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July 7, 2020

VIA U.S. MAIL & EMAIL

Bruce D. Dubberly, IV
James Bates Brannan Groover LLP
231 Riverside Drive
Macon, Georgia 31201
bdubberly@jamesbatesllp.com

Re: Demand to Tattnall County School District

Dear Mr. Dubberly,

Please find this letter as a response to your letter date June 29, 2020 regarding the allegation that your client Mr. Huerta was “suspended” from his position as a coach. Initially, assistant coaching positions are determined annually based on a number of factors, including, but not limited to: head coach choice, standing as a teacher and principal input. Unfortunately, this year with the global pandemic, the school was closed early, and these processes did not proceed as usual. As a result of the pandemic, the addition of a new head coach, and Mr. Huerta’s letter of resignation as a teacher, which he later rescinded, the determination of assistant coaches was delayed. As you may be aware, Mr. Huerta told the District in January of 2020, that he was so far behind on the requirements to receive his required certificate in order to continue teaching, he was no longer seeking a certificate. Since a certificate is required to teach, Mr. Huerta submitted his resignation as a teacher for Tattnall County School District. Mr. Huerta rescinded his resignation a month later.

In June, a situation was presented to Ms. Bobbitt, the new Principal, involving your client, a current student, past students, a parent, and other individuals. The area of concern was not the content of your client’s post, but the continued exchange with students and parents. Ms. Bobbitt called Mr. Huerta into her office to have a discussion about conducting himself in a professional manner, even on social media. Contrary to the allegations in your letter, Mr. Huerta was aware of the post during the discussion and defended his statements. I have attached the screen shots as you requested even though your client has equal access to those.

Standard 9 of the ethical standards for teachers in Georgia is defined “any conduct that impairs and/or diminishes the certificate holder’s ability to function professionally in his or her employment position.” If Mr. Huerta would have had this discussion in person in his classroom, Ms. Bobbitt would have had similar concerns regarding his professionalism. Professionalism comes into question when an educator creates the perception that Tattnall County High School


supports the theory that teacher inadequacy can result in parental requests for a teacher of their liking.

As you indicated to me, Mr. Huerta is very concerned about his assistant coaching position. Clearly, education is the commitment for Tattnall County School District, everything else is an option. It appears that maybe this additional coaching duty that your client undertook replaced his time to meet the standards for all teachers for the District in his inability to obtain what is required for a teacher certificate.

As to your allegation that Tattnall County School District violated Mr. Huerta's rights, that is simply incorrect. He has a teaching contract and is not entitled to any coaching supplement. In 1995, when the Act was amended to prevent new administrators from acquiring tenure rights, a further amendment was added to explicitly recognize that there were "no rights to continued employment" in certain positions, including "coach, athletic director, finance officer, comptroller, business manager, nurse, department head or chairperson, and similar positions." O.C.G.A. § 20-2-942(c)(3)(b). Tenure is not acquired in supplemental duties not a part of the basic contract of the employee. King v. Board of Education of the City of Buford, 214 Ga. App. 325 (1994); Bonner v. Fulton County Board of Education, SBOE Case No. 1989-24.

There is a process in which Mr. Huerta could seek administrative remedies found in Tattnall County BOE Policy GAE: Complaints and Grievances. He did not seek to follow the BOE policies as he is required to do. Please let me know if you have any questions.

Sincerely,


Reagan G. Sauls (LKS)

Enclosures

cc: Dr. Gina Williams, Superintendent (*via email w/o enclosures*)

9:23

LTE



Jordan Huerta

Friday at 2:14 PM



It's long past time we rid our communities of symbols from a racist past.

The SEC and NCAA have reportedly informed member schools in Mississippi that if the state flag isn't changed to reflect a more inclusive message, those schools will be banned from hosting key tournaments and championships.

But why stop at Mississippi? Georgia's flag is also a symbol of confederate "heritage." Georgia's state flag was changed in the early 2000s to remove the popularized confederate symbol that is prominent on Mississippi's flag.

However, the current state flag is nearly the exact flag of the original flag of the Confederacy. The biggest difference is that the Seal of Georgia is prominently featured.

I hope the NCAA, SEC, ACC, and Sunbelt also join in to apply pressure on the Georgia Legislature to help rid us of these racist symbols of the past.

The time to end the Lost Cause is far overdue. Let's end it now!



Like



Comment



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David Avery and 14 others



Jessica Szilagyi

If they apply pressure on Georgia, it still won't be changed in time for the upcoming season.

They're on day 34 of 40 of the session and no new bills can be introduced this year.

They'd have to wait for 2021.



Write a comment...



Comments

Done

15



Jessica Szilagyi

If they apply pressure on Georgia, it still won't be changed in time for the upcoming season. They're on day 34 of 40 of the session and no new bills can be introduced this year. They'd have to wait for 2021.

I hope people keep that in mind as they lobby for change.

6d Like Reply

1



Jordan Huerta

Jessica Szilagyi Honestly, most people have no idea that Georgia's current flag is rooted in Lost Cause symbolism.

But I hope people will start realizing it enough to make a change happen sooner rather than later.

6d Like Reply

2



Jordan Huerta

Also, considering that the SEC Championship is held in Atlanta, I think they could put serious pressure on them.

6d Like Reply



Jessica Szilagyi

Jordan Huerta I really don't have an opinion one way or another. I don't know why states have flags. I'm indifferent.



Write a comment...



Comments

Done



Jessica Szilagyi

Jordan Huerta I really don't have an opinion one way or another. I don't know why states have flags. I'm indifferent.

I was just speaking to the timeline of the process here — it wouldn't be immediate.

Gd Like Reply 1 🗨️



Write a reply...



Kaden Partin

Trump 2020 Carson Deloach

Gd Like Reply 5 🗨️



Carson Deloach

Kaden Partin I just lost brain cells🤔

Gd Like Reply 1 🗨️



Kaden Partin

Carson Deloach I'm trying to tell ya🤔

Gd Like Reply



Write a reply...



Morgan Durrence

Funny how a flag is racist 🤔. I have a few black friends that support the confederate flag and have the symbol on some of their things. Does that make them racist too? 🤔



Write a comment...



Comments

Done

6d Like Reply

1



Jordan Huerta

Morgan Durrence It doesn't necessarily make them racist. It most likely means that they're just ignorant.

With that being said, these few black friends of yours pale in comparison to the millions of African Americans who view it as a symbol of oppression.

6d Like Reply

3



Morgan Durrence

Jordan Huerta you clearly stated it was a "racist symbol" so tell me exactly how the symbol is racist

6d Like Reply



Jordan Huerta

Morgan Durrence Like all flags, they represent something. Whether it be a movement or a culture.

In this case, it represents the Confederacy whose existence was based off of the idea of white supremacy.

Considering the flag represents that idea, it is a racist symbol.

6d Like Reply

6



Morgan Durrence



Write a comment...



Comments

Done



Morgan Durrence

Jordan Huerta but who is to say it is still meant in that way? Maybe its meaning has changed like many other things

6d Like Reply



Jordan Huerta

Morgan Durrence It hasn't changed. The reason the flag exists is to represent a country that wanted to enslave a segment of the population they deemed racially inferior.

6d Like Reply

1



Christy Durrence

Jordan Huerta you are a teacher at TCHS and to call one of you students friends ignorant bc they disagree with you shows your lack of intelligence, especially since they haven't stated their defense. Is there not an ethics violation when you can't separate state, church, politics, and your job??? I'm just asking. I just don't believe I want any teacher teaching my child that calls his friends ignorant for believing different than he does especially when y'all are on two different fences. Im pretty sure their African American moms wouldn't like your "Ignorant" comment either. I know teachers that have been reprimanded for a lot less than this so maybe you should pick and choose your battles, sir!

6d Like Reply

4



Jordan Huerta

Christy Durrence The term "ignorant" simply



Write a comment...



Comments

Done



Jordan Huerta

Christy Durrence The term "Ignorant" simply means that someone isn't as well educated on a particular subject. It's far from a heinous or spiteful word when used in this way.

For example, when it comes to nuclear physics, I am ignorant in that field.

There is no ethics violation to be concerned about in this regard.

And as a parent, you have the right to choose who you want your child be taught under. If you don't feel as though I'm adequate, that's fine. There are other well qualified teachers at the school.

6d Like Reply

5



Tiffany Taylor

Christy Durrence ignorant means that you don't know something. You are lacking knowledge in the subject. Every one of us is ignorant of plenty of things - Jordan included. Questioning someone's knowledge is not at all the same thing as questioning their intelligence. You're the one that just did that.

6d Like Reply

5



Tiffany Taylor

Jordan Huerta ugh. Jinx. 🙄

6d Like Reply



Write a comment...

