

**INVESTIGATIVE REPORT
OF PULLMAN & COMLEY LLC**

**SUBMITTED TO
OFFICE OF LEGAL AFFAIRS FOR
THE CITY OF STAMFORD, CORPORATION COUNSEL**

APRIL 28, 2015

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INTRODUCTION AND EXECUTIVE SUMMARY

I. INVESTIGATION

A. SCOPE OF INVESTIGATION

The City of Stamford Corporation Counsel retained Pullman & Comley, LLC (“Pullman and Comley” or the “Firm”) in December 2014 to conduct an investigation into the alleged failure of Stamford Board of Education (the “District”) staff, teachers and administrators to respond appropriately and report allegations that Danielle Watkins, a Stamford High School (“SHS”) English teacher, engaged in sexual misconduct with one of her senior English students and improperly provided her vehicle to that student and marijuana to another student. In accordance with the confidentiality provisions set forth in the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g (“FERPA”), this Report will not reference any student by name or other personally identifiable information. V1 refers to the student with whom Ms. Watkins had sexual relations. V2 refers to the student who was provided marijuana by Ms. Watkins.

At the time of retention, Pullman & Comley both provided to, and received a commitment from, the Corporation Counsel that the investigation would be thorough, comprehensive and objective, and that no restrictions of any type would be imposed on the scope of the investigation or its ultimate findings and conclusions. In keeping with that commitment, this Report is submitted to the Office of Corporation Counsel and sets forth: (1) a detailed factual narrative of the events in question and (2) relevant and important background information that shapes the report’s findings of the multiple administrative and systemic failures that permitted the teacher’s misconduct to go unchallenged, unreported and unremedied until it was finally reported on June 23, 2014 by VI to a counselor, and then to the District and proper authorities.

B. INVESTIGATIVE TEAM

Pullman & Comley's investigative Team ("the Team") is comprised of the following: (1) Atty. Michael P. McKeon, a member of the Firm's School Law and Labor, Employment and Employee Benefits Departments. Mr. McKeon has over 25 years of experience representing boards of education, municipalities and private sector employers; (2) Atty. Steven J. Bonafonte, co-chair of Pullman & Comley's Cybersecurity, Privacy & Infrastructure practice group, who has extensive experience in conducting corporate and public sector investigations; (3) Attys. Rachel L. Ginsburg and Zachary D. Schurin, associates in the Firm's Labor, Employment Law and Employee Benefits Department, who also represent boards of education, municipalities and private sector entities on a wide range of matters; (4) Kristen F. Perkins, a paralegal in the Firm's Litigation Department, who has coordinated the production and analysis of both written and electronic documents in various investigations, including corporate and municipal; and (5) Retired Judge Robert L. Holzberg, who served 23 years as a judge of the Connecticut Superior Court. The investigation was coordinated and supervised by Judge Holzberg. The Team's biographies are attached as Exhibit A.

C. THE INVESTIGATIVE PROCESS

The investigation consisted of three phases: (1) document and data collection and review; (2) witness interviews; and (3) analysis of the information obtained from the documents and data collected and interviews.

1. DOCUMENTS

The Team submitted requests for and received records from: SHS, the Office of the Superintendent of Schools ("Central Office"), the Department of Children and Families ("DCF"), the Stamford Police Department ("SPD"), and the law firm of Shipman & Goodwin, LLP, counsel to the Board of Education. In addition, the Team received over 400,000 emails

from the accounts of staff, teachers and administrators who the Team determined were relevant to this investigation. The emails were subjected to a sophisticated data analytics software program utilized by the Team's Litigation Department, to narrow the emails before thoroughly reviewed by the Team. The other documents, totaling thousands of pages, were read and reviewed by Team members. In addition, the Team undertook a detailed analysis of the applicable law, including the mandated reporting requirements set forth in state statutes, the criminal code provisions relating to sexual relationships between a teacher and student and Title IX requirements prohibiting sexual harassment in secondary schools. A listing of all documents requested and received as a part of this investigation is set forth in Exhibit B.

2. INTERVIEWS

The Team interviewed or spoke with 48 persons who had either direct or indirect knowledge of the events in this case. The individuals interviewed include: Dr. Winifred Hamilton, the Superintendent of Schools; Dr. Michael Fernandes, the Assistant Superintendent of Secondary Education; Dr. Stephen Falcone, the Executive Director of Human Resources; Dr. Donna Valentine, the SHS Principal; Matthew Forker, Angela Thomas-Graves and Roth Nordin, all SHS assistant principals and SHS teachers, staff and security personnel. Also interviewed were SPD officers, staff and administrators of [REDACTED], [REDACTED], counsel for DCF and attorneys from Shipman & Goodwin, LLP. The two victims and Danielle Watkins declined to be interviewed, but the Team spoke with their counsel. Individual interview time ranged from 30 minutes to 7 hours. A list of all persons

interviewed by the Team is found at Exhibit C.¹ For the sake of clarity the following table represents a list of key witnesses interviewed by the Team.

Stamford Public Schools ("Downtown" or "Central Office")		
	Dr. Winifred Hamilton	Superintendent
	Dr. Michael Fernandes	Assistant Superintendent
	Dr. Stephen Falcone	Executive Director of Human Resources
Stamford High School "SHS"		
	Dr. Donna Valentine	Principal
	Matthew Forker	Assistant Principal
	Angela Thomas-Graves	Assistant Principal
	Roth Nordin	Assistant Principal
	Officer James Stackpole	School Resource Officer
	Curtis Timmin	Head of Security
	James Jordan	Security Guard
	Kimberly Wheeler	Teacher
	James Cooney	Social Worker

In addition, the Team met with SHS teachers, counselors and representatives from the Connecticut Education Association ("CEA") and the Stamford Education Association ("SEA"). The purpose of these meetings was to assess the claim asserted by various teachers that since 2011, SHS teachers and staff have been reluctant to report teacher misconduct because of the belief that such reports will result in retaliation by either the school or District administration.²

¹ In order to maintain the integrity of the investigation, all requests for documents and witness interviews were submitted to the Office of Corporation Counsel, which coordinated both the production of documents and the scheduling of interviews with the assistance of Pullman & Comley support staff. The Team acknowledges the invaluable assistance of the Corporation Counsel whose cooperation resulted in significant time and cost savings.

² Those who make this assertion point to the 2011 complaint by four assistant principals against Dr. Valentine for some of her management decisions, including her decision not to discipline a male SHS teacher who allegedly had improper physical contact with a female student. Three of the four assistant principals who complained were subsequently transferred out of SHS to other district schools at the request of Dr. Valentine and with the approval of Dr. Hamilton. The details of the 2011 incident are set forth more specifically in Section IV.

As an outgrowth of the Team's conversations with teachers and union representatives, the CEA distributed to SHS teachers a "climate survey" designed to assess the teachers' perception of the effectiveness of the Superintendent's Office in responding to the various issues raised by Ms. Watkins' misconduct. The results of that survey are contained in Exhibit D, and discussed more fully in Section IV.

Based on a comprehensive analysis of documents reviewed and the witnesses interviewed, a detailed factual narrative is set forth in Sections V, VI and VII. Because of the complexity of the facts and the contradictory statements provided by the key participants in this investigation, we first set forth a: (1) statement of essential facts; (2) summary of key conclusions and findings; and (3) historical context and background that frames our understanding of the responsibility and conduct of the parties involved.

D. SUMMARY OF ESSENTIAL FACTS

As set out more specifically in the Detailed Factual Narrative, the investigation revealed the following:

1. For a number of years preceding academic year 2013-2014, SHS administrators were aware that Danielle Watkins had a number of serious deficiencies with respect to both classroom performance and attendance. In 2013-2014 she was assigned to teach a senior English class in which V1 was enrolled.
2. Those concerns heightened in the fall of 2013 and early 2014 as her unexcused absences and tardiness accelerated following the birth of her second child.
3. In the fall of 2013 and early 2014, V1 was known by teachers, the Guidance Department, assistant principals and school security to have been repeatedly absent from classes and when in school, to be frequently wandering in the hallways.
4. In late 2013 and early 2014, the mother of V2 complained to SHS teachers and administrators on several occasions, both verbally and in writing, that her son was skipping classes and on at least one occasion, notified an administrator that her son was obtaining and smoking marijuana while at school.

5. As early as February/March 2014, students reported to security guard, James Jordan, that Ms. Watkins was involved in a sexual relationship with V1, and that she was allowing V1 to drive her cars off campus during school hours.
6. Mr. Jordan brought these rumors to the attention of SHS Assistant Principal Roth Nordin and Principal Dr. Donna Valentine who indicated that "they were aware of" or "were looking into them."
7. In February/March 2014, an [REDACTED], notified one of the school resource officers and Dr. Valentine, that Ms. Watkins was frequently calling V1 and driving him to and from school and expressed concern that such conduct was perhaps inappropriate.
8. On May 13, 2014, a SHS student spoke in detail with his peers in the presence of a teacher about the alleged sexual relationship between Ms. Watkins and V1. The student remarked that "everybody in the school knows about it."
9. The teacher reported this conversation to Assistant Principal Angela Thomas-Graves the following day, who then reported it to Ms. Nordin.
10. In April/May, 2014, as the reports of sexual misconduct and improper use of Ms. Watkins' vehicle(s) accelerated, Dr. Valentine initiated an "investigation" into these allegations.
11. Dr. Valentine's "investigation" involved surveillance of Ms. Watkins by SHS assistant principals, SHS security guards, SPD school resource officers, and a student informant.
12. Dr. Valentine's "investigation" also included a records check by the SPD of the registration status of Ms. Watkins' cars,³ the license status of V1, and a request by Dr. Valentine that the SPD provide an unmarked car to surveil Ms. Watkins' vehicles and the comings and goings of her and V1.
13. Details about the investigation were communicated in coded language ("the bird has left the cage," signifying that Ms. Watkins left the school) over the school walkie-talkie system and via text messages on personal cell phones of the principal, school security guard and the student informant.
14. Until June 6, 2014, the details of the "investigation" and surveillance were never documented in official school records, reports or communications.
15. In late May 2014, but by no later than June 3, 2014, Dr. Valentine notified Dr. Michael Fernandes, the Assistant Superintendent of Secondary Education, and Dr.

³ Ms. Watkins drove two vehicles, one of which the record check determined was unregistered.

Stephen Falcone, the Executive Director of Human Resources, of the allegations that Ms. Watkins was involved in "an inappropriate relationship" with one of her students.

16. On June 3, 2014, Dr. Fernandes and the District's outside legal counsel, Attorney Christopher Tracey of the law firm of Shipman & Goodwin LLP, discussed these allegations. Attorney Tracey instructed Dr. Fernandes to direct Dr. Valentine to obtain written statements from those SHS staff and administrators with information about the "inappropriate relationship."
17. On June 6, 2014, Dr. Valentine faxed Dr. Fernandes signed statements from herself, Mr. Jordan, Assistant Principals Roth Nordin and Matthew Forker, and teacher Kimberly Wheeler, summarizing the allegations that Ms. Watkins was engaged in sexual misconduct with V1 and also allowing V1 to use her vehicles. Dr. Fernandes shared those statements with Dr. Falcone that same day. These statements are attached as Exhibit E.
18. Mr. Jordan's original statement sent to Dr. Valentine stated that he first learned of the rumors that Ms. Watkins was having sexual relations with V1 in "February or March" of 2014. Dr. Valentine transferred Mr. Jordan's typed statement to SHS letterhead, asked him to sign it, and then provided him with a copy. Unbeknownst to Mr. Jordan, the version that Dr. Valentine asked Mr. Jordan to sign is not the version that Dr. Valentine faxed to Dr. Fernandes. The version Dr. Valentine sent to Dr. Fernandes contained a material alteration: the time that he first learned of and reported the rumor concerning Ms. Watkins and V1 was changed from "February or March" to "March or April." A copy of all of Mr. Jordan's written statements are attached as Exhibit F.
19. The statement from Mr. Jordan reports that he was informed in February or March of 2014 that Ms. Watkins was "F--king V1." Despite having been fully aware of the specific language used by the student, Dr. Valentine, Ms. Nordin, Mr. Forker, and later, Dr. Fernandes, and Dr. Falcone persisted in referring to the sexual misconduct of Ms. Watkins as either an "inappropriate relationship" or a "relationship irregularity." Despite their repeated use of these phrases, school and District administrators conceded in their interviews with the Team that they fully understood and appreciated that "relationship irregularity" and "inappropriate relationship" clearly and specifically referred to a sexual relationship between Ms. Watkins and V1.
20. No later than June 11, 2014, Dr. Fernandes and Attorney Tracey discussed the written statements. Attorney Tracey claims he advised Dr. Fernandes at that time to place Ms. Watkins on administrative leave and to obtain a written statement from the student who initially reported the allegation of sexual misconduct.
21. Dr. Fernandes vehemently denies that Attorney Tracey ever advised him to place Ms. Watkins on administrative leave.

22. Attorney Tracey insists that following his conversation with Dr. Fernandes on or about June 11, 2014 there were no further discussions with Attorney Tracey about this matter until mid-July 2014.
23. On June 18, 2014 a written statement was finally obtained from the student who reported his concerns to his teacher, Ms. Wheeler, in May. The student statement was faxed to Dr. Fernandes and Dr. Falcone that same day. The student's June 18, 2014 statement is attached as Exhibit G.
24. Upon receipt of the student's statement on June 18, 2014, Dr. Fernandes made the decision to put Ms. Watkins on administrative leave and directed Dr. Falcone to initiate the necessary paperwork. The written notice advising Ms. Watkins of a hearing to discuss the District's decision to place her on administrative leave did not cite alleged sexual misconduct with the student or her allowing a student to use her vehicles. Rather, the notice stated she was placed on leave because of "concerns raised by the administration of Stamford High School." A copy of the notice Ms. Watkins received is attached as Exhibit H.
25. Approximately a day or two before the hearing, Ms. Watkins told V1 that on June 23, 2014 she was going to be placed on administrative leave and predicted that it was likely related to her sexual relationship with him.
26. On June 23, 2014, the very same day of Ms. Watkins' administrative hearing, V1 confided to [REDACTED] that Ms. Watkins was having sexual relations with him. [REDACTED] notified SHS administrators who directed that this allegation be immediately reported to DCF. [REDACTED] also notified Dr. Hamilton who instructed Dr. Falcone to report this information to DCF and the SPD.
27. On June 23, 2014, a brief administrative hearing was held and presided over by Dr. Falcone. According to notes taken at the hearing, Ms. Watkins was advised that she was being placed on administrative leave for performance reasons, a recent drug arrest and because of "allegation[s] of [an] inappropriate relationship with a student." Ms. Watkins received formal notice of her leave following the hearing, which again advised her that she was being placed on administrative leave with full salary and benefits pending an investigation due to "concerns raised by the administration of Stamford High School." A copy of this notice is attached as Exhibit I.
28. Ms. Watkins' sexual misconduct with her student is a felony, a violation of Title IX and a reportable event under the mandated reporting laws but was not reported within the required 12-hour timeframe by Dr. Valentine, Roth Nordin, Angela Thomas-Graves, Dr. Fernandes or Dr. Falcone, all of whom had reasonable suspicion of Ms. Watkins' abuse.
29. V1's 18th birthday was in [REDACTED] 2014. As early as November 2013, SHS had written notice, directed to Assistant Principal Angela Thomas-Graves, that school records had an incorrect date of birth for V1. This email provided Ms. Thomas-Graves with his

correct birth date. V1's school records were not corrected. A copy of the e-mail sent to Ms. Thomas-Graves is attached as Exhibit J.

30. SHS and Central Office administrators claimed that they did not make a report to DCF prior to June 23, 2014 because they believed, albeit erroneously, that V1 was over the age of 18 and therefore, no such report was required. Their understanding of V1's age and the law was incorrect. In fact, whether a report to DCF was legally required was never explicitly considered, discussed or analyzed by District administrators or outside legal counsel until after the SPD opened a criminal investigation into this matter following V1's disclosure on June 23, 2014.
31. Regardless of their understanding of what their legal obligations were, from February to June 23, 2014, no one at SHS confronted Ms. Watkins about the allegations of sexual misconduct or attempted to intervene to protect V1 from Ms. Watkins. Nor did anyone question V1 about the allegations or check on his well-being.
32. From the end of May (when Drs. Fernandes and Falcone learned of the allegations concerning Ms. Watkins) through June 23, 2014, neither Drs. Fernandes nor Falcone reported the allegations to the SPD or DCF.
33. Prior to June 23, 2014, neither Drs. Fernandes nor Falcone approached Ms. Watkins or V1 about the allegations or intervened to stop the behavior or inquire as to V1's well-being.
34. Drs. Fernandes, Falcone and Hamilton insist that Dr. Hamilton was not informed of the allegations of sexual misconduct prior to June 23, 2014. Dr. Valentine insists, however, that she told Dr. Hamilton about these allegations on at least two occasions prior to June 23, 2014.
35. Dr. Hamilton agrees that as CEO of the District she should have been immediately advised of the allegations concerning Ms. Watkins, but could not explain why she was not informed.
36. Dr. Falcone and Dr. Fernandes contend that they did not advise Dr. Hamilton of the June 6, 2014 written statements because they viewed the allegations concerning Ms. Watkins as a "personnel matter" and not every personnel issue is referred to the Superintendent.

E. SUMMARY OF KEY CONCLUSIONS

The lengthy and exhaustive investigative process revealed multiple avoidable failures by both the SHS administration and the Superintendent's Office. These failures fall into two broad categories: (1) the failure to properly appreciate and respond to numerous early warnings that should have alerted staff, teachers and administrators to troubling conduct and performance

issues of both the teacher and student; and (2) the failure by SHS and Central Office administrators to timely and decisively respond to the specific and credible allegations that Ms. Watkins was engaged in sexual misconduct with her student.

Specifically, we conclude that SHS Principal Dr. Valentine, and Assistant Principals Angela Thomas-Graves and Roth Nordin failed to:

1. Protect V1⁴;
2. Comply with their statutory obligation to report the allegations to DCF;
3. Comply with their statutory obligation to report the allegations to the SPD;
and
4. Intervene to stop Ms. Watkins' illegal conduct.

With respect to Central Office, we conclude that Drs. Fernandes and Falcone failed to:

1. Protect V1;
2. Comply with their statutory obligation to report the allegations to DCF;
3. Comply with their statutory obligation to report the allegations to the SPD;
and
4. Intervene to stop Ms. Watkins' illegal conduct.

We also conclude that the Superintendent of Schools, Dr. Winifred Hamilton, who by state statute is the Chief Executive Officer of the Stamford School System, has failed to:

1. Provide an explanation why an issue of this magnitude was not immediately presented to her or why she failed to learn of it until June 23, 2014; and
2. Provide timely, legally-required mandated reporter and sexual harassment training to District employees;
3. Maintain adequate and accurate records of legally-mandated training.

These failures emerge against the backdrop of a High School laboring under: (1) continual administrative turnover and leadership that was repeatedly characterized by staff and administrators as "dysfunctional;" (2) a confusing and inconsistent chain of command that allows SHS administrators to claim that responsibility for responding to, and correcting teacher or pupil

⁴ The Team did not discover any evidence to suggest that administrators at SHS or Central Office were aware of V2's use of Ms. Watkins' vehicles or her providing marijuana to him. However, as discussed in greater detail below, had administrators been more responsive to V2's mother's repeated complaints about V2's skipping of classes and marijuana use during school hours, they could have discovered that V2 was leaving school with Ms. Watkins to smoke marijuana.

misconduct, rests with other administrators; (3) a strained and confusing relationship with the Superintendent's Office with respect to teacher discipline which allows both the School and District administration to claim that the other is responsible for failure to respond properly to the allegations of misconduct; (4) a pervasive attitude that the issues giving rise to this investigation involved questions of "teacher performance" and not student safety; (5) a dedicated and committed faculty that is still troubled by the after-effects of the 2011 SHS administrative shakeup that resulted in the involuntary transfer of three assistant principals; and (6) the failure of certain staff, teachers and key administrators to fully understand and appreciate and discharge their obligations as mandated reporters; and (7) the insistence on using euphemisms such as "inappropriate relationship" or "relationship irregularity" to describe the misconduct, thereby failing to explicitly confront or acknowledge the gravity of the allegations and harm to the victim.

The systemic failures identified in this investigation also emerge against the backdrop of a Central Office that (1) has suffered from significant administrative turnover in the offices of the Assistant Superintendent and Human Resources; (2) is perceived by teachers and school administrators to be intolerant of criticism; (3) is viewed as not supportive of school administrators' efforts to manage, discipline or remove teachers with documented deficiencies; (4) has failed to provide timely or adequate training on mandated reporting and Title IX obligations; (5) whose own leadership has failed to understand or discharge its obligations to both comply with mandated reporting requirements and to intervene decisively and appropriately when the allegations concerning Danielle Watkins were presented to it; (6) like SHS administrators, has viewed the allegations as one involving "teacher performance or discipline" and not as one of student safety; and (7) like the SHS administrators, used euphemisms such as

“inappropriate relationship” or “relationship irregularity” to describe the misconduct, thereby failing to explicitly confront or acknowledge the gravity of the allegations and harm to the victim.

HISTORICAL CONTEXT AND BACKGROUND

In the course of its investigation, the Team learned that there is significant historical and background information that is critical to understanding the difficult issues in this matter. These include:

- the history of Danielle Watkins’ teaching career and well documented performance issues;
- the background and educational histories of V1 and V2;
- the behavior and educational performance of V1 during the 2013-2014 school year;
- the administrative upheaval at SHS and the strained relationship between the principal and assistant principals arising out of the hiring of Dr. Valentine and the 2011 reassignment of three assistant principals;
- the confusing and conflicting lines of authority within the High School with respect to both pupil and teacher discipline;
- the turnover in the offices of Assistant Superintendent and Human Resources;
- the law governing sexual harassment, sexual assault and mandated reporting requirements, including the age of a victim of abuse or neglect;
- the absence of meaningful, system wide training prior to 2014 on mandated reporting and sexual harassment; and
- the perceptions of certain teachers and administrators that complaints about teacher or administrator misconduct will be either ignored or the subject of retaliation by school or district administrators.

The following summarizes background information that is critical to an understanding of this material.

II. DANIELLE WATKINS

Prior to her arrest, Ms. Watkins worked as an English teacher at SHS for approximately nine years and was granted tenure in 2009. By all accounts from those who supervised Ms. Watkins, including Beth Gillin, the English Department Head,⁵ and Ms. Nordin, the Assistant Principal responsible for the English Department, Ms. Watkins had a history of absenteeism and other performance deficiencies dating back to 2011.⁶

A review of Ms. Watkins' personnel file reveals that she nearly exhausted her 19 day contractually allotted paid time off (sick, personal and family illness days) in 2011, 2012 and 2013, and exceeded them during the 2013-2014 school year. Ms. Watkins' absenteeism was particularly problematic because she often did not give Ms. Gillin advance notice of her absence or arrange for substitute teacher coverage.⁷ Ms. Watkins would often notify Ms. Gillin a half hour or so before the start of the school day that she would be out and sometimes, did not notify her at all. According to Ms. Gillin, in such instances, she would have to scramble to arrange for coverage and would deploy other teachers in the Department to supervise Ms. Watkins' classes until a substitute could be located. On at least one occasion, Ms. Watkins' failure to give proper advance notice caused the District to incur extra expense in the form of payment to a substitute who was forced to cover Ms. Watkins' class during their free period. In an e-mail dated October

⁵ Department Heads play a role in hiring, setting the curriculum, identifying topics for professional development seminars for staff, class placement and scheduling and arranging for substitute teacher coverage when a teacher is absent or on leave. Department Heads are not involved in tenured teacher evaluations or discipline. Those responsibilities are within the exclusive purview of the assistant principals who oversee the departments in which those teachers and staff work. Thus, Ms. Nordin was Ms. Watkins' supervisor for purposes of discipline, formal in-class observations and annual evaluations.

⁶ Ms. Nordin was transferred from Westhill High School to SHS in 2011. She told the Team that concerns regarding Ms. Watkins' performance predated her, but were not properly documented by her predecessor.

⁷ The District subscribes to a program called "Subfinder" which teachers are supposed to use to arrange for coverage when they are absent.

30, 2013, Ms. Nordin wrote to Ms. Watkins: "This is totally unacceptable. You are putting an added burden on your peers, and costing the District added money."

And when Ms. Watkins did arrange for substitute coverage, she frequently neglected to leave lesson plans, or left lesson plans that were so cryptic and unintelligible, that Ms. Gillin had to design plans so Ms. Watkins' students did not go without focused, curriculum-based learning.

In addition to her excessive absenteeism, Ms. Watkins also had difficulty arriving to school on time and working her contractually scheduled hours: 7:10 AM to 2:15 PM. Teachers are required to arrive at 7:10 AM with the first period class slated to begin at 7:25 AM, and to stay fifteen minutes after the last class period ends. James Jordan, the security guard stationed on the second floor where Ms. Watkins' classroom was located, told the Team that Ms. Watkins was late so often that he frequently had to unlock the classroom door to allow her first period students in and would supervise them until she arrived. Ms. Watkins would also leave school early without notifying anyone. Mr. Jordan told the Team that there were times when he walked by Ms. Watkins' classroom and students were sitting in there unattended.

Ms. Watkins' personnel file contained numerous written warnings from Ms. Nordin about this misconduct in 2011, 2012, 2013 and 2014. In fact, Ms. Watkins' absenteeism was so frequent, particularly during the 2013-2014 school year (approximately 26 days),⁸ that in April 2014, Ms. Nordin recommended to Ms. Watkins that she avail herself of the District's Employee Assistance Program. Specifically, Ms. Nordin wrote:

According to the District's attendance tracking system, you have exhausted the allowed absences allotted by the SEA contract. Please know that we are very concerned, and if there is anything that the administrative Team can do for you, let us know.

⁸ E-mail correspondence between Ms. Gillin and Ms. Nordin reveals that there were periods of time during the 2013-2014 school year where they communicated about Ms. Watkins' absences or tardiness at least two or three times a week. Dr. Valentine was also apprised.

Ms. Nordin told the Team that despite her repeated and persistent counseling of Ms. Watkins and numerous disciplinary write-ups, Ms. Watkins' attendance did not improve. Ms. Nordin and Ms. Gillin described Ms. Watkins' attitude as one of indifference.

Ms. Nordin explained that sometime during the 2013-2014 school year, she reached out to Human Resources for advice on Ms. Watkins' pattern of absenteeism and tardiness in hopes that more severe disciplinary action could be taken against her.⁹ Ms. Nordin said that she was told by Susan Paley, former Assistant Director of Human Resources, that such violations "were not enough" to warrant termination. Ms. Paley stated that she likely gave Ms. Nordin this advice because the teacher's contract does afford teachers a certain number of days of paid time off and while few teachers use all of their allotted time except in extraordinary circumstances, they are entitled to it. Ms. Nordin and Ms. Gillin expressed frustration with Human Resources' response which appeared to suggest to them that if disciplinary action were taken against Ms. Watkins, the teacher's union would raise a claim of "selective enforcement" because many of the teachers with the same record were not disciplined.

Ms. Watkins' deficiencies, however, were not limited to absenteeism and tardiness. Ms. Watkins failed to fulfill many of her professional obligations, some of which were mandated by contract, such as attending monthly department meetings, faculty meetings, and professional development programs. She also failed to meet deadlines with respect to the submission of district exams, grades and student progress reports and was not responsive to e-mails from administrators or fellow teachers.

⁹ Assistant principals and principals do not have the authority to issue discipline beyond verbal and written warnings. Decisions regarding suspension, administrative leave and termination can only be made by an Assistant Superintendent and/or Human Resources.

The quality of Ms. Watkins' instruction was also lacking. Ms. Gillin stated that Ms. Watkins' methodology was not student-centered as required by Common Core. Ms. Nordin and Dr. Valentine had similar complaints based on their formal and informal observations of Ms. Watkins' teaching. Dr. Valentine stated that on one of her visits to Ms. Watkins' classroom, she noticed that the students were simply reading passages from text aloud and were not engaged; some students were even on their cell phones and were not reprimanded for it. On another visit, Dr. Valentine observed Ms. Watkins sitting at her desk eating an apple with the classroom lights off and the students were chatting and not on task.

Thus, Ms. Watkins' attendance and performance issues were significant and known to school and District administrators, but were not addressed. When the allegations of her misconduct surfaced in February/March of 2014, alarms should have, but failed to sound at either SHS or at Central Office.

III. V1'S ENROLLMENT AT STAMFORD HIGH SCHOOL¹⁰

Prior to entering the District, V1 had a troubled past and complicated educational profile.

[REDACTED]
[REDACTED] V1
also grew up in an unstable home environment, which lacked regular adult supervision, [REDACTED]
[REDACTED].

Recognizing that a change of environment might be beneficial for V1, [REDACTED]

[REDACTED] enrolled him at SHS prior to the start

¹⁰ Although this report focuses primarily on V1, who was sexually assaulted by Ms. Watkins, V2 was also a victim of her impaired judgment and illegal conduct. V2 was provided marijuana by Ms. Watkins, smoked it with her and drove around in Ms. Watkins' car with her. Because of V2's prior history of substance abuse and other issues, his mother, who became aware of her son's marijuana use while at school, complained to his teachers and Assistant Principal Angela Thomas-Graves about his access to marijuana during school hours. Her pleas went unheeded, perhaps because V2's mother, who is an aggressive advocate for her son, was regarded as a complainer. She was described by Ms. Thomas-Graves as a "very litigious parent."

of his senior year. The 2013-2014 school year was V1's first year in the District, and first year at SHS. He arrived at SHS as [REDACTED].¹¹

[REDACTED]
[REDACTED]
[REDACTED]. Ms. Thomas-Graves originally enrolled V1 in a full course load. However, since V1 was skipping most of those classes, Ms. Thomas-Graves decided, [REDACTED]¹²
[REDACTED], that reducing his course load might improve his attendance and, in turn, his grades. V1 had excelled academically in his prior district, earning grades of As and Bs.

V1's course load was reduced from five to three classes, including: (1) English 12 with Ms. Watkins, which V1 needed to pass to graduate; (2) an elective, and (3) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED].
According to Stamford High School administrators with whom the Team spoke, it is not uncommon for students who have taken a full load of courses in ninth-through-eleventh grades to enter their senior year having obtained all of the credits necessary to graduate and requiring only a full year of English in order to fulfill all of their academic requirements. This was the case for V1 when he enrolled in Stamford High School prior to the start of the 2013-2014 school year. Given that, it was not unusual for V1 to be permitted to take a shortened schedule of classes,

¹¹ [REDACTED]
¹² [REDACTED]

although the understanding was that students were not to be on school grounds when they did not have classes to attend. This agreement was not enforced with respect to V1, and given that each day classes rotated to the following time period, it was challenging to enforce.¹³

Even with the reduced schedule, V1's attendance did not improve. V1's year-end report card, printed on July 1, 2014, indicates that he had fifty absences during the 2013-2014 school year in his elective, 52 absences [REDACTED], and 17 absences in English.¹⁴ Aside from reducing his class load, nothing further was done to address V1's poor attendance. While it remained a topic of discussions at [REDACTED], including on March 11, 2014, Team members noted that it went unaddressed because V1 appeared to be passing his classes. Several school employees interviewed by the Team, including at least one administrator, suggested that the focus of teachers and administrators was simply to "get V1 to graduate."

The fact that V1 received passing grades in all three of his classes, despite his excessive absenteeism, is in violation of the District's Attendance Policy. Regulation #5113A-R, available online and in the District's *Policy Guide for Families*, states that if a student has seven absences in a quarter or 28 absences in a school year in a particular course, the student should receive a failing grade in that course, "unless the student obtains a waiver ... in accordance with the appeal procedure" set out in the District's Guide.¹⁵ The Team did not find any evidence that a waiver was obtained to exempt V1 from the District's Policy.

¹³ Conversely, once students were at the school, it was generally acknowledged that it was nearly impossible to ensure that they stayed there. Many high school staff members commented that SHS has many exits so it is not difficult for a student, or teacher to slip out of the building unnoticed. Likewise, many staff members noted that while doors to the inside of the building are locked from the outside, it is not difficult for those who slipped out to re-enter with the assistance of a friend or colleague. While that would appear to pose a safety threat to the High School population, that is not the focus of this Report.

¹⁴ At least one high school staff member expressed skepticism about the accuracy of V1's recorded absences in English.

¹⁵ SHS' *Teacher Information Packet* contains a policy titled "Attendance Policy", which differs from the District's Attendance Policy with regard to the number of allowable absences per quarter a student may have before he/she is

The Team also did not find any evidence that the District sought a "truancy referral" or availed itself of the steps provided for in section 10-198a of the Connecticut General Statutes. Section 10-198a(a) of the Connecticut General Statutes defines a "truant" as a child "five to eighteen, inclusive" who has "four unexcused absences from school in any one month or ten unexcused absences from school in any school year."

When questioned about the failure to address V1's excessive absenteeism, his [REDACTED] teacher offered various explanations, one of which was that if he were not in class due to illness or due to his having to attend student [REDACTED], the substitute teachers might not take attendance, the result of which was that the students in that particular [REDACTED] class would all be marked absent, even if they were actually in attendance. V1's [REDACTED] teacher also stated that it was not unusual for V1 to work with Ms. Watkins in her classroom on his English assignments, and that when V1 did so, he would, inexplicably, be marked absent. These practices are reflective of what appeared to be a generally haphazard means of taking attendance at the High School and a general indifference to the comings and goings of V1.

It appeared to the Team from speaking with high school staff members that because V1 only needed English to graduate, his absences in his elective and [REDACTED] courses were essentially deemed irrelevant.¹⁶ Notwithstanding that V1 missed the equivalent of ten full school weeks of his elective and [REDACTED] classes, he was deemed a student in good academic standing. One Central Office administrator with whom the Team spoke characterized the decision to ignore V1's

deemed to have failed the class. As noted above, the District's Policy says seven, while SHS's Policy says eight. The policies are consistent in all other respects.

¹⁶ It is notable that V1 only revealed his relationship with Ms. Watkins once he had graduated. In the statement that he gave to SPD, V1 recounted that when he had attempted to break off the sexual relationship with Ms. Watkins, she threatened to fail him in English, which as noted, was the only course he needed to graduate. Given the relative indifference that SHS administrators, as well as his [REDACTED] paid to his absenteeism, it may not have been unreasonable for V1 to fear a comparable lack of response were he to report Ms. Watkins sexual depredations.

absenteeism as “educational neglect” and District administrators, including the Superintendent, concurred with that evaluation.

IV. THE 2011 INCIDENT

A. THE 2011 INCIDENT AND ITS EFFECT ON TEACHER WILLINGNESS TO REPORT MISCONDUCT

In the initial fact gathering phase of this investigation the Team quickly became aware of a recurring concern on the part of some teachers and administrators that the events of 2011, described below, created a chilling effect on their willingness to express concerns about school and district policies and, perhaps more significantly, to report improper behavior of fellow teachers and/or administrators. This concern, in turn, lead the Team to ask whether the teachers at Stamford High School perceive, correctly or incorrectly, that the school and/or District administrators discourage teachers from expressing their opinions about policies and practices that may adversely affect students or faculty.

In order to evaluate that issue the Team undertook a three phase inquiry consisting of:

- A review of the 2011 incident investigative report commissioned by the BOE;
- Meeting with Stamford High School teachers and union representatives; and
- Distribution of a “climate survey” prepared by the CEA.

B. HISTORY OF THE 2011 INCIDENT

The 2011 incident has its genesis in the 2010 recruitment and appointment of Dr. Valentine as principal of Stamford High School. Dr. Valentine was appointed by former Superintendent of Schools, Joshua Starr. At the time Dr. Valentine, who is extremely well credentialed, was the principal of a largely rural and homogeneous school in New Hampshire. Dr. Valentine’s appointment was met with immediate skepticism and resistance by certain High

School staff and administrators who were either passed over in favor of her or who actively and publicly supported an in-house candidate.¹⁷

Upon assuming the leadership of Stamford High School in 2010, Dr. Valentine both initiated a number of administrative changes and attempted to modify what she perceived to be a culture of indifference, if not hostility, on the part of certain teachers toward students. These changes, coupled with a hard charging administrative style, and fueled by the perception that she should not have been appointed principal in the first instance, created an immediate climate of distrust and animosity between Dr. Valentine and her then-four Assistant Principals.¹⁸

Against this backdrop in 2011, a High School teacher brushed against the breast of one of his female students. The matter was reported to Dr. Valentine who spoke with the teacher, the student and her parents. Dr. Valentine's decision not to discipline the teacher spawned an immediate reaction and complaints by the then-four assistant principals who accused her of a coverup, of failing to protect the student and of encouraging sexual discrimination in violation of Title IX of the Civil Rights Act.

The complaints by the four assistant principals in turn prompted multiple investigations by the Board's outside legal counsel and an outside investigator. The latter concluded that the allegations made by the assistant principals were unfounded, not credible and motivated by personal and professional hostility toward Dr. Valentine. On the heels of that report Dr. Valentine insisted that all four assistant principals be transferred, concluding she could not work

¹⁷ Dr. Valentine's appointment at SHS was approved by the Stamford Board of Education by a 5-4 vote.

¹⁸ At the time of her appointment in 2010, Dr. Valentine was SHS's eighth principal in ten years. Though not quite as dramatic, the turnover in assistant principals, both before and after her appointment, is equally troublesome. The absence of administrative continuity and consistency is not confined to Stamford High School. Over the past decade the Superintendent's Office has likewise been plagued by constant turnover in its highest administrative positions including Assistant Superintendent and Director of Human Resources. It is clear from our interviews with both teachers and administrators that the revolving door of administrators at both the High School and "Downtown" has had a profoundly negative impact on both the morale of teachers and the ability of school and central office administrators to gain the trust and confidence of teachers and staff.

with an administrative team that wrongly, at least according to the private investigation, impugned her professional and personal integrity. Dr. Hamilton, who was then Acting Superintendent concurred, noting in her interview with the Team that “the assistant principals did not trust or respect Donna, and Donna did not trust or respect them.”¹⁹ To insure some administrative continuity Dr. Hamilton approved the transfer of three assistant principals but insisted that Ms. Thomas-Graves, who had served nine years as assistant principal at SHS, remain in that position.²⁰

It was repeatedly suggested to the Team that the 2011 complaints and subsequent transfers of the three assistant principals created the perception amongst a significant number of teachers, staff and school administrators that both Dr. Valentine and Dr. Hamilton are: (1) intolerant of dissent and reports of misconduct and (2) will utilize their considerable administrative authority to retaliate against those who speak out against perceived wrongdoing.²¹

In order to assess whether that perception may have played a role in the failure of teachers, staff and administrators to promptly report and confront allegations of Ms. Watkins’ misconduct, the Team was invited to attend a 90 minute after school meeting of Stamford High School teachers hosted by the Connecticut Education Association and the Stamford Education Association. While some of the participants at the meeting shared their views about this issue, many expressed a concern that even speaking with the Team – which did not ask for teachers’ names – might somehow result in administrative retaliation. In order to protect the anonymity

¹⁹ Dr. Hamilton also observed that Dr. Valentine’s style and some of the changes she introduced rankled SHS staff and administrators, but concluded that “Dr. Starr saw something in her and I was willing to give her the benefit of the doubt.”

²⁰ As noted in the body of this report the relationship, as of 2013-2014, between Dr. Valentine and Ms. Thomas-Graves was repeatedly described as “dysfunctional” and each has accused the other of failing to discharge her obligations as a mandated reporter.

²¹ It is beyond the mandate of this investigation to determine the accuracy, or not, of that belief. It ought to be a matter of considerable concern, however, that there is a widespread belief, true or not, that dissent and complaints are neither tolerated nor encouraged.

and confidentiality of the teachers and their comments, the CEA and SEA suggested that an online survey be distributed to all SHS teachers with the assurance that all responses would be anonymous. The questions were jointly prepared by the CEA and the Team.

The concern that District administration is not receptive, and is, in fact, hostile to input from teachers and staff is captured in the results of the climate survey distributed to teachers. See Exhibit D. While the results of this survey should not be viewed as dispositive, and are not statistically validated,²² they do provide a window into the perception of Central Office by SHS teachers²³. To the extent they are accurate and valid, they suggest a significant challenge for the Superintendent and her cabinet to recapture the confidence and trust of SHS teachers.

DETAILED FACTUAL NARRATIVE

As previously noted, the following detailed description of events is based on a review of thousands of pages of documents and interviews of 48 witnesses, some of whom were interviewed more than once. The multiple sources of information the Team reviewed were consistent with respect to many of the events set forth in this narrative. For example, statements by a particular witness were corroborated by written documentation or by another witness. Not surprisingly, there were, however, some inconsistencies among witnesses, or statements given by witnesses during interviews that did not comport with written documentation, including that which they had themselves authored. Faced with such conflicts, the Team distilled what it concluded to be the most accurate version of events, based upon a careful weighing of the evidence and an assessment of witness credibility.

²² The survey was distributed online to 150 SHS teachers with approximately 40 responding, a response rate which, according to Dr. Sue Fullerton, Field Director for the CEA, was "surprisingly good."

²³ For example, only 15% of the respondents agree that teachers can express views openly without fear of recrimination by the Superintendent. Likewise, only 17% believe that the Superintendent demonstrates a clear vision for the District. Additionally, only 25% of SHS teachers report having received mandated reporter training in the three years prior to the 2014-2015 school year..

V. INITIAL CONCERNS – TIMING AND SUBSTANCE OF THE ORIGINAL ALLEGATIONS – FEBRUARY, MARCH AND APRIL 2014

A. JAMES JORDAN'S ACCOUNT AND OTHER EARLY WARNINGS

The genesis of this narrative begins in late February or early March 2014, when some students at SHS shared with Security Guard James Jordan their belief that Danielle Watkins was having sexual relations with V1. Mr. Jordan was posted on the second floor, which was where the English Department classes were housed.²⁴ More specifically, Mr. Jordan was chatting with a group of five or so students in the second-floor hallway, when V1 walked by. When V1 was out of earshot, one of the students whispered to Mr. Jordan that V1 was “F---ing” Ms. Watkins. Mr. Jordan was understandably shocked by this rumor and expressed disbelief, but in response, the other students with whom he was speaking confirmed that they had heard the same rumor.

Mr. Jordan stated that on the same day these students shared this rumor with him, Roth Nordin, the Assistant Principal who oversaw the English Department, walked by his post on the second floor. Upon seeing Ms. Nordin, Mr. Jordan immediately reported the students' allegations to her but, according to him, she was neither surprised nor taken aback by the rumor. To the contrary, Mr. Jordan stated that Ms. Nordin responded by saying something to the effect of “we know and are keeping an eye on her.”²⁵ Mr. Jordan also reported this rumor to Curtis

²⁴ In a June 6, 2014 written statement to Dr. Valentine and in his subsequent interviews by the Team, Mr. Jordan stated that he first heard rumors of this relationship in February or early March 2014. According to the relevant SPD documentation, however, Mr. Jordan had told the SPD that he heard the rumor in November 2013. The Team did not discover any other information during the course of its investigation that corroborated the November 2013 date, and, as noted, during his interviews with the Team, Mr. Jordan reiterated what he had written in his June 6th statement, that it was in late February or early March when he heard these rumors.

²⁵ In a written statement to Dr. Valentine dated June 6, 2014, Ms. Nordin wrote that Mr. Jordan apprised her in April 2014 of a rumor that Ms. Watkins and a student were involved in an “inappropriate relationship.” During the Team's March 6, 2015 interview of Ms. Nordin, however, she denied that Mr. Jordan had ever reported this rumor to her. When she was then presented with a copy of her June 6th written statement, she claimed that what she had written was not true. Instead, Ms. Nordin asserted that when Dr. Valentine informed her that she was required to write a statement, she had no knowledge of the events about which she was supposed to write, so she simply copied the substance of what Mr. Jordan had written. When asked why she would have written, signed and submitted a report about such a critical matter that she knew to be inaccurate, Ms. Nordin's explanation was that she felt

Tinnin who is Head of Security at the High School. Mr. Tinnin is uncertain when Mr. Jordan shared this rumor with him but believes it was sometime after February 2014. Shortly after this initial February 2014 accusation regarding Ms. Watkins and V1, another student informed Mr. Jordan of student rumors that Ms. Watkins was allowing V1 to drive her car.

Having already apprised Ms. Nordin of the initial rumor, Mr. Jordan stated that sometime in March, he reported to Dr. Valentine both the rumor that Ms. Watkins was having sex with V1 and that Ms. Watkins was allowing him to use her car. Mr. Jordan stated that, like Ms. Nordin, Dr. Valentine expressed neither surprise nor agitation upon hearing this information, and instead informed him that “we” – which Mr. Jordan took to mean the administration – were looking into it to determine if the rumors had merit.²⁶ According to Mr. Jordan, Dr. Valentine also confided in him that they were in the process of “building a case” against Ms. Watkins to remove her from her position at the High School. When she was subsequently interviewed, however, Dr. Valentine denied that this conversation occurred or that Mr. Jordan reported these rumors to her in March.

At either the end of February or in early March, [REDACTED] raised concerns with the High School regarding the nature of the relationship between Ms. Watkins and V1.

pressured by Dr. Valentine to mirror Mr. Jordan’s statement. Ms. Nordin’s March 6, 2015 assertion also did not comport with her June 30, 2014 statement to the SPD, in which she provided yet another version of her interaction with Mr. Jordan, writing that in April 2014, “one of the security guards” told her “something may be going on with an English teacher, Danielle Watkins.” Ms. Nordin further wrote in her police statement that the security guard gave her “no specifics, but said I should keep an eye on her.” Although Ms. Nordin apparently did not think it necessary to inquire as what it was that may have been “going on with” Ms. Watkins, in her June 30 police statement, she wrote: “I did keep an eye out, visiting her classroom and others. I did not note anything out of the ordinary.” Ms. Nordin did not explain how she was able to “keep an eye out” if she supposedly did not know the specifics of what she was keeping an eye out *for*.

²⁶ As noted, Mr. Jordan stated that it was in late February or early March 2014 when students first told him that Ms. Watkins and V1 were having a sexual relationship. As also noted, Mr. Jordan reported that he promptly informed Ms. Nordin of these allegations and subsequently told Dr. Valentine, both of whom acknowledged that they were aware of these rumors. Thus, if Mr. Jordan’s recollections are accurate, no later than early March 2014, Ms. Nordin and Dr. Valentine, had knowledge of this possible sexual relationship. Ms. Nordin and Dr. Valentine both deny that Mr. Jordan reported the allegations of a sexual relationship to them in either February or March 2014.

While meeting with School Resource Officer ("SRO") James Stackpole²⁷ at the High School, a [REDACTED], reported to Officer Stackpole that Ms. Watkins frequently called [REDACTED] looking for V1, and that these calls were at all hours, even sometimes late at night. [REDACTED] further reported that Ms. Watkins was picking V1 up at [REDACTED] prior to school and dropping him off there after school.

Officer Stackpole suggested that the [REDACTED] speak about this with Dr. Valentine. Officer Stackpole then escorted her to Dr. Valentine's office, where she shared these same concerns with Dr. Valentine. According to Officer Stackpole, Dr. Valentine told the [REDACTED] that she would look into her concerns.²⁸

B. ANGELA THOMAS-GRAVES' KNOWLEDGE

There is also credible evidence that sometime in April 2014, Ms. Thomas-Graves, an Assistant Principal at SHS, was also aware of the rumor that Ms. Watkins was engaging in sexual relations with V1. Ms. Thomas-Graves is the Assistant Principal who oversees the Special Education Department and was familiar with both V1 and V2, the other SHS student to whom, and with whom, Ms. Watkins had both provided and smoked marijuana. James Cooney, a social worker at SHS, stated that during a fire drill in Spring 2014, he was speaking with Ms. Thomas-Graves as they were reentering the building. Seeing Ms. Nordin walk by, Ms. Thomas-Graves told Mr. Cooney that Ms. Nordin had a real problem on her hands. Specifically, Ms. Thomas-Graves explained that someone told her that an English teacher was having sex with a

²⁷ School resource officers are sworn members of the SPD who are assigned to SHS to supply both security and community support to teachers and students.

²⁸ In her July 1, 2014 statement to the SPD, a [REDACTED] stated that she mentioned to Officer Stackpole and Dr. Valentine that there may be an "inappropriate relationship" between V1 and Ms. Watkins. When interviewed by the Team, [REDACTED] stated that she did not use the phrase "inappropriate relationship." Rather, she communicated to Dr. Valentine and Officer Stackpole that she thought it was odd and, perhaps, unorthodox, for a teacher to be calling a student at his residence and providing him transportation to and from school. Dr. Valentine told the Team that she understood [REDACTED] to be *praising* Ms. Watkins for having taken an interest in V1 since in her opinion, very few teachers show such an interest in a student like V1.

male student and that Ms. Thomas-Graves had reported that to Ms. Nordin, who had oversight over the English Department. According to what Mr. Cooney said Ms. Thomas-Graves had told him, Ms. Nordin seemed already to be aware of the rumor.

Mr. Cooney was unable to specify the date of the fire drill in question, although fire drill records disclose that SHS had fire drills on February 28, 2014, March 28, 2014, and April 28, 2014. Mr. Cooney remembered that it was chillier outside than he had expected and that he wished he had brought a coat with him. Presumably, Mr. Cooney would have anticipated cold temperatures in February. The high temperature on March 28th was approximately 50°, which would comport with Mr. Cooney's recollection of a cool day. The approximate high on April 28th was 64°. By the end of April, therefore, it appears, based on the statements of Mr. Jordan and other corroborating information, that Ms. Thomas-Graves, in addition to Dr. Valentine and Ms. Nordin, was aware of the rumors that Ms. Watkins was involved in a sexual relationship with V1.

C. DONNA VALENTINE'S ACCOUNT

Dr. Valentine, however, has a different recollection of the events. She denies Mr. Jordan's description of the timing and nature of the rumors.

When interviewed by the Team, Dr. Valentine claimed that she first learned of an issue pertaining to V1 and Ms. Watkins on or about April 15, 2014. Another student, who for purposes of this Report will be referred to as "Twelfth-Grade Student," reported to Dr. Valentine that he had observed a male whom he knew to be a student at the High School driving Ms. Watkins' car. Thus, Dr. Valentine asserted that at that juncture, the only rumor she was apprised of was the rumor of a male student seen driving a teacher's car. Dr. Valentine further claimed that she immediately reported this rumor to her direct supervisor, Dr. Michael Fernandes, who advised her to gather more information.

VI. DR. VALENTINE'S "INVESTIGATION" IS INITIATED

A. STAMFORD HIGH SCHOOL SECURITY

According to Mr. Jordan, in March or April 2014, Dr. Valentine directed him to monitor Ms. Watkins' comings and goings. Dr. Valentine acknowledges she started an "investigation" but insists it was launched in April, not March, 2014. As part of his charge, Mr. Jordan was directed to inform Dr. Valentine when Ms. Watkins arrived to school, the make and model of the vehicle she was driving (since she was known to have two vehicles), and when she left the building in the middle of the day. Dr. Valentine also requested that Mr. Jordan follow Ms. Watkins to determine where she was going, and to keep an eye on what class periods V1 was in her classroom.²⁹ Additionally, Dr. Valentine directed Mr. Jordan to "keep an eye" on Ms. Watkins' car, despite the fact that his post was, as noted, on the second, and also the third floors at the High School.

Mr. Jordan modified his daily routine to accommodate this special assignment with which Dr. Valentine had charged him. Instead of checking in and going to his post on the second and third floors as he typically did, Mr. Jordan stated that he would wait in the parking lot for Ms. Watkins to arrive at the school, and when she did, he would jot down her arrival time as well as the make and model of the vehicle she was driving. He would then relay this information to Dr. Valentine in real time either via text or over school-issued walkie-talkies. Mr. Jordan estimates that he conducted this surveillance of Ms. Watkins from March or April until about

²⁹ As is discussed at greater length in this Report, upon arriving at SHS for his senior year, V1 needed only to pass senior English in order to graduate. Consequently, he was placed on a shortened schedule that consisted of three classes, one of which was Ms. Watkins' English class. According to various SHS staff members with whom the Team spoke, students who were on a shortened schedule were not supposed to be on school grounds during the periods that they did not have a class. At the same time, given that class periods rotated on a daily basis, there appears to have been limited means of - nor much effort given to - ensuring compliance with this protocol. In addition, when questioned as to V1's excessive absences from his class, [REDACTED] teacher, explained in part that it would not be uncommon for V1 to leave his room to go to Ms. Watkins' classroom in order to work on course assignments. Thus, it was possible for V1 to spend more than his own English class period in Ms. Watkins' room.

June 3, 2014, and that he communicated with Dr. Valentine about what he observed no fewer than fifteen times. Of particular note, Mr. Jordan stated that at least once he observed V1 pick Ms. Watkins up in her car during the middle of the school day and drive off together.

Mr. Tinnin stated that when Mr. Jordan was absent due to illness or otherwise unavailable, Dr. Valentine would ask him to carry out the surveillance of Ms. Watkins. Mr. Tinnin and Mr. Jordan stated that Dr. Valentine used code language to refer to the surveillance of Ms. Watkins so no one would know when they communicated about her over the walkie-talkies. Dr. Valentine would refer to Ms. Watkins as "the pigeon" or "the bird" and would ask over the walkie-talkies: "Has the bird left the cage?"

The members of the High School's security detail used the same frequency on the walkie-talkies, and according to Mr. Tinnin, these communications became so frequent, sometimes two or three times a day, that the other security guards approached him and inquired as to what was going on. In fact, Mr. Tinnin reported that some guards were initially concerned that these frequent, ongoing communications presaged a possible threat to the safety of students or school staff. Ultimately, Mr. Tinnin held a meeting of the security detail, during which he explained that Dr. Valentine had enlisted him and Mr. Jordan to watch Ms. Watkins. According to Mr. Tinnin, none of the other security guards expressed surprise, some even indicating that they too had heard rumors from students that a student and teacher were having sexual relations. As Mr. Tinnin characterized it, there was definitely a "buzz in the air."

Mr. Tinnin recalled a conversation that he had with Dr. Valentine sometime in April where Dr. Valentine expressed concern about the way V1 and Ms. Watkins' interacted. Dr. Valentine explained that she saw V1 in Ms. Watkins' classroom one day when he was not supposed to be there and she told him to leave. Dr. Valentine told Mr. Tinnin that V1 had been

charging his cell phone in Ms. Watkins' class, and that when V1 reached across Ms. Watkins for his cell phone prior to leaving, his body brushed up against Ms. Watkins' body, and that it had made Dr. Valentine uncomfortable. Nonetheless, no steps were taken to transfer V1 to another English class or to otherwise separate teacher and student.

Mr. Jordan's recounting of the special assignment on which Dr. Valentine had placed him is buttressed by text messages between Mr. Jordan and Dr. Valentine. For example, on May 28, 2014, Mr. Jordan wrote to Dr. Valentine:

"Good Morning Dr. V. At 8:10 this morning Mrs. Watkins left the building [and] walked to student parking lot. And got into a black car. And drove off." Dr. Valentine replied, "OMG! !!! Keep me posted."

A couple minutes later, Dr. Valentine wrote:

"Stay on this ! ! ! Is [V1] here? She has to be back [at] 9:23 ! ! ! Let me know if she is [a]lone."³⁰

Dr. Valentine acknowledges that in connection with this investigation, she also called John Perrotta, the Director of Security for the District, who oversees the security guards at all of the district's constituent schools, including SHS. Dr. Valentine asked him if it was permissible for her to use the security guards in an investigation, although she posed the question hypothetically and did not provide any other details. Mr. Perrotta confirmed that Dr. Valentine had called him but that she spoke only generally about the nature of the investigation. Mr. Perrotta noted that Dr. Valentine had called him in the past with similar inquiries, that those situations had involved fairly unremarkable situations, and that he therefore assumed that Dr. Valentine's question pertained to similar circumstances, and assured her that security guards are available as a resource to her and could be used to assist her in an investigation. According to Dr. Valentine, after obtaining permission from Mr. Perrotta, she then informed Mr. Jordan, Mr.

³⁰ Text messages were provided to the Team by Dr. Valentine and Mr. Jordan.

Tinnin and Officer Stackpole of the rumor that V1 was driving Ms. Watkins' vehicle. She directed them to conduct surveillance of Ms. Watkins and of the parking lot and to let her know if they observed anything out of the ordinary. In addition to her staff, Dr. Valentine also asked the Twelfth-Grade Student, who had shared his concerns with her, to conduct surveillance of Ms. Watkins' car and report back to her.³¹

B. STAMFORD POLICE DEPARTMENT BECOMES INVOLVED WITH THE INVESTIGATION

Dr. Valentine also enlisted the assistance of Officer Stackpole, asking him to surveil the lot where Ms. Watkins parked her vehicle. As part of the surveillance, Officer Stackpole sat in his marked police cruiser and monitored the parking lot. The Twelfth-Grade Student brought this to Dr. Valentine's attention and suggested that having a police officer conduct surveillance from a marked police cruiser may not be the subtlest or most effective means of catching Ms. Watkins and V1 engaging in improper conduct. Dr. Valentine told the Team that she agreed and asked Officer Stackpole if the SPD could provide him with an unmarked vehicle.

Dr. Valentine and Officer Stackpole called SPD Headquarters and requested the use of an unmarked car. Dr. Valentine stated that she was told that a request was approved but, claims that later that afternoon, Officer Stackpole told her that SPD would *not* provide her³² with an undercover car to conduct the surveillance because "this [was] not a police matter."³³

³¹ One would not normally expect a school administrator to involve a student in the ongoing investigation of a teacher, particularly in the context of what proved to be that teacher's illegal relationship with another student. Nonetheless, Dr. Valentine did so. Despite Dr. Valentine's questionable decision to involve a student in the investigation of Ms. Watkins and V1, it appears that the Twelfth-Grade Student was a particularly thoughtful and perceptive member of her investigative "Team."

³² Officer Stackpole denies that the SPD refused Dr. Valentine's request for an unmarked vehicle. He insists that Dr. Valentine was told to call back when she required the vehicle, but never followed through.

³³ Given that Section 53a-71(a)(8) of the Connecticut General Statutes makes it a Class C felony for a teacher to have sexual relations with a student, it would seem that the investigation of Ms. Watkins' relationship with V1 would constitute "a police matter." When interviewed, however, Officer Stackpole was adamant that Dr. Valentine had not informed him of the sexual dimension of the reports she had received; rather, he stated that it had only to do with an investigation into whether Ms. Watkins was permitting V1 to drive her car. As to that possibility, Officer

Sometime thereafter, Dr. Valentine learned that the male student seen driving Ms. Watkins' car was V1. Dr. Valentine then asked School Resource Officer, Kenneth Boyd, to run a records check on V1, which he did, and it was discovered that V1 did not have a valid driver's license. Dr. Valentine also learned from the Twelfth-Grade Student the license plates of the two vehicles Ms. Watkins drove to school. Dr. Valentine asked Officer Stackpole to run Ms. Watkins' license plates, which he did, and it was discovered that one of Ms. Watkins' vehicles had an expired registration.³⁴

Given the rumor that V1 was driving an unregistered vehicle without a license, Dr. Valentine asked Officer Stackpole to take action. According to Dr. Valentine, Officer Stackpole refused. Officer Stackpole explained that he did not personally witness V1 driving Ms. Watkins' vehicle so he could not charge him with anything, and that, in any event, it was not worth his time to charge Ms. Watkins with operating an unregistered vehicle because it is nothing more than a moving violation punishable by a small fine. Dr. Valentine stated that she was very frustrated by Officers' Stackpole's and Boyd's refusal to investigate further or take action. Dr. Valentine opined that they did not take her concerns about V1 and Ms. Watkins as seriously as they should have.

C. MAY ALLEGATIONS AND INVESTIGATIONS

Claims that Danielle Watkins and V1 were engaged in sexual activity again surfaced during Kim Wheeler's class on Tuesday, May 13, 2014. Ms. Wheeler, whom the Team found to be extremely credible, stated that she overheard three male students gossiping loudly about

Stackpole noted that if an individual permits another individual to drive her car, then the latter's operation of that vehicle is not a crime. Furthermore, although there is some question as to the credibility of her assertions, Dr. Valentine claimed during her interviews that contrary to the statements of Mr. Jordan and Mr. Tinnin, she had not as of that time been apprised of a possible sexual relationship between Ms. Watkins and V1.

³⁴ The timing of the record checks is unclear but likely in late April, early May. The Team requested that the SPD determine the precise date of those checks, but that information is unavailable.

seeing a teacher get out of a car driven by a student and that that teacher and student were sleeping together. The most vocal student was, in fact, the Twelfth-Grade Student, who had been enlisted in March/April by Dr. Valentine to assist in her "investigation."

Disturbed by what she was hearing, Ms. Wheeler stated that she asked the Twelfth-Grade Student if what he was saying was true, to which he replied: "I know for a fact that it's true because I seen it with my own eyes." During her interview, Ms. Wheeler described the Twelfth-Grade Student as being visibly distraught about the situation. Although his two friends advised him to stop talking about it, the Twelfth-Grade Student refused. He was very upset, and he told Ms. Wheeler that the teacher was married and had two young children, and that what she was doing was "wrong."³⁵ Of particular note, Ms. Wheeler stated that the Twelfth-Grade Student claimed that everybody knew about it, *teachers* and students, but that no one was doing anything about it.

Despite Ms. Wheeler's prodding, the Twelfth-Grade Student was reluctant to discuss the matter further, claiming that "the people [Ms. Watkins] hangs out with are very violent," and he was afraid he would get hurt. Similarly, the Twelfth-Grade Student told Ms. Wheeler that he thought "these kids [Ms. Watkins] hangs out with are so violent, that he thinks they would have no problem hurting a teacher too." At this point, the other students in the classroom had quieted and were listening as the Twelfth-Grade Student expressed his outrage. Some of them asked who the teacher was, but the Twelfth-Grade Student declined to say, noting only that she had been his freshman English teacher. At that point, realizing that everyone in the classroom was listening to him, the Twelfth-Grade Student refused to answer any more questions.

³⁵ The Twelfth-Grade Student's instinctual recognition of the "wrong[ness]" of Ms. Watkins' relationship with V1, and his moral outrage over both this conduct and what he saw as the failure of anyone in power to do anything about it, is laudable. The alacrity with which he came to both realizations stands in sharp contrast to the reaction of certain of those individuals who were mandatory reporters pursuant to Section 17-101 of the Connecticut General Statutes.

During her interview, Ms. Wheeler told the Team that she is familiar with the Twelfth-Grade Student, and she described him as a sincere, good-hearted student who seemed genuinely offended by what he heard was going on with V1 and Ms. Watkins. Ms. Wheeler found the Twelfth-Grade Student and his concern to be credible.

D. STAMFORD HIGH SCHOOL ADMINISTRATORS' RESPONSE TO STUDENT'S MAY REPORT

As soon as class concluded, Ms. Wheeler e-mailed Ms. Thomas-Graves in order to notify her of the disturbing gossip she had heard. Ms. Wheeler wrote: "Hi Angela, Today during class, [the Twelfth-Grade Student] told me something that was very disturbing. I would like to talk to you about it as soon as possible." Ms. Thomas-Graves oversees Ms. Wheeler's Department and is her direct supervisor. Ms. Wheeler also contacted Wendy Wade, a fellow teacher and building SEA representative, to seek her counsel on what to do. Ms. Wade confirmed that Ms. Wheeler reached out to her and stated candidly that she had never encountered an issue like this so before offering advice to Ms. Wheeler, she reached out to a more senior building representative, Dorothea Mackey, for advice. Ms. Mackey suggested that in addition to notifying Ms. Thomas-Graves, which Ms. Wheeler had already done, that Ms. Wheeler write a summary of what she heard and the names of the students involved for her records. Ms. Wade communicated Ms. Mackey's advice to Ms. Wheeler.³⁶

Ms. Thomas-Graves and Ms. Wheeler were unable to touch base on May 13th before Ms. Wheeler left for the day. At 7:02 the following morning, however, Ms. Wheeler wrote an e-mail from her personal e-mail account to her school e-mail account, which contained a summary of

³⁶ When asked by the Team why she, as a mandated reporter, did not contact DCF, Ms. Wheeler reasonably noted that she did not know the name of either the student or the teacher whom the Twelfth-Grade Student was speaking about, so she did not have any specific information to report. Consequently, she promptly notified Ms. Thomas-Graves, the Assistant Principal who had oversight over her department.

what she heard and the students involved.³⁷ See Exhibit K. That same morning, May 14, 2014, Ms. Wheeler met with Ms. Thomas-Graves in her classroom and told Ms. Thomas-Graves what she had heard. Ms. Wheeler did not have the name of the teacher or student, but mentioned that the students were referring to the student in question by his nickname and that the teacher was the Twelfth-Grade Student's Freshman English teacher.³⁸

According to Ms. Wheeler, Ms. Thomas-Graves expressed no surprise when she shared the Twelfth-Grade Student's information with her. Ms. Thomas-Graves response was that "we" – which Ms. Wheeler took to mean the school administration – had heard the same rumors. Ms. Thomas-Graves added, however, that since they were *just* rumors, not facts, the administration was investigating them, adding that accusing a teacher of such misconduct was not something that one wanted to do without first obtaining more information.³⁹

Ms. Thomas-Graves stated that after she met with Ms. Wheeler on May 14th, she immediately went to speak with Ms. Nordin because the rumor involved a teacher in a department that Ms. Nordin oversaw. What transpired next, however, is in dispute. According to Ms. Thomas-Graves, she relayed everything that Ms. Wheeler had shared with her to Ms. Nordin and that Ms. Nordin said that she knew who the English teacher was, mentioned Danielle

³⁷ Ms. Wheeler's May 14th e-mail to herself recounting what she overheard is consistent with what she told the Team during her interview.

³⁸ Ms. Thomas-Graves told the Team during her interview that she immediately knew who Ms. Wheeler was referring to when she heard V1's nickname.

³⁹ One might reasonably ask why, if the high school administration were seeking to obtain such information, it simply did not call in Ms. Watkins, or V1, or both, and question them about the rumors and allegations, but for reasons that remain unclear, this approach was apparently never considered. When he spoke with the SPD, V1 claimed that he had tried to break off his relationship with Ms. Watkins, but she had threatened to fail him in English, which would have prevented him from graduating in June 2014. If true, he may have been receptive to such an intervention.

Watkins by name, and said “we” were looking into it. Ms. Thomas-Graves claims that when Ms. Nordin said “we” she assumed Ms. Nordin was referring to herself and to Dr. Valentine.⁴⁰

Ms. Nordin, though, told the Team that Ms. Thomas-Graves never provided her details about what Ms. Wheeler shared with her. To the contrary, according to Ms. Nordin, Ms. Thomas-Graves simply poked her head into Ms. Nordin’s office and cryptically said, “we have an issue,” but that Ms. Nordin did not inquire further.⁴¹ Ms. Nordin claimed that she did not have a good relationship with Ms. Thomas-Graves, and that from her perspective, the less she had to speak with her, the better.⁴²

Regardless of what actually transpired during that conversation, Ms. Thomas-Graves did not do anything further with the information that she learned from Ms. Wheeler. Although by her own account she was apprised by Ms. Nordin of Ms. Watkins’ identity and also knew the student was V1, she never contacted either DCF or the SPD. When asked whether she ever considered speaking with V1 to determine whether there was any basis for the rumors or to check upon his well-being, Ms. Thomas-Graves responded that she did not. Although she acknowledged that V1 was [REDACTED] – and as such fell under her oversight – he was not alphabetically assigned to her. Furthermore, Ms. Thomas-Graves did not ever contemplate reporting it to DCF because she “assumed” that when Ms. Nordin said she was looking into it that DCF was involved.⁴³

⁴⁰ Ms. Thomas-Graves’ statement to the Team on this point is consistent with her July 7, 2014 statement to SPD.

⁴¹ The information Ms. Nordin provided to the Team in her interview is not consistent with her June 6, 2014 letter to Dr. Valentine.

⁴² Virtually every SHS staff member with whom the Team spoke noted the animus between Dr. Valentine and Ms. Thomas-Graves. Ms. Nordin, however, was the only individual who cited a similarly dysfunctional relationship between her and Ms. Thomas-Graves.

⁴³ As was described to the Team by a number of witnesses, assistant principals at SHS are assigned responsibility for certain students based upon the first letter of the student’s last name. In addition, they have oversight over various departments. Thus, in Ms. Thomas-Graves case, she [REDACTED]

Wade, her union representative, was present. Ms. Wade and Ms. Wheeler both recalled that during that meeting Dr. Valentine acknowledged that she was aware of the rumors, and of the student and teacher who were involved. In fact, Dr. Valentine mentioned V1 by name, and said that “they,” meaning the administration, were taking care of it. Dr. Valentine then asked Ms. Wheeler to provide her with the names of the three students, including the Twelfth-Grade Student, who were talking about the rumor during her class.

Ms. Wade stated that after the meeting, she did not hear anything further from Dr. Valentine or anyone else about this issue. A couple of days later, Ms. Nordin asked Ms. Wheeler to provide her and Dr. Valentine with another copy of the May 14th e-mail she had previously hand-delivered to Ms. Nordin. In response, Ms. Wheeler forwarded a copy of her May 14th e-mail to Dr. Valentine on June 5, 2014, which Dr. Valentine acknowledged receiving. Ms. Wheeler also sent it to Ms. Nordin on June 6, 2014 apologizing for having forgotten to include Ms. Nordin on her June 5th e-mail to Dr. Valentine. Ms. Wheeler stated that she did not hear anything further from Dr. Valentine or any other administrators about this issue after she sent Dr. Valentine and Ms. Nordin her summary.

Subsequent to her meeting with Ms. Wade and Ms. Wheeler, Dr. Valentine claims that she attempted to speak with the Twelfth-Grade Student to get more information about the rumors he heard about V1 and Ms. Watkins having a sexual relationship, but that the Twelfth-Grade Student was “avoiding her.” Finally, on May 28, 2014, Dr. Valentine was able to speak with the Twelfth-Grade Student who confirmed that students were indeed gossiping about V1 and Ms. Watkins having an affair. Dr. Valentine’s surveillance program of Ms. Watkins persisted.

On the morning of Wednesday May 28, 2014, Mr. Jordan reported to Dr. Valentine that he observed Ms. Watkins returning to school, after she had previously been observed leaving, at

around 8:45 or 9:00 in the morning. Upon receipt of this information, Dr. Valentine immediately contacted Matthew Forker, another Assistant Principal at the High School. Explaining to him that Ms. Watkins was outside in the student parking lot and that there was a rumor that she was allowing a student to use her car, Dr. Valentine directed him to observe her and report back.

Mr. Forker went to the seventh floor of the High School and observed Ms. Watkins walking from the student/teacher parking lot towards the school, presumably with the intention of reentering the building. Suddenly, she turned towards the track and football stadium and headed in the direction of Holcomb Avenue. Mr. Forker stated that since the direction Ms. Watkins was heading in was outside of his vantage point, he quickly exited the building and followed her. Mr. Forker stated that he saw a male enter the football stadium from Holcomb Avenue towards Ms. Watkins. Mr. Forker stated that Ms. Watkins and this male spoke for a couple of minutes before the male left towards Holcomb Avenue and Ms. Watkins re-entered the building. Mr. Forker estimates that he was about 120 yards away from the two and could not identify who the male was. Mr. Forker took a photograph of the two using his cell phone, reported his observations to Dr. Valentine in person, and sent her the photograph.⁴⁵ Mr. Forker claims that on May 28, 2014, he did not know that the student who was the subject of the rumor was V1.⁴⁶

VII. INVOLVEMENT OF CENTRAL OFFICE AND SHIPMAN & GOODWIN, LLP

Later that day, May 28, 2014, finally satisfied that she had collected sufficient information from students and staff to substantiate the rumors concerning Ms. Watkins and V1,

⁴⁵ According to Mr. Forker, the image has since been deleted from his cell phone.

⁴⁶ Sometime subsequent to May 28, 2014 but prior to June 5, 2014, Mr. Forker learned that the male he observed Ms. Watkins talking to and the subject of the rumor was V1. The evidence suggests that he learned that the student was V1 on May 28th because Mr. Tinnin stated that Mr. Forker showed him the image of Ms. Watkins on his phone and asked if the male in the picture was V1 based on what he was wearing that day. During his meeting with the Team, Mr. Tinnin appeared very credible. Nonetheless, even if one were not to credit Mr. Tinnin's recollection, Mr. Forker admitted in his June 4, 2014 statement that Dr. Valentine told him that the student was V1.

Dr. Valentine claimed that she called Drs. Falcone and Fernandes, and informed them that the rumors involving Ms. Watkins and a student were more than just her allowing him to use her vehicle.⁴⁷ Dr. Valentine stated that she informed Drs. Falcone and Fernandes that Ms. Watkins and V1 were involved in an “inappropriate relationship” and that she wanted Ms. Watkins immediately put on administrative leave. During his interview with the Team, Dr. Fernandes stated that he had asked Dr. Valentine for clarification on what she meant by “inappropriate relationship” and that Dr. Valentine responded that the rumors were about Ms. Watkins and a student having sex.

A. DISCUSSIONS BETWEEN DR. FERNANDES AND SHIPMAN & GOODWIN LLP

Dr. Fernandes and Dr. Valentine both acknowledge that their May 28, 2014 conversation did not include any discussion about making a report to DCF or to SPD. Instead, Dr. Fernandes stated that he called one of the Stamford Board of Education’s attorneys, Christopher A. Tracey, of the law firm of Shipman & Goodwin LLP, for advice about how to proceed in light of Dr. Valentine’s confirmation that Ms. Watkins was allegedly involved in a sexual relationship with a student. Attorney Tracey was unavailable to speak with Dr. Fernandes that day.

May 28, 2014 was a Wednesday. Nonetheless, despite the urgent nature of the issue Dr. Fernandes sought to speak with Attorney Tracey about – and the strict statutory timelines with respect to reporting suspected sexual abuse to DCF – they did not actually speak until six days later, on Tuesday, June 3, 2014. During that June 3, 2014 conversation,⁴⁸ Dr. Fernandes claims he told Attorney Tracey that Dr. Valentine had relayed to him that a female teacher at SHS was seen driving with a male student, was allowing that same student to use her vehicle, and that

⁴⁷ Dr. Falcone admits that he first learned of an issue between a teacher and a student from Dr. Valentine at the end of May, early June, but denies that she mentioned anything about the relationship being sexual.

⁴⁸ According to Shipman & Goodwin’s invoices to the Board, the call lasted 24 minutes.

there were allegations that there may be more going on between the teacher and the student; something "inappropriate." Dr. Fernandes stated that while he did not use the word "sex," it was clear from the substance of their conversation that "inappropriate" meant "sex" and he believes that it was so understood by Attorney Tracey.⁴⁹

Attorney Tracey's recollection of the telephone call is consistent with Dr. Fernandes' statement, except on one key point. Attorney Tracey claims in a memorandum to his supervisor, Attorney Thomas Mooney, that when he probed Dr. Fernandes on what he meant by "inappropriate relationship," Dr. Fernandes stated that he was not sure. However, in their interviews with the Team, Attorney Tracey and Dr. Fernandes both reluctantly conceded that the term "inappropriate" meant "sex" and that there was no ambiguity or uncertainty in their minds as to what was being communicated by use of the code phrase "inappropriate relationship."

B. COUNSEL DIRECTS DR. FERNANDES TO GATHER WRITTEN STATEMENTS

Dr. Fernandes and Attorney Tracey do both agree that on June 3, 2014 Attorney Tracey advised Dr. Fernandes to obtain written statements from those who were aware of the "inappropriate relationship" between the teacher and student. During his interview with the Team, Attorney Tracey explained that he suggested that Dr. Fernandes obtain written statements before proceeding further because in his experience, information coming out of the High School

⁴⁹ Both the documents and statements of the principle witnesses repeatedly refer to either an "inappropriate relationship" or "relationship irregularities" between Ms. Watkins and VI. Despite their initial equivocation, when pressed during their interviews with the Team, every witness acknowledged those phrases referred to and were understood at all times to be shorthand for a sexual relationship. One of the recurrent themes of this investigation is the repeated failure of administrators to acknowledge and confront the seriousness of the allegations. This failure is revealed by their insistence on employing euphemisms such as "inappropriate relationship" and "relationship irregularity" to describe what was clearly sexual and criminal conduct.

was not always reliable, and because the building administrators did not always communicate all of the relevant details to Central Office.⁵⁰

In accordance with Attorney Tracey's advice, Dr. Fernandes called Dr. Valentine on or about June 4, 2014, and requested that she obtain written statements from those individuals who had information concerning the relationship between the teacher and student. Dr. Valentine and Mr. Forker then went about obtaining written statements from Mr. Jordan, Ms. Wheeler and Ms. Nordin⁵¹, however, they were unable to collect the Twelfth-Grade Student's statement until June 18, 2014. Dr. Valentine and Mr. Forker also completed written statements.⁵² It was in accordance with this directive that Ms. Wheeler was asked to provide Dr. Valentine with the May 14th e-mail she had originally written to herself on the advice of Ms. Wade.⁵³ Ms. Wheeler complied, but she was not informed that her statement was being sent to the Board's attorney at

⁵⁰Meanwhile, text messages from Dr. Valentine's cell phone provided by her counsel reveal that on June 2nd and June 3rd, Dr. Valentine continued to receive information from Mr. Jordan and from the Twelfth-Grade Student that V1 and Ms. Watkins were seen coming and going from the School together in her car. In fact, on June 3rd, the Twelfth-Grade Student informed Dr. Valentine that he just observed V1 and Ms. Watkins pull into the student/teacher parking lot. Dr. Valentine claims that she immediately dispatched Officer Stackpole to go outside, which he did. Officer Stackpole states that when he got outside, the car was parked and V1 was standing outside. Officer Stackpole asked V1 if he was driving a car, not whether he was driving a *teacher's* car, which would have been the more pertinent question. V1 responded that he had not. Officer Stackpole then told V1 that Dr. Valentine wanted to see him in her office, but V1 never showed up. This encounter is also included in the SPD affidavit that recounts V1's statement to the police.

⁵¹ Ms. Nordin ultimately provided three written statements dated June 6, 2014, June 30, 2014 and July 14, 2014 about the events concerning Ms. Watkins. There were many inconsistencies in Ms. Nordin's written statements. For example, regarding what Mr. Jordan told her in February or March 2014, Ms. Nordin wrote in her June 6th statement, that he told her that a rumor existed among the students that Ms. Watkins was involved in a "inappropriate relationship" with V1. She recanted that in the June 30th version, stating that Mr. Jordan only told her that "something may be going on" with Ms. Watkins. Ms. Nordin's July 14th statement bears almost no similarity to the prior two on this point. In that statement, she stated that Mr. Jordan told her to "keep an eye on that one", referring to Ms. Watkins.

⁵² Copies of these statements are attached as Exhibit E.

⁵³As noted, Ms. Wheeler told the Team that the same week that she wrote the May 14th e-mail, Ms. Nordin had requested it, and Ms. Wheeler provided her with a copy of the e-mail. As also noted, in both her July 14, 2014 written statement, and during her March 6, 2015 interview, Ms. Nordin claimed that Dr. Valentine had asked her without prior warning or even explanation to go to Ms. Wheeler and obtain a copy of a report Ms. Wheeler had written but which Ms. Nordin claimed she did not know the nature or substance. Ms. Nordin never mentioned that, in fact, this second request for a copy of the e-mail was pursuant to Dr. Fernandes' directive.

Dr. Fernandes' behest. Mr. Forker e-mailed the final version of his statement to Dr. Valentine on June 5, 2014.

Mr. Jordan e-mailed his statement to Dr. Valentine, Mr. Tinnin and Mr. Forker on the morning of June 6, 2014. His statement was then put on SHS letterhead and Dr. Valentine asked him to sign it and then gave him a copy. However, the version Mr. Jordan signed is *not* the same version that Dr. Valentine faxed to Dr. Fernandes. See Exhibit F. A significant, and extremely troubling, alteration of Mr. Jordan's statement occurred between the time he signed it and the time Dr. Valentine provided a different version to Dr. Fernandes. Specifically, the original, June 6, 2014 written statement that Mr. Jordan signed read in relevant part:

*A few months back I think it was in February or March while I was standing in the hall up on the second floor. A student was standing next to me; [V1] stopped and said what's up to us, as he was on his way to Ms. Watkins classroom. The other student said to me "You know he is F---ing her," referring to Mrs. Watkins. And I said what? The student said "that everybody knows about it" I did report to Miss Nordin who informed the principal.*⁵⁴

That statement, however, was not sent to Dr. Fernandes. Instead, Dr. Valentine sent an unsigned version that changed the first sentence of Mr. Jordan's statement to read: "A *couple* months back I think it was in *March or April* while I was standing in the hall up on the second floor" (emphasis added to show alterations).

As can be seen from a comparison of these two versions of Mr. Jordan's statements (See Exhibits E and F), the original was changed so that rather than "February or March" – which was the same timeframe that Mr. Jordan identified when he spoke with the Team – the statement sent to Dr. Fernandes referenced "March or April." In conjunction with that change, Mr. Jordan's introductory phrase "[a] few months" was changed to "[a] couple months." It is significant that

⁵⁴As is obvious from Mr. Jordan's statement, there was nothing ambiguous about the reported nature of Ms. Watkins' relationship with V1.

this version of Mr. Jordan's statement was not returned to him for his signature. This, as well as the changes themselves, clearly evidenced an attempt to conceal the fact that Mr. Jordan first made Ms. Nordin and Dr. Valentine aware of these allegations of a sexual relationship between Ms. Watkins and V1 no later than early March 2014.⁵⁵

At approximately 2:18 on the afternoon of Friday, June 6, 2014, Dr. Valentine faxed all of the statements she collected to Dr. Fernandes. In her cover letter, she wrote:

During the past three or four weeks, I received several calls and emails and through a meeting with a student gained information that there might be some relationship irregularities regarding a teacher, Danielle Watkins, and a 20 year old student

There have been several disturbing incidents with this teacher and her contact with the student mentioned in the attached reports. I believe it is *urgent* that we meet in person to further these concerns.⁵⁶

(emphasis added). About two hours later, Dr. Fernandes faxed the statements to Attorney Tracey. Dr. Fernandes stated that he shared the statements with Dr. Falcone as well, that both read them, and that both were concerned.⁵⁷

When asked to explain why, as of the receipt of the June 6th statements, DCF was not immediately notified, Dr. Fernandes, Dr. Falcone and Attorney Tracey had varying explanations. Attorney Tracey told the Team that, relying on Dr. Valentine's reference to the student's age as twenty, he concluded, but did not express to Dr. Fernandes, that based on prior experience, DCF would not accept a report of abuse if the victim was over the age of eighteen.

⁵⁵ Mr. Forker advised the Team that Dr. Valentine specifically asked him to amend his initial June 4, 2014 statement to include the following: "On May 28, 2014, I received a call from my principal Dr. Valentine in which she shared with me a conversation she had with a student who reported that there might be some relationship irregularities regarding teacher, Danielle Watkins, and a student." Mr. Forker told the Team that he did not ask Dr. Valentine what she meant by "relationship irregularities" but assumed it referred to Ms. Watkins allowing V1 to use her vehicle.

⁵⁶ Attorney Tracey stated that he found Dr. Valentine's *inclusion* of the student's age unusual because age is not typically how educators identify students.

⁵⁷ Dr. Valentine also expressed concern. She sent an e-mail to Dr. Fernandes at 1:27 the following Monday morning, June 9, 2014, requesting that Dr. Fernandes call her so they could further discuss "that teacher issue," which was a reference to Ms. Watkins.

Dr. Fernandes, however, vehemently insists that he discussed this issue with Attorney Tracey and was explicitly advised that no report need be filed because of the victim's age.

Dr. Falcone, for his part, claims that referring the matter to DCF "just wasn't part of the conversation."

Although Dr. Fernandes and Attorney Tracey disagree on the specific date, they next spoke on or about June 11, 2014. There is however, a sharp disagreement about what they discussed when they did eventually speak. During his interview, Attorney Tracey stated that when they spoke, he advised Dr. Fernandes to put Ms. Watkins on administrative leave immediately, and that he also recommended that the District investigate and speak to the student who was mentioned in several of the statements.

Dr. Fernandes was visibly upset when the Team mentioned Attorney Tracey's description of their conversation, stating that Attorney Tracey was "lying." He was adamant that Attorney Tracey told him that in order to place Ms. Watkins on administrative leave, it was first necessary to obtain a written statement from the Twelfth-Grade Student, because without it, the statements were nothing more than hearsay and rumor and that more concrete evidence would be required before putting Ms. Watkins on administrative leave⁵⁸ or proceeding to a possible termination proceeding.⁵⁹ As Dr. Fernandes explained to the Team, he had contacted Attorney Tracey in

⁵⁸ It is undisputed that Dr. Valentine did not have the authority to unilaterally place Ms. Watkins on administrative leave or otherwise bar her from the High School; rather, and as is typically the case in all school districts, the authority for such action fell within the Central Office's purview. Consequently, having finally referred this matter to Dr. Falcone and Dr. Fernandes, Dr. Valentine was dependent upon Central Office to take steps to remove Ms. Watkins from her teaching duties. Drs. Hamilton, Fernandes and Falcone agree that there are no specific policies or procedures governing administrative leave and that the decision to place a teacher on administrative leave is left to their discretion subject to providing the teacher with written notice and with an opportunity to be heard.

⁵⁹ Hearsay is not something one would normally expect non-lawyers to raise as an issue when considering statements such as were produced in this matter. Thus, it seems unlikely that in recalling the conversation, Dr. Fernandes would have referenced hearsay unless it had arisen. Ultimately, though, only the parties to the June 11th conversation can know what was actually discussed.

order to obtain the latter's guidance; thus, Dr. Fernandes stressed, had Attorney Tracey advised him to put Ms. Watkins on administrative leave, he would have.

Regardless of whose recollection is accurate, it is undisputed that neither Dr. Fernandes nor Attorney Tracey considered the possibility of having someone simply interview both V1 and Ms. Watkins. Nor, apparently, was any consideration given to referring this matter to SPD, even though Ms. Watkins' conduct is a felony,⁶⁰ or to DCF. Additionally, no consideration was given to whether Ms. Watkins' conduct violated Title IX's prohibitions against sexual harassment.⁶¹

C. MS. WATKINS IS PLACED ON ADMINISTRATIVE LEAVE

On June 18, 2014 Dr. Valentine finally obtained a statement from the Twelfth-Grade Student in Ms. Wheeler's class. The statement was faxed to Dr. Fernandes, who provided it to Dr. Falcone. Upon reading the statement, Dr. Fernandes directed Dr. Falcone to put Ms. Watkins on leave.

In addition to stating that he heard claims that Ms. Watkins and V1 were having a sexual relationship and that he observed V1 pick Ms. Watkins up in her car numerous times – which was generally known at this point – the Twelfth-Grade Student's statement indicated that he once saw them smoking together in the car, but could not make out what they were smoking. Despite

⁶⁰ Conn. Gen. Stat. § 53a-71(a)(8) make it a felony sexual assault for a teacher to have sexual relations with a student who is "enrolled in a school in which the [educator] works ..."

⁶¹ The question of whether V1 was eighteen years or older is a red herring. As previously mentioned, V1 was, in fact, not twenty, but rather was seventeen years old in February 2014, when rumors first surfaced regarding his sexual relationship with Ms. Watkins. As of May 2014, he was 18 years old. Even if V1 had been twenty, school employees, as mandated reporters, were still required to file a report with DCF. As discussed at greater length in Section VIII of this Report, in its "Model Policy for the Reporting of Child Abuse and Neglect," DCF defines a "child" as "any person under eighteen (18) years of age, *or under twenty-one (21) years of age and in DCF care*" (emphasis added). V1 was [REDACTED] under the age of twenty-one. Furthermore, regardless of his age, Ms. Watkins' conduct is a crime and should have been reported to the SPD. Finally, it was not until the SPD opened a criminal investigation in late June 2014 that any formal analysis, discussion or consideration of the relevance of V1's age to mandated reporting obligations was undertaken by administrators or Board counsel. Only after it became clear that the SPD and Stamford State's Attorney would likely be seeking arrest warrants for the failure to comply with Conn. Gen. Stat. §17a-101 did the significance, if any, of V1's age arise as an issue worthy of consideration.

having now obtained the Twelfth-Grade Student's written, first-hand report, neither Dr. Fernandes nor Dr. Falcone contacted DCF, the SPD, or, for that matter, Attorney Tracey. Nor did they seek to contact V1 or Ms. Watkins.

On June 19, 2014, Dr. Falcone sent Ms. Watkins legally required notice that she should appear at Central Office on Monday, June 23, 2014 for a pre-disciplinary meeting. The letter stated in part that, "[t]he purpose of this meeting is to provide you with an opportunity to respond to concerns raised by the administration of Stamford High School." The letter did not make mention that the discipline was related to rumors regarding her relationship with a male student.

On June 19, 2014, Dr. Falcone asked Dr. Valentine if she had any *performance-related concerns* or write-ups on Ms. Watkins, and if so, to forward them to him.⁶² In response to Dr. Falcone's inquiry, Dr. Valentine shared Ms. Watkins' lengthy history of absenteeism, tardiness, failure to submit grades on time, and failure to meet departmental deadlines and fulfill her other professional responsibilities. Around this time, it was also discovered that Ms. Watkins had recently been arrested for possession of marijuana.

D. THE EVENTS OF JUNE 23, 2014

On Monday, June 23, 2014, Ms. Watkins and her union representative met with Drs. Falcone and Valentine at Central Office. During this meeting, Dr. Falcone advised Ms. Watkins that the District had concerns about her, noting that there were allegations of an "inappropriate relationship" between her and a male student, citing her recent drug arrest, and also referencing her chronic attendance issues and her failure to fulfill professional responsibilities. Dr. Falcone advised her that she was being put on administrative leave with full salary and benefits effective

⁶²Dr. Valentine stated that she thought Dr. Falcone's inquiry into Ms. Watkins' performance was odd since her understanding was that the reason for putting Ms. Watkins on leave were the allegations about her relationship with a male student, not her performance deficiencies.

immediately, pending the District's investigation into these concerns.⁶³ See Exhibit I. Dr. Falcone stated that the meeting was short and Ms. Watkins was silent. Still, no call was made to DCF or to the SPD.

Later that afternoon, V1 informed a staff member from [REDACTED] that he was involved in a relationship with Ms. Watkins. [REDACTED] immediately directed that this be reported to DCF. The staff member also called Superintendent of Schools Dr. Winifred Hamilton to inform her that V1 had reported to him that he had been having a sexual relationship with Ms. Watkins since the beginning of the 2013-2014 school year and was smoking marijuana with her.⁶⁴ Dr. Hamilton stated that this was first she had heard of this matter and immediately went to Dr. Falcone's office to notify him so they could complete the referral to DCF and SPD.

E. RESPONSE OF THE SUPERINTENDENT'S OFFICE

Both Dr. Fernandes and Dr. Falcone insist that with the exception of one casual observation about "bringing a teacher in" (referring to the June 23rd administrative leave hearing) they did not, prior to June 23, 2014 discuss with Dr. Hamilton any aspect of the Danielle Watkins matter. Specifically, they deny that they informed Dr. Hamilton of the:

- Allegations of Ms. Watkins' sexual relationship with a student;
- Efforts to document those allegations with signed statements;
- Discussions about this matter with the Board's counsel; and
- Fact of or the reasons for the June 23, 2014 administrative leave hearing.

For her part Dr. Hamilton denies that she was ever advised of or alerted to allegations of Ms. Watkins' misconduct and insists that the first time she heard of this issue was when she received

⁶³ The notice stated, "Effective immediately you are placed on administrative leave with full salary and benefits. This is a result of concerns raised by the administration of Stamford High School. An investigation will be conducted." See Exhibit I.

⁶⁴ The [REDACTED] staff member notified Dr. Valentine as well, who, in turn, notified Dr. Falcone.

a call on the afternoon of June 23rd from the victim's residential counselor. When presented at her interview with the June 6, 2014 statements collected by Dr. Valentine at the direction of Shipman & Goodwin, Dr. Hamilton expressed shock at the allegations and the failure to have been informed of this matter and the June 6th statements.

Dr. Valentine disputes Dr. Hamilton's claim that Dr. Hamilton was unaware of the specifics of the allegations until June 23, 2014. Dr. Valentine insists that by mid-June she twice advised Dr. Hamilton of this unfolding concern. The first conversation she said occurred on June 12, 2014, while she was at Central Office attending a principal's meeting. At that time, Dr. Valentine was anxiously awaiting to hear from Dr. Fernandes about the status of putting Ms. Watkins on administrative leave. Dr. Fernandes had told her that he was still waiting on guidance from Attorney Tracey and that no decision had been made. Frustrated, Dr. Valentine claims that she spoke to Dr. Hamilton about it at the principal's meeting. She claims she apprised Dr. Hamilton that she suspects a teacher and student are having an "inappropriate relationship" and that the student was observed driving the teacher's car and that she is working with Dr. Fernandes on the issue, but is concerned about the delay in taking action with respect to this teacher. Dr. Hamilton denied that this conversation ever occurred.

The next occasion Dr. Valentine claims she spoke to Dr. Hamilton about this was on or about June 18, 2014 as the two were walking into a BOE meeting together. Dr. Valentine claims that she mentioned to Dr. Hamilton that "that issue regarding a teacher, Danielle Watkins" is still outstanding. Dr. Valentine stated that she mentioned the name of the teacher to Dr. Hamilton during their second conversation.

Dr. Hamilton recalls that she spoke to Dr. Valentine about a teacher at the June 18th BOE meeting, but has a different recollection as to the substance of the conversation. She stated that

Dr. Valentine mentioned to her that Dr. Valentine was in the process of trying to “get rid of” a teacher for performance reasons, and although Dr. Valentine did not mention the teacher by name, referenced an interaction between Dr. Hamilton and the teacher to indicate to her who the teacher was. Dr. Hamilton denies that Dr. Valentine mentioned anything about an “inappropriate relationship” between the teacher and student.

Drs. Hamilton, Fernandes and Falcone agree that there were ample, visible early warning signals concerning Ms. Watkins and V1 that either went undetected or were ignored, and had they been responded to might have either eliminated or reduced the risk of Ms. Watkins’ misconduct. These include Ms. Watkins’ serious performance issues and the extraordinary number of absences of V1. While Drs. Hamilton, Falcone and Fernandes primarily assign blame to Dr. Valentine for her failure to address the allegations of Ms. Watkins’ misconduct promptly and decisively, they acknowledge that the Superintendent’s Office, including the Superintendent herself, bear significant responsibility for the mishandling of this entire matter. Drs. Hamilton, Falcone and Fernandes concede, albeit reluctantly, that both SHS staff, teachers and administrators as well as the Superintendent’s Office should have, but failed to:

- Report the matter to DCF;⁶⁵
- File a complaint with the SPD;
- Intervene immediately with Watkins; and
- Protect the victim.

⁶⁵ In his interview Dr. Fernandes excused his behavior by arguing that in failing to report this matter to DCF he was simply following counsel’s advice that given the student’s age no report was required. As previously noted, Attorney Tracey and Dr. Fernandes dispute whether and to what extent they discussed the victim’s age. [REDACTED]

[REDACTED] . None of the critical participants in this matter were able to answer the simple question: “If you had any question, based on his age, whether V1 was the subject of mandated reporting, why did you not err on the side of caution, pick up the phone and file a mandated report with DCF?”

Drs. Hamilton, Fernandes and Falcone all agree that Dr. Hamilton's management style demands that she be informed of critical issues especially those that have "front page potential." They all agree that she has an "open door" and that her assistants not only are welcome, but expected to, keep her informed of issues of this type. As one administrator characterized it, "Dr. Hamilton is not tolerant of surprises."

Dr. Hamilton was unable to explain why an issue of this magnitude was not immediately brought to her attention. For their part, Drs. Fernandes and Falcone attribute their failure to alert Dr. Hamilton to the allegations and evidence of Ms. Watkins' misconduct to their view that this was a "personnel issue."⁶⁶ According to them, not every personnel issue is brought to the Superintendent's attention. Neither Dr. Hamilton, Dr. Fernandes nor Dr. Falcone could explain why these allegations were viewed as a "personnel issue" rather than a student safety issue.⁶⁷

LEGAL OBLIGATIONS

As is reflected in the arrests of Dr. Valentine and Ms. Nordin, the most obvious legal consideration pertaining to this matter is found in Connecticut's mandated reporting requirements. That, however, is not the only relevant statutory enactment. Section 53a-71(a)(8) of the Connecticut General Statutes, which criminalizes sexual relations between teachers and their students, is also pertinent, as is Title IX of the Education Amendments of 1972, 20 U.S.C.

⁶⁶ It is clear that SHS and District administrators were well aware of and understood their responsibilities as mandated reporters. In the spring of 2014, one SHS teacher was placed on administrative leave for failing to file a mandated report. In that case, the teacher allegedly failed to report abuse perpetrated by family members of the student. That teacher was subsequently cleared of failing to comply with the mandated reporter obligations. In another matter, a second teacher was also placed on administrative leave for failing to comply with her mandated reporter obligations.

⁶⁷ A repeated theme throughout the Team's interviews of SHS and District administrators was the failure to give a higher priority to student safety and welfare than potential consequences to the teacher. When asked why they did not intervene immediately to stop Ms. Watkins' misconduct, their response was that allegations of sexual misbehavior are serious and need to be fully documented before Ms. Watkins was confronted or her actions reported.

§§1681, *et seq.* (“Title IX”), which proscribes gender-based discrimination, including sexual harassment, against students.

VIII. MANDATED REPORTER OBLIGATIONS

A. CONNECTICUT’S MANDATED REPORTING REQUIREMENTS

The purpose of Connecticut’s mandated reporting requirement is set forth in Conn. Gen. Stat. §17-101(a), which provides: “The public policy of this state is . . . to require the reporting of suspected child abuse or neglect.” Section 17-101(b) enumerates the mandated reporters who fall within the scope of this requirement, which at the time of the 2013-2014 school year included “any school employee, as defined in section 53a-65.” In turn, section 53a-65 defines school employee as a “teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker...or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students...” Police officers are also mandated reporters.⁶⁸ The obligation to report is triggered whenever:

Any mandated reporter . . . who in the ordinary course of such person’s employment or profession *has reasonable cause to suspect or believe* that any child under the age of eighteen years . . . has been abused or neglected, as defined in 46b-120 or . . . is placed at imminent risk of serious harm.⁶⁹

Section 17a-101b(a) requires that “[a]n oral report shall be made by a mandated reporter as soon as practicable *but not later than twelve hours after* the mandated reporter has reasonable cause to suspect or believe that a child has been abused.” *Id.* (emphasis added). The report is to

⁶⁸ The Connecticut Supreme Court has held that the term “teacher” as defined under Connecticut’s Teacher Tenure Act, Conn. Gen. Stat. §10-151, includes any certificate-holding employee under the rank of Superintendent. Thus, administrators – including Assistant Superintendents -- are considered teachers, who, in turn, are mandated reporters subject to Connecticut’s mandatory reporter laws. *Cimochowski v. Hartford Public Schools*, 261 Conn. 287, 802 A.2d 800 (2002). A member of the SPD assigned to Stamford High School as a School Resource Officer, or “SRO,” however, would not technically fall under the jurisdiction of the Stamford Board of Education but is nevertheless a mandated reporter by virtue of his status as a law enforcement officer.

⁶⁹ As will be discussed, Connecticut law extends the scope of coverage to age 21 when the abuse involves a student within a high school and is perpetrated by a member of the school staff.

be made to DCF or to “a law enforcement agency,” which is, in turn, required to “immediately notify” DCF. Id. The mandated reporter is further required to submit a written report to DCF within 48 hours of the oral report.

The oral and written reports must contain the person suspected of the abuse, the reasons he or she is suspected of causing injury or maltreatment, “the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter,” and “whatever action, if any, was taken to . . . assist the child.” Conn. Gen. Stat. §17a-101d. Of particular note, *any* mandated reporter “who fails to make such report or fails to make such report within the time period prescribed in sections 17a-101b to 17a-101d, inclusive, and section 17a-103 shall be guilty of a class A misdemeanor.”

Title 17a of the Connecticut General Statutes contains additional provisions pertaining to public schools. For example, Section 17a-101c provides that when the “mandated reporter is a member of the staff of a . . . public . . . school the reporter shall also submit a copy of the written report to the person in charge of such institution, school or facility or the person’s designee,” which would seem to refer to the Superintendent of Schools, although it would make sense for a school-based employee to also provide a copy to the building principal. In other words, school staff members must make a report to DCF *and also* provide their Superintendent and Principal with copies of this report. Thus, notifying these administrators is intended only to be ancillary to the DCF notification; it does not satisfy the mandated reporter obligations. This provision underscores educators’ independent duty to notify DCF, an obligation that cannot be

subordinated to any internal practice or understanding that such reports must first be funneled through administrators.⁷⁰

In short, all of the certified staff within the Stamford Public Schools, school resource officers, the school security officers and the Assistant Superintendent and Executive Director of Human Resources all clearly shared the same legal obligation to report suspected abuse either to DCF or to the police.

B. WAS THE STUDENT THE PROPER SUBJECT OF A REPORT?

As discussed in the Summary of Events section of this Report, in conjunction with the June 6, 2014 written statements Dr. Valentine provided to Dr. Fernandes, she provided a cover letter that erroneously reported that V1 was twenty years old. Dr. Fernandes subsequently forwarded these reports to counsel at Shipman & Goodwin. Attorney Thomas Mooney later advised the Board that because V1 was believed to be over the age of eighteen, the District had no obligation to report the sexual relationship.⁷¹ David I. Cohen, the State's Attorney for the Stamford/Norwalk Judicial District, of course, concluded that, because of the victim's status as a student, the reporting obligation extends until the student was 21.⁷²

⁷⁰ Given that Section 17a-101(a)(a) requires mandated reporters to "report or cause a report to be made," *Id.* (emphasis added), one might argue that conveying suspicions to supervisors satisfied the mandated reporters' statutory duty. Simply sharing ones suspicions is insufficient, for were one to report ones suspicions to his or her superior and no report was subsequently made by that superior, then the mandated reporter would not have satisfied his or her obligation to "cause a report to be made." *Id.* (emphasis added).

⁷¹ In a December 2, 2014 memorandum to Dr. Hamilton and the members of the Stamford Board of Education entitled "Report of Shipman & Goodwin Actions Relative to Stamford High," Attorney Mooney wrote: "Dr. Valentine's report stated that the student was twenty years old. Given that fact, Attorney Tracey did not recommend that those involved report their concerns to DCF." It is, of course, undisputed that V1 was, in fact, seventeen at the time of the abuse, and thus there is no question whatsoever that the suspicions of abuse should have been promptly reported.

⁷² The dispute centers on the question of whether the obligation to report ceases at the child's eighteenth birthday or extends beyond eighteen if the child is enrolled in a secondary school. Those who argue that the obligation to report ceases at age eighteen point to § 17-101a(a) which imposes an obligation to report when any mandated reporter has reasonable cause to suspect or believe that "*any child under the age of eighteen years* has been abused or neglected." Those who contend that the obligation to report extends beyond the eighteenth birthday point both to the definition of child ("any person under eighteen years of age ... or any person *under twenty-one years of age who is in full-time attendance in a secondary school ...*," and to the provision of §17-101b(c) which requires

While we conclude that the State's Attorney interpretation of the statute is correct, this debate is, for a number of reasons, legally irrelevant. First, under DCF's own interpretation of section 17a-101, any person, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Specifically, DCF has promulgated a *Model Policy for the Reporting of Child Abuse and Neglect*. Appendix A of DCF's *Model Policy* sets forth "Operational Definitions of Child Abuse and Neglect," [REDACTED]

[REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Second, Connecticut's General Assembly has recognized the particularly pernicious effect that sexual abuse by educators can have on students and has thus implemented heightened measures to prevent such abuse. In addition to increasing the age of students covered under the State's mandatory reporter laws from eighteen to 21, the legislature enacted Conn. Gen. Stat. § 53a-71(a)(8), under which it is a felony sexual assault for a teacher to have sexual relations with a student who is "enrolled in a school in which the [educator] works or a school under the

reporting whenever there is reasonable cause to suspect that any child has "been abused or neglected by a member of the staff ... of a public or private school." (emphasis supplied)

jurisdiction of the local . . . board of education which employs the [educator].” Regardless of the applicability of the mandated reporting law, Ms. Watkins’ sexual conduct involving VI constitutes a felony and should have been, but was not, reported to SPD. Neither District administrators nor the Board’s legal counsel recognized the independent obligation to report Ms. Watkins’ felonious conduct to the SPD.

C. TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 20 U.S.C. §§1681, *ET SEQ.*

Title IX is a federal law that proscribes gender-based discrimination – including sexual harassment – against students. The law’s proscriptions include sexual harassment that is directed at a student by a teacher as well as student-to-student sexual harassment. The seminal United States Supreme Court case in the area of teacher-on-student harassment is Gebser v. Lago Vista Independent School District, 524 U.S. 274, 118 S. Ct. 1989 (1998). In that decision the Court held that a school board could be held responsible for a school employee’s sexual harassment of a student if:

- A school official with authority to take corrective action had actual knowledge of discrimination, but failed to adequately respond; and
- The inadequate response amounted to deliberate indifference to discrimination.

It is, therefore, difficult to reconcile the systemic failure of Dr. Valentine, Ms. Nordin, Mr. Forker, Ms. Thomas-Graves, Dr. Fernandes and Dr. Falcone to take any action upon being apprised of a possible sexual relationship between Ms. Watkins and VI with their legal obligations under Title IX. In fact, there is no indication that any of these administrators were aware of their obligations under Title IX, or that they, teachers or staff, have received adequate or recent Title IX training.

When the Team asked Stamford Public School staff about Title IX training, they almost uniformly stated that they had never had any. They could not provide the name of the District’s

Title IX Coordinator⁷³, nor could they confirm the existence of, much less discuss, the District's Title IX grievance process or how students who might have a complaint about sexual harassment might proceed, except to suggest that it would be handled as a disciplinary matter by the High School's assistant principals. Some interviewees did not even know to what "Title IX" referred.

IX. MANDATED REPORTER TRAINING

Connecticut law requires that mandated reporters employed by boards of education receive periodic training on their mandated reporting obligations. Since July 1, 2011, Conn. Gen. Stat. § 17a-101i(f) has required that all school employees⁷⁴ complete mandated reporter training programs developed by DCF. The 2011 revisions require that school employees hired after July 1, 2011 undergo an initial DCF mandated reporting program; thereafter, complete a DCF refresher training program once every three years; and school employees hired on or before July 1, 2011, complete their first DCF refresher training program by July 1, 2012, and every three years thereafter.

In addition to the foregoing, Conn. Gen. Stat. § 10-220a(a) also mandates that local boards of education provide their certified staff with information concerning the requirements and obligations of mandated reporters as part of an in-service training program. Similarly, Conn. Agencies Regs. 46a-54-204 requires that Connecticut employers (including boards of education)

⁷³ The District's Title IX coordinator is Dr. Falcone.

⁷⁴ The phrase "school employee" has a specific legal meaning. Pursuant to Conn. Gen. Stat. § 53a-65(13) a "school employee" is defined as:

(A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or a private elementary, middle or high school or working in a public or private elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in (i) a public elementary, middle or high school, pursuant to a contract with the local or regional board of education, or (ii) a private elementary, middle or high school, pursuant to a contract with the supervisory agent of such private school.

with fifty or more employees provide sexual harassment prevention training to all new supervisory employees within six months of their assumption of a supervisory position.

Connecticut boards of education are also responsible for maintaining and distributing child abuse reporting policies and maintaining certain records documenting mandated reporter training. Specifically, Conn. Gen. Stat. § 17a-101i(e) requires boards of education to adopt child abuse reporting policies by February 1, 2012 based on a model policy developed by DCF. The law provides that board of education child abuse policies are to be distributed to all school employees on an annual basis, and further specifies that boards of education must document that school employees receive the child abuse and neglect policy and participate in DCF mandatory reporter refresher training.

As part of its investigation, the Team requested that the District provide it with all records of mandated reporting training maintained by the Stamford Public Schools from 2009 through the present. In addition, the Team also requested that the District provide it with records reflecting Title IX and sexual harassment training efforts from 2009 through the present. Specifically, the Team attempted to assess whether those employees hired prior to July 1, 2011 received refresher training prior to July 1, 2012, as required by statute.

Based upon the information it provided, the District failed to comply with its mandated reporter training, policy development and record keeping responsibilities. In terms of training, it appears either that the vast majority of school employees employed by the district did not receive mandated reporter training at any point prior to the incidents involving Danielle Watkins, or that the District failed to adequately document its mandated reporter training efforts.

According to summary information provided by the District, as reflected in Table 1 below, only four of twenty schools received mandated reporter training prior to July 1, 2012, the

deadline for training the teachers hired prior to 2011. As reflected in Table 2, only three schools received training prior to August 2013, when V1 enrolled in the Stamford School District. Notably, SHS received no training as of August 2013, which is consistent with the information reported to the Team by the teachers themselves. Following the public disclosure of Ms. Watkins' misconduct, the District initiated, in the fall of 2014, system-wide Mandated Reporter training as shown in Table 2.

TABLE 1
Mandated Reporter Training Sessions Held
Between 2011 and July 1, 2012

Location	Attendees	Date of Training	Number of Attendees
Unknown	All school administrators	January 9, 2011	120
BOE Administration	Not specified ⁷⁵	September 12, 2011	15
Springdale	Not specified	February 1, 2012 ⁷⁶	Unknown
Cloonan	Not specified	March 28, 2012	54
Hart	Hart certified staff	April 4, 2012	Unknown ⁷⁷
Rogers International	Not specified	June 6, 2012	83
Davenport Ridge	No training reported		
Julia A. Stark	No training reported		
K.T. Murphy	No training reported		
Newfield	No training reported		
Northeast	No training reported		
Roxbury	No training reported		
Stillmeadow	No training reported		
Toquam	No training reported		
Westover	No training reported		
Dolan	No training reported		
Rippowam	No training reported		
Scofield	No training reported		
Turn of River	No training reported		
Academy of Information Technology & Engineering	No training reported		
Stamford High	No training reported		
Westhill High	No training reported		

⁷⁵ For this training session and several others the District provided the Team with an overall attendance list that identifies attendees by name, but does not identify attendee job titles or the training session's intended audience – i.e. teachers, non-certified staff, etc.

⁷⁶ Date not confirmed.

⁷⁷ The Team was presented with conflicting attendance figures for this training session. A November 6, 2014 e-mail from DCF to the district indicated that there were seventy-five attendees, but the district's own attendance report only lists forty-two participants.

TABLE 2
Mandated Reporter Training Sessions
Between July 1, 2012 and January 20, 2015

Location	Attendees	Date of Training	Number of Attendees
Davenport Ridge	Davenport certified staff	2012-13 school year	Unknown
Newfield	Newfield certified staff	September 19, 2012	30
Westover	Unknown	November 6, 2012	Unknown
Stillmeadow	Stillmeadow certified staff	December 19, 2012	60
Dolan	Not specified	January 2, 2013	54
Scofield	Not specified	February 6, 2013	48
Scofield	Scofield teachers	March 27, 2013	60
Unknown	Arts/Home Instruction staff; BOE administration; Newfield staff	August 24, 2014	87
Unknown	District-wide paraeducators; district-wide certified staff	September 10, 2014	329
Unknown	Central-office and building-level administrators	September 11, 2014	64
Unknown	ATTE, Cloonan, Dolan, Rippowam, Scofield certified staff	September 17, 2014	236
Unknown	Davenport, Hart, Roxbury, Turn of River certified staff	October 1, 2014	201
Unknown	Hart certified staff	October 14, 2014	53
Unknown	Northeast certified and non-certified staff	October 15, 2014	56
Unknown	Rogers International certified staff	October 20, 2014	68
Unknown	District-wide IEP team, teachers and administrators	October 22, 2014	Unknown
Unknown	District-wide security personnel; Westover certified staff	November 4, 2014	88

Location	Attendees	Date of Training	Number of Attendees
Unknown	Stamford High School certified staff	November 5, 2014	Unknown ⁷⁸
Unknown	Julia A. Stark certified staff	November 19, 2014	43
Unknown	Stillmeadow certified staff	11/21/14-12/3/14	8
Unknown	K.T. Murphy, Toquam, Westhill certified staff	December 3, 2014	229
Unknown	Stillmeadow paraeducators	December 10, 2014	42
Unknown	Rippowam Pre-K certified staff	December 15, 2014	20
Unknown	Rippowam Middle School certified staff; misc. certified staff	January 7, 2015	52
Unknown	Westhill central office staff, security worker	January 20, 2015	5

It thus appears that the vast majority of District employees did not receive mandated reporter training at any point prior to the 2013-2014 academic year as required by Conn. Gen. Stat. § 17a-101i(f).⁷⁹ While it has been suggested that building administrators who had been trained in mandated reporting subsequently trained staff at their respective schools, there are no records to verify that such training ever occurred.⁸⁰

Moreover, a review of the District's existing child abuse and reporting policy and supporting regulations reveals that the District's existing policy provisions have not been updated to reflect the 2011 revisions to Conn. Gen. Stat. § 17-201. **The district's policy and regulations, for example, fail to include any provisions on the revised training requirements for mandated reporters.**

⁷⁸ The Team was provided with conflicting attendance figures for this training session.

⁷⁹ It appears given overall mandated reporter training attendance figures that were given to the Team that school employees hired prior to July 1, 2011 were not given DCF mandated reporter refresher training prior to July 1, 2012, in violation of Conn. Gen. Stat. § 17a-101i(f).

⁸⁰ As noted previously, Conn. Gen. Stat. § 17a-101i(e) mandates that boards of education document when school employees receive mandated reporter training.

It also appears that the District's sexual harassment prevention training efforts were inadequate. While a September 22, 2011 sexual harassment prevention training session was held at the District's central office for new administrators⁸¹, apparently only six additional supervisory employees beyond those who attended the September 22, 2011 session received any sort of sexual harassment prevention training between April 30, 2009 and October 23, 2014.

X. CONCLUSION

This investigation revealed significant failings on the part of certain staff, teachers and administrators at Stamford High School and in the Superintendent's office. The individuals identified in the report failed, over the course of an academic year⁸², to:

- Comply with their obligations as mandated reporters;
- Comply with their obligations under Title IX;
- Protect the student-victim from Danielle Watkins' felonious conduct;
- Provide statutorily mandated reporter and Title IX training.

⁸¹ The Team was not provided with attendance records for the September 22, 2011 training.

⁸² A timeline of the most significant events in this matter is included in Exhibit M.

Table of Contents to Exhibits

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- F. Statements of J. Jordan
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- J. Email dated November 19, 2013 regarding V1's actual date of birth
- K. Email dated June 5, 2014 from K. Wheeler to D. Valentine
- L. Department of Children and Families Model Policy for the Reporting of Child Abuse and Neglect
- M. Timeline

EXHIBIT A



Robert L. Holzberg

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Robert L. Holzberg, Connecticut Superior Court Judge (Ret.), leads the Alternative Dispute Resolution (ADR) practice at Pullman & Comley, and possesses extensive experience serving as a mediator and arbitrator in complex civil matters in state and federal court including personal injury, employment, construction, environmental, probate, insurance and commercial disputes. He retired from the bench in September 2012 after more than 22 years of service as a Superior Court judge.

Retired Judge Holzberg was appointed to the Superior Court in 1990 by Governor William O'Neill. While on the bench he served as the presiding judge for civil matters in the Middlesex, New Britain and Waterbury judicial districts, and most recently served as the Administrative Judge and Presiding Judge-Civil for Middlesex Judicial District. During his career, he earned a reputation for his skill in crafting settlements in some of Connecticut's highest profile and most complex cases and became one of the state's most sought-after mediators.

He has received several awards, including the 2011 Connecticut Bar Association's Henry J. Naruk Award, given to a member of the judiciary who epitomizes long-term, dedicated and conscientious service to the community, possesses the highest integrity, and has made substantial contributions to the administration of justice in Connecticut. In 2005 he received the Hon. Robert F. Zampano Award for Excellence in Mediation and in 1998 received the Connecticut Trial Lawyers Association Judicial Award.

Before his appointment to the bench, he was on the faculty of the University of Connecticut School of Law and also served as an Assistant Public Defender in the Office of the Chief Public Defender.

Continued

**PULLMAN
& COMLEY^{LLC}**
ATTORNEYS



Retired Judge Holzberg is a frequent speaker and author on the topic of mediation and arbitration. He also has been an invited speaker on successful mediation strategies for the Practicing Law Institute.

Practice Areas

Alternative Dispute Resolution

Bar and Court Admissions

Connecticut

U.S. Court of Appeals for the Second Circuit

U.S. District Court, District of Connecticut

Education

J.D., University of Connecticut School of Law, 1978

B.A., Brown University, 1974

Publications

"It's 5 O'Clock and the Whistle Blows," *Connecticut Law Tribune*, December 16, 2014

"To Mediate or Not to Mediate - That Is Not The Question," *Connecticut Law Tribune*,

"10 Tips For a Successful Mediation," *Connecticut Law Tribune*, June 24, 2013

Professional Affiliations

CT Chapter of the National Academy of Distinguished Neutrals

Community Involvement

Connecticut Legal Services - board of directors

Connecticut Law Tribune - editorial board member

Honors and Awards

Professionalism and Civility Award from the Connecticut Chapter of the American Board of Trial Advocates - November 2014

Connecticut Bar Association Henry J. Naruk Award - 2011



Continued

Hon. Robert F. Zampano Award for excellence in mediation - 2005

Connecticut Trial Lawyers Association Judicial Award - 1998

Selected to the *Connecticut Super Lawyers* list in 2014 in the area of alternative dispute resolution



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Steven J. Bonafonte is co-chair of Pullman & Comley's Cybersecurity, Privacy & Infrastructure practice group and a member of the firm's Corporate and Business Department. Steve's practice includes providing general counsel services to corporate and government entities; special privacy counsel; advising on information technology and security contracts and policy; ethics and compliance and corporate governance; and anti-fraud and corporate internal investigations.

Steve is a Certified Fraud Examiner (CFE) and a Certified Information Privacy Professional (CIPP/US).

Previously, Steve served as managing corporate counsel and as the enterprise privacy and corporate compliance officer at a Fortune 100 financial services company, where he led a team of attorneys and other professional staff in managing global privacy practices and diverse corporate compliance initiatives.

Steve also developed legal anti-fraud protocols and directed major case investigations and filing of affirmative civil anti-fraud RICO litigation against suspected fraudulent medical providers and other organized ring activity. Prior to these roles, he provided principal legal counsel to several diverse internal business groups including Information Technology (internal compliance, vendor contracts), Marketing and Communications (legal review and compliance) and Global Sourcing (cross-border data transfer, business continuity).

Steve was appointed by the Chief Justice of the Connecticut Supreme Court as a representative member on the State of Connecticut's Commission on the Death Penalty, serving from 2001-2003. He also served as a member of the City of Hartford's Civilian Police Review Board from 2000-2002 and as the City of Hartford's human relations commissioner from 2000-2002.



Continued

Steve serves as the General Counsel of the Connecticut Chapter of the Association of Certified Fraud Examiners (ACFE) and is a member of the newly formed Connecticut Cybersecurity Task Force.

Practice Areas

Cybersecurity, Business and Finance; Privacy and Infrastructure Protection; White Collar, Criminal Defense and Corporate Investigations; Litigation; Social Media, Privacy and Internet Law

Representative Experience

Provide special outside counsel to Fortune 500 insurance companies on anti-fraud and privacy/data sharing issues

Serve as special counsel to regional government entity and as member of statewide Cybersecurity task force to provide counsel on operational risks

Successfully defended against unfounded claims for unemployment benefits and provided counsel to clients on properly managing reduction-in-force issues and compliance with state and federal law regarding workforce management

Actively led data breach response team to include forensic examiners, technical consultants and communications strategy in response to data breach events

Negotiate and resolve regulatory investigations relating to privacy and data breach incidents

Negotiation of complex multi-year and multi-million dollar information technology service contracts and statements of work

Drafting and review of corporate compliance manuals and privacy compliance policies and procedures

Successfully negotiated resolution to insurance coverage dispute relating to policy language and coverage for investigation expense

Bar and Court Admissions

Connecticut

District of Columbia

U.S. District Court, District of Connecticut

Education

Quinnipiac University School of Law, J.D., *cum laude*, *honors scholarship*



Continued

Gettysburg College, B.A.

Publications

"HIPAA Rules Overhaul Ups Compliance Ante," *Hartford Business Journal*, February 11, 2013

Alerts and Newsletters

CYBER LAW TRACKER: Protecting Cyber Networks Act Introduced by House Intelligence Committee, March 25, 2015

ALERT: Marijuana Convictions Could Be Erased Under New Ruling, March 23, 2015

ALERT: October is National Cybersecurity Awareness Month

IN YOUR DEFENSE: The Federal Victim-Witness Act

CYBER LAW TRACKER: Privacy Victory in Europe: EU's Highest Court Requires Google® To Comply With An Individual's Demand "To Be Forgotten."

CYBER LAW TRACKER: Now is the Time to Take Proactive Measures in Cybersecurity

Community Involvement

Hartford Redevelopment Agency - chairman

Hartford's Camp Courant - volunteer director

The Knox Foundation, Inc. - volunteer director

The Metropolitan District of Hartford - commissioner, 2002-2007

Hartford Parking Authority - chairman, 2002-2003

Hartford South Downtown Neighborhood Revitalization Zone Board, 2003-2007

Bushnell Park Foundation, Inc. - board of directors, 2002-2006

Leadership Greater Hartford (Quest) - class of 2000

Honors and Awards

Selected to the *Connecticut Super Lawyers* "Rising Stars" list since 2013 in the area of business and corporate law

Urban Land Institute (ULI) Daniel Rose Center for Public Leadership 2012-2013 Fellowship

Named as a "New Leader of the Law" by the *Connecticut Law Tribune*, 2012

"40 under 40" Award from the *Hartford Business Journal*, 2004



Michael P. McKeon

Member

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Hartford, CT 06103-3702

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✉ MMcKeon@pullcom.com

Michael P. McKeon represents boards of education, municipalities and private-sector employers across Connecticut in both federal and state courts on both the trial and appellate levels, as well as before federal and state boards and commissions. An attorney for more than 27 years, he is a member of the School Law Section of the firm's Labor, Employment Law and Employee Benefits Department. Michael has established new case law in Connecticut in the areas of special education and Title IX. The favorable decisions he has obtained for Connecticut school districts have been cited by courts across the country and have been widely reported in *The Hartford Courant*, *The New York Times*, *The Los Angeles Times*, *The Boston Globe* and *The Connecticut Law Tribune*, as well as in television news reports.

Mike is a frequent speaker on both education and employment law issues, including on the national level at both the National School Boards Association's annual conference and the Council of School Attorney's annual conference. Attorney McKeon has repeatedly spoken at the Connecticut Association of Boards of Education's annual convention on special education law, gender equality in student athletics, and both gender and disability-based student harassment, regularly presents at Connecticut Council of Administrators of Special Education forums, and was an author of *Employer's Guide to Federal Labor and Employment Laws and Regulations*.

Mike has served as an Adjunct Professor at the University of Connecticut School of Law and in the University of Bridgeport's Department of Education Leadership, and was a Teaching Fellow at the University of Missouri prior to attending law school.

Practice Areas

School Law; Labor, Employment Law and Employee Benefits



Continued

Representative Experience

- In June 2012, Attorney McKeon was interviewed by a Connecticut news station as an expert on the issue of Title IX following the issuance of the United States Department of Education's Office for Civil Rights' findings in response to student complaints of gender-based discrimination against Yale University
- On December 27, 2011, Attorney McKeon won in the Connecticut Appellate Court, which upheld his successful argument in the Connecticut Superior Court that a former personnel director was collaterally estopped from bringing his contract claims against the school board that had eliminated his position. Attorney McKeon had previously prevailed in the United States District Court and before the Second Circuit Court of Appeals on the plaintiff's age discrimination lawsuit, after the school board's prior counsel advised the board that the case could not be won
- In December 2011, Attorney McKeon was appointed to serve as an independent hearing officer in a hearing requested by the parents of a student seeking identification under Section 504 of the Rehabilitation Act. Attorney McKeon has also served as a hearing officer in a number of school districts in various matters brought pursuant to Section 504, FERPA and in both student residency and student expulsion hearings
- In September 2009, Attorney McKeon persuaded the Second Circuit Court of Appeals to uphold the federal trial court's entry of judgment on all 36 counts of a lawsuit brought by two teachers against the school board, the superintendent of schools and their principal, alleging multiple First Amendment, Fourteenth Amendment, and Title VII claims of gender and race-based discrimination, as well as allegations of negligent hiring and supervision
- In a case of first impression in Connecticut, Attorney McKeon obtained a decision in the United States District Court, establishing the right of school districts to conduct their own evaluations when assessing whether students are eligible for special education services, a determination which was subsequently affirmed by the Second Circuit Court of Appeals
- Following a two-week federal jury trial, the court granted Attorney McKeon's Motion for Judgment as a Matter of Law in a race discrimination case brought pursuant to Title VII, a decision Attorney McKeon successfully defended when the plaintiff appealed to the Second Circuit Court of Appeals
- After persuading the United States District Court to grant a new trial and thereby nullify a jury award in excess of \$500,000, Attorney McKeon won the two-week retrial, prevailed when the plaintiff appealed to the Second Circuit Court of Appeals, and persuaded the United States Supreme Court to deny the plaintiff's Petition for Certiorari



Continued

- In a case of first impression, Attorney McKeon successfully resolved a federal class-action lawsuit, including winning perhaps the first Connecticut decision on the issue of substantial proportionality, brought under Title IX, in which the class plaintiffs claimed that a school board and a number of its administrators had deprived female students of equitable athletic opportunity and benefits and in which a softball coach alleged retaliation
- Following a bench trial in a food allergy case in which the plaintiffs were demanding that the school board Attorney McKeon was representing be ordered to provide indefinite home instruction, the United States District Court entered judgment in favor of the school board, a decision which Attorney McKeon had upheld by the Second Circuit Court of Appeals
- Attorney McKeon successfully intervened on behalf of a school board in a strike by bus drivers against a bus company, which strike had deprived the district's students of transportation. As a consequence of Attorney McKeon's injunction action, the strike was resolved and transportation resumed
- Attorney McKeon brought an unprecedented suit on behalf of a school board and its individual members against the municipality in which the school district was located, when the municipality enacted an ordinance which would have usurped the school board's independence and removed the then-present board members. The court granted Attorney McKeon's request for an injunction in its entirety, invalidating the ordinance and enjoining the election the municipality sought in order to replace board members
- In a police brutality case brought against members of a municipal police force following the apprehension of a felon, the police officer that Attorney McKeon represented was the only defendant against whom a verdict was not returned
- In a case of first impression in Connecticut, Attorney McKeon obtained a Honig v. Doe injunction, the United States District Court prohibiting a physically dangerous, emotionally disturbed student from returning to his public school
- Attorney McKeon obtained the entry of judgment on behalf of a school board and a number of its administrators, in a multi-count Title IX sexual harassment action that a high school student had brought in the United States District Court
- Following a two-week jury trial, the Connecticut Superior Court granted Attorney McKeon's Motion for Directed Verdict on behalf of a former superintendent of schools and a former assistant superintendent of schools against a former director of grounds and maintenance, who had brought a whistleblower and related claims against them following his termination



Continued

Bar and Court Admissions

Connecticut

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. Supreme Court

U.S. District Court, District of Connecticut

Education

University of Connecticut School of Law

University of Missouri, M.A.

University of New Hampshire, B.A.

Publications

"Clear Thinking: The State Board of Education's Concussion Education Plan and Guidelines for Connecticut Schools," *Connecticut Association of Boards of Education Journal*, February 2015

"Commentary: Newtown School Lawsuit Offers Painful Casting of Blame," *Connecticut Law Tribune*, January 30, 2015

"The Feds Are Watching: Equitable Allocations In School Budgets," *Fairfield County Business Journal*, November 23, 2014

"Conduct Unbecoming: Disciplining Educators For Non-School-Related Behavior," *Connecticut Association of Boards of Education Journal*, November 2014

"Connecticut's Tenure Reform In The Wake of Vergara v. State of California," *Connecticut Association of Boards of Education Journal*, October 2014

"Vergara v. California: Its Real Meaning," *JD Supra Perspectives*, June 16, 2014

"The Real Cost of School Mandates," *Fairfield County Business Journal*, April 21, 2014

"The Values and Risks of Social Media Usage by Higher Education Institutions," January 10, 2014

"Demystifying The Costs of Special Education," *Fairfield County Business Journal*, August 5, 2013

"Leveling the Playing Field: Providing Equitable Athletic Opportunities for Disabled Students," *Connecticut Law Tribune*, August 5, 2013

Alerts and Newsletters

School Law Alert: How to Respond to FOIA Requests For Overall Teacher Summative Ratings?



Continued

Summary of 2014 Connecticut Legislative Enactments Affecting The Public Schools and Public-Sector Employers

ALERT: Policy Revisions Due to New Laws

ALERT: Paraprofessional FMLA Regulations Formally Adopted: School Paraprofessionals Will Now Be Eligible For FMLA Leave Once They Have Worked 950 Hours After May 12, 2014

Professional Affiliations

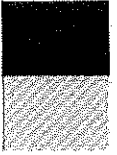
Connecticut Bar Association - Education Law Committee, Labor and Employment Law Committee

Hartford County Bar Association

Connecticut and National Councils of School Attorneys

Honors and Awards

Selected to the *Connecticut Super Lawyers* list in 2014 in the area of schools and education



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Rachel Ginsburg is an associate in the Litigation Department. She has represented municipalities and boards of education in labor and employment-related matters before the Connecticut Commission on Human Rights and Opportunities, the Connecticut State Board of Mediation and Arbitration and in state and federal court. Additionally, Rachel has experience in matters related to Title VII and ADA Compliance and in defending municipalities in land use/zoning matters, false arrest and other constitutional claims premised on 42 USC §1983. During law school, Rachel clerked for the Honorable Lois Tanzer of the Connecticut Superior Court in the Judicial District of New Britain and served in the Employment Rights Department at the Connecticut Attorney General's Office.

Practice Areas

Litigation, Labor, Employment Law and Employee Benefits

Bar and Court Admissions

Connecticut

U.S. District Court, District of Connecticut

U.S. Court of Appeals, Second Circuit

Education

University of Connecticut, J.D., with honors, 2010

University of Connecticut, B.A., *summa cum laude*, 2007



Continued

Publications

"Medical Marijuana Law Has Implications For Employers," *Connecticut Law Tribune*, January 23, 2014

Professional Affiliations

Connecticut Bar Association - Labor and Employment Section - treasurer, Executive Committee member; Resolution of Legal Fees Disputes Committee - arbitrator

Fairfield County Bar Association

Community Involvement

University of Connecticut, College of Liberal Arts and Sciences - alumni mentor

University of Connecticut Fairfield County Alumni Chapter - board member



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Zachary D. Schurin represents local and regional boards of education, regional educational service centers, charter schools, municipalities, non-profit organizations, businesses and individuals in a wide-array of labor, employment, and education law matters. He is an associate attorney in Pullman & Comley's School Law Section, and in the firm's Labor, Employment Law and Employee Benefits and Litigation Departments.

Zach has frequently written and spoken on education, labor and employment law issues. His written work has been published in *The Connecticut Law Tribune*, *The Connecticut Public Interest Law Journal*, the Connecticut Bar Association's *Labor and Employment Law Quarterly*, *The CABA Journal* and Pullman & Comley's *Education Law Notes* and *Working Together* blogs. He is a past-president of the Connecticut Council of School Attorney's and is a member of the Connecticut Labor and Employment Relations Association's steering committee.

Attorney Schurin is a graduate of the University of Connecticut School of Law and Hamilton College. Upon graduation from the University of Connecticut School of Law, Zach was awarded the Fleming James Jr. Award for excellence in labor law studies and the Connecticut Bar Association's Labor and Employment Law Section's annual scholarship awarded. While in law school Zach served as a legislative fellow in the Connecticut General Assembly's Office of Legislative Research.

Practice Areas

School Law; Labor, Employment Law and Employee Benefits; Litigation

Bar and Court Admissions

Connecticut



Continued

U.S. District Court, District of Connecticut
U.S. Court of Appeals for the Second Circuit

Education

University of Connecticut School of Law, J.D., 2008
Hamilton College, B.A., 2003

Publications

"Employment And Immigration Law: School Paraprofessionals May Soon Qualify For FMLA,"
Connecticut Law Tribune, January 23, 2014
"What Is Employee "Discipline" For The Purposes Of Conn. Gen. Stat. § 31-51q?," *Connecticut Bar Association Labor & Employment Law Quarterly*, Winter 2011
"Monkey-Business: Connecticut's Six Billion Dollar Gorilla and the Insufficiency of the Emergence of the ADA as Justification for the Elimination of Second Injury Funds," *Connecticut Public Interest Law Journal*, Fall 2007

Alerts and Newsletters

School Law Alert: How to Respond to FOIA Requests For Overall Teacher Summative Ratings?
Summary of 2014 Connecticut Legislative Enactments Affecting The Public Schools and Public-Sector Employers
ALERT: Policy Revisions Due to New Laws
ALERT: Paraprofessional FMLA Regulations Formally Adopted: School Paraprofessionals Will Now Be Eligible For FMLA Leave Once They Have Worked 950 Hours After May 12, 2014

Professional Affiliations

Connecticut Council of School Attorneys - past president
Connecticut Bar Association - Labor and Employment Law Section
Hartford County Bar Association's Education Law Section - secretary
Labor and Employment Relations Association - Steering Committee, Connecticut Chapter
Oliver Ellsworth Inn of Court

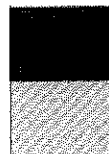


Continued

Honors and Awards

Connecticut Bar Association's Labor and Employment Section 2008 Scholarship Award

Fleming James Jr. Award for Excellence in labor law studies



Kristen F. Perkins

Paralegal

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Kristen F. Perkins is a paralegal in the firm's Litigation Department, working with attorneys who represent clients in litigation matters in both state and federal courts, as well as criminal defense matters and arbitration proceedings. She has extensive trial experience (jury and non-jury) in litigation matters, including commercial litigation, construction and employment law and assists in the preparation of pleadings, appellate briefs and legal memorandums. In her role of implementing electronic discovery practices and procedures within the firm, Kristen consults with attorneys and clients on the development and implementation of preservation plans, discovery plans, document collection, review and production, and overall discovery strategies. She conducts client interviews to assess corporate information technology infrastructure and storage practices.

Practice Areas

Litigation, Employment Law

Education

Eastern Connecticut State University, B.A.

Professional Affiliations

Central Connecticut Paralegal Association, Inc.
National Federation of Paralegals Association, Inc.
Organization of Legal Professionals
Association of Certified E-Discovery Specialists
Women in E-Discovery
Association of Litigation Support Professionals



Continued

Connecticut Bar Association, Paralegal Section

EXHIBIT B

Documents Collected & Reviewed

I. City of Stamford Police Department Records

A. City of Stamford Police Department Records, including, but not limited to: entire Watkins investigation file, search warrants, arrest warrants, or other materials obtained in connection therewith arising out of or related to their investigation.

II. Electronically Stored Information ("ESI")

A. All email messages (produced in electronic format, specifically .pst files), for the time period of July 2013 to January 1, 2015, for the following custodians:

1. Superintendent Winifred Hamilton, her admin. assistant and/or secretary;
2. Assistant Superintendent Michael Fernandes, his admin. assistant and/or secretary;
3. Dr. Stephen Falcone, his administrative assistant and/or secretary;
4. Danielle Watkins;
5. Donna Valentine;
6. Roth Nordin;
7. Angela Thomas Graves;
8. Matthew Forker;
9. Security Guard James Jordan;
10. Kimberly Wheeler; and
11. Officer Stackpole, School Resource Officer assigned to SHS.

B. Emails and documents relating to this investigation that have been collected pursuant to any Freedom of Information Act (FOIA) requests.

C. Stamford Board of Education or City of Stamford cell phone records, for the time period of July 2013 to January 1, 2015, were requested. Responses were received from the cell phone carriers that those records were no longer available.

III. City of Stamford Board of Education, Stamford High School and/or the Superintendent's Office Records

A. Personnel Records of Danielle Watkins, including class schedule for 2013-2014 academic year.

B. Personnel Records of Donna Valentine, Roth Nordin, Angela Thomas-Graves.

C. Stamford High School Student Handbooks for 2013-2014, 2014-2015 academic years.

D. Stamford High School Faculty Handbook for 2013-2014, 2014-2015 academic years.

E. DCF mandated reporter and sexual harassment/Title IX training policies and records for administrators and for high school staff for 2012-2014 academic years, including, but not limited to: (1) listing of attendance at DCF training updated as of 03/13/15, (2) DCF training records and associated emails, (3) Powerpoint presentation and attendance record for 10/17/13 staff training, (4) SPS policy on "Child Abuse and Neglect, (5) SPS policy on "Sexual Harassment / Title IX", (6) Protraxx Training List, (7) Protraxx DCF Attendance Report, and (8) Protraxx DCF Attendance Report (updated).

F. Names and schedules of Stamford High School security staff and/or school resource officers for the 2013-2014 academic year.

G. Stamford High School Yearbooks for 2013-2014, 2014-2015 academic years.

H. Paper or electronic copies of calendars for Superintendent Hamilton, Asst. Superintendent Fernandes, Principal Valentine, and Asst. Principals Thomas-Graves and Nordin.

I. Human Resources' file on DCF Report regarding Watkins.

J. Names and schedules of Support Staff for 2013-2014 academic year.

- K. SHS Teacher Packet, including 2014-2015 Opening Packet.
- L. Memorandum of Agreement between Stamford Public Schools and Stamford Police Department dated January 2014.
- M. 2011 Investigation documents, including, but not limited to: initial report dated 11/14/11, supplemental report dated 11/22/11, and emails surrounding the issue.
- N. Dates of SHS Fire Safety Drills performed during the 2013-2014 academic year.
- O. Final NEASC Report.
- P. Shipman & Goodwin Time Entries and Bills.
- Q. Files Re Mandated Reporter Complaints of Two Teachers (names to remain confidential).

IV. Student (Victim)

- A. School file (to remain confidential), including, but not limited to his class schedule for the 2013-14 academic year
- B. Name and contact information of student's counselor who reported incident.

V. Shipman & Goodwin, LLP Documents

- A. Redacted Time Entries and Bills.
- B. Training Materials and Records, including, but not limited to: training slides, notes, attendance records, dates and times of training and location of training.
- C. Investigative Reports and Statements.
- D. Email communications for the time period of August 2013 to January 1, 2015, between Shipman & Goodwin and the Superintendent's Office, Principal and Assistant Principals of SHS, Stamford Police Department, Stamford State's Attorney, DCF.

VI. Miscellaneous

- A. DCF Investigation Protocol Re Stamford High School (to remain confidential).
- B. Documents received from Attorney Mark Sherman: various emails re Dr. Valentine; email from Sherman to Mooney re Valentine's complaints of intimidation and retaliation; and copies of text messages from Dr. Valentine's cell phone.
- C. Paper file on Ms. Watkins received from Roth Nordin.
- D. Documents received from Attorney Floyd Dugas: Listing of Staff for 2005-15 that shows resignations, retirements and/or transfers; email regarding Mandated Reporter List.
- E. Documents received from CEA: Completion of Mandated Reporter Training Affidavit Form (New 2014-15 Year); Mandated Reporter Reference Card (New 2014-15 Year); NEASC Survey; NEASC Self-Study Results for SHS, dated March 1, 2013.
- F. Documents received from Matthew Forker: original invite from Dr. Valentine to attend 07/09/14 meeting in her office re "incident"; DW Timeline 2014.

EXHIBIT C

Interview List (By Organization)

Connecticut Education Association (CEA)

Sue Fulleton, Director of Affiliate Services and Member Training
Sharon Quinn, Representative

Department of Children and Families (DCF)

Thomas DeMatteo, Assistant Legal Director
Mark Feller, Staff Attorney



Several Staff and Administrators

Shipman & Goodwin, LLP

Charles Howard, Attorney
Thomas Mooney, Attorney
Christopher Tracey, Attorney

Stamford Education Association (SEA)

Michael Arcano, President, Stamford Education Association

Stamford High School (SHS)

Donna Valentine, Principal
Claudia Berlage, Assistant Principal
Matthew Forker, Assistant Principal
Angela Thomas-Graves, Assistant Principal
Roth Nordin, Assistant Principal
Audrey Way, Assistant to Ms. Graves
Curtis Tinnin, Head of Security
James Jordan, Security Guard
Wendy Wade, Teacher and Building Representative
Kimberly Wheeler, Teacher
Mitchell Foote, Department Head for Special Education
Susan Doherty, Special Ed Teacher
Celeste Elfstrom, Special Ed Teacher
Anna Murray (Englis), Guidance Counselor
Rafael Escobar, Dean of Students
Beth Gillin, Department Head for English Department
Ben Levy, Guidance Counselor

Stamford Police Department (SPD)

Officer Ken Boyd, School Resource Officer
Officer James Stackpole, School Resource Officer

Stamford Public Schools (SPS)

Dr. Winifred Hamilton, Superintendent

Dr. Michael Fernandes, Assistant Superintendent

Dr. Stephen Falcone, Executive Director of Human Resources

Susan Paley, Former Assistant Director of Human Resources

Joe O'Callaghan, Director of Social Work

James Cooney, Social Worker

Wayne Holland, Director of Special Education Services

Michelle Kulis, Assistant to Dr. Hamilton

John Perrotta, Director of Security

Jackie Heftman, President of Stamford Board of Education

Geoff Alswanger, Immediate Past President of Stamford Board of Education

State's Attorney's Office

David I. Cohen, State's Attorney

Miscellaneous

Devin Janosov, Attorney for V1 and V2; and

Attorney for Mother of V2

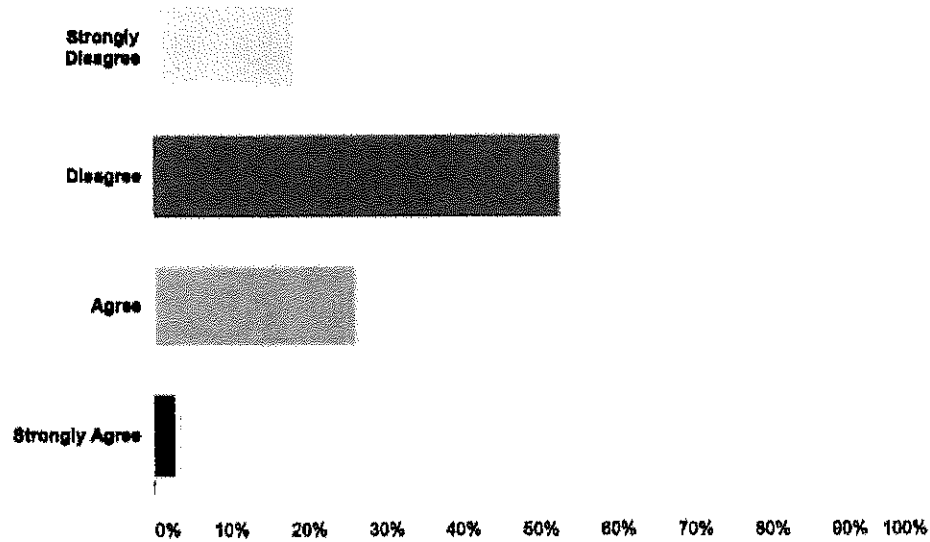
Robert Serafinowicz, Attorney for Danielle Watkins

EXHIBIT D

Stamford High School Climate Survey 2015

Q1 Shows fairness and consistency dealing with staff.

Answered: 38 Skipped: 3

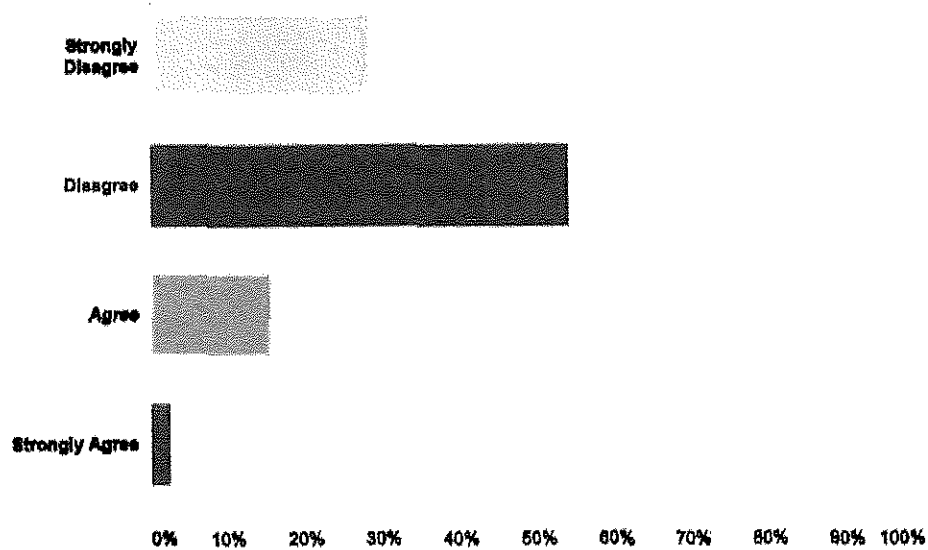


Answer Choices	Responses	
Strongly Disagree	18.42%	7
Disagree	52.63%	20
Agree	26.32%	10
Strongly Agree	2.63%	1
Total		38

Stamford High School Climate Survey 2015

Q2 Teachers can express views openly without fear of recrimination.

Answered: 38 Skipped: 2

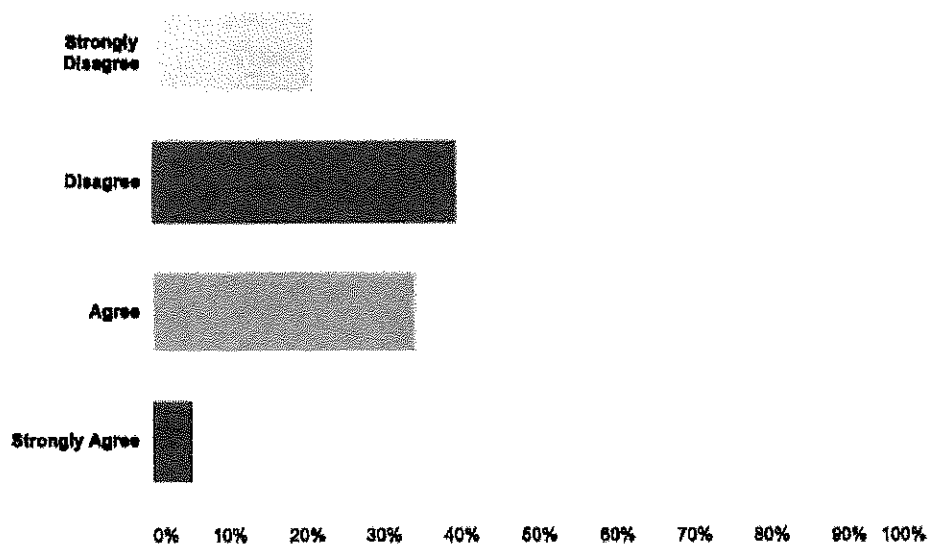


Answer Choices	Responses	
Strongly Disagree	28.21%	11
Disagree	53.88%	21
Agree	15.38%	6
Strongly Agree	2.56%	1
Total		38

Stamford High School Climate Survey 2015

Q3 Is firm, not domineering or vacillating in using authority.

Answered: 38 Skipped: 3

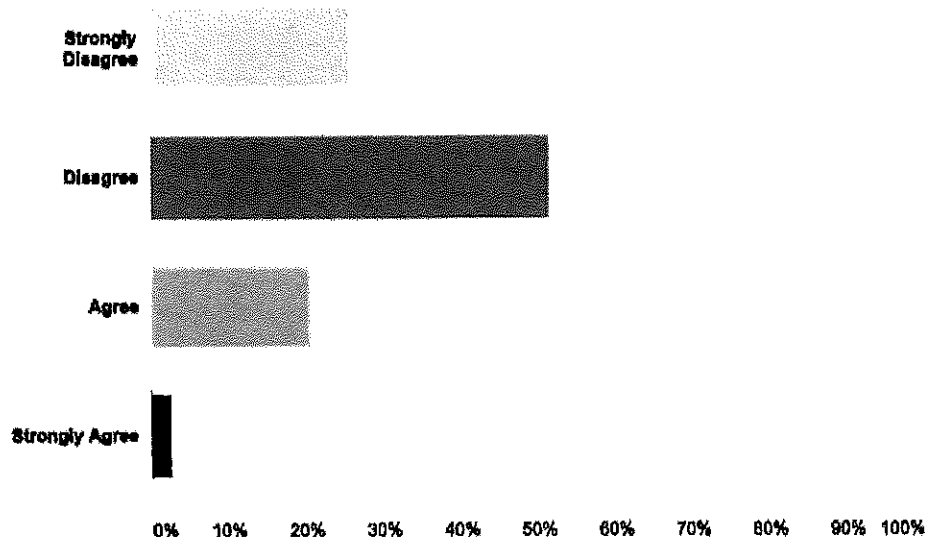


Answer Choices	Responses	
Strongly Disagree	21.05%	8
Disagree	39.47%	15
Agree	34.21%	13
Strongly Agree	5.26%	2
Total		38

Stamford High School Climate Survey 2015

Q4 Creates and maintains a work environment in which staff can express their views openly without fear of recrimination from other staff and/or administration.

Answered: 39 Skipped: 2

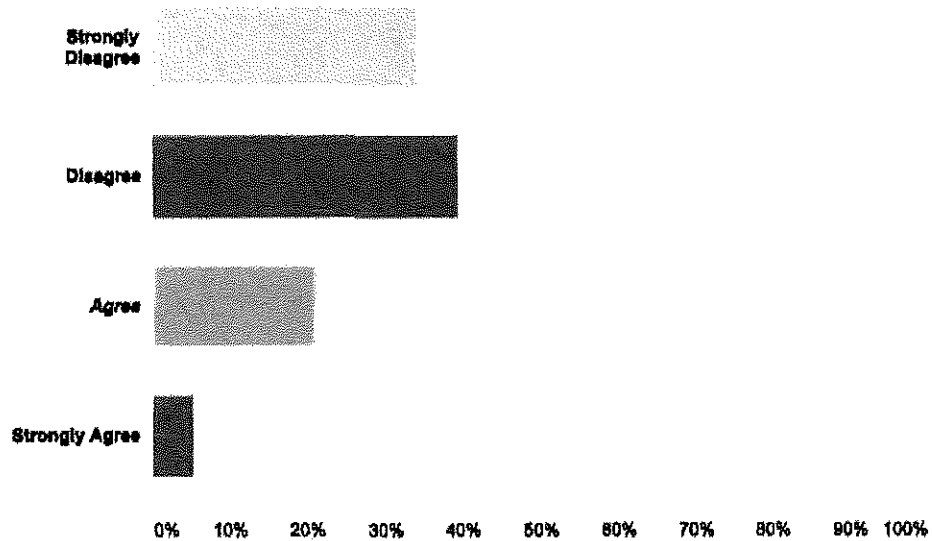


Answer Choices	Responses	
Strongly Disagree	25.64%	10
Disagree	51.28%	20
Agree	20.51%	8
Strongly Agree	2.55%	1
Total		39

Stamford High School Climate Survey 2015

Q5 Supervises even-handedly without favorites.

Answered: 38 Skipped: 3

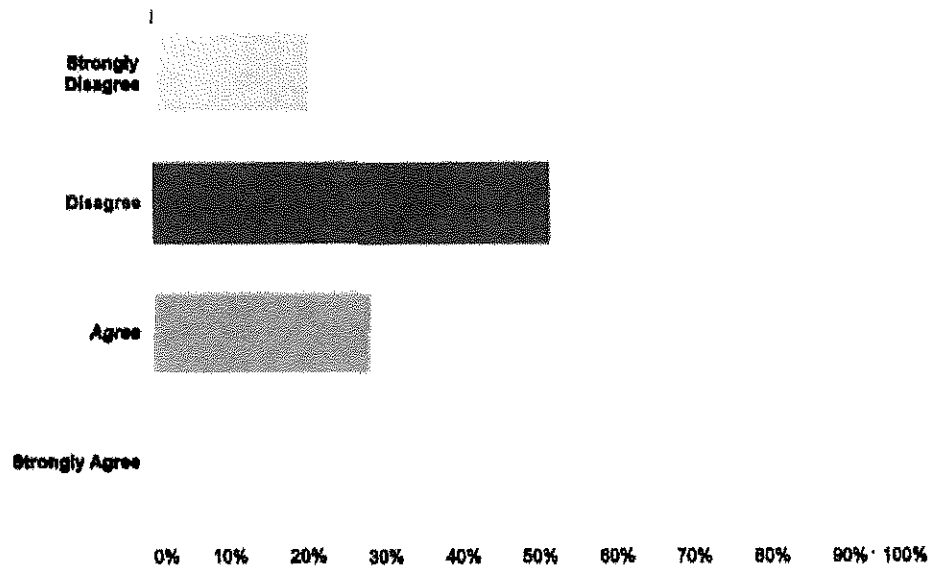


Answer Choices	Responses	
Strongly Disagree	34.21%	13
Disagree	39.47%	15
Agree	21.05%	8
Strongly Agree	5.26%	2
Total		38

Stamford High School Climate Survey 2015

Q6 Demonstrates a clear vision for this district.

Answered: 39 Skipped: 2

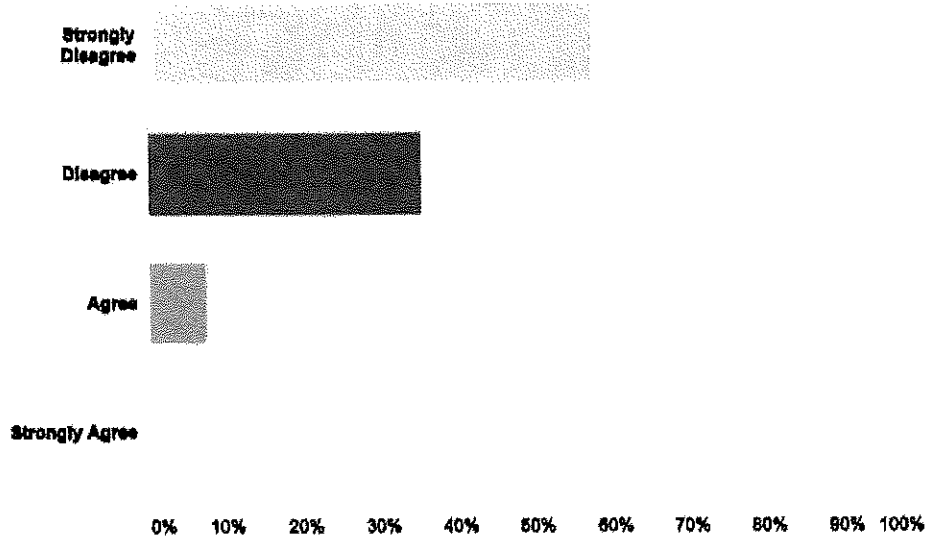


Answer Choices	Responses	
Strongly Disagree	2.56%	1
Disagree	51.28%	20
Agree	28.21%	11
Strongly Agree	0.00%	0
Total		39

Stamford High School Climate Survey 2015

Q7 New Initiatives are well planned, aligned with a clearly articulated philosophy and timeline, are administered consistently across the district, and have a direct and meaningful impact on instruction.

Answered: 40 Skipped: 1

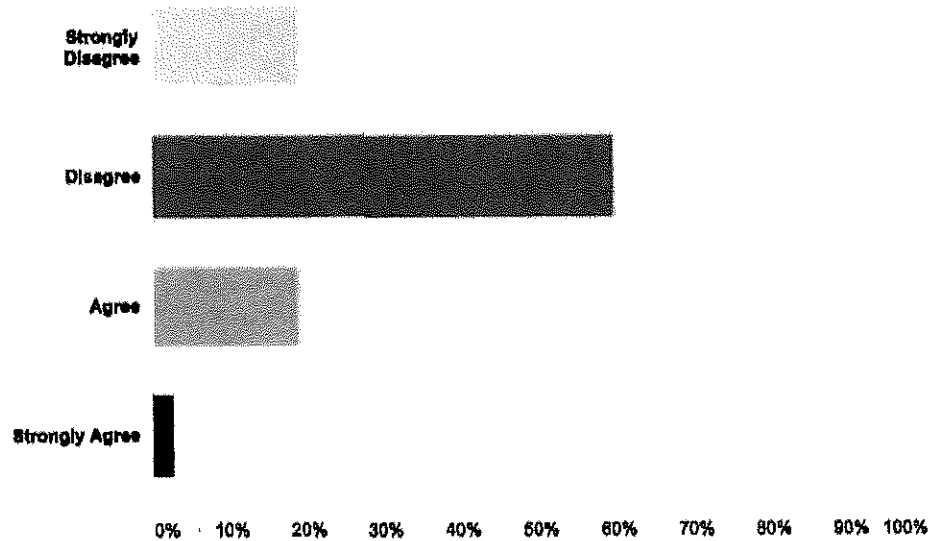


Answer Choices	Responses	
Strongly Disagree	57.50%	23
Disagree	35.00%	14
Agree	7.50%	3
Strongly Agree	0.00%	0
Total		40

Stamford High School Climate Survey 2015

Q8 Seeks staff and public opinions on proposed policies and reports findings to the board.

Answered: 37 Skipped: 4

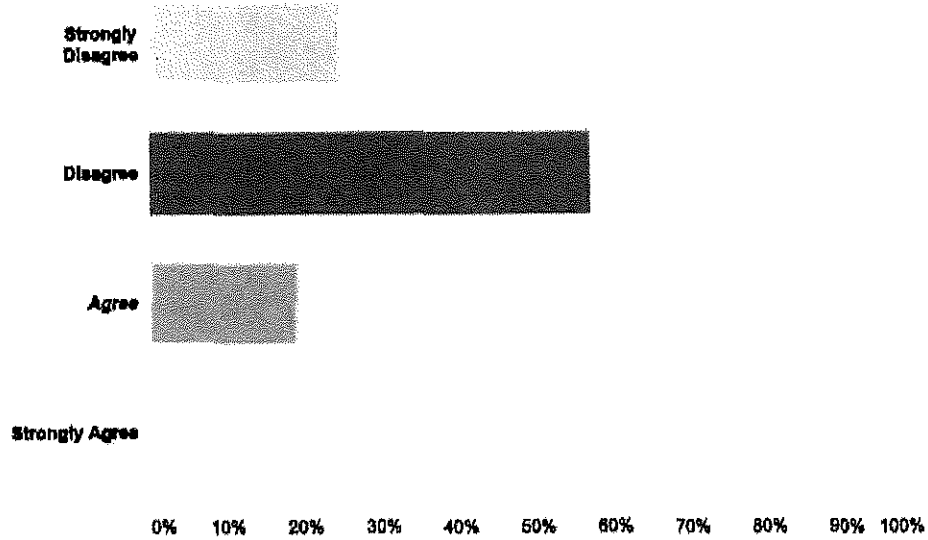


Answer Choices	Responses	
Strongly Disagree	18.92%	7
Disagree	59.46%	22
Agree	18.92%	7
Strongly Agree	2.70%	1
Total		37

Stamford High School Climate Survey 2015

Q9 Welcomes constructive criticism and makes good use of it.

Answered: 37 Skipped: 4

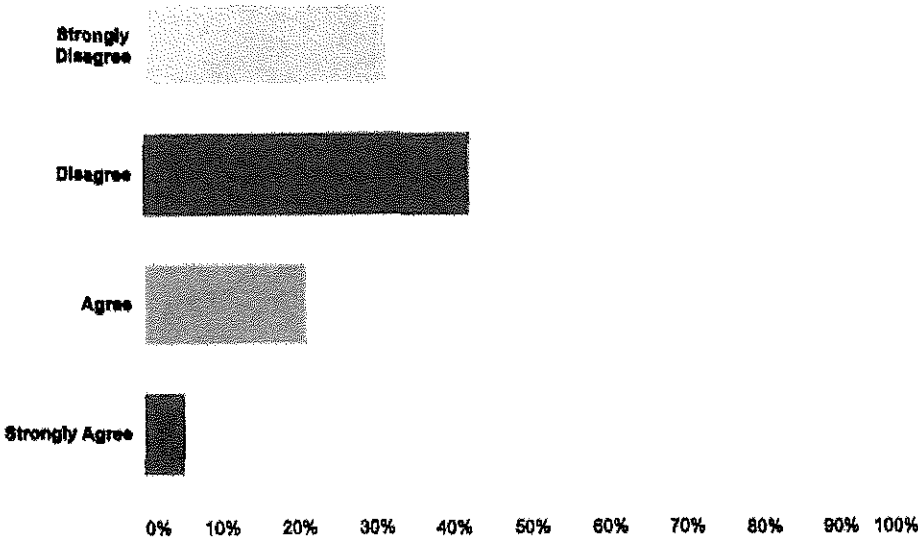


Answer Choices	Responses	
Strongly Disagree	24.32%	9
Disagree	56.76%	21
Agree	18.92%	7
Strongly Agree	0.00%	0
Total		37

Stamford High School Climate Survey 2015

Q10 Shows more concern for effective education than public affairs.

Answered: 38 Skipped: 3

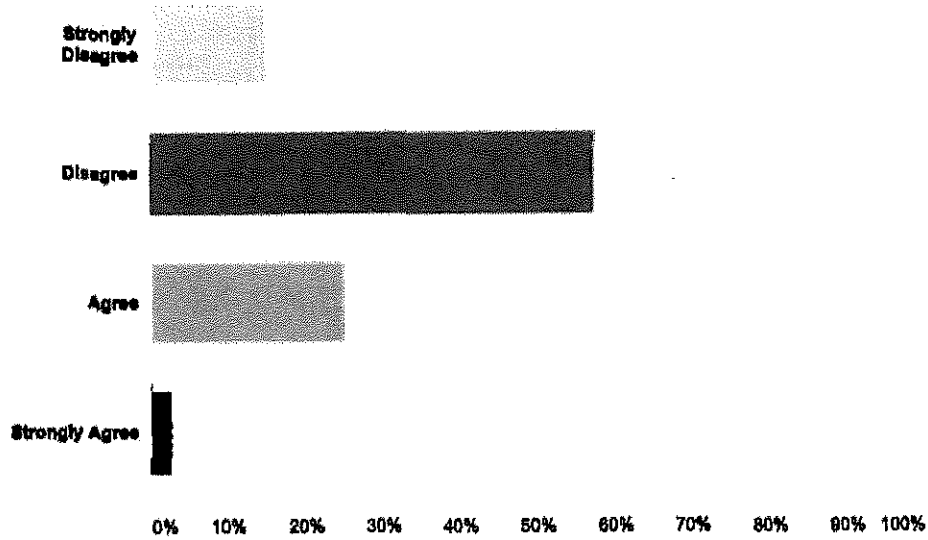


Answer Choices	Responses	
Strongly Disagree	31.58%	12
Disagree	42.11%	16
Agree	21.05%	8
Strongly Agree	5.26%	2
Total		38

Stamford High School Climate Survey 2015

Q11 Keeps staff informed of progress towards short and long range goals.

Answered: 40 Skipped: 1

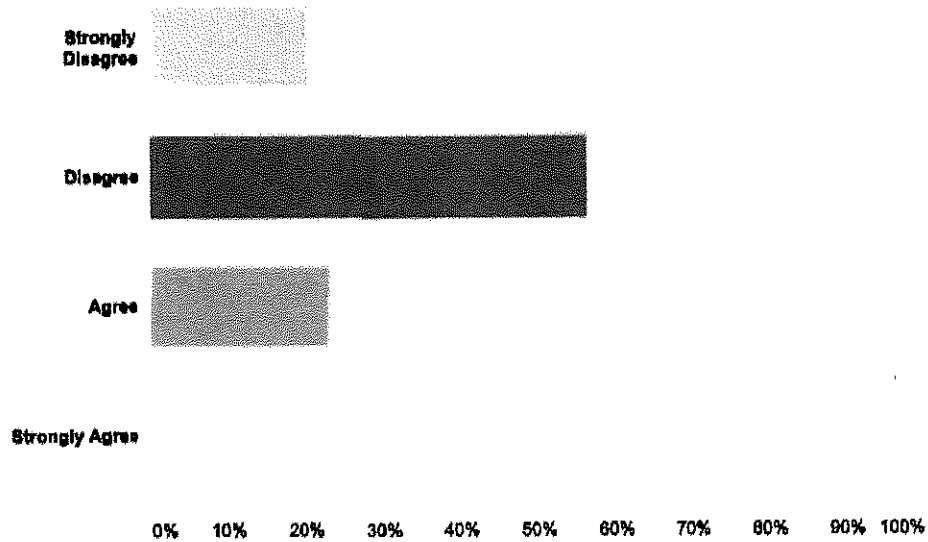


Answer Choices	Responses	
Strongly Disagree	15.00%	6
Disagree	57.50%	23
Agree	25.00%	10
Strongly Agree	2.50%	1
Total		40

Stamford High School Climate Survey 2015

Q12 Has an ability to make teachers and staff feel at ease.

Answered: 39 Skipped: 2

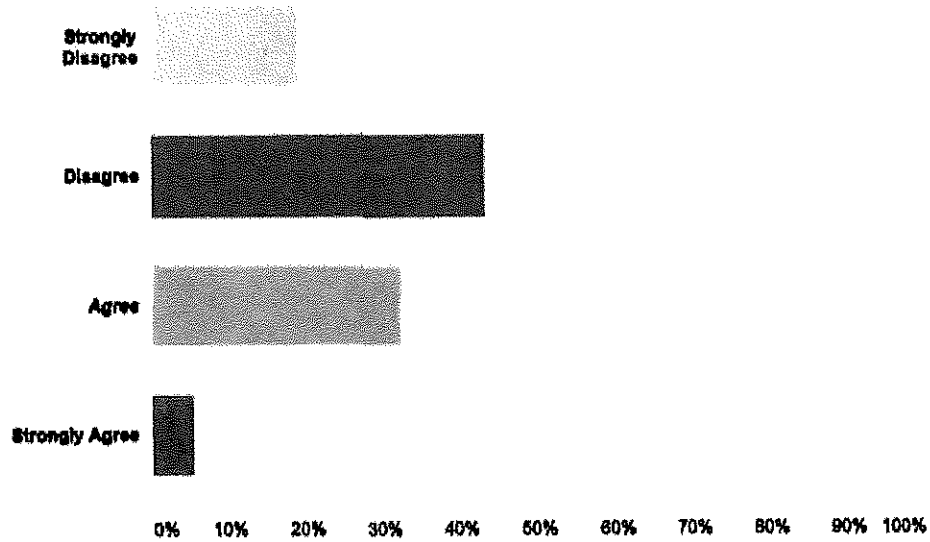


Answer Choices	Responses	
Strongly Disagree	20.51%	8
Disagree	56.41%	22
Agree	23.08%	9
Strongly Agree	0.00%	0
Total		39

Stamford High School Climate Survey 2015

Q13 Has an approachable manner that encourages me to interact with him/her.

Answered: 37 Skipped: 4

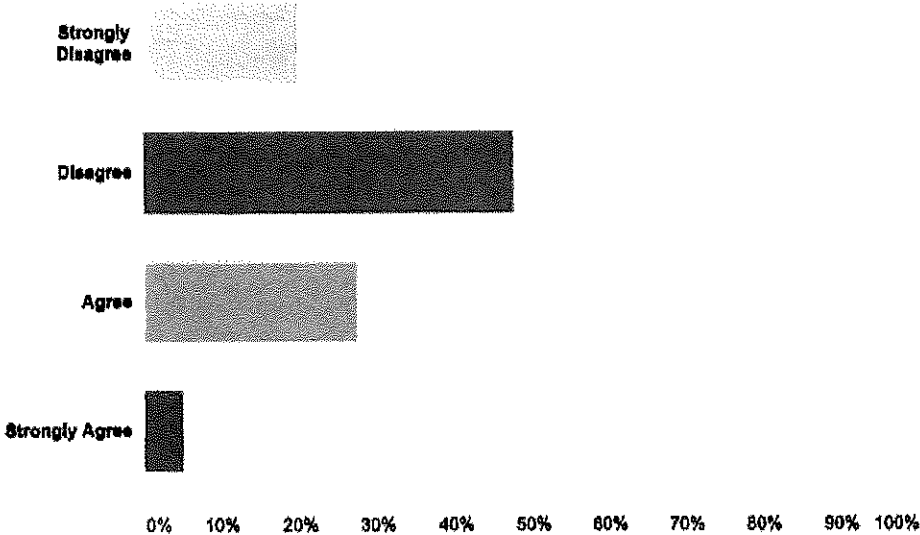


Answer Choices	Responses	
Strongly Disagree	18.92%	7
Disagree	43.24%	16
Agree	32.43%	12
Strongly Agree	5.41%	2
Total		37

Stamford High School Climate Survey 2015

**Q14 Has communication structures in place
to deliver information and policy directives
that are clear, unambiguous and
consistently delivered.**

Answered: 40 Skipped: 1

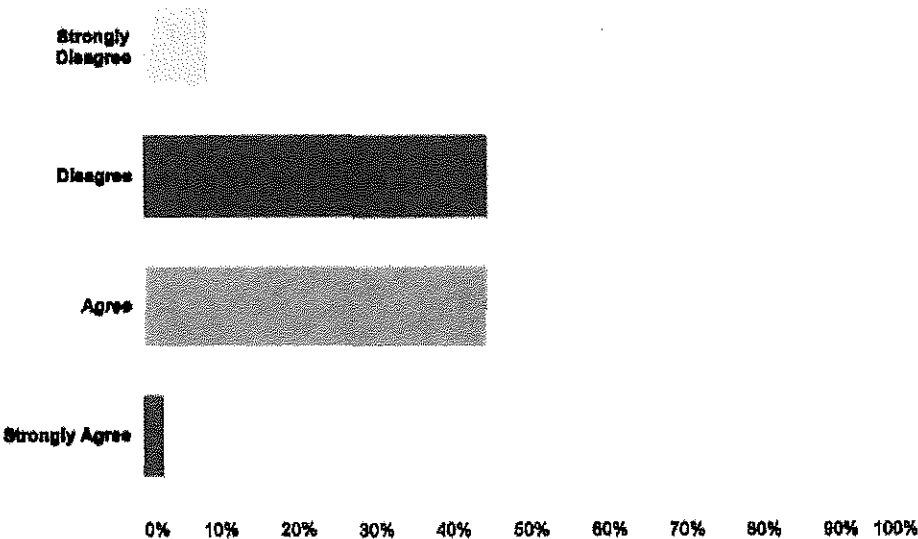


Answer Choices	Responses	
Strongly Disagree	20.00%	8
Disagree	47.50%	19
Agree	27.50%	11
Strongly Agree	5.00%	2
Total		40

Stamford High School Climate Survey 2015

Q15 Shows respect for and values diversity
in perspectives.

Answered: 36 Skipped: 5

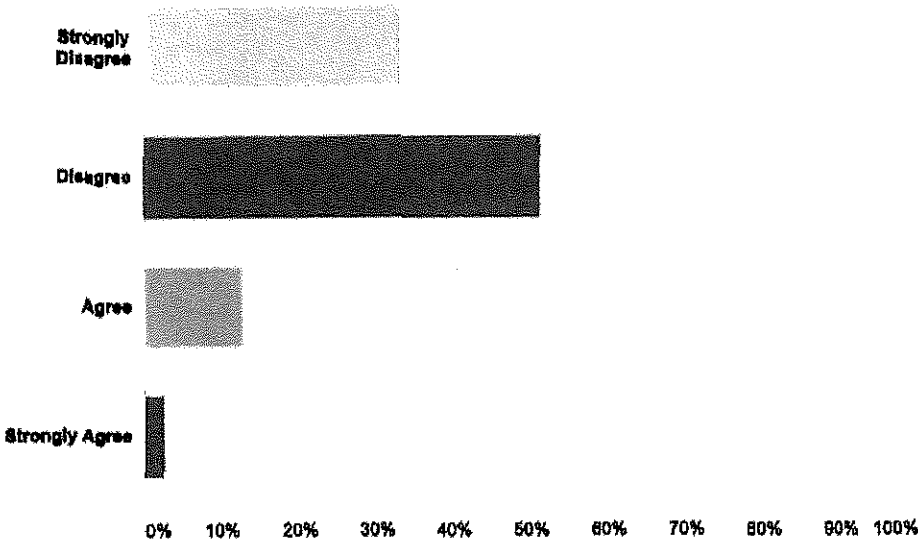


Answer Choices	Responses	
Strongly Disagree	8.33%	3
Disagree	44.44%	16
Agree	44.44%	16
Strongly Agree	2.78%	1
Total		36

Stamford High School Climate Survey 2015

Q16 Develops good staff morale and loyalty to the organization.

Answered: 39 Skipped: 2

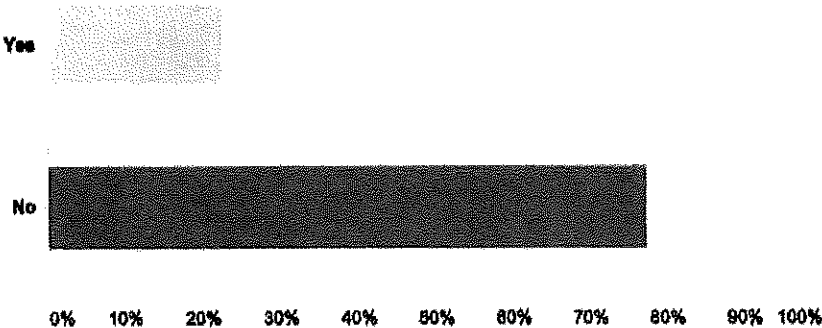


Answer Choices	Responses	
Strongly Disagree	33.33%	13
Disagree	51.28%	20
Agree	12.82%	5
Strongly Agree	2.56%	1
Total		39

Stamford High School Climate Survey 2015

Q17 Have you received mandated reporter training in the three years prior to this current school year?

Answered: 40 Skipped: 1

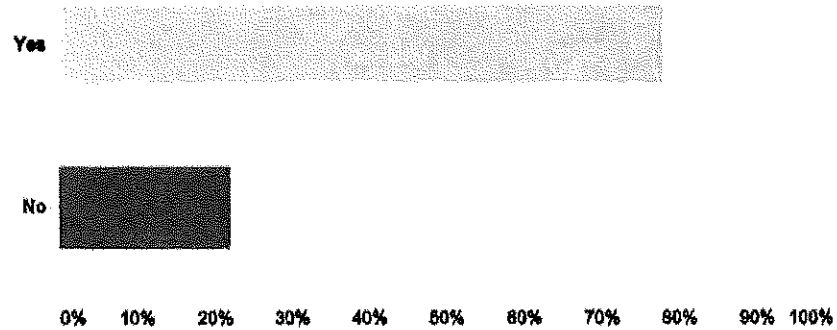


Answer Choices	Responses	
Yes	22.50%	9
No	77.50%	31
Total		40

Stamford High School Climate Survey 2015

Q18 Do you feel confident that you have an understanding of your obligations as a mandated reporter?

Answered: 41 Skipped: 0

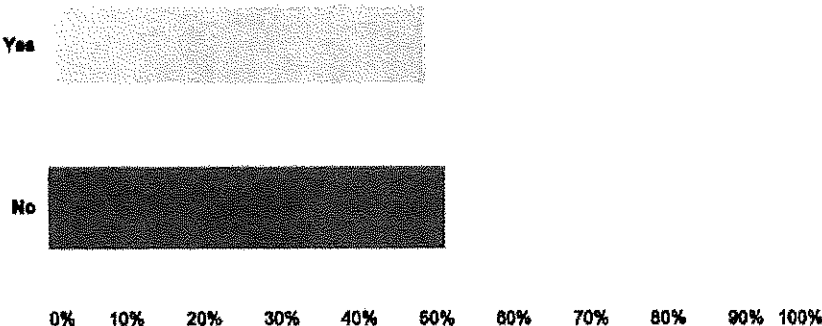


Answer Choices	Responses	
Yes	78.05%	32
No	21.95%	9
Total		41

Stamford High School Climate Survey 2015

**Q19 Has the Superintendent's office
provided adequate guidance to assist you
in complying with your obligations as a
mandated reporter?**

Answered: 41 Skipped: 0

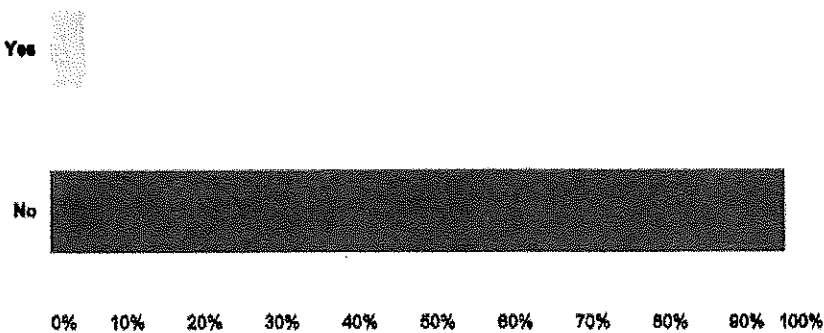


Answer Choices	Responses	
Yes	48.78%	20
No	51.22%	21
Total:		41

Stamford High School Climate Survey 2015

Q20 Would you hesitate in filing a report of abuse or neglect out of fear that you will be subject to retaliation?

Answered: 41 Skipped: 0



Answer Choices	Responses	
Yes	4.85%	2
No	95.12%	39
Total		41

EXHIBIT E

STAMFORD PUBLIC SCHOOLS
P.O. BOX 9310
STAMFORD, CT 06904



Stamford Public Schools
EXCELLENCE IS THE POINT.

Fax

To:	Chris Tracey Shipman & Goodwin	From:	Michael Fernandes Asst. Superintendent
Phone:		Phone:	203-977-4567
Fax:	203-324-8199	Fax:	203-977-4968
Date:	June 6, 2014	Pages (including cover):	8
Re:	Stamford High School		

Sent By: STAMFORD PUBLIC SCHOOLS;
Jun.06.2014 02:18 PM

203 977 4988;

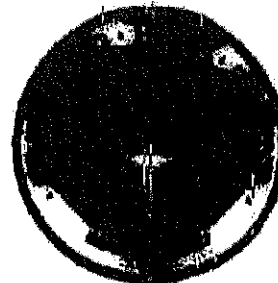
Jun-B-14 4:12PM)

Page 2

PAGE. 1/ 7

Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06902

Main Office: 977-4223
Fax: 356-1720



Confidential

To: Dr. Fernandes	From: Dr. Valentine
Fax: 4968	Pages: (including cover page)
Phone:	Date:
Rec:	CC:
<input checked="" type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	

Sent By: STAMFORD PUBLIC SCHOOLS;
Jun. 06. 2014 02:19 PM

203 977 4968;

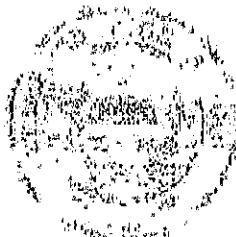
Jun-6-14 4:12PM

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PAGE 2/ 7

Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06902

Main Office: 203-977-4229
Fax: 203-356-1720



Donna A. Valentine, Ed. D.
Principal
Assistant Principals:
Claudia Berlage
Matthew Ficker
Roth Nordin
Angela Thomas Graves

TO: Dr. Michael Fernandes
FROM: Donna A. Valentine, Ed.D
DATE: June 6, 2014
RE: TEACHER INCIDENT

During the past three or four weeks, I received several calls and e-mails and through a meeting with a student gained information that there might be some relationship irregularities regarding a teacher, Danielle Watkins, and a 20 year old student, [Redacted]. [Redacted] I reported this to Dr. Falcone and Dr. Fernandes as a preliminary concern at that time.

There have been several disturbing incidents with this teacher and her contact with the student mentioned in the attached reports. I believe it is urgent that we meet in person to further these concerns.

Sincerely,

Dr. Donna A. Valentine

Sent By: STAMFORD PUBLIC SCHOOLS;
Jun.06.2014 02:19 PM

203 977 4968;

Jun-6-14 4:12PM;

Page 4/8

PAGE. 3/ 7

Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06902

Main Office: 203-977-4223
Fax: 203-356-1720



Donna A. Valentini, Ed. D.
Principal
Assistant Principals:
Claudia Barile
Matthew Forker
Ruth Nordin
Angela Thomas Graver

June 6, 2014

Dear Dr. Valentine,

A few months back, I believe it was in April, James Jordan, security officer, came to me to inform me of what a few students had shared with him regarding Mrs. Watkins and a student. The student had indicated to Mr. Jordan that he believed that the student and teacher were involved in an inappropriate relationship. I did report to you that there was a rumor flying around, and that I would keep an eye on the situation. I then began observing a number of Mrs. Watkins classes and reported my findings to you. I could not substantiate the allegations.

In another report in mid-May, an Art teacher reported to the SEA building representative that she had overheard students discussing the same issue. When she began asking them questions about it, they became reluctant to share any more information believing that they would be hurt. This was reported to you by both the teacher and the SEA representative.

Since then, I have only heard various accounts of possible wrong-doings on Mrs. Watkins part from you. Unfortunately, I was out of the building from May 27-30 in a scheduling workshop and have been consumed with that project since.

Sincerely,



Ruth Nordin

Sent By: STAMFORD PUBLIC SCHOOLS;
Jun. 06. 2014 02:19 PM

203 977 4988;

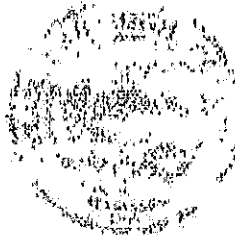
Jun-6-14 4:12PM;

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PAGE. 4/ 7

Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06902

Main Office: 203-977-4223
Fax: 203-356-1720



Donna A. Valentine, Ed. D.
Principal
Assistant Principals:
Claudia Berlage
Maureen Parker
Roth Nordin
Angela Thomas Graves

Dear Dr. Valentine:

June 6, 2014

A couple months back I think it was in March or April while I was standing in the hall up on the second floor. A student was standing next to me. **Redacted** stopped and said what's up to us, as he was on his way to Mrs. Watkins classroom. The other student said to me "You know he is F---ing her", referring to Mrs. Watkins. And I said what? The student said "that everybody knows about it".

After that I overheard a few students talking about how she lets him drive her car. I was in the student parking lot and I saw him pick her up in her car and drove off. He is always hanging around in her classroom. I did report this to Miss. Nordin who informed the principal. There was another time when I was monitoring the student parking lot and I saw him drive her car in and park it in the student parking lot.

Sincerely,

James Jordan Security

Sent By: STAMFORD PUBLIC SCHOOLS;
Jun. 06, 2014 02:19 PM

208 877 4968;

Jun-6-14 4:13PM;

Page 6/8

PAGE: 5/ 7

Valentine, Donna

To: Wheeler, Kimberly
Subject: RE: Tuesday May 13, 2014

From: Kimberly Wheeler [Kimberly.wheeler716@yahoo.com]
Sent: Wednesday, May 14, 2014 7:02 AM
To: Wheeler, Kimberly; Kim DeBlase-Wheeler
Subject: Tuesday May 13, 2014

Tuesday May 13, 2014
Period 2, Redacted
Room 628

Redacted was speaking with his friends when I heard him say something that was very disturbing. He said he saw a teacher coming out of a car with a student, and that they were sleeping together. I asked him if what he said was true, and he said "I know for a fact that it's true because I seen it with my own eyes." He went on to tell me that everybody knows about it, but are afraid to say something because the people she (the teacher) hangs out with are very violent, and he is afraid he will get hurt. One of his friends then called Redacted a snitch. He went on to say that these kids that she hangs out with are so violent, that he thinks they would have no problem hurting a teacher too. He was saying all this loud enough so some of the other students in the class were listening. They began to ask who it is, and he said, he doesn't want to say, but she was his freshman english teacher. After he realized that others were listening, he tried to stop talking about it, and would not answer anymore questions.

The students who were talking about this were:

Redacted
Redacted all grade 12

Sent from my iPad

Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06903

Main Office: 203-977-4223
Fax: 203-356-1720



Donna A. Valentine, Ed. D
Principal
Assistant Principals:
Claudia Berlage
Matthew Forker
Beth Nordin
Angela Thomas Graves

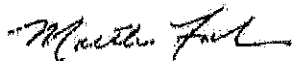
TO: Dr. Donna A. Valentine, Ed.D
FROM: Matthew Forker
DATE: June 4, 2014
RE: TEACHER INCIDENT

On May 28, 2014, I received a call from my principal Dr. Valentine in which she shared with me a conversation she had with a student who reported that there might be some relationship irregularities regarding a teacher, Danielle Watkins, and a student. I was asked on May 28, 2014 to report to the 7th floor of Stamford High School in an effort to get a visual on Mrs. Watkins re-entering Stamford High School from the teacher parking lot. At 9:00 am I reached my location, which gave me a clear visual of the outside grounds of SHS: The tennis courts, the entrance to the south driveway, the teacher satellite parking lot, and the teacher/student lot across the street. At roughly 9:05 am, I witnessed Danielle Watkins walking from the teacher/student lot to the south driveway which leads to the custodial entrance on the 4th Floor. I reported to Dr. Valentine that Mrs. Watkins did in fact pass my vantage point and was heading towards the entrance of the school.

Minutes after reporting to Dr. Valentine, I witnessed Mrs. Watkins double back and begin to make her way past the tennis courts towards the track and the football stadium. The time was about 9:09 am. I left my vantage point on the 7th floor and went down one flight of stairs which would allow me access to the outside. I made my way towards the track/football stadium to investigate further. As I reached the corner of the gymnasium and the road which leads to the stadium, I noticed Mrs. Watkins walking on the track away from Stamford High School towards the north end of the stadium which leads to Holcomb Avenue. As Mrs. Watkins was walking, an unidentified person, was entering the stadium from Holcomb Avenue. This unidentified person, who I later learned was Redacted

Redacted approached Mrs. Watkins and the two of them stood for a minute in which it appeared as if they were talking. Mrs. Watkins then squated in front of this person as if she was looking for something in her bag, tying his shoes, or had dropped a personal item. The time was now 9:11. This behavior continued for a few more minutes until the unidentified person Redacted turned and left the stadium to Holcomb Avenue. Mrs. Watkins also turned and began to walk back towards SHS where she re-entered the building.

I reported this all to Dr. Valentine.



Matthew Forker
June 4, 2014

EXHIBIT F

From: jimmijj2003 [REDACTED] >
Sent: Friday, June 6, 2014 10:33 AM
To: Valentine, Donna <DValentine@StamfordCT.gov>
Subject: RE: Code Red

Sent via the Samsung Galaxy S2 mini, on AT&T 4G LTE-Airplane

----- Original message -----
From: Wendell Christian
Date: 06/06/2014 10:08 (GMT-05:00)
To: jimmijj2003 [REDACTED]
Subject: Code Red

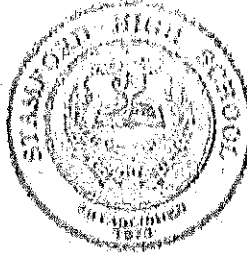
June 6, 2014

A few months back I think it was in February or March while I was standing in the hall up on the second floor. A student was standing next to me; [REDACTED] stopped and said what's up to us, as he was on his way to Ms. Watkins classroom. The student said to me "You know he is F---ing her". And I said what? The student said "that everybody knows about it". After that I overheard a few students talking about how she lets him drive her car. I was in the student parking lot and I saw him pick her up in her car and drove off. He is always hanging around in her classroom. I did report this to Miss. Nordin. There was another time when I was monitoring the student parking lot, I saw him drive her car in and park it in the student parking lot.

James Jordan Security

Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06902

Main Office: 203-977-4223
Fax: 203-356-1720



Donna A. Valentine, Ed. D
Principal
Assistant Principals:
Claudia Berlage
Matthew Forker
Roth Nordin
Angela Thomas Graves

Dear Dr. Valentine:

June 6, 2014.

A few months back I think it was in February or March while I was standing in the hall up on the second floor. A student was standing next to me; [REDACTED] stopped and said what's up to us, as he was on his way to Ms. Watkins classroom. The other student said to me "You know he is F---ing her", referring to Mrs. Watkins. And I said what? The student said "that everybody knows about it".

After that I overheard a few students talking about how she lets him drive her car. I was in the student parking lot and I saw him pick her up in her car and drove off. He is always hanging around in her classroom. I did report this to Miss. Nordin who informed the principal. There was another time when I was monitoring the student parking lot and I saw him drive her car in and park it in the student parking lot.

Sincerely,

James Jordan Security

Sent By: STAMFORD PUBLIC SCHOOLS;
June 06, 2014 02:19 PM

203 977 4998;

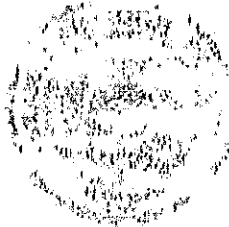
Jun-6-14 4:12PM;

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Stamford High School
55 Strawberry Hill Ave.
Stamford, CT 06902

Main Office 203-977-4223
Fax: 203-366-1720



Donna A. Valentine, Ed. D.
Principal
Assistant Principals:
Claudia Berlage
Matthew Parker
Keith Nordlin
Angela Thomas Craver

Dear Dr. Valentine:

June 6, 2014

A couple months back I think it was in March or April while I was standing in the hall up on the second floor. A student was standing next to me; [Redacted] stopped and said what's up to us, as he was on his way to Ms. Watkins classroom. The other student said to me "You know he is f---ing her", referring to Mrs. Watkins. And I said what? The student said "that everybody knows about it".

After that I overheard a few students talking about how she lets him drive her car. I was in the student parking lot and I saw him pick her up in her car and drove off. He is always hanging around in her classroom. I did report this to Miss. Nordlin who informed the principal. There was another time when I was monitoring the student parking lot and I saw him drive her car in and park it in the student parking lot.

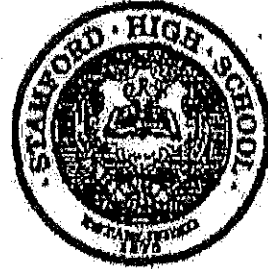
Sincerely,

James Jordan Security

EXHIBIT G

Stanford High School
55 Strawberry Hill Ave.
Stanford, CT 06902

Main Office: 977-4223
Fax: 356-1720



Fax

To: Steve Pakane	From: Dr. Valentine
Fax: 5004	Pages: (including cover page)
Phone: Dr. Fernandes	Date:
Ext: 4968	CO:
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	

Please Keep
Student name on
This Report Confidential

Dr. Valentine

STAMFORD HIGH SCHOOL
STAMFORD, CONNECTICUT

STUDENT STATEMENT

Please write your statement of what you saw or heard, explain what took place. Include witness's names. Please be as descriptive as you can:

STUDENT NAME: _____ DATE: 6-18

ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

PARENTS CALL: _____

GRADE: _____ PERIOD: _____ COUNSELOR: _____

I was sitting in my car one day and I saw a teacher get in a car with a student. I thought it was nothing at first until I saw this happen almost every day. After a while I heard rumors saying that the teacher was having relations with the student. It started to bother me so I decided to report it to my administrators during that time period. I still saw them together but now the student was driving her car even when she wasn't there, and sometimes after school I saw them driving together. Also one day I drove home and they were smoking in the car. I was not able to tell what they were smoking.

EXHIBIT H



P.O. Box 9310, Stamford, CT 06904

Offices at 888 Washington Blvd. Phone (203) 977-4105

www.stamfordpublicschools.org

Winifred Hamilton, Ph.D., Superintendent of Schools

June 19, 2014

E-MAIL AND INTEROFFICE MAIL FOR:

Ms. Danielle Watkins
ELA Teacher
Stamford High School

RE: PRE-DISCIPLINARY MEETING

Dear Ms. Watkins,

Please report for a meeting at the Human Resources Office at the Government Center at 10:00 a.m. on Monday, June 23, 2014.

The purpose of this meeting is to provide you with an opportunity to respond to concerns raised by the administration of Stamford High School.

You are entitled to union representation.

Please sign and bring this letter when you report for this meeting.

Sincerely,

Dr. Stephen Falcone
Executive Director, Human Resources

cc: Dr. Valentine, M. Arcano

I acknowledge receipt of this letter

Danielle Watkins
Date 6/23/14

EXHIBIT J

From: [Redacted]
Sent: Tuesday, November 19, 2013 8:59 PM
To: Holland, Wayne <WHolland@StamfordCT.gov>; Thomas, Graves, Angela <A.Thomas-Graves@StamfordCT.gov>; [Redacted]
Cc: [Redacted]
Subject: Fw: New appointment [Redacted] DOB [Redacted]/[Redacted]/96
Attach: ContractedLetter-Rpt.pdf

Attached please find my [Redacted] for [Redacted] [Redacted]. Please do note that there appears to be an incorrect birth date on the letter. [Redacted] actual DOB is [Redacted]/[Redacted]/96.

I am formally requesting a complete copy of [Redacted] regular [Redacted] report cards, record, including, but not limited to, [Redacted] report cards, evaluations, results of standardized testing, disciplinary records, copies of written communications (including, but not limited to, emails, letters and teacher notes), [Redacted] and current school schedules. Please include all files maintained within your school and at the districts' administrative offices.

I am requesting copies of these files under the guidelines set out within FERPA and as provided by Section 10-76-18 (b)(2), CT Administrative Regulations.

My understanding is that Stamford would like to hold a [Redacted]. I will need to review all his academic records and meet with him at school prior to be able to [Redacted], so my hope is that these records would be prepared quickly. I am able to come to either Stamford HS or to the Stamford Bd of Ed office to pick up the records, so please let me know when they are complete and where to get them.

Thank you in advance for your help. I look forward to working with everyone in collaboration with [Redacted]

All the best-

Redacted

EXHIBIT K

Sent By: STAMFORD PUBLIC SCHOOLS;
Jun.06.2014 02:19 PM

203 977 4968;

Jun-6-14 4:13PM

Page 6/8

PAGE: 5/ 7

Valentine, Donna

To: Wheeler, Kimberly
Subject: RE: Tuesday May 13, 2014

From: Kimberly Wheeler (Kimberly.wheeler716@yahoo.com)
Sent: Wednesday, May 14, 2014 7:02 AM
To: Wheeler, Kimberly; Kim DaBlase-Wheeler
Subject: Tuesday May 13, 2014

Tuesday May 13, 2014
Period 2, [Redacted]
Room 628

[Redacted] was speaking with his friends when I heard him say something that was very disturbing. He said he saw a teacher coming out of a car with a student, and that they were sleeping together. I asked him if what he said was true, and he said "I know for a fact that it's true because I seen it with my own eyes." He went on to tell me that everybody knows about it, but are afraid to say something because the people she (the teacher) hangs out with are very violent, and he is afraid he will get hurt. One of his friends then called [Redacted] a snitch. He went on to say that these kids that she hangs out with are so violent, that he thinks they would have no problem hurting a teacher too. He was saying all this loud enough so some of the other students in the class were listening. They began to ask who it is, and he said, he doesn't want to say, but she was his freshman english teacher. After he realized that others were listening, he tried to stop talking about it, and would not answer anymore questions.

The students who were talking about this were:

[Redacted]
[Redacted] all grade 12

Sent from my iPad

EXHIBIT L



Governor Dannel P. Malloy |

Search



DEPARTMENT OF CHILDREN & FAMILIES

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Commissioner

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For Providers

Reforming Child Welfare
Regions

REPORT ABUSE/NEGLECT

Strengthening Families

MODEL POLICY FOR THE REPORTING OF CHILD ABUSE AND NEGLECT

This model policy is issued by the Connecticut Department of Children and Families (DCF) in collaboration with the Connecticut State Department of Education (CSDE) pursuant to section 3(e) of Public Act 11-93 for use in public and private schools. This model policy is intended only as a guide. School districts and schools are encouraged to tailor their own policy to meet their particular needs and goals.

DCF and CSDE are grateful to the Connecticut Association of Boards of Education for the valuable assistance it provided in the development of this model.

REPORTING CHILD ABUSE

[Click here to utilize the Report of Suspected Child Abuse form \(DCF-136\).](#)

Introduction

Connecticut General Statutes §17a-101, as amended by Public Act 02-138 and 11-93, requires certain school employees who have reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm to report these suspicions in compliance with applicable state statutes. These employees are mandated reporters. The following school employees are mandated reporters:

"A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or a private elementary, middle or high school or working in a public or private elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in (i) a public elementary, middle or high school, pursuant to a contract with the local or regional board of education, or (ii) a private elementary, middle or high school, pursuant to a contract with the supervisory agent of such private school."

For definitions of child abuse and neglect see Appendix A.

For indicators of child abuse and neglect see Appendix B.

An oral report by telephone or in person shall be made as soon as possible but no later than 12 hours to the Commissioner of Children and Families or an appropriate law enforcement agency; and to the Superintendent of Schools or his/her designee followed within 48 hours by a written report to the Department of Children and Families. The oral report to DCF shall be made on the DCF 24 hour Careline. 1-800-842-2288. The written report shall be submitted on the DCF-136 or any form for that purpose. See Appendix C.

Reporting suspected abuse and/or neglect of children, in addition to the requirements pertaining to staff training, record keeping and dissemination of this policy, shall be in accordance with the procedures established and set forth below.

DCF Office Directions
and Phone Numbers

5 Holidays Observed



years. Employees hired before July 1, 2011 must complete the refresher training program by July 1, 2012 and must retake it once every three years thereafter.

Effective Date February 29, 2012 (New)

APPENDIX A

Operational Definitions of Child Abuse and Neglect

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators.

The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut Department of Children and Families.

For the purposes of these operational definitions,

- child refers to any person under eighteen (18) years of age, or under twenty-one (21) years of age and in DCF care
- a person responsible for a child's health, welfare or care means:
 - the child's parent, guardian, foster parent, an employee of a public or private residential home, agency or institution or other person legally responsible under State law for the child's welfare in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care, or group day care
- a person given access to a child is a person who is permitted to have personal interaction with a child by the person responsible for the child's health, welfare or care or by a person entrusted with the care of a child for the purpose of education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.

Note: Only a "child" as defined above may be classified as a victim of child abuse and/or neglect; only a "person responsible", "person given access", or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.

Legal References: Connecticut General Statutes §17a-93; §17a-103a; §17a-101, et. seq., as amended by P.A. 11-93; §46b-120.

Physical Abuse

A child may be found to have been physically abused who:

- has been inflicted with physical injury or injuries other than by accidental means,
- is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or
- has injuries at variance with the history given of them.

Evidence of physical abuse includes:

- bruises, scratches, lacerations
- burns, and/or scalds
- reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.
- injuries to bone, muscle, cartilage, ligaments: fractures, dislocations, sprains, strains, displacements, hematomas, etc.
- head injuries
- internal injuries
- death
- misuse of medical treatments or therapies
- malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion
- deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child
- cruel punishment.

Sexual Abuse/Exploitation Sexual Abuse/Exploitation

Sexual Abuse/Exploitation is any incident involving a child's non-accidental exposure to sexual behavior,

Evidence of sexual abuse includes, but is not limited to the following:

EXHIBIT M

