alone in this meeting with just the two of them. It was very unusual that the female Assistant Principal wasn’t included like she always was. Joe and this teacher attempted to turn the discussion against me, instead of the intended subject as it related to the job performance of this teacher. I felt like I had been set up and the two had collaborated prior to our meeting. Two men and one woman – I felt like I’d been ganged up on. The teacher became a burden to our PE department disregarding the established curriculum, protocols and Student Learning Standards. When I brought this to the attention of school administration, Joe aligned with his “prodigy”, undermining my attempt to maintain the cohesion of our department. When this teacher called me “a fucking bitch”, and I reported it to the Administration, no discipline was meted out to him. He was allowed to call me a derogatory misogynistic name, yet I as a woman received no support at all.

Toward the end of the year, Joe filed a complaint with the District office saying that he feared for his safety after I gave him an angry look when we passed in the school hall. I was stunned when the personnel office called me in during the last week of school and told me not to go into campus but to come to the district office. I was read a list of grievances from Joe. Most of them were factual and some were exaggerated. One was a fabrication. I

This certifies the following as my e-signature: [REDACTED]

Affidavit in reference to my professional experience with Joe DiSalvo

broke down and cried. I felt intimidated, I felt shame, I felt worthless and unappreciated when his accusations were presented. I couldn't believe Joe felt like I was threatening him. I admitted to the allegations that were true, putting them in context and I denied those that were false. I didn't know it at the time, but an investigation was launched and many of my peers were called in to testify about me. When I found out there was an investigation, I was mortified. During this incredibly painful and stressful time, I was suffering from residual PTSD from my deployments and felt battered by Joe and his behavior toward me. For the remainder of school, I was the one who didn't feel safe. I couldn't focus or concentrate on anything. The District Lawyer concluded that I was actually the one being harassed by Joe, and not the other way around. Upon returning to school in September, I had been demoted from the IS position, the "new teacher" was still in the department, and I was relieved when I learned that I would be included in the first tranche of female individual augmentees to deploy to Afghanistan. (A war zone seemed safer than the environment in which I found myself).

When I returned home, I chose to go back to working in the elementary program. I came back from AFG with at least two layers of PTSD – one from the battles in AFG and one from the battles with Joe. It took three years and the events at Sand Hook for all of the violence to manifest within me and take a toll on my career and personal life. It was hard work.

To this day, I believe that Joe and the abusive drama he created damaged my career path, tainted my reputation in respect to other administrators in the District, and played a part in my decision to retire early, despite negatively affecting my pension. I'm sharing my experiences with Joe's toxic behavior toward me as a woman, a strong woman – And I wonder how I would have been treated had I been endowed with the golden phallus. I never saw him disrespect a single man during my tenure at JLS.

Sincerely,

[REDACTED]

This certifies the following as my e-signature: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Superintendent Mary Ann Dewan
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose CA 95131

Dear Superintendent Dewan,

I am writing regarding the recent censure of Trustee Joe DiSalvo, Santa Clara County Board of Trustees, for gender discrimination. I am a former colleague of Mr. DiSalvo, and can attest that this is not the first time he has used his position of power to target women with his abusive, misogynistic, demeaning behavior.

In order to provide a context for my letter, I would like to reference the following recent public comments:

- Mr. DiSalvo was quoted in *The Mercury News* (July 16 '20) claiming that the investigation “lacked evidence....”
- Grace Mah was quoted in the *San Jose Inside:Fly* (July 7 '20) saying, “The accusations lack clear evidence....”
- Trustee Peter Ortiz stated in *The Mercury News* (July 16, '20) that his colleagues “should have called out Trustee DiSalvo’s behavior way before today.”

Mr. DiSalvo was the Principal of Jane Lathrop Stanford Middle School (JLS) in Palo Alto from 2002-2005, where I taught for 20 years and my five children attended middle school. I was unaware that the SCC Board of Education investigation had solicited public comments until the board censure vote received media attention.

I am choosing to speak out now, based on my belief that there is evidence of a pattern to Mr. DiSalvo’s toxic behavior toward women, especially his targeting women who are strong, confident and willing to disagree with him. Whereas JLS had many strong, opinionated, confident male staff members, they were not the recipients of his abusive behavior.

During Mr. DiSalvo’s tenure as Principal, I, along with many female JLS staff members, shared a deep concern about his ongoing pattern of misogynistic, abusive, and aggressive behavior toward women. This conduct was not directed toward men. We have first-hand experience with, and written contemporaneous notes regarding, Mr. DiSalvo’s behavior during his time at JLS.

Some examples shared with me by female colleagues:

- A female colleague questioned Mr. DiSalvo's decision regarding the school dress code. He leaned over his desk, glowering at her, and said, "_____ it's my way or the highway."
- During a meeting with Mr. DiSalvo, he asked a female English I.S. "can you support my administration, me?" She replied, I can't say I'll agree with everything." She was told to reapply for her position.
- Of a 3-person team (which included a male) a female teacher was called into Mr. DiSalvo's office "for a serious reprimand for altering a STAR Test schedule to accommodate all the students".
- Mr. DiSalvo repeatedly told staff that he rewarded loyalty. When a female teacher told him she'd requested a transfer to a different school, he refused to speak to her for the rest of the year.
- A lesbian colleague going through PTSD, following tours of military duty in Afghanistan, believes she was further traumatized by her experiences with Mr. DiSalvo. In her position as Instructional Supervisor for the Physical Education department it was her responsibility for the tenure evaluation of new PE teachers. She was called into a meeting with Mr. DiSalvo and the male teacher who was being considered for tenure. It was very unusual for a tenure meeting to not have the female Vice Principal in attendance. The I.S. and the PE Dept. members, whose input she had solicited, felt the candidate was "inappropriate for their department" and should not receive tenure. During the meeting, Mr. DiSalvo overtly supported the male teacher and overrode the I.S.. Mr. DiSalvo gave the man tenure and shortly thereafter filed a district complaint about her. Much of this was revealed during a 2005 Palo Alto Unified School District investigation into his behavior and leadership.
- I served as 6th Grade Lead Teacher. Mr. DiSalvo had used a *Palo Alto Foundation for Education* Grant intended for the 6th Grade Science Department, to install a sink in the Industrial Tech classroom. Mr. DiSalvo never met with the 6th Grade Science teachers to discuss the grant's usage. As Lead, I spoke with Mr. DiSalvo on several occasions about our wishes to have the money returned to the our Science budget. I was repeatedly dismissed by Mr. DiSalvo. During a meeting with all 6th Grade teachers and Mr. DiSalvo, he refused to make eye contact with me. When I broached the subject of the funds, in front of all my colleagues, he turned and screamed angrily at me, "What do you want, [REDACTED] What do you want!" I calmly replied, "We want the money back." I was stung by

his behavior because he had never screamed at any of my male colleagues who questioned or disagreed with him.

- At a JLS Leadership Council meeting, I was scheduled to speak. At the conference table, Mr. DiSalvo sat next to me without any greeting or eye-contact and, after I'd begun speaking, he acted noticeably annoyed with me, repeatedly talking loudly over me trying to cut me off, and told everyone that I had "talked long enough". I tried to explain that I was almost done. He abruptly turned his high-backed chair to block me from view of the other attendees, and asked them, "OK, let's vote on whether [REDACTED] should keep talking? Raise your hands if you think she should continue." The vote was unanimous to let me finish, but I felt humiliated in front of my colleagues because he had never treated any of my male colleagues with such disrespect and hostility.
- Over the course of two years I handwrote three lengthy letters to him, stating my admiration for the many things he had accomplished for our school, including technology improvements. I also expressed the staff members' increasing concern over his abusive treatment toward women who disagreed with him or challenged him, while never directing similar conduct toward men. He never answered, verbally or in writing, but I became assiduously ignored and avoided. He never came into my classroom during his years as Principal, except briefly during one Back-To-School Night with many parents present.
- I voiced my colleagues' and my concerns about Mr. DiSalvo's behavior to the PAUSD Administration and School Board during 2005, but Mr. DiSalvo continued in his position until an investigation was undertaken by the district, prompted by the complaint he filed against the aforementioned PE Instructional Supervisor, claiming she gave him "a threatening look" and that he feared for his safety. The investigation resulted in Mr. DiSalvo's eventual departure from JLS. I believe a *Palo Alto Weekly News* (Oct. 11 '06) interview* with Mr. DiSalvo will further indicate a pattern of his behavior.

I do not undertake lightly the writing of this letter. I feel an obligation to come forward to share my experiences and those told to me by female colleagues, with the hope that Mr. DiSalvo's pattern of abusive, misogynistic behavior will not be allowed to continue within the framework of California public education.

Sincerely,

██████████

Retired PAUSD teacher

*Excerpts from *PA Weekly News* (Oct. 11 '06)

He (Mr. DiSalvo) said a concern for his own safety led to an investigation that spiraled out of control and resulted in the district's attorney recommending that Di Salvo resign, based on reports that staff at JLS felt intimidated by him.

Louis Lozano, affiliated with the firm of Lozano and Smith in Monterey, was hired to conduct the inquiry.

Lozano apparently found staff concerns with Di Salvo's leadership. A letter Lozano sent to Di Salvo's attorney in Aug. 2005 stated that the "majority of the staff" at JLS did not trust Di Salvo's leadership, which was described as "heavily top down."

Lozano cited allegations about Di Salvo making statements in faculty meetings to the effect of, "You are either with me or against me," "I reward loyalty," and "I wish I had the power of a professional football coach where I could hire and fire members of the team."

"I am prepared to recommend to the board that the district pay Mr. Di Salvo six months of salary and benefits in exchange for his resignation from the district," Lozano wrote. They settled on one year.

On Monday, Lozano told the Weekly that Di Salvo was not terminated.

"He resigned," Lozano said.

Although Di Salvo said he is happy in his new position, he said the accusations in Lozano's letter, which Di Salvo called lies, remain hurtful.

"They never asked my side of the story or my view, and I felt I was a very good employee," he said.

Di Salvo called the Palo Alto district "very sick."

Board President Rossi Letter to Trustee DiSalvo Regarding Board Member Dishonesty

Via Electronic Mail and US Mail

July 31, 2020

Joseph Di Salvo, Trustee, Santa Clara County Board of Education, Area 5

██████████
██████████

Re: Misleading and Dishonest Statements re Pattern of Gender Based Harassment

Dear Trustee DiSalvo:

The purpose of this letter is to invite you to discuss statements from members of the Santa Clara County educational community who have come forward after watching the July 15, 2020 board meeting. These community members state that they had experienced conduct that constituted gender based harassment on your part and believed your comments during the board deliberations were misleading. In your statements during the July 15, 2020 meeting, you described your conduct as passionate and stated that it was misconstrued as hostile or discriminatory. However, the attached statements indicate that your conduct has been investigated and found to be discriminatory in the past; therefore your comments on July 15, 2020 appear to be intended to mislead and misinform your board colleagues and the public. This information is relevant to our roles as members of the Board of Education because Board Bylaw 9006, Code of Conduct, requires that we:

“Exercise honesty in all written and interpersonal interactions, never intentionally misleading or misinforming each other in public. “

Board Bylaw 9005, Governance Standards, further states that Board members:

“...are expected to govern responsibly and to maintain the highest standards of integrity and honesty, and they are expected to treat all members of the public and SCCOE employees with respect, courtesy, concern and responsiveness.

A copy of the statements of Ms. ██████████ and Dr. ██████████ are attached for your review.

Board Bylaw 9006 provides that if a Board member is perceived to be acting in a manner inconsistent with the Board's Code of Conduct or Governance Standards as set forth in Board Bylaw 9005, the Board President shall discuss the matter with the Board member. After the initial discussion, action may be taken by the Board in accordance with Board Bylaw 9005 depending upon whether a determination is made that a violation has occurred. As required by Board Bylaw 9006, it is important that we schedule a time at the earliest opportunity to discuss your conduct referenced in the attached statements.

Please reply to this email and provide your availability to meet via Zoom on Monday, August 3, 2020 at 4 p.m. to discuss this matter. Given that the statements of your former colleagues communicate serious allegations regarding a pattern of gender based harassment, the County Superintendent and legal counsel will be included in our conversation. Please note that if I do not receive a reply from you by Monday, August 3rd at 10:00 am the lack of response will be considered an election not to participate in the process outlined in Board Bylaw 9006.

Sincerely,

Trustee Claudia Rossi, President
Santa Clara County Board of Education