

MEMORANDUM

February 10, 2006

To: Attorney Leon Williams
From: William HT Bailey, Rachel E. Randolph
Subject: **Position Paper On Khepera Charter School Board's Predatory Dismissal Of Co-Founder Rachel Randolph**

1. From the fall of 2001 to the fall of 2004, co-founder Rachel Randolph and founder Carrie Bailey expended three years of painstaking work to establish Khepera Charter School. The school opened on September 8, 2004. By November 2004, the Board of Trustees, who had given Rachel Randolph and Carrie Bailey no support, had maneuvered to eliminate the founder and co-founder. So within two months they appropriated three years of work thereby gaining unfettered control of the school and its two million dollar a year budget.

2. The purposes of this memorandum are to:

- a. Record a sampling of Rachel Randolph's invaluable contributions to the school's creation;
- b. Highlight the twisted logic the Board used to terminate her association with the school;
- c. Illuminate the Board's flagrant disregard for regulations on public officials.

3. Rachel Randolph's contributions to the school's creation include the following.

- Acted as secretary of Khepera Charter School Planning Committee performing duties such as maintaining minutes and receipts.
- Co-organized and co-hosted the planning and review sessions of the charter application writers.
- With Carrie Bailey, generated widespread excitement and support for Khepera through involvement and presentations at community organizations, orientation events that she co-produced, and appearances on radio talk shows.
- Single handedly produced the school's core base of parents and 100+ candidate students via her association with a child care center in Philadelphia's Logan section.
- Periodically canvassed the Logan neighborhood (with her two year old granddaughter) to maintain commitments during the 18 month period between gaining a provisional charter and a full charter.

- In the period of a weekend in April 2004, single handedly gathered 100+ signatures to a petition affirming the commitment of Logan families to the school despite the school's eventual location in Germantown.
- Worked into the evening six and seven days a week during summer 2004 creating and executing administrative procedures including formally admitting the student population.
 - Traveled to the Philadelphia School District's Kennedy Center every day for a number of weeks to enroll students in the Student Accounting System. Khepera's first funding check (received just a week before opening) and Khepera's funding today were depended upon the successful completion of this task.
 - One day she took a break from work at the school, had a dentist extract a tooth, returned to school, and worked into the evening.
 - Received parents' phone calls at home. She was on call 24-7.
- Gave the CEO some relief during the school day by performing needed administrative tasks. She is a person who did whatever needed to be done – the type of person who is essential to a new enterprise.
 - Performed admissions tasks into every evening.
 - Performed substitute teacher duties on preparation periods.
 - Performed yard and lunchroom duties.
 - Attended 8th grade high school fair. Advised parents and students on high school selection process. Helped fill out applications.
 - Conducted student-parent conferences.
 - Cleaned toilets and lunchroom floor in the janitorial staff's absence.
 - Facilitated parents' purchases of student uniforms from the manufacturer.

4. Minutes of the July 14, 2004 Board meeting record an approved resolution to hire Rachel Randolph as a 6-7-8 grade literacy teacher. She accepted the offer. No official act ever changed her official position.

5. In the afternoon of November 10, 2004, with no prior indication, with no due process as required by both the Sunshine Act and their own charter, and with no consideration of how she had and could contribute to the school, the Board president told her that her

employment position was terminated. Later that evening the Board approved the following resolution.

“The board of trustee’s (sic) of Khepera Charter School upon reviewing the current staffing have found a position that was not authorized by this board, (sic) the Executive Administrative Assistant position held by Rachael (sic) Randolph is terminated effective 11-10-04.”

6. This grammatically deficient resolution represents a transparent rationalization for eliminating the school’s co-founder after they maneuvered to eliminate the founder. The following facts render their rationalization illogical.

a. Rachel Randolph’s official position was that of 6-7-8 grade literacy teacher.

b. As the resolution suggests, an executive administrative assistant never existed. So eliminating a position that does not exist makes no sense.

c. No logical pathway leads from eliminating a position that does not exist to eliminating Rachel Randolph’s position.

7. We need explanations of the logic behind this resolution.

8. The Board violated at least two regulations on their roles as public officials. They are as follows.

a. Sunshine Act section 8, paragraph (a)(1) that obligates the Board to give an adversely effected employee the opportunity to have matters discussed in an open meeting. This requirement implicitly assumes that Rachel Randolph would have been made aware that her employment status was an issue. She never was.

b. Their own charter’s article VII, section A, paragraph 4 (and Charter School Legislation - Act 22 of 1997, article XVII-A, section 1724-A, paragraph (H)) that require a written explanation detailing the reasons for dismissal along with evidence that supports those reasons. Rachel Randolph never received anything in writing.

9. Please initiate actions to remunerate Rachel Randolph for the damages the Board inflicted upon her.

William HT Bailey
Rachel E. Randolph