

To: The Honorable Harold Dutton

From: Kathy Grant

Re: Texas Education Agency

Date: July 23, 2008

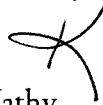
Intimidation is a form of corruption.

Judge Hughes would like to testify.

Here is some more information for you.

Ten pages follow.

Thank you.

A handwritten signature in black ink, appearing to be the name 'Kathy' written in a cursive style.

Kathy

(713) 692-6791

Sometime in early April 2007, the law clerk took a message from Sandy Lowe, general counsel for the Texas Education Agency.

When I returned the call, Sandy asked, "What have you done?" She was quite upset with me. Sandy said that somebody from the Administrative Offices had asked for an investigation.

I told Sandy that it was not me. I also told her that I had done nothing other than talk to some folks at the Attorney General's Office about my inquiries.

Later I learned it was the investigation about Robert Scott and contracts.

A handwritten signature in black ink, consisting of a stylized, cursive letter 'K' followed by a period.

WHILE YOU WERE OUT

FOR Kathy DATE 3/26 TIME 10:48 A.M. P.M.

M. Sophie

OF \_\_\_\_\_

PHONE  FAX  MOBILE 707-774-9665

AREA CODE NUMBER EXTENSION

MESSAGE Is JH available to swear someone in today?

SIGNED [Signature]

FORM 4008

WHILE YOU WERE OUT

FOR A DATE \_\_\_\_\_ TIME \_\_\_\_\_ A.M. P.M.

M. Anita Manley

OF \_\_\_\_\_

PHONE  FAX  MOBILE 5584

AREA CODE NUMBER EXTENSION

MESSAGE Gov + wants transcript of both - wanted to make sure all on record

SIGNED \_\_\_\_\_

FORM 4008

WHILE YOU WERE OUT

FOR \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_ A.M. P.M.

M. 512 305 9274

OF \_\_\_\_\_

PHONE  FAX  MOBILE \_\_\_\_\_

AREA CODE NUMBER EXTENSION

MESSAGE Sandy Lowe

→

SIGNED \_\_\_\_\_

FORM 4008

WHILE YOU WERE OUT

FOR Kathy DATE \_\_\_\_\_ TIME 8:49 A.M. P.M.

M. Sandy Lowe

OF Texas Education Agency

PHONE  FAX  MOBILE 512-305-9274

AREA CODE NUMBER EXTENSION

MESSAGE She should be at her desk this morning

SIGNED [Signature]

FORM 4008

Next page tops removed. both pages 4/10. probably early

Jim Catanzaro (512) 463-2334

4:32 p.m. Aug 10, 2007

DC - I want to make sure to whom I am responding - a citizen or the court.

H - What did she tell you?

DC - She said as a mother, but her email address was the court.

H - She like all employees has permission for limited reasonable use of the court system for personal things.

PHONE CALL	
FOR	DATE 8/9/7 TIME 9:50 A.M. P.M.
M. Jim Catanzaro	
OF	
PHONE (512) 463. 2334	<input checked="" type="checkbox"/> PHONED
AREA CODE NUMBER EXTENSION	<input type="checkbox"/> RETURNED YOUR CALL
MESSAGE Personal	<input checked="" type="checkbox"/> PLEASE CALL
	<input type="checkbox"/> WILL CALL AGAIN
	<input type="checkbox"/> CAME TO SEE YOU
	<input type="checkbox"/> WANTS TO SEE YOU
SIGNED	Universal 48003



"Lynn N. Hughes"

~~lynn.hughes@harris.net~~

08/10/2007 03:44 PM

To "Kathy L. Grant" <Kathy\_L\_Grant@txs.UScourts.gov>

cc

bcc

Subject Call from TEA Inspector

History:

✉ This message has been forwarded.

Dear Kathy:

Having thought about the call over-night, I conclude that his calling to to ascertain whether the message from you was for the court -- after he had had it explained to him by you at least the day before -- was simply an attempt to get you in trouble with me.

It did not succeed.

With best wishes,

LNH

**LYNN N. HUGHES**

UNITED STATES DISTRICT JUDGE

515 RUSK AVENUE, ROOM 11122  
HOUSTON 77002-2605

(713) 250-5900 VOICE  
(713) 250-5650 FACSIMILE





"Catazaro, James"  
<James.Catazaro@tea.state.tx.us>

08/13/2007 03:04 PM

To <Kathy\_L\_Grant@txs.uscourts.gov>

cc "Lowe, Sandy" <Sandy.Lowe@tea.state.tx.us>

bcc

Subject RE: Response

History: This message has been forwarded.

6.  
Kathy:

Let me apologize for your beliefs that I, or my division, cannot fully investigate your concerns. As my prior e-mails indicate, please forward your complaint and supporting documentation (or evidence) to me, at which time I can research your allegations and decide what avenues, if any, I can take. Unfortunately, I simply cannot 'open' an investigation into a generic allegation without more supporting detail. The more details I have relating to your allegation, the easier it will be for me to implement and follow OIG policies and procedures. These policies and procedures dictate how and when the Inspector General can request authority from the Texas Commissioner of Education to open an investigation. Therefore, as I previously mentioned, if you forward your concerns to me with supporting documentation, I can and will give your concerns an honest attempt at answering what the Office of Inspector General can do to investigate those concerns.

James L. Catazaro  
Chief Deputy Inspector General  
Texas Education Agency  
1701 N. Congress Ave.,  
Austin, Texas 78701  
Office: (512) 463-2334  
Fax: (512) 463-3684  
[james.catazaro@tea.state.tx.us](mailto:james.catazaro@tea.state.tx.us)

6.  
**From:** Kathy\_L\_Grant@txs.uscourts.gov [mailto:Kathy\_L\_Grant@txs.uscourts.gov]  
**Sent:** Monday, August 13, 2007 1:30 PM  
**To:** Catazaro, James  
**Cc:** Lowe, Sandy  
**Subject:** Response

Mr. Catazaro:

Having considered your reaction to my complaint over the weekend, I have concluded that you have no intention of doing your job to investigate and report the abuses in TEA's contracts with mediators. You are acting as an apologist for the bureaucracy, not an inspector for the people.

As an affected mother, I continue to discover an agency that is ineffectual, entrenched, and stubborn.

I had sincerely hoped that your office would have taken my complaints and gathered the information that proves the waste, or theoretically, disproves it. Instead of asking me for details to focus your investigation, you trashed my complaining, confronting me with hostility.

After having discussed your pretended concern over my use of my employer's email with me, you called

him. Because you did not have a real question for him, the only possible reason for you to call was to cause trouble at my work. This is reprehensible at best and probably unlawful.

Your responsibility is to make sure that the Texas Education Agency abides by its rules and laws -- state and federal. You are showing that the public's watch dog is, in fact, TEA's guard dog.

Kathy

Kathy L. Grant  
Secretary to Judge Lynn N. Hughes  
United States District Judge  
voice: (713) 250-5900  
fax: (713) 250-5650  
Kathy\_L\_Grant@bxs.uscourts.gov



"Catazaro, James"  
<James.Catazaro@tea.state.tx.us>

08/09/2007 09:37 AM

To <Kathy\_L\_Grant@txs.uscourts.gov>

cc "Lowe, Sandy" <Sandy.Lowe@tea.state.tx.us>

bcc

Subject RE: Procedure for Complaint

History: This message has been forwarded.

Kathy,

I am in receipt of your e-mail and will, at a minimum, review any documentation you supply referencing a "parent's right to a timely, fair and impartial proceeding before a mediator or hearing officer." You can forward your concerns and supporting documentation to me in writing to the address indicated below. Although I cannot guarantee the Office of Inspector General can or will open a full investigation, I will review your concerns and determine what actions, if any, this office can initiate to address your concerns.

I look forward to your written response.

James L. Catazaro  
Chief Deputy Inspector General  
Texas Education Agency  
1701 N. Congress Ave.,  
Austin, Texas 78701  
Office: (512) 463-2334  
Fax: (512) 463-3684  
[james.catazaro@tea.state.tx.us](mailto:james.catazaro@tea.state.tx.us)

**From:** Kathy\_L\_Grant@txs.uscourts.gov [mailto:Kathy\_L\_Grant@txs.uscourts.gov]  
**Sent:** Monday, August 06, 2007 12:12 PM  
**To:** InspectorGeneral  
**Cc:** Catazaro, James; Lowe, Sandy  
**Subject:** RE: Procedure for Complaint

Dear Mr. Catazaro:

Since TimeWarner has been sold to Comcast, my personal email account is in limbo -- the company is changing the email accounts and it not reliable. With the permission of my boss, I may use my work email address. I emailed you to ask the question of how I could get this information to you, with some vague background, so I would not have to write a full report over emails and you could get an idea of what my question was. I thought maybe I could use the traditional mail system if I could get a person's name and address.

You are not responding to this court -- you are responding to a mother of a disabled child. My concerns are not about my child specifically -- they are about every disabled child that is being educated in Texas, and their parent's right to a timely, fair and impartial proceeding before a mediator or hearing officer.

I am not asking you or your office to circumvent anything or deviate from TEA operations or law. All I wanted was some person with complete access to this information to look into my concerns.



Kathy

Kathy L. Grant  
Secretary to Judge Lynn N. Hughes  
United States District Judge  
voice: (713) 250-5900  
fax: (713) 250-5650  
Kathy\_L\_Grant@txs.uscourts.gov

2.



"InspectorGeneral"  
<InspectorGeneral@tea.state.tx.us>  
Sent by: "Catazaro, James"  
<James.Catazaro@tea.state.tx.us>

To <Kathy\_L\_Grant@txs.uscourts.gov>  
cc "Lowe, Sandy" <Sandy.Lowe@tea.state.tx.us>  
bcc  
Subject RE: Procedure for Complaint

08/06/2007 11:25 AM

History: This message has been replied to and forwarded.

Ms. Grant;

I am in receipt of your e-mail and post my response below.

If you would please clarify your role verses the US District Court in this matter. Your e-mail clearly indicates you are an 'official representative' of the US District Court, specifically, Judge Lynn N. Hughes; however, you also indicated in your opening response that you are a "mother of a disabled child trying to get her kid educated in Texas." Although my response would not change with your representation, I would like to know to whom am I responding.

In your e-mail you focused on several vague issues. I have preliminarily discussed your concerns with several appropriate representatives of the Texas Education Agency and have been assured that each issue has been previously addressed. Although my questioning was based on the limited information you supplied, I cannot substantiate a deviation or departure from appropriate law or TEA policies.

I will not pretend to understand your frustrations; however, what I read in your e-mail as concerns, I do not see the correlation to affecting your child's specific educational needs.

If there are violations or deviations from law or TEA operations policies, I would be more than happy to discuss them with you. What I cannot do is work as an avenue to circumvent decisions previously made by others.

If you feel there is more information that could lead the Inspector General Division in substantiating a violation of law, rules, or policies, please feel free to contact me.

James L. Catazaro  
Chief Deputy Inspector General  
Texas Education Agency  
1701 N. Congress Ave.,  
Austin, Texas 78701  
Office: (512) 463-2334  
Fax: (512) 463-3684  
[james.catazaro@tea.state.tx.us](mailto:james.catazaro@tea.state.tx.us)

**From:** Kathy\_L\_Grant@txs.uscourts.gov [mailto:Kathy\_L\_Grant@txs.uscourts.gov]  
**Sent:** Thursday, August 02, 2007 4:51 PM  
**To:** InspectorGeneral  
**Subject:** Procedure for Complaint

Dear Sir/Madam:

I am the mother of a disabled child trying to get her kid educated in Texas.

Since March or April, I have been researching the contracts and the application process for the special education mediators and hearing officers. I have discovered departures from the agency's rules in awarding certain contracts.

One mediator's license was inactive with the bar and had a \$100,000 contract even though the agency's rules are that the mediator must currently be in good standing and have been continuously in good standing.

One mediator sits on the school board of Devine ISD. I know that he does not get assigned cases in the Devine ISD, but to me, it seems to be a conflict of interest and should be investigated.

In February, the 2005 State Performance Plan shows that only four or five cases were decided within the federally-mandated timelines for hearings. Yet, Texas paid these lawyers about \$1.2 million for this non-compliance.

Could you please tell me how best to get the information to you?

Thank you.

Kathy

Kathy L. Grant  
Secretary to Judge Lynn N. Hughes  
United States District Judge  
voice: (713) 250-5900  
fax: (713) 250-5650  
Kathy\_L\_Grant@txs.uscourts.gov

Jim Catanzaro (512) 463-2334

4:32 p.m. Aug 10, 2007

DC - I want to make sure to whom I am responding - a citizen or the court.

H - What did she tell you?

DC - She said as a mother, but her email address was the court.

H - She like all employees has permission for limited reasonable use of the court system for personal things.



PHONE CALL	
FOR <u>Jim Catanzaro</u>	DATE <u>8/9/7</u> TIME <u>9:50</u> A.M. P.M.
M <u>Jim Catanzaro</u>	<input checked="" type="checkbox"/> PHONED
OF _____	<input type="checkbox"/> RETURNED YOUR CALL
PHONE <u>(512) 463-2334</u>	<input checked="" type="checkbox"/> PLEASE CALL
AREA CODE NUMBER EXTENSION	<input type="checkbox"/> WILL CALL AGAIN
MESSAGE <u>Personal</u>	<input type="checkbox"/> CAME TO SEE YOU
<u>H</u>	<input type="checkbox"/> WANTS TO SEE YOU
SIGNED	Universal 48003



"Lynn N. Hughes"  
[REDACTED]

08/10/2007 03:44 PM

To "Kathy L. Grant" <Kathy\_L\_Grant@txs.UScourts.gov>

cc

bcc

Subject Call from TEA Inspector

History:

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Dear Kathy:

Having thought about the call over-night, I conclude that his calling to to ascertain whether the message from you was for the court -- after he had had it explained to him by you at least the day before -- was simply an attempt to get you in trouble with me.

It did not succeed.

With best wishes,

LNH

**LYNN N. HUGHES**

UNITED STATES DISTRICT JUDGE

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