

News Clips

Headlines

Rocky Mountain News

Wednesday, March 12, 2008

- Principal in the doc
- Principal Veltze pleads not guilty
- Editorial: Deflecting blame

Denver Post

Wednesday, March 12, 2008

- Former Skinner principal pleads not guilty

CBS 4

Tuesday, March 11, 2008

- Denver School Principal Says She's Innocent

News Channel 13

Wednesday, March 12, 2008

- Principal pleads not guilty to charge of not reporting child abuse

Rocky Mountain News

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Principal in the dock

Prosecuting Skinner school head serves no one's interests

On Tuesday, Denver Skinner Middle School Principal Nicole Veltze pleaded not guilty to a misdemeanor count of failing to report an allegation of child abuse or neglect at her school. Trial is set for June 16, but we hope the charge will be dismissed at a motions hearing set for April 25. Based on what is known about the case, no reasonable jury, in our opinion, would convict her.

When a student came to her on a Friday afternoon in December and reported being inappropriately touched by two classmates, Veltze found herself caught between a legal rock and a hard place. She had to decide whether the incident constituted sexual abuse or harassment.

State law requires school officials to immediately report to governmental authorities any reasonable knowledge or suspicion of "abuse or neglect." But according to Denver Public Schools policy - a policy, incidentally, signed off on by both the Denver Department of Human Services and the Denver Police Department - harassment requires only a report to an administrator in the district's human resources department.

Ultimately, Veltze decided it was a case of harassment and followed all DPS procedures, including informing the girl's parents, whom she arranged to meet with the following Monday.

The next day, however, the parents called the police and Veltze now finds herself in a legal tangle because she didn't report the incident "immediately," never mind that she didn't feel she had to report the incident at all.

What kind of a law is it that requires someone to make a judgment, then punishes them for doing so? A flawed one, in our view. If District Attorney Mitch Morrissey considers such incidents sexual assaults, that's his prerogative. He has effectively communicated that opinion to the district. But he shouldn't be charging principals who, even under the most damning interpretation of their behavior, make what is clearly a well-intentioned mistake.

Veltze didn't try to suppress the incident, hush it up, or fail to punish the perpetrators. If she had done one of those things, it might explain the DA's action. The implications of Veltze's predicament for harried educators are sobering. It's more likely than ever, for example, that they will report every little brush against a buttocks or every kiss an exuberant 5-year-old plants on another 5-year-old.

Roxane White, Denver's Human Services chief, has already complained that additional reports generated in the wake of the Veltze incident have resulted in "huge system problems" for her "stressed staff." And we're sure Police Chief Gerry Whitman is none too pleased by the prospect of a similar flood of reports inundating his department. Each trivial incident reported impairs the ability of authorities to properly pursue more serious cases, and imposes greater costs that must ultimately be paid by taxpayers.

And what about the children involved in all this? Is the fearful overreporting of incidents really in their interests, either?

In a letter last month to his DPS colleagues, DPS legal counsel John Kechriotis noted that both the DA and police department "understand their obligation to provide us guidance" regarding "what incidents / factual circumstances rise to a level that triggers your reporting obligation for child abuse / neglect." We certainly hope Kechriotis is correct. It would be a

shame if the DA's office limited its communication to the blunt instrument of filing charges against what it considers wayward principals.

If the district's instructions for identifying reportable incidents are inadequate - if they tilt decisions too much against reports to police and toward handling incidents as harassment - then they should be revised to reflect the DA's concerns. But prosecute Veltze? Principals would be fools to apply any guidelines so long as she's in the dock. Her prosecution tells them to report absolutely everything - and to let parents, police and social workers clean up the ensuing mess.

Principal Veltze pleads not guilty

By Sue Lindsay, Rocky Mountain News (Contact)

The Denver principal at the center of a controversy over when to report allegations of child abuse pleaded not guilty Tuesday in Denver County Court.

Nicole Veltze, principal of Skinner Middle School in northwest Denver, is charged with a misdemeanor count of failure to report an allegation of child abuse or neglect at her school. Veltze, 37, and her attorney left the brief hearing without comment.

Meanwhile, a parents group defended Veltze and accused prosecutors of throwing the school district into chaos by an overly strict interpretation of the law.

"We're alarmed by the DA's position. We think he's overreaching," said Marco Nunez, an organizer with Padres Unidos, a group of parents and teens who advocate for school reform.

The group is particularly active in northwest Denver and the neighborhood around Skinner.

Nunez said the lack of clarity over the issue is forcing school teachers to report every and any incident, even if it only marginally involves a possible crime.

"It's taking the principal out of the equation," he said. "Principals who use their common sense or discretion are putting their careers at risk."

Last week, defense attorney Richard Caschette filed a motion to dismiss the charge, contending that the law she is accused of violating is unconstitutionally vague.

They also contend that Veltze should be immune from prosecution because she followed DPS policy in handling the Dec. 14 incident of sexual contact between students.

A motions hearing is set for April 25. Trial is set for June 16, but prosecutor Bonnie Benedetti told the judge that plea negotiations are continuing.

The criminal case against Veltze prompted confusion in DPS schools and sparked a surge in calls to city social services and to police by school officials who said they were uncertain of what they needed to report.

Veltze is accused of violating a state law that requires school employees to report suspicions of abuse or neglect to authorities "immediately."

Caschette contends that the law doesn't specify what that means.

According to court documents, Veltze learned at 1:15 Friday, Dec. 14, that two seventh-grade boys had inappropriately touched a girl during class.

By 2:20 p.m. Veltze had obtained statements from both boys and suspended them for five days.

Veltze contacted the girl's mother by phone about 5:15 p.m. and agreed to talk the following Monday about how to proceed. But on Saturday, the girl's parents notified police, and Veltze was called to police headquarters on Sunday.

She was served Jan. 21 with a criminal summons charging her with failing to report child abuse.

lindsays@RockyMountainNews.com or 303-954-5181 John Ensslin contributed to this report.

Editorial

CARROLL: Deflecting blame

By Vincent Carroll, Rocky Mountain News (Contact)

'In Europe," declared Alan Dershowitz upon hearing of Eliot Spitzer's disgrace, "this wouldn't even make the back pages of the newspaper. It's a uniquely American story. We're a uniquely, you know, pandering society and hypocritical society, when it comes to sex."

Leave it to Dershowitz to fault America for Spitzer's predicament.

How would the Harvard law professor actually know that we're a uniquely hypocritical society? How would such a distinction be verified?

Unless Dershowitz has redefined the word "hypocritical," his meaning at least is clear: Those professing dismay over Spitzer's behavior are insincere. Whatever people say in public, nobody really deplores what he did. Americans understand that powerful married men routinely betray their families and buy sex. And that powerful former prosecutors will break the laws they once self-righteously enforced. But Americans are trained to feign outrage - the Puritan legacy and all that - if the powerful men are caught.

If Dershowitz really believes such twaddle, he needs to expand his circle of friends. Americans may not be terribly surprised by Spitzer's behavior, but many do in fact believe that ethical people strive to be faithful to their families and the law. A hypocrite, on the other hand, doesn't actually believe in the taboo he publicly salutes. He sees nothing wrong with the behavior he denounces.

Many Americans may have different values than many Europeans, but that hardly makes either Americans or Europeans hypocritical about sex.

In any case, are Europeans quite as jaded by erotic adventures as Dershowitz would have us believe? Yes, former French President Francois Mitterrand famously kept his mistress and their daughter in an annex to the Elysee Palace, and they appeared at his funeral in 1996 along with his wife. But the French today have not exactly taken a shine to the escapades of President Nicolas Sarkozy, as opinion polls repeatedly confirm.

"Many French were offended when Sarkozy, 53, divorced his wife of 11 years in October and then started romancing Italian model-turned-singer Carla Bruni, 40," according to USA Today. "They married last month. It was like 'staging Desperate Housewives' at the presidential palace, the French daily Le Monde said."

Leave it to Le Monde to drag in an American TV show when searching for a suitably derogatory analogy. Perhaps the newspaper's editors and Dershowitz should compare notes.

A baffling explanation

It wasn't a comedy act, but it had the feel of one when Denver police Chief Gerry Whitman and Chief Deputy District Attorney Lamar Simms appeared before Denver school principals last month to explain the law on reporting child abuse and improper sexual conduct. They made such a hash of the description that they confused rather than clarified the law.

To be fair, however, the two weren't equally at fault. Whitman seemed to know what he was talking about, confirming that the statute says principals can report to social service authorities or to the cops. Incredibly, though, the video of the event shows Simms repeatedly misstating the law, claiming that the requirement that school officials report "to the county department or local law enforcement agency" actually meant reporting only to local law enforcement.

His explanation was baffling. "Denver is unique. Denver is a city, a county and a judicial district. . . . what we expect because we are unique is that you report to the Denver Police Department."

What we expect? What the law expects is what matters.

Simms represents an office that is pursuing a charge against Skinner Middle School Principal Nicole Veltze for failing to report an alleged sexual assault on a female student who was touched inappropriately by two classmates, even though Veltze followed district policy and made no attempt to sweep the incident under a rug. She considered it sexual harassment; the DA disagrees. Fair enough. But rather than make an example of her for no good purpose, DA Mitch Morrissey might have found someone to explain to the district how his office would like principals to distinguish between harassment and assault.

Maybe even Simms could do it, once someone explains to him the meaning of "or."

Vincent Carroll is editor of the editorial pages. Reach him at carrollv@RockyMountainNews.com.

Denver Post

Wednesday, March 12, 2008

Former Skinner principal pleads not guilty

By Jeremy P. Meyer
The Denver Post

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A Denver Public Schools principal charged with failing to report child abuse at her school pleaded not guilty this morning in Denver County court.

Nicole Veltze, 37, who was principal at Skinner Middle School, is accused of not properly notifying authorities regarding an incident of child abuse at her school. Her trial date has been set for June 16 and a motion hearing is scheduled for April 25.

Veltze removed herself as principal and now works in district administration.

The incident at her school that occurred in December has caused consternation within the district, because Veltze has maintained that she was following district policy about when and how to report incidents. The district supports Veltze.

The Skinner Middle School case involved two juvenile boys who allegedly inappropriately touched a girl. Veltze investigated the incident and suspended the boys. The girl's parent, however, notified police and the District Attorney's office determined Veltze had broken state law.

Officials at Denver Department of Human Services say Veltze's case has resulted in a surge of referrals from schools to the DHS child-abuse hotline, jumping from 162 in January to 251 in February, amounting to a 55 percent increase.

CBS 4

Tuesday, March 11, 2008

Denver School Principal Says She's Innocent

Reporting
[Mike Hooker](#)

DENVER (CBS4) — A Denver school principal charged with failing to report suspected child abuse says she is innocent.

Skinner Middle School principal Nicole Veltzay entered a not guilty plea to a misdemeanor charge in court Tuesday morning.

In December Veltzay suspended two seventh grade boys for allegedly inappropriately touching a female student in class.

Prosecutors say Veltzay should have immediately reported the situation to police or human services.

In a court filing Veltzay's attorney states that the law is too vague and says the principal shouldn't be charged because she was following the school district's policy.

The case has prompted other principals in the Denver Public Schools system to ask for more specific guidelines on when they should report suspected abuse.

"I think there are some grey areas, of course, and it would be nice if those were clarified better, but I do think that what they've given us is an idea of what can and can't happen and what we need to do and we're following that policy," Edison Elementary principal Ann Christy told CBS4.

The incident did prompt a memo from the school district to principals stating:

Whenever you have a reasonable basis to suspect possible child abuse or neglect, do not launch your own investigation to prove or disprove that it actually occurred. Do not wait for tomorrow or later to contact DPD or DDHS, as this can expose you to criminal jeopardy. Report the matter immediately.

Veltzay's trial is set for June. A plea agreement is possible.

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News Channel 13

Wednesday, March 12, 2008

Principal pleads not guilty to charge of not reporting abuse

Associated Press - March 12, 2008 12:44 AM ET

DENVER (AP) - A Denver middle school principal charged with failing to report allegations of abuse for an incident in a classroom pleaded not guilty Tuesday.

Nicole Veltze, 37, faces the misdemeanor charge for an incident that happened Dec. 14. Court records indicate that two boys who allegedly inappropriately touched a girl in class at Skinner Middle School were immediately suspended by Veltze, who then called the girl's mother.

The incident happened on a Friday and Veltze said she and the mother decided to talk again on Monday. The mother contacted police on Saturday, leading to the charge.

Veltze's attorney has asked the charge be dismissed, calling it unconstitutionally vague, and said Veltze should be immune from charges because she followed Denver Public Schools policy.

The case has led to a spike in district referrals to police and human services, raising questions about school officials ability to mediate conduct.

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