

1/9/15 - Beth Swift phone call.

It was reported to Beth Swift by Lori Walker that she walked in on Mark L. this morning in his classroom. He had a student's (1A) shirt twisted in his fist, face to face, saying, "God damn it, I have had enough of this."

Lori took 1A to another classroom – he was angry. Lori asked why it happened – "He wouldn't get off computer." "He's done this before on my arms."

1A said he was logging off, M. L. did it remotely. 1A asked why he did it.

1A & Bryce, the other boys in the room

M. L. came by office to meet with Beth and Matt – they told him he needed to go to D. O. to talk with Superintendent. They told him to take union rep, M. L. said he didn't need to, he didn't do anything wrong. Matt Kesler reminded him a second time. "I told you I don't need it, I didn't do anything wrong."

1/9/15 - Mark Lugliani arrived at CASEE w/out representation. Mark Hottowe asked M. L. twice if he was sure he did not want to have union rep and ML declined both times.

MH – "What happened?"

ML – "I used my body to get in front of 1A It was 8:15 am – 1A upset – didn't want to get off the computer to say pledge."

Mark L. got in between students.

M. L. stated that he wanted to move 1A away from boys – there is a history of altercation – it was a preventative measure. When 1A sees D. upset – 1A makes comments. Ms. Walker came in about that time.

M. L. asked Lori to take 1A to L8, next class.

M. L. says he never swore, this incident, saying to Donovan, "I'm done with you."

M. L. upset – mad – because D. was not following directions.

M. H. to M. L. – "So, you (Mark Lugliani) are in some trouble, you grabbed a kid. Have you had CPI training?"

M. L. – "Yes but need to take refresher."

M. H. – "What I understand about CPI is that you use it to de-escalate a student or situation – not to escalate by physical presence or language. Your behavior as you describe it would have escalated the situation."

M. L. – "Yes, yes it would have. I'm sorry."

M. H. - "This is contrary to adversive therapy. It is corporal punishment; the definition of corporal punishment is to put hands on your student to get compliance. You put your hands on student in aggressive manner."

M. L. - "Yes I did."

M. H. - "You were taught to de-escalate – this was not good for kids."

Mark L. admitted several times that he made a mistake and apologized.

M. H. – "You cannot do this in this district. Adversive therapy is in his IEP, you are the last person that should have this happen to the student."

"Parents will call superintendent and maybe police. What do we say? Anyway you will not be here next year. I am looking out for your future in education – if you have one. Future employers, if they ask, we will have to tell them what happened. All they will have to do is look at your application and ask "Have you been fired?" You don't want to say yes, you won't ever get a job."

M. H. – "Your options are you can go on administrative leave and get fired or resign. We called attorney. He said we can do what we want – in my (the attorney's) opinion the teacher is provisional – he is not coming back. This doesn't bode well – why would you have him come back? It is difficult to know what the teacher's track record is in the classroom. We don't have 10 years' experience to look back on.

M. L. – "Don't know what to say. I'm sorry Denny, I'm really sorry.

M. H. – "It's decision time for you. You're not going back in classroom. If police come, asking "What have you done?" I have to be able to say we've done something. If paid administrative leave – pay for rest of the year. If you resign – you can walk away from it."

M. L. – "You will not have to talk to parents – they will not call."

M. H. – When they (reference calls) why did he resign? We say for personal reasons.

M. L. – Should I talk to the association?

M. H. - I would never advise you to not talk to the association.

1/23/15 – Going out for 5-6 weeks for hip replacement surgery.

M. H. – "We will pay our portion of your medical; we don't want to screw up your surgery."

M. L. – Could I go on probation?

M. H. – No, not an option. Either way you will not be back next year.

M. H. – You exhibited corporal punishment – you put your hands on a kid. At the very least, you did not exhibit good practices of CPI. If we showed a video copy of what happened in the classroom to your mom, what would she say? What would they say on evening news?

M. L. – She probably wouldn't say much.

Mark L. took a few minutes to write options: If resignation, district portion of medical benefits will be paid until the end of the year, no investigation by police or administrative leave through the end of year. He said he would like to go back to the building and talk to Linda Peterson or Ellen Joslin.

M. H. to M. L. – "Call me by 3 pm this afternoon with your decision." Mark H. gave his cell phone number.

1/12/15 Spoke to Beth Swift early morning. ML came back to the building Friday and told the other SEA, Allison Weddle, everything that was said in the meeting with Mark H, Denny and me. Reportedly he told Allison, "I'm just going to quit and not give him the satisfaction." Allison then told Lori Walker, the other SEA who initially reported the incident, everything that ML told her.

I asked Beth again about the conversation between ML, Matt Kesler, and her when they went to talk with ML after hearing about the incident. Beth said, "We (her and Matt) need to visit with you about what happened this morning."

Mark didn't know what they were talking about. Beth said, "You know, the incident that happened with [REDACTED] 1A [REDACTED] She then told him that we needed to talk with him at DO.

ML – "What? I didn't do anything wrong?"

Beth said that it had been reported that he grabbed [REDACTED] 1A [REDACTED] by the collar and kind of pushed him around.

ML – "That's what we do isn't it? I had to do it to protect the equipment."