

SARASOTA

Whistleblower says Sarasota School District is retaliating

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A school resource officer at Brookside Middle School in Sarasota says administrators are retaliating against her for investigating allegations of sexual misconduct by a male teacher at the school.

Kimberly Whyley, the officer who was stationed at Brookside Middle, filed an employee discrimination complaint against the Sarasota County School District on Thursday, saying that after she looked into allegations that a teacher had grabbed a middle school girl's breast, school administrators chastised her, entered negative comments into her personnel file and ultimately turned her into the subject of a criminal investigation.

Whyley contends school officials wanted her to keep quiet about the incident because of the damage a teacher sex scandal could do to the school's reputation.

"Officer Whyley had a duty to report sexual harassment to DCF and to law enforcement and was not required to ask the principal's permission to do so," her complaint states.

The complaint is the third serious allegation in recent weeks that district officials ignored misconduct, allegedly to protect the district's image. Last week investigators hired by the district issued a report stating that Superintendent Todd Bowden ignored sexual harassment complaints against his top deputy. And on Monday special education advocates won a long-fought victory, as the district was ordered to pay for more than six years of compensatory education for a student wrongly placed in a special needs program, despite the district's vigorous legal defense.

What happened

According to an incident report Whyley filed on Sept. 6, a student told her that a teacher grabbed her breast during class and she was afraid he would do it again. Another student told her the same teacher held "private meetings" with her while he was wearing tight spandex bike shorts, and a total of six students shared similar concerns with her about the same teacher.

The student said the “teacher approached her from behind and attempted to gain her attention by placing his open hand, palm down, on her right breast,” the report stated. “Student 1 stated that she was shocked and just stared at the teacher.”

Whyley wrote that the students said they told the school’s assistant principal about their fears two days earlier, hoping to get switched out of that teacher’s class, but no action had been taken.

School resource officers are required to report allegations of staff misconduct to their sergeant and are not supposed to investigate coworkers, said Sarasota School District Lt. Steve Lorenz, who oversees internal affairs. All allegations of child abuse must also be reported to the Florida Department of Children and Families, according to state law. Whyley’s report states that, after the students confided in her, she notified her sergeant about the incident, and she said she notified DCF that same day.

According to her complaint, Brookside Principal Matthew Gruhl and Assistant Principal Amanda Rojas called her into a meeting that afternoon, after she had reported the complaint up the chain of command. She said they told her they had already looked into the students’ allegations and questioned her as to why she would begin a criminal investigation without notifying them.

“I was informed the incident had been reported two days prior and witness statements were given by students and parents were notified,” the report states. “Rojas stated she believed there were inconsistencies in all four students’ stories and no further action was taken after speaking with students’ parents.”

That afternoon, Gruhl sent an email to Sgt. Daniel Gale that was highly critical of Whyley, saying “that in his opinion she is a ‘loose cannon,’ has the ‘small dog syndrome’ and that he and his staff have doubt of trust with her,” according to a memo Gale wrote detailing the principal’s sentiments.

Whyley says Gruhl’s email was the first step in a systematic attempt by the administrator to retaliate against her for blowing the whistle on sexual assault allegations.

“He was angry (Whyley) reported it because it was affecting his crime numbers,” her complaint states. “The crime number affects money received by the school, the school’s reputation and many other aspects of the school. The fact that (Whyley) reported the harassment and created a reported crime angered the principal, and he wanted her

punished or fired. He treated her in a hostile manner from that moment further, creating a hostile work environment.”

Whyley placed on leave

Whyley is now the subject of a criminal investigation. Roughly a month after the students first reported their concerns to Whyley, she was placed on administrative leave for her role in breaking up a fight on Brookside’s campus.

School district officials would not provide any details of why she was placed on leave, but incident reports and officer statements obtained by the Herald-Tribune indicate the charges stem from an altercation Whyley broke up on Oct. 1.

According to several written descriptions of the incident, one boy had been harassing another student. When he charged the student, Whyley intervened and prevented the aggressor from attacking the other student.

“The suspect removed his shoes and handed off his cell phone to another student, turned toward me and ran in an aggressive and violent manner, rapidly closing his distance with clenched fists and an angry look on his face,” Whyley wrote in her report the same day of the fight.

Security monitor Tony Abreu provided a similar written account of the incident. Abreu stated that Whyley fended off a student who was trying to attack another boy. When the attacker refused to stop, Whyley grabbed the boy and restrained him.

“I saw the student in a serious sprint toward (another) student in a violent way,” Abreu wrote. “He didn’t listen to the verbal command from Officer Whyley.”

Abreu wrote that Whyley held the student down first, and then he assisted, before taking the child inside the school.

The grandfather of the boy who Whyley defended said the SRO is “getting a raw deal,” and he said he was grateful she intervened.

“The kid was a very aggressive kid,” said Bruce Currier, the grandfather of the student who was being attacked, adding that, “To be honest about it, I think she should have tazed” the boy.

Shortly after the altercation, Gruhl allegedly called Whyley into a meeting to discuss the

incident, where she was surprised to be met by the parents of the boy she restrained, according to an email she sent her sergeant on Oct. 2.

“I do not know why I was...brought into this administrative meeting including Matt Gruhl and hostile parents of a suspect I detained,” she wrote. “(I) will not participate in future administrative berating for lawfully arresting or detaining suspects in criminal matters.”

School officials would not answer any questions about when or why the investigation into Whyley began.

Questions remain

School district officials are required to notify DCF and law enforcement if a minor comes forward with the allegations of sexual misconduct by a teacher.

The same day Whyley began looking into the complaint, Sarasota Police Department officials say they received notice from someone at the school about the allegations, and SPD has an ongoing investigation into the teacher.

SPD officials did not know Friday who had called the report in — whether it was Whyley or school administrators.

School district officials could not answer when the students first made the complaint and if Whyley’s assertion that Brookside administrators looked into the incident on their own, without notifying proper authorities, was accurate.

Investigations into both Whyley and the teacher accused of sexual misconduct are ongoing.