



**NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE  
NORTH CAROLINA STATE CONFERENCE**

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Rev. Dr. William J. Barber, II  
President

Amina J. Turner  
Executive Director

**Immediate Release**

**11 March 2010**

**Contact: Rev. Dr. William J. Barber, II, President, 919-394-8137  
Mrs. Amina J. Turner, Exec Dir, 919-682-4700**

**OPEN LETTER**

March 11, 2010

Dr. Mark Elgart, AdvancEd President and CEO  
Donna James, Ed.D, North Carolina State Director  
Southern Association of Colleges and Schools  
Council on Accreditation and School Improvement  
College of Education  
Western Carolina University  
152 Camp Building  
Cullowhee, NC 28723

Via: Email to [djames@wcu.edu](mailto:djames@wcu.edu) and First Class Certified Return Receipt Requested

**RE: School Superintendent Dr. Del Burns Removed by Five Members of Wake County School Board on 9 March 2010.**

Dear Dr. Elgart and Dr. James, through Dr. James:

This follows our complaint (via e-mail and certified first class mail) to Dr. James on 5 March 2010, with several allegations about violations of SACS standards by the newly formed “anti-diversity caucus” of the Wake County School Board. We closed that Complaint with this plea:

*The policies and procedures of SACS CASI require that complaints alleging a school system's violation of standards must be forwarded to the superintendent for review and response. Please forward this Complaint to Dr. Del Burns quickly, since we believe Mr. Margiotta and his Caucus may try to terminate him to prevent him from reviewing and responding to our Complaint. We are making this complaint public, because we believe other parents, students, faculty, staff and other Wake School supporters will want to add their direct evidence of the misfeasance of these 5 people. We believe their actions have created an educational, social, and moral crisis for our community, which has heroically worked to rebuild the human community—indeed a human neighborhood.*

Just four days after we sent a courtesy copy of this complaint to their attorney, the five members of the anti-diversity caucus convened a closed meeting, and voted, apparently 5-4, to remove Dr. Del Burns as Superintendent on Tuesday, 9 March 2010.

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Therefore, we respectfully request that SACS quickly notify the Board and the new Superintendent, who was appointed on 9 March 2011, to notify all school staff that any records, electronic or paper, be maintained in safe, backed-up form for the SACS investigators. We are confident that the School Administrative Staff are people of high integrity. But the NAACP has 101 years experience of advocating for the rights of African Americans and other minorities. We know from bitter experience that the issues raised by the anti-diversity caucus tap deep emotional roots, and pressures, real or imagined, have been loosed. It may also be useful to notify the school staff that all Wake County School employees are covered by North Carolina's strong Whistleblower Act (N.C.G.S. 126-5 c5), which provides, *inter alia*:

It is the policy of this State that State employees shall be encouraged to report verbally or in writing to their supervisor, department head, or other appropriate authority, evidence of activity by a State agency or State employee constituting:

- (1) A violation of State or federal law, rule or regulation;
- (2) Fraud;
- (3) Misappropriation of State resources;
- (4) Substantial and specific danger to the public health and safety; or
- (5) Gross mismanagement, a gross waste of monies, or gross abuse of authority.

--N.C.G.S. § 126-84(a) (2003).

The Whistleblower Act further provides, in pertinent part, that

No head of any State department, agency or institution or other State employee exercising supervisory authority shall discharge, threaten or otherwise discriminate against a State employee regarding the State employee's compensation, terms, conditions, location, or privileges of employment because the State employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, any activity described in G.S. 126-84, unless the State employee knows or has reason to believe that the report is inaccurate.

--N.C.G.S. § 126-85(a) (2003).

Wake's School System has already been de-stabilized by the "gross abuse of authority" and other alleged violations of laws, rules and regulations by the anti-diversity caucus. This destabilization has caused, we understand, many experienced teachers to re-consider their annual spring career choices. It is therefore extremely urgent to the 140,000 students in the system for you to conduct a thorough, quick investigation of our complaints.

If we can be of any assistance in this matter, please e-mail our Executive Director, Ms. Amina Turner, a former school board member herself. Thank you.

Yours in Truth and Justice,

  
Rev. Dr. William J. Barber, II  
President

cc: Ms. Ann Majestic, Wake School Board Attorney  
NAACP Members in North Carolina  
Dr. June Atkinson, State Superintendent of Schools  
Ben Jealous, National NAACP President and CEO

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