

Dear Honorable Homero Garcia, MASBA Board President,

I am formally submitting a letter of complaint against the Mexican American School Board Members Association (MASBA), board officer, Michael Vargas (San Benito ISD and TASB Leadership candidate). Per my conversation with you, Willie Tenorio (TASB Leadership graduate, Hays CISD) and Executive Director Jayme Mathias (TASB Board of Director, Austin ISD) on Sunday, February 25, 2018, he (Michael Vargas) physically assaulted me during the MASBA state conference that took place on February 23-24, 2018, at the San Antonio Airport Hilton, San Antonio, TX (police report attached). I am requesting the board to take action and remove Mr. Michael Vargas from the MASBA board. Mr. Vargas's behavior while in a drunken stupor is unacceptable and a violation of law, furthermore, a very poor example of this organization's vision, mission and excellence in board governance.

As you may be aware, many other MASBA Board of Directors and school board trustees from across the state of Texas, as well as MASBA Sponsors were present at the MASBA President's (Armando Rodriguez, TASB Board of Director, Canutillo ISD) Reception and witnessed and or were present when board member Michael Vargas, not only physically threw a full glass of ice and liquor at my person, but also sexually harassed and assaulted a fellow San Marcos elected school board member, [REDACTED]. Mr. Vargas, repeatedly, sexually groped and touched an elected official by grabbing his groin area (parts below his waist), including his buttocks. This happened in my presence, along with MASBA Board of Directors and school board trustees from across the state of Texas, as well as MASBA Sponsors who were in attendance of Armando Rodriguez's "President's Reception." It is my understanding, as well as MASBA Board of Directors and school board trustees from across the state of Texas that the funds used for this "Reception," which was not posted on the official conference agenda, was sponsored/financed by MASBA. I understood that I would be attending a professional MASBA "President's Reception" networking opportunity with fellow school board members, and not an unprofessional and irresponsible "booze fest," such as, was the case for board officer Michael Vargas (San Benito ISD and TASB Leadership candidate).

On Saturday, February 24, 2018, around 10:30 p.m., I attended the Presidential suite, a "social networking event," after MASBA programming, provided by the organization. When I walked into the event, I was greeted by a fellow San Marcos governing board member, whom had some feedback regarding my participation at the conference. We were engaged in a professional conversation for about 30 minutes, when board member Michael Vargas, kept trying to get [REDACTED] attention, by repeatedly poking him with his finger on his back, arms, back of head, touching his hair, much like a little kid. [REDACTED] then explained to me that he was trying to ignore him, as he had been harassed by him and had been sexually grabbed his groin area by Michael Vargas, the night before. In addition, [REDACTED] a young man, was accompanied by another school board member Teresa Tobias, (who currently serves on the Hayes CISD school board), on that evening for the very same reason. [REDACTED] had asked her to stay with him in order to keep Mr. Vargas away from him. Mrs. Tobias (Hays CISD), is a witness and can attest to the sexual attacks that took place on both days.

In addition to the poking and touching and after about 30 minutes that I was conversing with [REDACTED] board member Vargas' behavior then escalated and began grabbing at [REDACTED] private parts. [REDACTED] responded with hitting Vargas's hands away from him, it happened several times. Mr. Vargas was giggling and laughing with a friend of his during this event of sexual

assault/harassment and unwanted/unwarranted advances. [REDACTED] wanted to hit him in self-defense, however, I recommended he speak to a MASBA Board Member and inform them of Mr. Vargas behavior. I called on Mr. Jacinto Ramos (TASB Leadership Candidate, Fort Worth ISD), a MASBA Board Member, and explained to him what I had personally witnessed and [REDACTED] at that time; spoke with Mr. Ramos about the assault. Mr. Ramos, also witnessed Mr. Vargas groping [REDACTED] (victim). Mr. Jacinto Ramos agreed to get the situation addressed at the MASBA board of directors meeting the following morning. At this time, MASBA Board of Director/Member, David Espinoza (Grand Prairie ISD), approached us and explained that he had also witnessed and had been aware of Mr. Vargas behavior from the happenings of the previous night. David Espinoza also committed to all of us that he would also address the issue. While we stood there in discussion, MASBA Board Member Al Valarde (El Paso ISD) joined us, which is when Mr. Michael Vargas, aggressively and with the intent to create harm, threw a full glass of drink at me. We were all shocked and couldn't believe what had just happened. The full room got quiet and I asked Mr. Vargas why he had thrown his glass at me. He [Vargas] responded, "Yes, I did and get over it!" He [Vargas] physically motioned for me to walk towards him, as an invitation to physically engage in an altercation. Board members quickly reacted. Board member David Espinoza screamed to him to apologize to me. Mr. Vargas, mockingly said, no and then proceeded to tell him, "Ok, ok, I'm sorry." By this time, other board members had addressed me in ensuring that I was ok and walked out of the room with me. As I was walking out, I was also approached by a young lady, Vargas's friend, an invited guest, and she wanted to start a physical fight with me by being vulgar and disrespectful. I de-escalated the situation by thanking her for her concern of me.

**Note: MASBA board members present that witnessed the situation:**

- **Armando Rodriguez (TASB Board of Director, Canutillo ISD)**
- **David Espinoza (Grand Prairie ISD)**
- **Jacinto Ramos (TASB Leadership candidate, Fort Worth ISD)**
- **Alfonso Velarde (El Paso ISD)**
- **Johnny Betancourt (Amarillo ISD)**
- **Xavier Herrera (TASB Leadership candidate, Stafford MSD)**
- **Marcos Ortiz (Taylor ISD)**

***There were many other elected school board members that were also present and can attest to the sequence of events. Names and contact information can be provided if further information is needed.***

President Garcia, I have chosen to follow up with my formal complaint to you personally because numerous MASBA members shared with me that most likely, no action would be taken on this incident. I was advised to take whatever personal action I needed to in order to ensure that the assault on my person, and that of other MASBA participants, would be addressed, resolved and corrective action taken. Many MASBA members, including MASBA Board of Directors, indicated that the fear of jeopardizing relationships with TASB, MASBA's Partner, as well as MASBA sponsors, would play an active role in the attempt to overlook, dismiss and cover-up this incident.

I was deeply and professionally disheartened to find out that no board members addressed the issue at their formal board of directors meeting that took place on the final day. I was in attendance, as once again, I was told to attend so that I could be heard and address the board. I was not allowed to. I chose to

file a police report (attached) so that the assault of me by board officer Michael Vargas (San Benito ISD and TASB Leadership candidate) would be dealt with by the proper, legal and law enforcement authorities.

This was my first time attending the MASBA state conference, suffice it to say, that the whole ordeal was shocking, humiliating and demeaning to me as a woman. In addition, my experience is a glimpse of the lack of leadership and professionalism demonstrated on behalf of the organization's leadership. It is surprising that TASB would partner, affiliate and allow these representatives to participate in their highly respected programs and serve as TASB Board of Directors. This behavior is prevalent in the culture it has created, in which, women, are cast aside and not included in the direction of the organization. The lack of parliamentary procedure or Robert's rules of order usage or structure, doesn't allow for discussion and feedback, therefore excludes formal participation. Many elected officials (MASBA members), shared with me that the organization, upon the election of Armando Rodriguez (TASB Board of Director, Canutillo ISD) was now a closed group and when one had suggestions or feedback, that it was countered with confrontation and exclusion from meetings. At first, I questioned this; however, I now have the personal experience to understand what is taking place. For example, when I raised a concern and made a recommendation for an improved fair election process, I was asked to leave the meeting regardless of my paid registration or even taking the time to understand of my comments. I later also specifically inquired as to the lack of women leadership on the MASBA board, and was repeatedly told, "They have been at the helm and failed to do anything," thus providing me with a clearer perspective.

In retrospect, it makes sense, that dangerous and illegal behavior exemplified by board officer Michael Vargas (San Benito ISD and TASB Leadership candidate) goes un-addressed. The newly hired Executive Director, Dr. Jayme Mathias (TASB Board of Director, Austin ISD) responded to my formal complaint in person, by telling me that he did not know what to do and that he was new and had not served as an executive director before. I made a formal request to Ricardo Gutierrez (Region 1 ESC) for time on the MASBA Board Business meeting agenda to address the assault incident as well as the board member roles in elections and was not allowed to do so. I attended the board of directors meeting on Sunday, at 9:00 a.m. and had been informed that I would be allowed to speak to the board, however, was not. After the meeting, I addressed the assault issue with Homero Garcia (MASBA Board President), Willie Tenorio (MASBA Board President Elect, TASB Leadership) and Jayme Mathias (MASBA Executive Director, TASB Board of Directors, Austin ISD). At which time, Mr. Mathias informed me yet once again, he did not know what to do but would speak to me about what happened and get detailed information in order to present to the board. I question the Executive Director's prior executive level staff experience and lack of professional preparedness in directing the MASBA organization effectively. Additionally, the only organizational support provided to him [Mathias] at this time, is that of the organization's pro-bono attorney, Kevin O'Hanlon (O'Hanlon Law Firm, MASBA sponsor) who audibly scoffed and gestured that my concerns are/were a joke, and were/are to be dismissed. The MASBA "attorney," failed to disclose himself, as an attorney at law, while the San Antonio police officer was taking my assault report against board officer Michael Vargas (San Benito ISD and TASB Leadership candidate). He [O'Hanlon] forced himself into the conversation I was having with the officer and proceeded to roll his eyes in a dismissive gesture while I was making a formal complaint (police report attached). He [O'Hanlon] was there, he confirmed, at the direction of Armando Rodriguez (TASB Board of Director, Canutillo ISD) to represent the MASBA board against my complaint. However, no formal action or discussion had been taken by the MASBA Board of Directors. The attorney [O'Hanlon]

represented the board in an intimidating (bullish) fashion and disregarded any guidance to the board regarding my assault and sexual harassment allegations. Furthermore, setting the tone for the very lax and unprofessional, exclusive organizational culture.

I am saddened to see that an organization with such exponential potential is suffering from the lack of professional experience, leadership, inclusion strategies and respect for professional women.

I am formally asking the board of directors to remove MASBA board Secretary, Michael Vargas (San Benito ISD and TASB Leadership candidate) from the organization's board of director position for his violation of the organization's by-laws, but also for his illegal behavior while in a drunken stupor, a behavior repeated publicly during your February conference. In addition, I ask that the board of directors seek professional assistance from accredited professional organizations for assistance in professional development in board governance and parliamentary procedures and or building an infrastructure for professional protocol and processes. The hiring of an experienced executive director is warranted and the latter can't take place without previous upper management or executive level work. There is a clear difference in serving in an elected official capacity versus executive level staff.

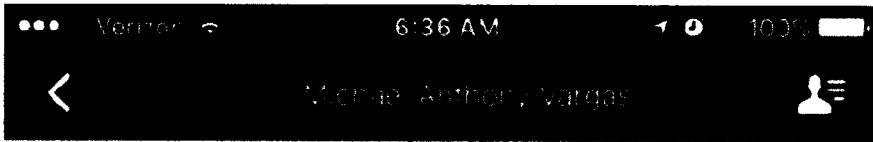
I am committed to follow through with my complaint until it is addressed and corrective action is taken, as I mentioned to Immediate Past-President, Armando Rodriguez (TASB Board of Director, Canutillo ISD) in his response to my call a few days after the conference. I remain respectfully committed to your organization's vision and mission and support of its professional growth, as Latino leadership is desperately needed to champion our nation's growing Latino student's needs.

Respectfully,

A handwritten signature in black ink, appearing to read 'Lydia Hernandez', with a stylized flourish at the end.

Lydia Hernandez  
Cartwright Elementary School District No. 83  
Phoenix, AZ 85031

Our Board member



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POSTS



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