

May 26, 2005

Sarah Wilder
Office for Civil Rights, San Francisco Office
U.S. Dept. of Education
Old Federal Bldg.
50 United Nations Plaza, Room 239
San Francisco, CA 94102-4102

Dear Ms. Wilder,

I am a former student of Western Seminary. I would like to file a retaliation complaint against this school. I am aware of a professor (Jim Sawyer, Ph. D. who talked to Robert Scott), who is also interested in filing a complaint of retaliation against him by this school.

The school does not have any regulated program for Section 504 students. They have no admissions forms for students with disabilities. There is no training at the school for professors or graders regarding ADA – Section 504. There are no policies or procedures for adherence to Section 504 at Western Seminary that require filing of medical records to validate disability diagnosis and treatment, or to provide modified programs for disability students.

Last week I was given a statement by Western Seminary Administrator, Gary Tuck, in which he alleges that his son was covered under ADA – 504 during the time I was grading assistant for Professor Sawyer. Professor Jim Sawyer who has taught at Western Seminary for more than 16 years stated that Gary Tuck (his superior) requested he provide special academic privileges to his adult son, Matt Tuck, while no other students with disabilities, including myself, received grade privileges. Professor Sawyer has stated he was never required to provide student privileges like those his superior Gary Tuck pressured him to provide for his adult son, Matt Tuck. We believe and understand, there are others whom Administrator Gary Tuck approached to circumvent Section 504 requirements for his adult son.

Matt Tuck, a male adult in his twenties, had his father Gary Tuck, an administrator at Western Seminary, circumvent Section 504 requirements. They handled his disability privately without filing any paperwork that contained medical history or evaluation. Matt Tuck was never classified as a person with learning disabilities. Professor Sawyer has provided deposition testimony regarding the special treatment circumvented for Matt. At no time did adult student Matt Tuck file a written request for accommodations for his alleged disability, nor did he prove to the college student services office the legitimacy of a disability or the degree of accommodation needed. The college student services office did not meet with Matt's professors to make an educational plan. Instead, Matt received special treatment by subordinate professors at the direct request of his father, administrator, Gary Tuck in private meetings, Gary Tuck does not have a medical background. Matt graduates this year and this has been going on since 1999. All other students paid the same tuition fees as Matt Tuck. We did not receive equity in services. We believe and understand that this is not the only time, Gary Tuck has circumvented policies and procedures for his adult son at the school, however those issues are not addressed with an OCR complaint.

I have been the subject of retaliation for blowing the whistle about inequity in grading and academic requirements awarded Matt Tuck, and other abuses by Western Seminary. Examples of retaliation include, I was accused of raping a woman twice and having sex with her outside of marriage on several occasions with no evidence to prove this. Neither of those allegations were thoroughly investigated nor were they true. Those allegations were sexual harassment by a disgruntled female student who enrolled, then angrily dropped out of school and moved away before she attended any classes and after she made her allegations. This woman harassed me as others clearly have indicated her goal was to force me to marry her. This woman indicated in writing that she would claim "temporary insanity" to avoid accountability or if questioned regarding her actions. I was not notified of the false allegations or provided pre-hearing documents as required by school policy and law, instead they were destroyed to keep them from me. All of this to end my career at school for standing up against a professor (Gary Tuck), who has had it out for me since the entry at this school.

Western Seminary now admits its negligence and violations. They vengefully railroaded me out of my school program, my degrees I had diligently earned and was to receive in 10 weeks, my related \$30,000.00 tuition fees, my scholastic achievements, and good personal reputation in the university community, while graduating other students who had actually had sex and produced children out of wedlock, which betrays their arbitrary and capricious exercise of authority against me on these trumped up allegations. Further, they unprofessionally gossiped those false

allegations about me in violation of school policy, and state and federal law. They have withheld my school records from me in violation of FERPA, while at the same time they unlawfully released my private school information to 3rd parties. The Family Policy Compliance Office (FPCO) has a complaint on file regarding FERPA issues with this school and is awaiting the end of my lawsuit.

It should be noted and we can prove, that Western Seminary has backdated documents and things, in order to suggest that the documents existed previously, to avoid accountability by authorities.

If my complaint is accepted, I can forward all materials outline here.

Thank you for your help in this matter,

Sincerely,

Randy Chapel

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