REPORT TO THE
PRINCE GEORGE’S COUNTY BOARD OF EDUCATION
REPORT OF INVESTIGATION

In the Matter of: Nathaniel B. Thomas’s
Trip to San Francisco, California
With PGCPS Student

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Board of Education

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INTRODUCTION

On April 26, 2007, the Board of Education adopted a Resolution directing the Board Chair to retain independent counsel to “conduct a full and thorough investigation of the facts and circumstances surrounding the allegations that Board member Nathaniel Thomas traveled to the NSBA Conference with a student.” The same Resolution banned Mr. Thomas from entering public school buildings or attending any public school events involving children.

This report documents the circumstances surrounding the student’s trip with Mr. Thomas, as well as certain other facts discovered during the investigation. Counsel would like to acknowledge the substantial assistance of John E. Deasy, Ph.D., Superintendent of Schools for Prince George’s County, General Counsel, Roger C. Thomas, Board Counsel, Andrew W. Nussbaum, attorneys Cary J. Hansel, Jason L. Levine, Scott Hammond and Dara Grundfast at the firm of Joseph, Greenwald and Laake, P.A. and investigators Trevor Hewick and Louis Neuwelt, as well as numerous Board staff and parents of the students involved.

BACKGROUND OF THE COMPLAINT

On Thursday, April 12, 2007, the Board Office received a call about an 18 year old senior at Forestville Military Academy, who shall be referred to as Student #1. Although the student was 18 years old on the date of the trip, he shall be referred to as Student #1 because of concerns about student privacy. The Student Board Member is a minor. However, because of his public responsibilities as a Student Board Member, and the issues implicated by that, he shall be referred to by title. The Student Board Member was appointed to the Board on June 1, 2006. His term of office expires on June 30, 2007.

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she wished to have him returned immediately. A call was also received in the Superintendent’s Office.

Dr. Deasy immediately called the Board leadership and then called Mr. Thomas on his cell phone and reached him at the San Francisco Hilton. In the conversation, Dr. Deasy learned from Mr. Thomas that he was, in fact, in the company of an 18 year old student in the school system. Dr. Deasy relayed the mother’s concerns about the student. Mr. Thomas said that he had spoken with the mother and that he was making arrangements to fly Student #1 back home. Dr. Deasy told Mr. Thomas not to make arrangements and to have no further contact with the Student #1 nor his parents. Dr. Deasy’s Office made immediate arrangements for Student #1 to return. Furthermore, Dr. Deasy notified Mr. Thomas that someone from the Board leadership would be taking custody of Student #1.

Dr. Deasy immediately contacted Board Chair Owen Johnson, who was already in San Francisco, and staying at another hotel, the San Francisco Hyatt, with other Board members. Board Vice Chair Verjeana M. Jacobs went immediately to Mr. Thomas’s hotel, ultimately took custody of the student, and accompanied him to the Hyatt, where he spent the night with the Student Board Member.

At 6:00 a.m. the next morning, April 15, 2007, Board Chair Owen Johnson accompanied the student back to Maryland, where they were met at BWI Thurgood Marshall Airport by school system security, who drove Mr. Johnson and Student #1 to the home of the student’s father in Forestville, where he was returned to the custody of his father. Mr. Johnson then returned to San Francisco for the remainder of the conference.
On April 12, 2007, the system contacted the Prince George’s County Police Department, which began an investigation. Additionally, Board Members had discussions among themselves and with Board counsel by telephone from San Francisco to initiate a process to fully investigate the allegations. Upon their return from the conference, the Board initiated an investigation, adopting the Resolution on April 26, 2007.

During the investigation, Mr. Thomas gave two tape-recorded interviews to counsel which were conducted at his lawyer’s office, in the presence of his lawyer. The Student Board Member was interviewed in the presence of his mother. Student #1 was interviewed on three occasions in the presence of one or both parents. Various Board members and staff were interviewed, and numerous cell phone records, expense records, email records and other documents were reviewed.

**BOARD MEMBER THOMAS**

Board Member Nathaniel B. Thomas was elected as an at-large member of the Prince George’s County Board of Education on November 7, 2006. He took the oath of office on December 4, 2006. His term on the Board expires in 2010. He is also the Director of Planning and Program Development of the education non-profit Community Teachers Institute. He turned 26 years old on April 1, 2007.

Mr. Thomas graduated from Hampton University in 2002 with a degree in political science and received a master’s degree in educational administration from Trinity University in 2005. After graduation from Hampton, he participated in the resident teacher program, an alternative certification program, to obtain his Maryland teacher’s certificate.
Mr. Thomas taught “World Civilization” at Drew-Freeman Middle School during the 2002-03 academic year, and taught U.S. Government and U.S. History at Forestville Military from August 2003, until he resigned in December 2004 in the middle of the academic year.

While teaching at Forestville, Mr. Thomas was the subject of two complaints concerning his conduct toward male students. According to Eric T. Lyles, then-Principal at Forestville, parents and other family members of two male students complained to his office concerning Mr. Thomas’s classroom behavior involving those students, including inappropriate jokes, hand gestures and other remarks. The parents complained about Mr. Thomas’s frequent classroom references to homosexuality. There were no allegations of physical contact with the student or contact outside of the school building.

Mr. Lyles recalled that in one of the meetings, the father of the student angrily asked Mr. Thomas whether he was “a homosexual” and whether “he was going after his son.” Mr. Thomas refused to respond and left the room. Mr. Lyles said he strongly counseled Mr. Thomas about the conduct alleged by the parents.

Shortly after these meetings, Mr. Thomas resigned his teaching position in mid-year. There are no documents in Mr. Thomas’s personnel file concerning these complaints. Mr. Lyles said he is uncertain as to whether or not any memoranda were prepared concerning these complaints, but that he took no further action because Mr. Thomas had resigned.²

Mr. Thomas denied that he was subject of any such complaints. He acknowledged there was another complaint concerning his teaching style, but insisted

² Mr. Lyles is no longer Principal at Forestville High School. He currently supervises the Technical Academy for Career and Technical Education in the Prince George’s County Public School System.
that it was unrelated to any allegations of sexual harassment. He said that the complaint about his teaching style was a factor in his departure, but that his principal reason for leaving was to pursue a career in government.

**THOMAS’S RELATIONSHIP WITH STUDENT #1**

Mr. Thomas first met Student #1 when he was a 9th grader at Forestville Military Academy. Student #1 was enrolled in Thomas’s U.S. Government class, which he failed. He repeated the class with Thomas the following year³, and successfully completed it. Mr. Thomas did not have any additional contact with the student until December, 2006. The investigation did not reveal any evidence of any improper conduct involving Mr. Thomas and the student during the period in which Mr. Thomas taught at Forestville.

Mr. Thomas came into contact with Student #1 again in December, 2006, shortly after his election to the Board of Education. Student #1 is in the same class as the Student Board Member at Forestville, and they became friends at the end of 2006. The Student Board Member has an office at Forestville. One day, while in the office, Student #1 recognized the photograph of his former teacher, Mr. Thomas, on a pictorial display of the school board hanging in the office. Student #1 told the Student Board Member to say hello to Mr. Thomas, and the Student Board Member got Mr. Thomas on the cell phone, where they talked.

At this point, the Student Board Member was beginning to spend significant time on the telephone with Mr. Thomas, who was his new colleague on the Board, and later meeting him at restaurants and other locations. According to Mr. Thomas, he and the Student Board Member would talk about Board business, the Student Board Member’s studies and his career. Mr. Thomas and the Student Board Member had dinner twice at

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³ Mr. Thomas left Forestville in December, 2004. See, p. 4-5, *infra*. 

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the Old Country Buffet, 3345 Donnell Drive in District Heights, and also met in other places. Mr. Thomas and the Student Board Member worked together on Board matters, including planning at a Youth Leadership Reception on April 19, 2007, at Dr. Henry A. Wise, Jr. High School.\(^4\)

Student #1 began spending time with the Student Board Member and Mr. Thomas. On Saturday, February 3, 2007, they had dinner at Smokey Bones Restaurant, 15209 Major Lansdale Boulevard Bowie, MD 20716. On another occasion, the three of them met for dinner at Carrabba’s Italian Grill, 16431 Governor Bridge Road, in Bowie, Maryland after Mr. Thomas returned from a legislative hearing in Annapolis. The three also met at Red Lobster as well as at McDonald’s, Burger King and other fast food restaurants. Mr. Thomas admits he drank wine at these restaurants, but the Student Board Member and Student #1 deny drinking at any of these restaurants, except that Student #1 says he sipped from a frozen daiquiri Mr. Thomas had ordered at Smokey Bones.

All three say Mr. Thomas would write “meeting with student leaders” on the credit card receipts after these meals. Although a Board credit card was issued to Mr. Thomas in March, 2007, there is no evidence that he ever used it for any meals with Student #1, or ever submitted such meals for reimbursement. Indeed, although Mr. Thomas claimed reimbursement for meals with other Board members, including Ms. Jacobs and Ms. Thomas, he never sought reimbursement for any meals with the Student Board Member except for one dinner at the Old Country Buffet. Mr. Thomas said he wrote “meeting with student leaders” on the receipts because he initially considered deducting these expenses on his income taxes, but later decided against it.

\(^4\) The reception was postponed by the Board Chair on April 17, 2007, following the San Francisco trip and the Board Resolution.
Beginning in February 2007, the three began spending time at Mr. Thomas’s townhouse in the 6200 block of East Hil-Mar Circle in Forestville. Mr. Thomas lives a few blocks from the home of Student #1’s father, where Student #1 has lived for the majority of time in 2007. During these visits, the three would watch television, play on the computer or talk, occasionally in the company of Mr. Thomas’s roommate, an Alpha Phi Alpha fraternity brother, who is employed at American University. Mr. Thomas’s roommate is on leave from American University and has not responded to numerous inquiries in this investigation.

According to Student #1, Mr. Thomas would serve alcoholic beverages at his home and Student #1 became intoxicated on several occasions. Student #1 says that on one other occasion, he was alone with Mr. Thomas at the Board member’s residence, and was served alcoholic beverages. Student #1 believes that Mr. Thomas may have served alcoholic beverages to the Student Board Member, but that the Student Board Member rarely drank.

According to Student #1, the three would also play the game “Truth or Dare.” As part of the “dares”, Mr. Thomas would dare the students to take their shirts off, to drink alcohol, and on one occasion, to suck their toes. Student #1 says that both he and the Student Board Member declined these “dares.” Student #1 explained that he opted to drink instead of accepting these “dares” in keeping with the game. Student #1 says that

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5 According to the online encyclopedia Wikipedia, the game “Truth or Dare is played as follows: One player starts the game by asking another player, "Truth or dare?" If the queried player answers, "truth," then the questioning player asks a question, usually embarrassing, of the queried player; otherwise, if the queried player answers, "dare," then the questioning player asks the queried to do something, also usually embarrassing. After answering the question or doing the dare, the queried player asks "truth or dare?" of another player and the game proceeds as before.
Mr. Thomas also suggested that he massage both students, which he says they both declined. Student #1 says that he and Mr. Thomas wrestled on several occasions at the townhouse, but he denied that any sexual contact occurred.

Mr. Thomas admitted that, in fact, both students had been inside his house and they had played “Truth or Dare” but denied the “dares” described by Student #1. Mr. Thomas denied that he served alcoholic beverages to either student. Most, but not all, of these visits to Mr. Thomas’s home occurred before Student #1’s 18th birthday. At the time of these incidences, the Student Board Member was also a minor.

All three – Mr. Thomas, the Student Board Member and Student #1 – deny that Mr. Thomas ever had sexual contact with either student at any time. Mr. Thomas denies that he has ever had sexual relations with any underage person.

Student #1 says that he had numerous other contacts with Mr. Thomas. On one occasion, Mr. Thomas picked him up at the Forestville Mall after a job interview at a retail store and drove him home. On another occasion, Student #1 says he was visiting his girlfriend at the Arby’s in Forestville, and called Mr. Thomas for a ride home because of snowy weather, and that Mr. Thomas came and picked him up.

Mr. Thomas was invited by Student #1’s sister to attend a surprise birthday party for Student #1 on March 23, 2007, but Mr. Thomas declined the invitation. On the following day, Mr. Thomas took Student #1 bowling for his birthday at the Parkland Bowling Center at 5700 Silver Hill Road in Forestville, where he paid for two frames of ten pin games. Mr. Thomas’s Board calendar reflects a “private appointment” for 5:00 p.m. on that date.
On another occasion, Student #1 and the Student Board Member invited Mr. Thomas to go roller skating with them, but he declined. On March 28, 2007, a school day, Mr. Thomas drove Student #1 to the Largo Motor Vehicle Administration so that Student #1 could re-take his written driving test, which he did not pass. At the same time, Mr. Thomas renewed his Maryland driver’s license. Mr. Thomas then drove the student to Forestville Military Academy, where classes were already underway.

When Mr. Thomas and Student #1 would meet, they had an arrangement that Mr. Thomas would pick up the student one block from his home. Mr. Thomas did not obtain permission of Student #1’s parents to take him out of the school, or for any of the other activities, including dinners, rides, and visits to his home. Indeed, Mr. Thomas admits that he has never met Student #1’s mother, and believes he met Student #1’s father briefly several years ago when he was teaching at Forestville, but has not seen him since.

Mr. Thomas would speak frequently with the Student Board Member and Student #1, using his Board of Education cell phone. They would frequently speak on three-way conversations. Many of these conversations occurred during the late evening or early morning hours. Mr. Thomas’s Board cell phone records reflect 370 calls to the Student Board Member’s Board cell phone between December 13, 2006, and April 12, 2007. The same Board cell phone records reflect 92 calls to Student #1’s cell phone between January 12, 2007, and April 12, 2007. The Student Board Member’s Board cell phone records reflect 168 calls to Mr. Thomas’s Board cell phone between December 13, 2007, and April 12, 2007. Student #1’s cell phone records were only available for the month
long period from March 23, 2007, to April 12, 2007. They reflect 32 phone calls initiated to Mr. Thomas’s Board cell phone during this 20 day period.

Mr. Thomas stated that he lost his personal Nextel phone at the time of the Board orientation, which was in December, 2006 or January, 2007. He stated that he had exclusively used his Board phone for all cell phone communications since that time.

Mr. Thomas admits he made numerous calls to both students late at night, especially to the Student Board Member, saying “we are both night owls.” Mr. Thomas explains his contacts with Student #1 and the Student Board Member this way: “I really see myself as like their big brother. I am only eight years older than them. I have a sister who is a senior at Oxon Hill High School and a brother who is in college.” About Student #1, he said that “he needs a lot of mentoring. He does not have a lot of direction.”

Board member Donna Hathaway Beck said that she had many late night phone calls with Mr. Thomas and said they were both “nocturnal” people.

**THE TRIP TO SAN FRANCISCO**

The National School Boards Association held its 67th annual conference in San Francisco, California from April 14th thru April 17, 2007. The Association is the national organization of appointed and elected school board members throughout the country. Historically, all Prince George’s School Board members have been members of the group and attended its annual conferences.

Board secretary, Sharon Mack, made the travel arrangements for the Board members. She originally emailed Board members on December 14, 2007, to alert them to the conference dates. She e-mailed all of the Board members on January 2, 2007, and
asked specifically what arrangements they would need and whether anyone was traveling with them and what seminars they would have to get to. Mr. Thomas advised Ms. Mack and his assistant Amber Wilson on December 31, 2006, that he wished to attend the CUBE [Council of Urban Boards of Education] meeting, the NAPA New Tech High School meeting, the Black Caucus luncheon and the Human Relations Dinner on April 15, 2007. He stated that “I guess I will need to arrive there on Thursday since the CUBE event starts on Friday morning. Can you let me know the departure options too? I would like to leave either late on Tuesday [April 10] or mid-day Wednesday [April 11] if possible.”

Mrs. Mack worked with Aladdin Travel and began making reservations for various Board members. She made reservations for the Student Board Member, Heather Iliff, Owen Johnson and Rosalind Johnson to leave on April 12th and return on April 17th. She also made reservations for Mr. Thomas so that he would depart on April 11th on Southwest Flight 369 at 10:20 a.m., landing at 1:30 p.m., and he would return on flight 1973 on April 17th, leaving Oakland at 9:35 a.m. and arriving at BWI at 5:50 p.m. Mr. Thomas confirmed his attendance at the trip and his reservation to stay at the Hyatt Regency San Francisco, 5 Embarcadero Center, San Francisco, the same hotel where the other Board members would be staying. He would later change these arrangements.

In late February, 2007, Mr. Thomas was having dinner with the Student Board Member and Student #1, and the subject of the San Francisco trip came up. The Student Board Member said that he needed to “buy some new Stacie Adams shoes for the trip.” Student #1 inquired about the trip and said he’d like to go. Mr. Thomas asked him if he would really like to go, and Student #1 said yes, but he couldn’t afford it. Mr. Thomas
replied “I got you” – indicating that expenses would be taken care of. There is no indication that Mr. Thomas ever sought to use public funds for Student #1’s airline ticket.

Student #1 says that Mr. Thomas told him he would have to work out the details with his parents and that he, Mr. Thomas, would not have any contact with the parents about the trip. Mr. Thomas confirmed this in his interview, saying it was up to the student. Student #1 says Mr. Thomas later inquired about parental permission, saying “is it cool?” and Student #1 replied, “yes, it is cool.” In fact, no parental permission had been obtained by Student #1, and his father specifically instructed him not to go on the trip.

Mr. Thomas said he told Student #1 that he would take him to San Francisco as “sort of a graduation present” to reward him for graduating on time after having academic difficulties earlier. He also said it would be good for Student #1 and the Student Board Member to spend time together. He said that this would be the first time for Student #1 to take an airplane trip, and it would be in lieu of a class trip to Florida. Student #1 denies that Mr. Thomas ever told him this was a “graduation present” or that he was planning to go on the class trip.

**CHANGE IN TRAVEL ARRANGEMENTS**

Shortly after inviting Student #1 to come to California, Mr. Thomas left a Post-It note for the Board secretary, Ms. Mack, to change his reservation to one of three hotels he had listed, including the San Francisco Hilton. The Board secretary does not recall the names of the hotels and has discarded the note. The Board secretary immediately changed the reservation to the San Francisco Hilton. Records reflect that she cancelled
the Hyatt reservation for Mr. Thomas on February 25, 2007 and made the Hilton arrangements at the same time.

Ms. Mack says that Mr. Thomas later said he was changing hotels because “he didn’t want to be in the same hotel as his colleagues” and did not plan on spending time with his colleagues in San Francisco. Ms. Brown says she heard Mr. Thomas say that his “colleagues weren’t going to see him” while he was in San Francisco. Mr. Thomas confirms these statements. Mr. Thomas also says he wanted to be near the meetings of the Council of Urban Boards of Education (CUBE) which was meeting at the Hilton.

At about this same time, Mr. Thomas made inquiries about flying first class to San Francisco, inquiring with Board staff about arrangements. He left a Post-It note to Ms. Mack saying he wanted to upgrade to first-class and use his frequent flyer miles. She advised him that Southwest does not have first class and that she would try to use his frequent flyer to book another flight.

Mr. Thomas left a message on Ms. Mack’s voicemail saying that he would make the reservations on his own. Mr. Thomas’s records reflect that on Sunday, February 25, 2007, he booked one-way economy fare for Student #1 departing at BWI at 5:43 p.m. and arriving at Oakland Airport at 11:00 p.m. The cost of the flight was $219.60 and was charged to his personal credit card. Mr. Thomas said he made the same reservation for himself. The confirmation does not reflect a return flight.

Mr. Thomas gives several explanations for changing flights. He says he did not want to fly on Southwest for six hours. He also says that he had trouble booking a flight. He also says that “at the time we were going through some contentious issues. The
people on the flight were people I don’t get along with. I was trying to make an effort not to hang around.”

The one exception about Mr. Thomas’s dealings with other Board members is Board member Donna Hathaway Beck, who has known him since he was a child. They had extensive conversations about their plans for San Francisco and Mr. Thomas even suggested registering for the same programs. Ms. Beck said that Mr. Thomas never told her that another person would be accompanying him on the trip.

Other Board members later learned of Mr. Thomas’s efforts to fly first class to San Francisco. This prompted one of Mr. Thomas’s Board colleagues to send an email to her colleagues questioning the use of public funds for first-class travel. Mr. Thomas vigorously denies that he intended to use public funds for first-class travel and said he was hoping to use his extra mileage to pay for first-class travel if it were not too expensive. Mr. Thomas said he abandoned those plans when he learned the costs of first class travel. There is no evidence that Mr. Thomas used public funds or attempted to use public funds to pay for the Student #1’s airline ticket, or actually used or attempted to use public funds to purchase a first class airline ticket. However, the record is clear that he attempted to upgrade to first class at the same time he invited Student #1 and changed his hotel reservation.

Board members stated that there were frequent conversations among Board members about their plans when they were in San Francisco. Dr. Deasy had invited the Board to visit several schools in the Bay area, and other Board members had plans to visit friends or relatives. Board members state that Mr. Thomas was the only member who did not participate with his colleagues in these discussions. Former Board assistant Amber
Wilson said Mr. Thomas told her he was traveling to California with “his roommate.” Board interim executive secretary Jacqueline Brown said that she was sitting next to Ms. Wilson’s cubicle and that she also heard Mr. Thomas say he was bringing his “roommate” to California. Mr. Thomas denies that he made such a statement. Mr. Thomas did not disclose to any of his colleagues (except the Student Board Member) that he was traveling to San Francisco with Student #1.

Mr. Thomas said that he had discussed taking the Student Board Member and Student #1 to Alcatraz Island. Student #1 also said they discussed riding the trolleys. Mr. Thomas said he believed that Student #1 would spend most of his time with the Student Board Member at the conference. Mr. Thomas was registered for several items, including events at the CUBE conference.

Mr. Thomas said that the plans were for Student #1 to stay in his room for the first night (the evening of April 11) and that he would stay with the Student Board Member thereafter. Mr. Thomas said he talked to the Student Board Member to make sure the Student Board Member had two beds in his room in order to accommodate Student #1. The Student Board Member denies this and said he was unaware of how many beds would be in his room. The Board reservations do not reflect how many beds would be in The Student Board Member’s room.

When asked about whether he made sure he had two beds in his own room at the Hilton for the first night when Student #1 would be staying, Mr. Thomas said he made no such inquiry because “it was only one night.”

Mr. Thomas told the Board secretary and Ms. Beck that he had made his travel arrangements so that he could be present at the Board of Education budget session before
the County Council on April 11, 2007. Mr. Thomas said that was originally a factor in his plans, but that “something came up” and he was unable to attend the County Council briefing. The County Council work session began on Wednesday, April 11, 2007 at 9:35 a.m. and ended at 12:45 p.m. The Board was represented by Superintendent Deasy. Mr. Thomas did not attend.

The date of Mr. Thomas’s planned return trip is uncertain. The original arrangements made by the Board secretary call for Mr. Thomas to return with the other Board members on United flight #294 leaving Oakland on Tuesday, April 17, 2007. Mr. Thomas says that he cancelled those reservations and made his own reservations on Expedia so he could use his extra airline miles to pay for Student #1’s trip. Expedia’s policy provides that you cannot use frequent flyer miles on its site.

Mr. Thomas produced his airline ticket to San Francisco, but did not produce his return flight ticket. His records reflect that a return ticket was issued for Student #1 for April 13, 2007 on Delta flight 4133 to Salt Lake City, connecting with Delta flight 1104 to BWI. It may be that Mr. Thomas planned to change this ticket in San Francisco.

Mr. Thomas said that, in fact, his plans were to return home with Student #1 at the same time as the other Board members on Tuesday. Student #1, however, believes that the return flight was for the following day, Wednesday, April 18, meaning they would spend an extra day in San Francisco.

Prince George’s County Schools were closed for Spring Break from Tuesday, April 10 to Friday, April 13, 2007, and reopening on Monday, April 16, 2007, when third

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6 Mr. Thomas delivered a check to the Board budget office on April 27, 2007 in the amount of $410.00 which he said represented the cost of an additional charge to his Board credit card for the flight from San Francisco to Los Angeles, where he went on personal business. Mr. Thomas said he did not have backup for the expense because his credit card statement had not arrived.
quarter report cards would be distributed. Depending upon the return date, Student #1 would have missed either two or three days of school because of the San Francisco trip. Student #1 has already missed 23 days of school in 2006-07.

**THE TRIP**

Mr. Thomas picked up Student #1 at the home of his father shortly after 1:35 p.m. on Wednesday, April 11, 2007. Mr. Thomas made two cell phone calls to Student #1 at 12:34 p.m. and then again at 1:23 p.m. and 1:35 p.m. to alert him to be ready at the front door. Student #1 appeared at the front door with a 40 lb. duffel bag with his clothing. Mr. Thomas waited in his car and did not go inside to speak to Student #1’s father. During this same time period, Mr. Thomas made four phone calls to the Student Board Member, and then made a fifth later that afternoon at 3:16 p.m.

Student #1 said he was unaware he was flying out alone with Mr. Thomas a day earlier until Mr. Thomas came to pick him up and saw the Student Board Member was not with him, but that he “was okay with it.” Mr. Thomas denies this and said it was always a part of the travel plan. Mr. Thomas said he sent an email itinerary to Student #1 in late February, but Student #1 says he was unable to access it on his computer.

Student #1’s father had learned about the trip to San Francisco several days earlier, but was unaware it would be in the company of Mr. Thomas. He had ordered his son not to go to San Francisco, and had given him an ultimatum that he would have to move out of the house if he went. Student #1’s mother, the noncustodial parent, had heard about the trip from another family member, but had not given permission.\(^7\)

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\(^7\) Records of the Circuit Court for Prince George’s County reflect that Student #1’s parents were divorced and Student #1’s father was awarded custody of Student #1. Student #1 lived at his father’s home in Suitland, close to Mr. Thomas’ townhouse. He also spent time at his mother’s apartment in Capitol Heights.
Neither parent of Student #1 was aware that their son would be traveling to San Francisco in the company of Mr. Thomas or staying with him in his room. Indeed, neither parent knew Mr. Thomas or was aware of the frequent contacts he had with their son prior to the trip.

After Mr. Thomas picked up Student #1, he drove him to his townhouse, where they met Mr. Thomas’s grandparents, who drove Student #1 and Mr. Thomas to BWI Airport to take United flight #641, with a scheduled departure of 5:43 p.m. to Chicago/O’Hare Airport. The flight’s departure was delayed because of inclement weather in Chicago, and it did not depart BWI until 7:56 EST, arriving in Chicago at 8:44 CST. Student #1 sat in Seat 16C, and Mr. Thomas sat in the seat immediately across the aisle. The Chicago layover was extended to 2 hours and 40 minutes because the flight to San Francisco was delayed as well.

Mr. Thomas called Board member Donna Hathaway Beck from Chicago during the layover. Ms. Beck said that Mr. Thomas spoke to her about his travels in the singular, not mentioning that he was traveling with another individual.

During the Chicago layover, Student #1’s parents learned that he had left for San Francisco. Student #1 had falsely told his father earlier that he was flying out of Reagan National Airport, so his father called airport security at Reagan to attempt to stop Student #1 from boarding a flight. Student #1’s father then headed to Reagan and, while en-route, he received a call from his son saying he was in Chicago on a layover.

The phone records of student #1’s father reflect that he attempted to call his son at 4:32 p.m., 4:34 p.m., 4:36 p.m., 4:41 p.m., 4:53 p.m., and 4:55 p.m. He received an incoming call from his son at 6:03 p.m. He had his son’s cell phone turned off, and, then
later reconsidered and had it turned on again. He attempted to call his son again at 11:27 p.m. and 11:29 p.m. EST.

The father then returned home, located the Student Board Member’s number, and reached the Student Board Member on his cell number. The Student Board Member told Student #1’s father that his son “is in San Francisco with one of my colleagues,” which is how the father learned that Mr. Thomas had taken his son to San Francisco. The Student Board Member explained that “Nate is a colleague of mine,” which is how he learned that his son was being accompanied by an adult and former teacher. This five minute conversation occurred at 11:46 p.m. EST.

The father obtained Mr. Thomas’s cell number from the Student Board Member and began leaving messages for him to call immediately and to return his son. The father gave the mother Mr. Thomas’s cell phone number and she left similar messages.

The father immediately attempted to reach Mr. Thomas as soon as he hung up from the Student Board Member, calling Mr. Thomas’s Board cell number at 11:51 p.m. and 11:53 p.m. and then again at 12:01 a.m. EST. He also attempted to call his son at 11:57 p.m. and at 12:00 a.m. The father said he left detailed messages on Mr. Thomas’s cell phone directing him to call him and to return his son to Maryland. At 12:05 a.m., the father called 911 to report his son as missing in the company of Mr. Thomas, and a police investigation began.

The mother of Student #1 says she also called Mr. Thomas’s cell phone that evening and left repeated messages. Her cell phone records for this period are not yet available, and some of her calls were from a land line. Student #1’s mother says that Mr. Thomas later told her that he had never received these messages and that his phone was
off for part of the time. Mr. Thomas denies that he ever received messages from either parent and also denies that his phone was off. Mr. Thomas never returned the parents’ phone calls.

Mr. Thomas’s cell phone records reflect that he checked his messages at 2:17 p.m. EST on April 11, 2007 and at 9:32 a.m. PST on April 12, 2007. Mr. Thomas denies that he ever picked up a message from either parent or that he told either parent that he had difficulty picking up messages.

Mr. Thomas offers no explanation for not receiving and responding to these messages, except to say that he had allowed Student #1 to use his phone during the layover because Student #1’s phone was not working, and that Student #1 might have erased the messages.

In fact, Student #1’s phone service had initially been turned off by his father when he learned of the trip, but his father then turned the phone back on so he could reach his son. Mr. Thomas said he was aware that Student #1’s phone service had been cut off, but did not know the reason. Student #1 denies this and there is no evidence that he accessed the messages during the period in which he was using the phone.

During the layover, Student #1 did use Mr. Thomas’s phone, including for eight phone calls with his girlfriend, lasting a cumulative total of 62 minutes. Student #1 also called his cousin. Student #1 also called the Student Board Member at 8:54 p.m. EST for an 8 minute conversation, at 9:07 p.m. for a one minute conversation, and at 9:32 p.m. for another 8 minute conversation. During one of those conversations, the Student Board Member told Student #1 that “his parents and others were looking for him” and that “it was like an FBI search.”
Student #1 says he did not tell Mr. Thomas about that conversation because he wanted to go to San Francisco. Mr. Thomas says that Student #1 handed him the phone so he could speak to the Student Board Member, but that the Student Board Member did not inform him that Student #1’s parents were looking for him.

United flight 481 was scheduled to depart Chicago at 8:25 p.m. CST, but did not depart until 11:24 p.m. CST, landing at Oakland airport at 1:24 a.m. PST, 2 hours and 24 minutes past its original arrival time of 11:00 p.m.

Mr. Thomas called two shuttle services at 1:41 a.m. and 1:58 a.m. in an attempt to arrange transportation into San Francisco and then finally took a taxicab to the San Francisco Hilton Hotel. The Oakland Bay Bridge records reflect that they paid the $4.00 bridge toll at 2:31 a.m. Mr. Thomas’s phone records reflect yet another call to the Student Board Member’s cell phone at 3:02 a.m.

The Hilton hotel records reflect Mr. Thomas checked into the hotel at 3:41 a.m. He registered for Room 31511 for a single adult occupant. Room 31511 is a single room with a large king-sized bed and a small floor area. When they arrived in the room, Student #1 says they watched television briefly and then went to bed. Student #1 says that Mr. Thomas told Student #1 that he could sleep in the bed with him, but he declined, and said he would sleep on the floor. Student #1 says that when he declined, Mr. Thomas said “it’s okay, I can sleep under the covers and you can sleep over the covers.” Student #1 says he declined again, and slept on the floor, getting a yellow pillow and a blanket from the closet.

Mr. Thomas denies that conversation occurred. He said he offered to get a roll-out bed for Student #1, and that the student declined and said sleeping on the floor was
“good for his back.” Student #1 denies that Mr. Thomas offered a roll-out bed. Student #1 says they watched television briefly. Mr. Thomas said that “we were tired, our bodies were telling us it was 6 a.m. back home” and that they both went to sleep.

Student #1 says he changed in the presence of Mr. Thomas into gym shorts and a cut-off shirt, and that Mr. Thomas changed in the bathroom into basketball shorts and a cutoff shirt as well. Mr. Thomas says that Student #1 did not change but slept on the floor in his street clothes, which Student #1 denies. Student #1 says that Mr. Thomas did not try to touch him or attempt any other inappropriate conduct on the trip to San Francisco. Mr. Thomas, likewise, says he did not touch Student #1 or attempt anything appropriate.

Student #1 awoke before Mr. Thomas and made some phone calls. At 10:09 a.m. EST on the morning of April 12th, the father received a call from the son while he was at work. Because he is unable to accept calls at work, he told his son he would call him back at the break. He unsuccessfully attempted to call his son back at 2:27 p.m. EST (11:27 PST).

In the meantime, Student #1’s uncle had called the Board office complaining about the student’s trip to San Francisco. Shortly thereafter, Student #1’s mother called Jacquelyn Brown, the Board’s Interim Executive Secretary, to complain that her son was in California with Mr. Thomas and that “she had no clue who Mr. Thomas was.” She told Ms. Brown that she had left messages for Mr. Thomas, and that she had gotten his number from her son’s cell phone records. The mother said she wanted to know the purpose of the trip and the phone number of the Hilton, which Ms. Brown provided to her.
Ms. Brown immediately tried to reach the Board Chair Owen Johnson in San Francisco, in California, and, when she did not reach him immediately, she reached Ms. Jacobs, the Vice Chair. Ms. Jacobs asked her to call the student’s mother to assure her that her son would be immediately returned. At about 2:15 p.m. EST, Mr. Thomas reached Ms. Brown on her cell and told her “it was all a misunderstanding” and that the student’s mother “was okay.” Ms. Brown told Mr. Thomas that her advice was to “send the student back immediately.”

Ms. Jacobs had gone to the Hilton Hotel for a CUBE meeting at about 8:30 a.m. When she arrived there, she made repeated attempts to reach Mr. Thomas on both his cell phone and on the hotel phone, without success. She left repeated messages for him and went into the meeting. When she came out of the meeting later in the afternoon, she received a text message from Mr. Thomas stating “got your message—would like to talk to you in private.”

Ms. Jacobs obtained the room number and went to Mr. Thomas’s room. When she arrived, Student #1 was not there. Ms. Jacobs described the room as very small, with a large king sized bed that was unmade. She said there was a large black duffel bag on the floor, but no bedding on the floor. Hilton Hotel staff confirm the room configuration.

Ms. Jacobs says that Mr. Thomas was sitting at desk wearing blue jeans and a t-shirt. He told Ms. Jacobs that “[the Student] left before you got here. He’s upset. We just finished talking to his father. He comes from a broken family.⁸ That’s why I thought it would be nice for him to take the trip.”

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⁸ Although the parents of Student #1 are divorced, he hardly comes from a “broken” family. Both parents apparently hold responsible jobs and appeared highly concerned about Student #1’s welfare and highly motivated to assist him.
Mr. Thomas also told Ms. Jacobs that “the father is upset because Student #1 lied to him.” He then tried to reach Student #1 on the cell phone, making repeated calls. Student #1 says that Mr. Thomas reached him and told him that the only way he could stay in San Francisco was to get his mother on the phone and hand it to Ms. Jacobs, so that the mother could grant permission.

Mr. Thomas and Ms. Jacobs then went downstairs to the lobby, where they located Student #1 off to the side of the lobby and he was advised he had to return home. The student forgot something and Ms. Jacobs told him he could go back to the room, but that Mr. Thomas would remain with her. During this period of time, Mr. Johnson, Ms. Jacobs and the Superintendent were in frequent contact through telephone communications.

While the student was upstairs, Mr. Thomas insistently asked Ms. Jacobs if he could go with her to take the student to the Hyatt or fly back with the student to Maryland. Ms. Jacobs told him firmly that he could not. Ms. Jacobs then took the student by taxi to the Hyatt and put him in the custody of Mr. Johnson, the Board Chair.

Student #1’s mother called the Hilton and reached Mr. Thomas’s room. Mr. Thomas recalls her telling him in that call that “you know his father did not give him permission to go.” Mr. Thomas said that Student #1’s mother told him to call the student’s father to get directions about returning him home. She expressed her concern to Mr. Thomas about her son’s presence in San Francisco with him and emphasized that her son did not have permission to be there.

At 3:55 p.m. EST, Superintendent Deasy called the father to assure him that his son was being located, taken from Mr. Thomas’s custody, and returned with Mr. Johnson
to Maryland immediately. The call took 13 minutes. The father finally reached his son at 3:48 p.m. EST., and had a seven minute conversation, in which Student #1 begged to stay and the father told him he had to return immediately.

Dr. Deasy spoke with Mr. Thomas at approximately the same time. Mr. Thomas recalls that he told Dr. Deasy that “the trip was a private issue” and “it does not have anything to do with the school system” and that “he would take care of things as far as returning the student.” Dr. Deasy told him, “No, I don’t want you to do that,” and told Mr. Thomas that Dr. Deasy would make the arrangements to return the student. Dr. Deasy, his staff and the Board Chair immediately made arrangements for the student’s return. The cost for the return flight and for Mr. Johnson’s flight back to San Francisco were paid for by the school system.

At about the same time, the Student Board Member sent an email to Mr. Thomas at 1:18 p.m. Pacific Standard Time (PST), apparently while riding in a taxi with other Board members from the airport to the Hyatt. In the email, he stated:

Nate
It looks like [Student #1] didn’t have permission to attend California with us. His dad contacted me last night trying to find out where he is. I called the people at NSBA to see if he could attend the workshops with me, they said yes because there is room. I will contact you when I get in my hotel then [Student #1] can bring hi [sic] things to my room and call hi [sic] parents to get everything straight.
Peace and Blessings,
[Student Board Member]

Mr. Thomas called the Student Board Member shortly thereafter. The Student Board Member says he was riding in the taxi with Ms. Johnson across the Golden Gate Bridge when Mr. Thomas called. The Student Board Member said that Mr. Thomas told
him “I am in trouble” and that Student #1 had not gotten permission from his parents and that “Dr. Deasy wants him on the next flight home.”

Student #1 spent the evening at the Hyatt with the Student Board Member in his room. They ordered pizza and went to Walgreen’s. Later in the evening, Student #1 says that he drank a Grey Goose Vodka from the hotel mini-bar in the Student Board Member’s room because he was upset. He said the Student Board Member drank vodka. The Student Board Member denies this.

At 4:00 a.m., Student #1 awoke and went in the company of Board Chair Owen Johnson to Oakland Airport. They flew to BWI Thurgood Marshall, where they were met by Board security, who took them directly to Student #1’s home with his father. Mr. Johnson met briefly with the father of Student #1 and then took a return flight to the conference in San Francisco.

Board members, Linda Thomas and Donna Hathaway Beck met in Ms. Beck’s hotel room, where both Board Members confronted Mr. Thomas about Student #1’s presence on the trip. Mr. Thomas also spoke with other Board members who expressed concern.

Mr. Thomas said he was advised by other Board members that he should not remain at the conference. He attended one brunch at the CUBE conference and met with a school board member from New Jersey and a vendor he knew. On Saturday, April 14, 2007, he flew to Los Angeles to visit friends and returned to Maryland the following week.
SUBSEQUENT CONTACT

Later, on the day that Student #1 was escorted from his hotel, Mr. Thomas went out to dinner with Board member Linda Thomas at Bix Restaurant, 56 Gold Street, San Francisco. He paid the bill and placed it on his Board credit card at 11:13 p.m. Mr. Thomas said he then escorted Ms. Thomas back to the Hyatt, where she was staying along with other Board members, and where Student #1 was now staying with the Student Board Member in his room.

Following that dinner, he called Student #1’s cell phone three times at 11:24 p.m., 11:27 p.m. and 11:28 p.m. Student #1, who was in the Student Board Member’s room, said he saw the incoming calls on his caller ID, but decided not to answer the calls. Mr. Thomas then sent an email to the Student Board Member at 11:28 p.m. Pacific time asking “What is ur (sic) room number? I’m downstairs!” The Student Board Member’s emails reflect that he received this email.

The Student Board Member says Mr. Thomas came to his room and tried to wake Student #1, without success. The Student Board Member says he and Mr. Thomas then talked for fifteen minutes before the Student Board Member asked him to leave. Mr. Thomas denies that he went to the Student Board Member’s room or attempted to wake Student #1.

On April 23, 2007, when it authorized this investigation, the Board voted to ban Mr. Thomas from school buildings and from events involving school children. On the next morning, Tuesday, April 24, 2007, Mr. Thomas phoned the Student Board Member, who was driving to school. Coincidentally, Student #1 was a passenger in the front seat. The Student Board Member placed his cell phone on speaker mode, and Mr. Thomas, the
Student Board Member and Student #1 had a conversation. Mr. Thomas asked Student #1 to write a letter to the Board of Education “exonerating” him. Student #1 has not written such a letter. Mr. Thomas admits having this conversation.

**MR. THOMAS’S PERSPECTIVE ON THE TRIP**

After Student #1 was taken from the Hilton, Mr. Thomas spoke to a number of Board members. He says he told Mr. Johnson that “I don’t understand why the school system is involved in this situation. It is a private matter between [Student #1], me, and his parents, but I still cooperated.” Mr. Thomas told Dr. Deasy “this is not a field trip. The school system did not pay for it. [Student #1] is on a vacation which he has every right to take.”

Mr. Thomas also said “it is clear that Student #1 lied to me. I had asked him if his parents had said it was okay to go and they said yes.” He added, “I know this is a struggle between him and his Dad. He is 18 by law now and can make his own decisions.” Mr. Thomas also says that in retrospect, he regrets not meeting the parents and getting their permission for the trip.

**CRIMINAL INVESTIGATION**

Mr. Thomas told this counsel that he had a “mentoring relationship” with a former student of his at Forestville High School who is now 17, Student #2. Mr. Thomas said that when Student #2 was in the 9th grade, he accompanied the student to Ocean City for a student convention. Mr. Thomas admitted that Student #2 had visited him at his townhouse and at his grandparents’ house, where he had resided from 2002 until 2006. He said Student #2 volunteered in his campaign for the Board of Education. He said he had taken Student #2 to the movies with members of Student #2’s family and taken him
to lunch at Phillips Restaurant and IHOP. He also said he recently gave the student $150 toward his college housing deposit.

Mr. Thomas’s Board cell phone records reflect 42 calls to Student #2’s phone during the period from January 15, 2007 and April 11, 2007, including a call during the Chicago layover on the San Francisco trip. Student #2 was aware of substantial details concerning Mr. Thomas’s trip, which he said he learned from Mr. Thomas. Although Mr. Thomas had frequent phone calls with Student #2, he denied in his first interview knowing whose phone number it was. Mr. Thomas also received from Student #2 different versions of his studio portrait by email, which Mr. Thomas in turn emailed to other PGCPS students.

On May 2, 2007, this counsel obtained evidence concerning Mr. Thomas’s relationship with Student #2 that warranted a criminal referral. Counsel provided the information to Superintendent Deasy, who immediately met with Student #2, contacted the police, referred the matter for investigation and immediately provided Student #2 and the family with counseling. A criminal warrant was issued on May 4, 2007, charging Mr. Thomas with third degree sex offense during the period from March 1, 2005, until October 17, 2005.

Third degree sex offenses in Maryland include sexual contact by adults with a victim 14 or 15 years old. Conviction carries a maximum penalty of ten years and mandatory registration on the State’s Sex Offender Registry. Criminal Law Article, §3-307. The third-degree sex offense is a felony. A grand jury investigation is continuing.

Counsel has provided the results of this investigation to the Prince George’s County Police Department and the Office of the State’s Attorney, as well as information
concerning other contacts between Mr. Thomas and PGCPS current and former students outside of the classroom which warrant further investigation. Because of the ongoing investigation and the pendency of criminal charges, this information is omitted from this report.

**GOVERNING STATUTE**

State law provides that “with the approval of the Governor, the State Board of Education] may remove a member of the [Prince George’s] County Board for any of the following reasons:  1.) immorality; 2.) misconduct in office; 3.) incompetency; or 4.) willful neglect of duty.” Before removing a member, the State Board is required to send charges to the member and give the member ten (10) days to request a hearing. Educ. Art. §3-1002(h). The member “shall have an opportunity to be heard publicly before the State Board in the member's own defense, in person or by counsel.” The member also has the right to de novo review of any removal by the Circuit Court for Prince George’s County. 9

The removal standards are nearly identical to those governing removal of teachers found in Md. Code. Ann., Educ. 6-202(a) and are similar to teacher removal statutes in other states.

**IMMORALITY**

While “immorality” is not defined in the statute, courts have generally measured it by societal mores in the context of public education.

While no single definition has been given for immorality, the courts have said that it ‘refers to the common mores of society…[and that] the term will be construed

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9Educ. 3-1002(g)(3) governs the filling of vacancies on the Board: “Subject to the confirmation of the County Council, the County Executive of Prince George's County shall appoint a qualified individual to fill any vacancy on the County Board until a successor is elected and qualifies at the next congressional election.”
in the context in which it appears…to refer to such immorality as may reasonably found to impair a teacher’s effectiveness by reason of his unfitness or otherwise.


In the context of public school laws, “immorality” has been interpreted to be such a course of conduct as offends the morals of the community” and provides a “bad example to the youth whose ideals a teacher is supposed to foster and elevate.” Dohanic v. Commissioner, Department of Education, 111 Pa. Comwlth 192, 533 A.2d 812 (1987). In Dohanic, the teacher was dismissed for writing personal letters to female students which the court said demonstrated that he was “unable to recognize the boundary between students and teachers.” In particular, courts have rejected a teacher’s argument that a statute could not criminalize a relationship between the teacher and an 18 year old student. Berkovsky v. State, 209 S.W.3d 252, 215 Ed. Law Rep. 1185 (2006).

MISCONDUCT IN OFFICE


In the context of public education, “misconduct in office” has been defined to mean “bad behavior, improper conduct, mismanagement; or wrong conduct, in usual parlance a transgression of some established and definite rule of action, where no discretion is left, except where necessity may demand.” Kentucky Educ. Professional Standards Board v. Gambrel, 104 S.W. 3d 767 (Ky. Ct. App. 2002).
The State Board of Education has consistently found that inappropriate behavior by school officials with students constitutes misconduct in office. For example, the Board upheld removal on grounds of misconduct in office where a school guidance counselor asked improper questions of a sexual nature during a counseling session. *Murray v. Anne Arundel County*, MSBE Opinion 04-11 (2004).

Here, the Board is faced with serious questions of both immorality and misconduct in office by Mr. Thomas. The conduct of a member of the Board of Education in furnishing alcoholic beverages to minor students and playing sexually suggestive games with those students at his townhouse is deeply offensive to the morals of the community. These are not “private acts” but conduct which betrays the position of trust that Mr. Thomas holds as a member of the Board of Education.

Mr. Thomas’s course of conduct involving Student #1 and the Student Board Member far exceeded the appropriate boundaries of a “mentor-mentee” relationship. His behavior is particularly disturbing because he appears to have taken extensive steps to conceal his relationship with Student #1 from the parents. Mr. Thomas’s course of conduct with the Student Board Member far exceeds the appropriate boundaries of a collegial relationship on the Board of Education. Even though no sexual contact apparently occurred between Mr. Thomas and Student #1 or the Student Board Member, his behavior shows a moral blindness toward his role as a member of the Board of Education, a former teacher, and an older adult.

Mr. Thomas also made numerous false statements to this counsel concerning his relationship with Student #1, Student #2 and the Student Board Member, and the events in San Francisco. He made extensive efforts to change his flight and hotel arrangements.
at the same time as he arranged for the student’s trip, clearly attempting to conceal the
student’s presence in San Francisco from his Board colleagues. His unwillingness to
speak directly to the parents about the trip, even when he picked up Student #1 from his
father’s house, belies his contention that he was simply seeking a “mentor-mentee”
relationship with Student #1.

The fact that Student #1 had turned eighteen years old, the age of majority, just
prior to the San Francisco trip does not mitigate the seriousness of this matter. The Board
of Education stands in parens patriae to its students, with a duty to protect them. Mr.
Thomas betrayed this duty. His conduct would be unacceptable if he were still a teacher,
of if he were an administrator in the system. It is no more acceptable because he is an
elected member of the Board of Education.

The allegations in the pending criminal constitute a prima facie case of
immorality and misconduct in office, regardless of the dates of the alleged sex acts,
because Mr. Thomas continued an extensive, inappropriate relationship with this minor
student in the County school system until shortly before his arrest.

OTHER ISSUES

The facts uncovered in the investigation revealed evidence which also raises other
issues involving the student member, the use of Board cell phones, and the Board travel
policy.

Student Member. As indicated, Mr. Thomas’s course of conduct with the
student member far exceeded the boundaries of a collegial relationship, and Mr. Thomas
used this relationship to further his inappropriate relationship with Student #1.
Historically, the student member has played an important role in the Board of Education
and the student member has been treated with appropriate respect by his or her colleagues. Mr. Thomas’s conduct, unfortunately, suggests that both the student member and the Board may require training to remind the student member and the adult colleagues of the appropriate limits of the relationship between a student and adult members. The Board’s student adviser may have to play a more aggressive role in monitoring the student member’s interaction with his adult colleagues.

During the investigation, Mr. Thomas’s counsel raised the issue of the student member’s presence in San Francisco without a permission slip. In fact, the student’s mother accompanied the student member to the airport, where she met Ms. Johnson, a retired teacher who was a quite appropriate chaperone for the student member on the flight. However, although Board trips are not student outings that require a permission slip under current administrative policy, the Board may want to document parental permission and supervision arrangements whenever a student member takes a Board trip without a parent. This supervision aspect is particularly important because the Student Board Member apparently had access to alcoholic beverages in his room during the San Francisco trip.

**Board Cell Phones and Emails.** Mr. Thomas used his Board cell phone as his personal phone for most of this term of office. Additionally, the Student Board Member made numerous personal calls on his cell phones. Both members extensively used Board email for private purposes. Board members need to be reminded that Board cell phones and the Board email system are to be used for public purposes only and that any incidental personal calls on a Board phone should be subject to a reimbursement policy.
**Travel Policy.** Board members have been provided appropriate discretion in making travel arrangements for Board functions. However, Mr. Thomas clearly utilized that discretion to make hotel reservations away from the Board’s assigned block of rooms at the Hyatt. In the future, any departure from the Board’s standard reservations should be approved by the Board chair or some other entity designated by the Board, and only for the appropriate reasons.

**Forestville Complaints.** Mr. Thomas was the subject of two significant complaints while he was a teacher at Forestville High School. Neither of these complaints are documented in any Board records, and undoubtedly part of the reason is that Mr. Thomas resigned shortly thereafter.

Had these complaints been documented, it is unlikely they would have prevented Mr. Thomas’s election to the Board of Education, because teacher personnel and student files are confidential. However, the documentation of these complaints would have raised significant issues had Mr. Thomas sought reemployment in this system, or employment in another school system. The Board should carefully review the system’s policy of documenting credible complaints of inappropriate classroom behavior by teachers.

Respectfully submitted,

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