

Formal Grievance

Date: February 12, 2021

To: Board President Woolley

Re: Formal Grievance Per Board Policy 1102 and Request for Action

Tulsa Public Schools Board Policy 1102 subsection *School Board Member Conflict of Interest* reads “No Board member should use the District affiliation for private or personal advantage.”¹ The policy further states, “No Board member should have any outside business interests which might, in fact or appearance, interfere with the individual’s loyalty to the District.” The idea is to prevent the practice of nepotism, divided loyalty, and using one’s office for personal or private gain.

Presently Board of Education Member Jania Wester has personal, professional, and contractual interests in District Business and, through actions taken as a Board Member, derived benefit and advantage for Growing Together, an entity which provides contracted services to students and teachers at school sites in Board Member Wester’s district. Additionally, Growing Together is overseen and managed by her spouse, Kirk Wester in violation of 70 O.S. § 5-113 which prohibits “persons who are related within the second degree of consanguinity or affinity to an employee of a school district from serving on the board of education governing the school district while such relative is employed.”² Clearly, Board Member Jania Wester serves on the Tulsa Public Schools Board of Education in violation of Board Policy 1102 and 70 O.S. § 5-113 (OSCN 2021).

- Board Member 2 Jania Wester did not disclose Growing Together, an entity her spouse, Kirk Wester, manages as its Executive Director on the 2019 Board Member Financial Disclosure filed with the Board Clerk.³
- On July 6, 2020 Board Member 2 Jania Wester voted to approve an encumbrance of \$390,000 paid by the District to Growing Together.⁴ Meeting minutes record Board Member Wester approving the encumbrance.⁵
- On March 23, 2020 Board Member 2 Jania Wester voted to approve the payment of \$112,000 to Resolute PR, a marketing firm that performed work in concert with Growing Together Executive Leadership to “brand” Tulsa Public Schools in Board Member Wester’s District with the Growing Together brand.⁶ The work done by Resolute PR benefitted Growing Together.

Therefore, Jania Wester must forfeit her office pursuant to 70 O.S. § 5-113 (D) which states, “Any member of a board of education who violates the provisions of this section shall be subject to the penalties

¹ [Tulsa Public Schools Board Policy Manual](#)

² [70 O.S. § 5-113 \(OSCN 2021\)](#)

³ See Attachment A - Financial Disclosure Statement of Elected Officers

⁴ See Attachment B - Page 9 of [Encumbrance Report](#)

⁵ See Attachment C - [Meeting Minutes](#)

⁶ See Attachment D - Email from Growing Together to TPS Communications Director

Formal Grievance

prescribed by [Sections 485](#) and [486 of Title 21](#) of the Oklahoma Statutes.” For reference, Section 485 of Title 21 states, “Any executive, legislative, ministerial or judicial officer who shall violate any provision of this Article, shall be deemed guilty of a misdemeanor involving official misconduct, and shall be punished by a fine of not less than One Hundred or more than One Thousand Dollars (\$1,000.00), and shall forfeit his office.”

Pursuant to Tulsa Public Schools Board of Education Policy 1102, “questions concerning the application of this portion of this policy [*Contracts with Board Members or Business in Which Board Members Have an Interest*] will be referred to the Board attorney for a written opinion.” This is a formal request to trigger the process whereby the Board attorney will respond with a written opinion on this matter detailing the steps for remedying this untenable situation with the removal of Jania Wester from the Tulsa Public Schools Board of Education and outlining steps for the avoidance of this violation in the future.

Concerned Constituent,



Kelsey Royce

ConcernedTulsaParents@gmail.com

Attachment A

STATE OF OKLAHOMA INDEPENDENT SCHOOL OR TECHNOLOGY CENTER DISTRICT OF

Tulsa Public Schools District

(Name of District)

FINANCIAL DISCLOSURE STATEMENT FOR ELECTED OFFICERS

Amended: ☐

Full Name of Elected Officer Jania M. Wester	Filing Year 2019	Name of Elective Office Board 2 School District Office	Term of Office 2019-2021 (2 years)
Electronic Mail Address	Work Phone Number	Mailing Address, City, State, Zip Code	

"Elected officer" shall mean a school or technology center officer who is subject to election or retention.

- ☒ I understand that as an elected officer, as defined above, I am required to comply with the Rules of the Oklahoma Ethics Commission applicable to non-state officers concerning filing and contents of Financial Disclosure Statements, and that, according to the Oklahoma Supreme Court, those Rules have the "weight of statutes."
- ☒ I understand the purpose of Financial Disclosure is to assist elected officers in identifying and disclosing potential conflicts of interest between their public duties and private economic interests.
- ☒ I understand the Ethics Commission rules are available in the Oklahoma Statutes at Title 74, Chapter 62, Appendix I, and on the Ethics Commission website at www.ethics.ok.gov.
- ☒ I understand the Ethics Commission provides the forms that are required to be filed on the Ethics Commission website at www.ethics.ok.gov and is available to answer questions concerning financial disclosure.
- ☒ I understand an initial Financial Disclosure Statement is required to be filed with the School Board Clerk within thirty (30) days of assuming office for a full or partial term covering the *prior* calendar year if a Financial Disclosure Statement covering the prior year has not already been filed.
- ☒ I understand that an annual Financial Disclosure Statement is required to be filed with the School Board Clerk annually between January 1 and May 15 covering the *prior* calendar year if a Financial Disclosure Statement covering the prior year has not already been filed.
- ☒ I understand that, pursuant to Title 19 O.S. § 215.5, I may seek advice from the district attorney or his or her assistants concerning my duties as an elected officer.

Material Financial Interest.

- ☒ I understand I must disclose, on this form, any material financial interest as defined below, that I, my spouse or my dependent(s) had in the preceding calendar year covering January 1, 20xx through December 31, 20xx.

A material financial interest shall mean one or more of the interests identified below:

- an ownership interest in a private business, including but not limited to, a closely held corporation, limited liability company, Subchapter S corporation or partnership for which I, my spouse or my dependent(s) is a director, officer, owner, manager, employee, or agent or any private business, closely held corporation or limited liability company in which I, my spouse or my dependent(s) owns or has

PFD Elected ISD/TCDI Officers
Version 2016.1

Attachment A

owned stock, another form of equity interest, stock options, debt instruments, or has received dividends or income worth \$20,000.00 or more;

- an ownership interest of 5% or more in a publicly traded corporation or other business entity;
- an ownership interest in a publicly traded corporation or other business entity from which dividends or income, not to include salary, of \$50,000.00 or more were derived during the preceding calendar year;
- an interest that arises as a result of service as a director or officer of a publicly traded corporation or other business entity;
- income derived from employment, other than compensation pertaining to the office subject to election or retention, in the amount of \$20,000.00 or more.

Disclose in the table below the name and address of all entities in which you, your spouse or your dependents had a material financial interest in the preceding calendar year, and who has the interest.

Name and Address of Entity	Description (optional)	Filer / Spouse / Dependent
Name and Address of Entity	Description (optional)	Filer / Spouse / Dependent
Name and Address of Entity	Description (optional)	Filer / Spouse / Dependent
Name and Address of Entity	Description (optional)	Filer / Spouse / Dependent
Name and Address of Entity	Description (optional)	Filer / Spouse / Dependent

☒ **Amended Financial Disclosure Statement Certification.** I certify this amendment is not made for the purpose of reporting information that was intentionally omitted or misstated on the original or previously filed Financial Disclosure Statement.

Acknowledgement: By signing, electronic or otherwise, my name below, I, acknowledge that the information submitted is complete, true and accurate as of the date submitted. I understand the failure to provide such information is a violation of the laws of Oklahoma. I understand that I can update the information above at any time by filing an amended Financial Disclosure Statement.

02/27/19

Date


Signature



New Encumbrance Report
From: 5/1/2020 To: 7/1/2020 Year
2021

Fund	Vendor Name	Purchase Order	Prepared Date	Total Amount
11	COMMERCIAL CARD SERVICES	22100264	06/25/2020	\$689.00
11	DEBORAH MEDLEY	22100265	06/25/2020	\$1,200.00
11	REBECCA LITTERELL	22100266	06/25/2020	\$1,000.00
11	KATHRYN A SCRIBNER	22100267	06/25/2020	\$336.00
11	CHRISTINE M TYLER	22100268	06/25/2020	\$336.00
11	JEAN MARIE SUTTON	22100269	06/25/2020	\$336.00
11	DANA J HOAGLAND	22100270	06/25/2020	\$336.00
11	MARIA E MONHAUT	22100271	06/25/2020	\$336.00
11	AMANDA G WALKER	22100272	06/25/2020	\$336.00
11	GARY W OBERSTE	22100273	06/25/2020	\$336.00
11	JEFFREY PRATT	22100274	06/25/2020	\$336.00
11	DAVID PETER SAUNDERS	22100275	06/25/2020	\$336.00
11	ELISHA THACH	22100276	06/25/2020	\$336.00
11	RICHARD L MERKEL	22100277	06/25/2020	\$336.00
11	ERIC ROEPKE	22100278	06/25/2020	\$336.00
11	BARBARA J MCGREW	22100279	06/25/2020	\$15,000.00
11	TERRY STUPP	22100280	06/25/2020	\$336.00
11	JOHN ROSE	22100281	06/25/2020	\$336.00
11	CHAD THURMAN	22100282	06/25/2020	\$336.00
11	KYLIE HENDRICKS	22100283	06/25/2020	\$336.00
11	OLIVIA WILLHOITE	22100284	06/25/2020	\$336.00
11	ALLISON NICOLE POLLARD	22100285	06/25/2020	\$336.00
11	BARBARA NAGODE	22100286	06/25/2020	\$336.00
11	ARTS & HUMANITIES COUNCIL OF TULSA INC	22100287	06/25/2020	\$69,000.00
22	SODEXO INC	22100288	06/25/2020	\$672,845.00
11	NEW TEACHER PROJECT INC	22100289	06/25/2020	\$1,279,817.00
21	PRAETORIA GROUP LLC	22100290	06/25/2020	\$30,000.00
11	CITY YEAR INC	22100291	06/25/2020	\$1,056,000.00
11	GROWING TOGETHER NEIGHBORHOODS	22100292	06/25/2020	\$390,000.00
11	EDUSERVICE INC	22100293	06/25/2020	\$1,057,809.00
11	URBAN POLICY DEVELOPMENT CONSULTING LLC	22100294	06/25/2020	\$368,540.00
11	VERITIV OPERATING COMPANY FORMERLY XPEDX	22100295	06/26/2020	\$15,000.00
11	GENERAL MAILING EQUIPMENT INC	22100296	06/26/2020	\$1,000.00

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Attachment C - Page 4 of Meeting Minutes

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Marshall, Jerry Griffin, Stacey Woolley, NAY: Jania Wester, John Croisant, Shawna Keller, and Suzanne Schreiber; ABSTAIN: None, ABSENT: None.

President Woolley called for nominations for the office of the Vice President of the Board. Ms. Jania Wester was nominated by Ms. Suzanne Schreiber and seconded by Ms. Shawna Keller to serve as Vice President of the Board of Education. Board Members made comments regarding the rationale of their vote. **The motion passed with the following vote:** AYE: Jania Wester, John Croisant, Shawna Keller, Suzanne Schreiber, and Stacey Woolley, NAY: Jennettie Marshall, Jerry Griffin, ABSTAIN: None, ABSENT: None.

President of the Board Stacey Woolley called for a motion to appoint the non-voting officers of the Board of Education.

Ms. Jania Wester made a motion to appoint the following nonvoting officers of the Board of Education to serve at the pleasure of the Board until the first regular meeting after the next annual school election or until their successors are appointed, and further recommended that appropriate bonds be authorized as required by law:

Treasurer – George P. Stoepelwerth, III
Assistant Treasurer – Michael W. Brown
Clerk – Sarah Bozone
Deputy Clerk – Madeline Carter
Encumbrance Clerk – Alicia Srader

The motion was seconded by Ms. Shawna Keller and the motion passed by the following vote: AYE: Suzanne Schreiber, Shawna Keller, John Croisant, Jerry Griffin, Jennettie Marshall, Jania Wester, and Stacey Woolley; NAY: None; ABSTAIN: None; ABSENT: None.

CONSENT AGENDA

A motion was made by Ms. Jania Wester to approve the consent agenda, and the motion was seconded by Ms. Suzanne Schreiber. Staff responded to questions from members of the board. **President Woolley called for the vote and the motion passed by the following vote:** AYE: Jania Wester, Jennettie Marshall, Jerry Griffin approved all items with the exception of E.6, Shawna Keller, Suzanne Schreiber, Stacey Woolley, and John Croisant. NAY: None; ABSTAIN: Jerry Griffin abstained on item E.6; ABSENT: None.

INFORMATION AGENDA

Superintendent Gist introduced the information agenda, and she and staff responded to questions from members of the board.

President Woolley called on Mr. John Huffines who signed up to speak in support of items G.1, G.2, and G. 3 and Mr. Darryl Bright who signed up to speak to item G.2.

Superintendent Gist and staff responded to questions and comments from members of the board.

Attachment D - Email from Growing Together to TPS

From: [Kaitlin Garrett](#)
To: garreem@tulaschools.org
Subject: GT school branding materials
Date: Tuesday, September 17, 2019 3:02:30 PM

WARNING: This message is from an external source. Do not click any links or attachments unless you verify that the content is safe. Please contact the Service Desk if you have any questions.

Hi Emma,

I hope all is well with you. I wanted to reach out about the school branding conversation we had a few months back. When we met, we were just bringing on Resolute while also transitioning our photo/video guy underneath them, but within their start up, we've gotten them really excited to start working on some various projects to support our schools in their outreach and materials while further building out the "brand" of being a Growing Together supported school. I think you had mentioned your interest in meeting with them when their ready and even making the connection to the principals to tie together this benefit to the work you are working on as a district. Would that still work for you? I'd love to get an update on how things are progressing while also allowing them the space to work with you on the best way to support both yours and our work. Let me know and I will work out the next steps.

Thank you,

Kaitlin Garrett

Director of Operations
Growing Together
Tulsa, OK

kgarrett@gttulsa.org
(918)289-8017
18 South Lewis Avenue, Tulsa, OK 74104
www.gttulsa.org



Let's connect!