



CONTROLLED DOCUMENT - LAW ENFORCEMENT PURPOSES ONLY

Suspect

[Redacted]

ADDITIONAL PERSONS

MENTIONED - [Redacted] DOB [Redacted]

Sex: M

Address: [Redacted]

Cell: [Redacted]

ADDITIONAL PROPERTY

Item #6, Status: DIGITAL ATTACHMENTS

1 Dosage units/items Digital Sound File. DET. COSTA'S TELEPHONE

INTERVIEW WITH (M) [Redacted]

Item #7, Status: EVIDENCE (Misd)

1 Mdic Dvd. DVD OF MDIC INTERVIEW WITH CV1.

ROCKLIN POLICE DEPARTMENT

CONTROLLED DOCUMENT

RELEASED TO: [Redacted]

DATE: 8/5/14

SIGNED: [Redacted]

LAW ENFORCEMENT PURPOSES ONLY

Supplemental Report:

On 07/22/14 I contacted (M) [Redacted] on the telephone. [Redacted] and I have left messages for each other for the past week and a half and I was finally able to speak to him. The purpose of my call to [Redacted] was to interview him about this case. During the course of my investigation I had learned that [Redacted] was a former teachers aid for (S) [Redacted]. I recorded my conversation with [Redacted] and later attached the recording to this report as a sound file. the following is a summary of our conversation.

I explained to (M) [Redacted] I was calling because I was conducting an investigation into a teacher at Breen Elementary School and I had learned that he was a teachers aid at the school at one point. [Redacted] told me he use to be a teachers aid at Breen Elementary School from August to November of 2013. I asked [Redacted] if he was familiar with this case and he said he was. I asked him what he knew about the case and he told me he saw the news story on television and that was all he knew.

(M) [Redacted] went on to tell me he was an aid in (S) [Redacted] class from August to November 4, 2013. I asked [Redacted] how long he had been an aid at Breen Elementary prior to going into [Redacted]s classroom and he told me all of his time at Breen Elementary was spent in [Redacted]s classroom. [Redacted] said he moved up here from Southern California last summer, 2013, and he has been an instructional assistant for about 7 years. [Redacted] said he is still technically employed by the school district however it was summer break and he was currently working for a delivery company. I asked [Redacted] where he would go when he came back to school at the beginning of the year and he said he wasn't sure if he was going to come back because the money wasn't that good. [Redacted] told me that in November he left [Redacted]s classroom because his position was a temporary position that was filled with a permanent employee in November. [Redacted] said he went to other schools within the district to finish out the school year.

Prepared By: 260 COSTA, NEIL A

Date: 07/22/2014

Approved By: 222 JEWELL, TRENT M

Date: 08/04/2014

[Handwritten signature]



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SUPPLEMENT 3

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I asked (M) [redacted] if he had any issues with (S) [redacted] while he was her aid and he said he did. [redacted] said he voiced all of his issues with the Principal (Chuck Thibideau) and Director of Special Education after he stopped working at Breen Elementary School. I asked [redacted] who the Director of Special Education was and he told me he couldn't remember off of the top of his head. I asked him if it was "Janna Carrera" and he said it was "Janna Cambra". [redacted] said his meeting with (M) Thibideau and "Janna" was at the district office and he had a notebook with everything he wanted to tell them. [redacted] said that he knew the problems that were going on in [redacted] classroom went back a few years and he was aware that the other aids had brought up some issues with the school district and it appeared that everything had been swept under the rug. [redacted] said he saw the head of the school district say during a television interview that this was the first time they have had allegations of this kind regarding this teacher which [redacted] said was totally false because he told them what was going on.

I asked (M) [redacted] if he remembered when the meeting was at the district office between him, the Principal, and the Director of Special Education and he said it was after his last day on November 4, 2013. [redacted] said the meeting was some time in December of 2013 and he had some emails that would verify the date. I asked [redacted] if the emails also documented why they were having the meeting and he said yes. [redacted] said the emails just said that he had some concerns about the teacher. (S) [redacted]

I asked (M) [redacted] what his concerns were and he said it was mainly one incident that took place that he was the only witness to where she did physically harm a student. I asked [redacted] what she did and he told me that they use the big exercise balls as a therapeutic tool for the autistic kids. He said the kids bounce on them to get ride of their energy. [redacted] said the student who he was assigned to, CV3, him and (S) [redacted] were all in the classroom together and CV3 was bouncing on the ball. [redacted] said CV3 was bouncing on the ball to high for [redacted]s liking and she told him to stop bouncing. [redacted] said CV3 was borderline non-verbal and severely autistic. [redacted] said CV3 didn't stop bouncing on the ball and as he was bouncing he was moving forward and [redacted] was standing there. [redacted] described the ball as being 28-30 inches in circumference and said CV3 was bouncing another 8-10 inches off of the ball. [redacted] said [redacted] kicked the ball out from under CV3 which caused him to land flat on his butt and back on the ground. [redacted] said that pissed CV3 off and added that he didn't blame CV3 because it would have pissed him off too. [redacted] said CV3 got up and started swinging at [redacted] and [redacted] put CV3 on the ground and restrained him. [redacted] told me that the kicking of the ball out from under CV3 was definitely out of line in his opinion. [redacted] said this was the incident that he was so adamant about telling the Principal and the Director. [redacted] said even after the told everyone what had happened nothing was done.

I asked (M) Ken if he felt that (S) [redacted] kicked the ball from under CV3 on purpose and he said "oh yeah". I asked Ken what [redacted]s reaction was after she kicked the ball and he said [redacted] was angry that CV3 got mad at her for doing that so she put him on the ground. I asked [redacted] what he meant by [redacted] putting CV3 on the ground, specifically how she did it. [redacted] went on to tell me that in some instances they do have to restrain the students and put them on the ground. He said if you go by the book you are not suppose to do it by yourself and are suppose to have someone there that has gone through the classes and is certified. I asked [redacted] if he was talking about Pro-Act and he said yes. [redacted] told me he has been Pro-Act trained but it was done in another school district in Southern California and it did not carry over to this school district. [redacted] said he couldn't help [redacted] restrain CV3 so she ended

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Date:

07/22/2014

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Date:

08/04/2014



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SUPPLEMENT 4

CONTROLLED DOCUMENT - LAW ENFORCEMENT PURPOSES ONLY

Suspect

McDaniel, Sherry DOB: 02/28/1964

ADDITIONAL PERSONS

WITNESS - [REDACTED] DOB: [REDACTED]

Sex: F

Address: [REDACTED]

Supplemental Report:

On 09/01/14 I attempted to contact several employees of the Rocklin Unified School District to interview them about this case. I attempted to contact "[REDACTED]", "[REDACTED]", "[REDACTED]", and "[REDACTED]" on the telephone however there was no answer. I left all of them a voice mail asking them to return my call. I attempted to contact "[REDACTED]" however the telephone number I had for her was not the correct number.

On 09/01/14 at around 1423 hours, I contacted (W) [REDACTED] on the telephone and interviewed her about this case. [REDACTED] stated she was a computer lab aid at Breen Elementary School. I told her I was calling because her name was brought up during the course of my investigation as a possible witness. [REDACTED] told me she had been expecting my call. My interview with [REDACTED] was recorded with my department issued digital recorder. I later attached the recording to this report as a sound file. The following is a summary of my interview with [REDACTED]:

(W) [REDACTED] went on to tell me that back in April of last year she was in her classroom when she observed (S) [REDACTED] standing out in front of her classroom with a student. [REDACTED] said [REDACTED] was blocking the student from getting back into the classroom. Eventually [REDACTED] went back into the classroom and left the student locked outside. (I called [REDACTED] back after my interview to clarify how long the student was locked out for and she said just a few minutes.) [REDACTED] said the student was trying to get back into the classroom thru the door and window however he wasn't able to get in. [REDACTED] said [REDACTED] came out of the classroom and grabbed the student by the shirt as if she was talking to him and pulling her closer to him. She said they started to walk down the stairs and the student fell to the ground. [REDACTED] couldn't say if the student tripped on his own or if [REDACTED] pushed him down. I asked [REDACTED] if she knew which student it was and she said she did not know him. I asked [REDACTED] how far her classroom window was from [REDACTED] door to her classroom and she said it was about 15-20 feet away. [REDACTED] added that "[REDACTED]" was in the classroom with her and [REDACTED] made a comment to her that what [REDACTED] was doing was wrong.

(W) [REDACTED] said she e-mailed the principal of the school and reported the incident to him. I asked [REDACTED] if she had a copy of that e-mail and she said she would forward it to me. I asked [REDACTED] if she witnessed anything else inappropriate with [REDACTED] and her students and she said no. I asked her if she had heard anything else about [REDACTED] and she said the rumor

Prepared By:	Date:	Approved By:	Date:
260 COSTA, NEIL A	09/01/2014	222 JEWELL, TRENT M	09/01/2014



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SUPPLEMENT 4

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around school was that she was not very nice to her students. I concluded my interview with [REDACTED]

At the time of this report I have not received an e-mail from (W) [REDACTED].

On 09/01/14 at around 1500 hours, I contacted (W) [REDACTED] on the telephone. I contacted [REDACTED] because I never received the e-mail correspondence he had between him and the school about what he had reported to them. [REDACTED] said he has been having issues with his e-mail and he would attempt to e-mail again tonight.

Disposition:

Attach to original report and forward to the PCDA's Office.

Prepared By:

260 COSTA, NEIL A

Date:

09/01/2014

Approved By:

222 JEWELL, TRENT M

Date:

09/01/2014



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SUPPLEMENT 5

CONTROLLED DOCUMENT - LAW ENFORCEMENT PURPOSES ONLY

Suspect

[REDACTED]

ADDITIONAL PERSONS

WITNESS - [REDACTED] DOB: [REDACTED]
Sex: F, Height: 5`7", Weight 125, Hair: BROWN, Eyes: BROWN
Address: [REDACTED]
Cell: 530-591-3696

WITNESS - [REDACTED] DOB: [REDACTED]
Sex: F, Height: 5`5", Weight 150, Hair: BROWN, Eyes: GREEN
Address: [REDACTED]
Cell: [REDACTED]

MENTIONED - CAMBRA, JANNA DOB: [REDACTED]
[REDACTED]
Address: [REDACTED]
Cell: [REDACTED]

ADDITIONAL PROPERTY

Item #8, Status: DIGITAL ATTACHMENTS
1 Dosage units/items Digital Sound File. DET. COSTA'S TELEPHONE
INTERVIEW WITH (W) [REDACTED]

Item #9, Status: DIGITAL ATTACHMENTS
1 Dosage units/items Digital Sound File. DET. COSTA'S TELEPHONE
INTERVIEW WITH (W) [REDACTED]

Item #10, Status: DIGITAL ATTACHMENTS
1 Dosage units/items Digital Sound File. DET. COSTA'S TELEPHONE
INTERVIEW WITH (W) [REDACTED]

Item #11, Status: DIGITAL ATTACHMENTS
1 Dosage units/items Digital Sound File. DET. COSTA'S TELEPHONE
INTERVIEW WITH (W) [REDACTED]

Item #12, Status: DIGITAL ATTACHMENTS
1 Dosage units/items Digital Sound File. DET. COSTA'S TELEPHONE
INTERVIEW WITH (M) [REDACTED]

Prepared By: 260 COSTA, NEIL A

Date: 09/02/2014

Approved By: 222 JEWELL, TRENT M

Date: 09/04/2014



CONTROLLED DOCUMENT - LAW ENFORCEMENT PURPOSES ONLY

Supplemental Report:

On 09/02/14 I received a voice mail from (W) [redacted] who was returning my call from 09/01/14. On 09/02/14 at around 0830 hours I called [redacted] back and spoke to her about this case. My conversation with [redacted] was recorded on my department issued digital recorder and later attached to this report as a sound file. The following is a summary of my interview with [redacted]

(W) [redacted] went on to tell me that she was the school psychologist at Breen Elementary School and was employed as such from August of 2012 to June of 2014. [redacted] said she has since left the district. [redacted] said she was assigned to (S) [redacted] classroom intermittently and would only be at the school 3 days a week. She added that she would see two of [redacted] students weekly, CV2 and CV5. [redacted] said she would be called in for significant behavioral concerns with the students. She said she never witnessed anything physical between [redacted] and any of the students. [redacted] said when she was in the classroom she would typically intervene and asked [redacted] to step away from the situation. [redacted] said her knowledge of things happening in the classroom came from [redacted] telling her things that have happened.

I asked (W) [redacted] what (S) [redacted] would tell her and [redacted] said they, as a staff, had some escalating concerns with [redacted] and they had written a formal statement and went and spoke to the special education director, "Janna Cambra", about their concerns. [redacted] said this happened back in December of 2013 and she was not sure what the follow up was with addressing their issues with [redacted]

(W) [redacted] said what she heard from (S) [redacted] which caused her to reach out to "Janna", was that there was a specific student with some challenging behavior she has intervened on before. [redacted] told [redacted] she had to restrain this student but he was too strong so she had to lay on him face down on the linoleum. [redacted] said when [redacted] told her this it was pretty upsetting to her, [redacted]. [redacted] went on to say that she didn't witness the incident herself so she didn't know what was exaggeration on [redacted] part. I asked [redacted] if [redacted] told her what student it was and [redacted] told her it was CV3. [redacted] added she knew there were concerns with [redacted] behavior towards other students, specifically CV2 and CV5, both of which were [redacted] students that she had for counseling. [redacted] said CV2 and CV5 never reported anything to her in regards to hands on with [redacted].

I asked (W) [redacted] again who it was that she reported the incident (S) [redacted] had with CV3 to and she confirmed it was "Janna Cambra". [redacted] had mentioned that "we" had written a formal statement to "Janna Cambra". I asked [redacted] who she was referring to when she said "we" and she said it was her, [redacted], [redacted], and [redacted]. [redacted] said the written statement was in regards to some general concerns they all had and it wasn't all related to physical interactions with students. [redacted] went on to say that [redacted] is a very talented teacher and she feels she cares a lot about her students, but [redacted] had some issues going on with her relationships with her staff, relationship with the principal, and her

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260 COSTA, NEIL A	09/02/2014	222 JEWELL, TRENT M	09/04/2014



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SUPPLEMENT 5

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relationships with the parents. [redacted] said everything appeared to be coming unraveled with [redacted]

(W) [redacted] said their hope in reporting these things to the district was for interdiction. I asked [redacted] how they addressed these issues with the district, specifically if they drafted a letter or had a meeting and she said yes to both. [redacted] said they went and met "Janna Cambra" in person and then wrote a follow up statement. I asked [redacted] if she had a copy of that statement and she said yes. I asked her if she was able to e-mail me a copy of that statement and she said she would.

(W) [redacted] had mentioned earlier she would intervene between (S) [redacted] and her students. I asked her how many times she had to do that and [redacted] clarified that she didn't ask [redacted] to step away because things were escalating but asked her to step away, especially with autistic students, because it could be helpful with a change in personnel. [redacted] said it wasn't like [redacted] was being inappropriate and she asked her to step away. [redacted] said it happened most often between CV3 and [redacted]

(W) [redacted] said there was an incident with CV2 however she was not on site for that incident. [redacted] said she thought the program specialist, "[redacted]" worked with (S) [redacted] with that situation. [redacted] said it only happened once and it was in regards to an emotional meltdown CV2 had outside of the classroom. [redacted] added she did not know all the details because she was not there but CV2 was physically escalating the situation. [redacted] mentioned [redacted] had some issues with CV5 as well. [redacted] noticed she didn't get called into the classroom as often because she had a different approach then what [redacted] would had preferred. [redacted] said her frequency of going into [redacted] classroom decreased as the school year continued.

(W) [redacted] said she saw both those students, CV2 and CV5, for individual counseling and they never mentioned anything to her about feeling unsafe. [redacted] mentioned the speech therapist, "[redacted]", had more interaction inside of the classroom then she did. [redacted] said those students can become physical and she has been hit and bit as well but to her that was to be expected. She added it can get really heated sometimes and she believes it is never acceptable to put your hands on the kids.

I asked (W) [redacted] what the protocol was if and when a teacher has to put their hands on a child and she said the staff is suppose to be Pro-Act trained. I asked what happens after that, such as if there are any reporting requirements, and [redacted] explained there absolutely should be. She said there should be some type of emergency report and the parents should be notified. I asked who would normally make that report and she said it would be the teacher, or case manager, which in (S) [redacted] case she was both. [redacted] added whoever else was involved with that restraint would also make a report.

I asked (W) [redacted] about the incident (S) [redacted] reported to her about sitting on CV3 and asked her if that was something that would normally be reported and she said that's not something that should normally happen because there is nothing in Pro-Act that says sitting

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SUPPLEMENT 5

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on a child is okay. I asked if that incident should have been report through the proper chains and she said yes. She said she believed anytime you put your hand on a student the family should know about it. I asked [redacted] if she knew if [redacted] reported that incident and she said she didn't believe so. [redacted] added that she knew [redacted] reported a different incident where she had to do use a restraint.

(W) [redacted] went on to tell me she had an intern by the name of "[redacted]" who reported that there was an incident with (S) [redacted] and CV5. [redacted] said [redacted] and an aid had CV5 by his under arms and dragged him into the office due to some behavioral issues. [redacted] said there are safe holds with restraints but those are used as a last resort. [redacted] said if she could recall the student was laughing at the time and thinks that he was threatening to run but she couldn't remember exactly. She said it wasn't uncommon for that to happen in various degrees.

I explained to (W) [redacted] I understood there might be a time in a classroom where a teacher or someone else has to protect themselves from a student, however what was concerning was the lack of reporting to parents and documentation. I told [redacted] there doesn't appear to be a failure to report with the witnesses reporting to whomever they are suppose to report to but it appears that the reports are stopping there and not making it to the district level. I asked if the school district was aware of what was going on at the time, and if they were was anything being done about it. [redacted] told me she shared that concern as well.

I asked (W) [redacted] if there was anything else she could tell me that would be helpful with my investigation. She said the only thing she could think of was getting the letter to me that they had shared with [redacted]. [redacted] said there were some additional concerns in that letter from other team members. [redacted] reiterated her concerns with (S) [redacted] telling her that she had to sit on CV3. [redacted] told me she has been hit by him in the past and didn't have to resort to sitting on him. She said [redacted] never put her hands on any kids in front of her. [redacted] I is certain that [redacted] didn't put her hands on kids in front of her because [redacted] knew [redacted] was aware of her role as a mandated reporter.

I asked (W) [redacted] what "[redacted]" did at the school and she said she was a teacher. [redacted] said [redacted] aids and (S) [redacted] aids would talk and share information about what was going on in [redacted] class. [redacted] added that [redacted] probably had additional information because she has talked to some of [redacted] aids in the past. [redacted] said [redacted] and [redacted] were speech therapists.

(W) [redacted] asked me how confidential our conversation was and I explained to her she was a witness to a crime and it was going to be in the report. [redacted] said she wanted to cooperate in any way that she could. I concluded my interview with [redacted]

On 09/02/14 at around 1445 hours, I contacted (W) [redacted] on the telephone. My conversation with [redacted] was recorded on my department issued digital recorder and later attached to this report as a sound file. The following is a summary of my conversation with

Prepared By:	Date:	Approved By:	Date:
260 COSTA, NEIL A	09/02/2014	222 JEWELL, TRENT M	09/04/2014



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SUPPLEMENT 5

CONTROLLED DOCUMENT - LAW ENFORCEMENT PURPOSES ONLY

Wendy:

I explained to (W) [redacted] why I was calling and she said she understood. I asked [redacted] if she was a teacher a Breen Elementary School and she said she had resigned over the summer but was a 6th grade teacher at Breen.

I told (W) [redacted] that I realized a long time has passed since the end of last school year but I asked her if she could remember anything about (S) [redacted] that I might want to know. [redacted] told me she had observed [redacted] locking a student out of her classroom. [redacted] explained she was in the library/computer lab which is right across from [redacted] classroom. [redacted] said the computer lab has a wall of windows that has a direct view of [redacted] classroom. [redacted] said while she was in the computer lab with her students she observed [redacted] locking the student out of the classroom. She said it looked like the student was trying to get back into the classroom. [redacted] said she reported this incident to the principal at that time while it was happening because she was concerned about the student running off campus. She said the thought of a special needs student running off campus really scared her. [redacted] said she was told by the principal that the student could not be allowed back into the classroom because he posed a danger to the other students. I asked [redacted] if she knew what student it was and she said she did not know his name. I asked [redacted] if she ever complained in writing about this incident and she said no because she thought she had fulfilled her reporting requirement by contacting the principal.

I asked (W) [redacted] what else she has noticed and she told me she had observed (S) [redacted] using her body to push one of her students. [redacted] said she witnessed this incident thru the windows of the computer lab across from [redacted] classroom. [redacted] said one of [redacted] students appeared to be upset and unhappy with [redacted] so the student was trying to hit [redacted]. She said [redacted] was standing with her arms crossed in front of her and when the student came toward her she would push him with her body to keep him away from her. [redacted] said during this incident the student lost his footing and fell down to the ground. I asked [redacted] if she knew what student was involved in this incident and she said it was the African American boy in her class, referring to CV3. I later asked [redacted] if she reported this incident to the principal and she said no. [redacted] told me she did not agree with what [redacted] was doing in this incident but she could understand how this could have been a self defense type of movement to keep the boy from hitting her and to keep her from getting hurt.

I asked (S) [redacted] if she had a time frame of when these incident occurred and she said it happened about a month before (S) [redacted] was asked not to return to Breen. She added that both of these incident were about a week apart and she could not recall what incident happened first. I asked [redacted] if she could estimate the distance from the front of [redacted] classroom to the windows of the computer lab and she said it was about 10 feet away. I asked [redacted] if it was clear to her that it was [redacted] involved in these two incidents and not someone else and she said it was absolutely [redacted]

I asked (W) [redacted] if anyone ever came to her to talk to her about (S) [redacted] like the school

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09/02/2014

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district or "Janna Cambra", and she said no. I asked [redacted] if any of the other teachers, aids, or administrators ever complained to her about [redacted] and she said some of the aids that worked with [redacted] would confide with her. She said they confided in her about being unhappy working with [redacted] because how she treated her students as well as how [redacted] treated her aids that were there to help the students.

I asked (W) [redacted] if there was anything else that she could tell me or knew anyone else I should talk to and she said I probably already talked to people that had more contact with (S) [redacted], like [redacted]. She added there was an incident that "[redacted]" was involved in and I might want to talk to.

I asked (W) [redacted] if there are any other incidents she could think of and she said no. I asked [redacted] if she made any formal written statements to anyone with what she had witnessed and she said no. I concluded my interview with [redacted]

On 09/02/14 at around 1530 hours, I received a phone call from (W) [redacted]. My conversation with [redacted] was recorded on my department issued digital recorder and later attached to this report as a sound file. The following is a summary of my conversation with [redacted]

I explained to (W) [redacted] why I was calling and she said she understood. [redacted] told me she was a full time speech therapist at Breen Elementary School, specifically a speech language pathologist. I asked her if she was assigned to Breen full time last year and she said she was only there 3 to 4 days a week.

I asked (W) [redacted] if she was aware of the allegations in regards to (S) [redacted] and she said she was. I asked her if she witnessed anything or could provide me with any additional information and she said her and the support team went and talked to (M) Janna last year about some of their concerns with [redacted]. She said their concerns were mostly in regards to [redacted] professional judgment. Janna had asked the team to write some of their concerns down so they submitted a summary of their concerns to Janna. [redacted] said that was probably the most tangible information that she could provide.

I asked (W) [redacted] who was part of the "team" she mentioned and she said it was [redacted], (W) [redacted] and (W) [redacted]. I asked [redacted] what her specific concerns were with (S) [redacted] and she said it had to do with [redacted] professional judgment such as speaking about things she shouldn't be speaking about and speaking to people she shouldn't be speaking too. [redacted] added another concern she had was that there was a lot of conflict in [redacted] classroom with the other adults, specifically between [redacted] and her aids that were in the classroom. [redacted] was concerned because she felt like it was getting to a level where it would start impacting the students. [redacted] said she did not directly observe any misconduct with [redacted] or any behavior that led her to believe that the children were at risk.

I asked (W) [redacted] how she heard about the conflicts in (S) [redacted] classroom with the

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adults and she said [redacted] often times would share the conflicts that she was having with her aids. [redacted] said she wasn't sure if the aids came to her directly or not. She said a lot of the information was heard through a third party and there were other people who had more contact with [redacted] then she did.

I asked (W) [redacted] if she ever saw (S) [redacted] become physical with any of her students, yell at her students, or anything else inappropriate and she said she did not see any of that. [redacted] said she has heard of those things but she did not observe anything.

I asked (W) [redacted] if she had a copy of the summary they all submitted to (M) Janna and she said she did. I asked [redacted] if she could e-mail me a copy of that summary and she agreed to send it to me. On 09/03/14 I received an e-mail from [redacted] that had the summary attached to it. I later attached the summary to this report as reference. I asked [redacted] if she was aware of any recourse after they submitted the letter to (M) Janna and she said she was not aware of what happened after. [redacted] said they did not tell the principal about the letter they submitted to Janna.

I asked (W) [redacted] if there was anything else that she could tell me to assist in my investigation and she said no. She recommended that I speak to the other members of the team because they might be able to provide me with more information. I asked if she has talked to [redacted] about this case and she said no. She said [redacted] contacted her a few weeks ago and asked her to write a letter of character for her and [redacted] declined. I concluded my interview with [redacted]

On 09/03/14 at around 1300 hours, I received a returned call from (M) Cambra, Janna. My conversation with Janna was recorded on my department issued digital recorder and later attached to this report as a sound file. The following is a summary of my interview with Janna:

I asked (M) Janna if she was aware of the investigation that was going on in regards to (S) [redacted] and she told me she knew about the allegations. I asked her if the school district has talked to her about it and she said "pretty much", but they haven't given her all the details and she has not read any reports about it from the "PD".

I told (M) Janna there were some allegations that were made about (S) [redacted] and that is why she was placed on administrative leave. I told her the allegations included some physical abuse allegations as well as verbal abuse allegations with her students. I told her I have spoke to several employees of the school, including teachers and aids, who told me they have reported to her, Janna, and the principal some issues they have had with [redacted]. I told her I wanted to talk to her about the issues she was aware of and got brought to her attention.

(M) Janna said a few of the teachers came forward and had concerns about (S) [redacted] interactions with staff members, not her students. Janna said an aid by the name of [redacted] (referring to (M) [redacted]) made a couple of allegations regarding restraint, one handed restraint, that was made with "Chuck" (referring to (M) Thibideau, Chuck) and her. She added

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that the other allegation [redacted] made was in regards to [redacted] kicking a ball out from underneath one of the students. Janna said they met with [redacted] along with a union representative, and asked her about the allegations. [redacted] admitted to the one handed restraint because the student was going to hurt himself and denied the other allegation in regards to the ball. [redacted] told them the student was bouncing on the ball towards her and bounced off her. She said she did not kick the ball. Janna said there were a few other personnel issues that they discussed as well, such as absences. Janna said after they went over everything she wrote everything up in a memorandum and that was it. Janna said those were the only abuse allegations she had any experience with.

I asked (M) Janna who came forward with the personnel issues and she said some of the staff, such as the speech therapist, teachers and psychologist came and said from their perspective (S) [redacted] was causing some drama. Drama such as not getting along with the aids and the aids not getting along with [redacted] and talking behind peoples backs. I asked Janna what was done about that at the school level or if [redacted] was talked to about it and she said yes. Janna said [redacted] was talked to at the school level quite a bit by (M) Chuck. Janna said her and Chuck were in touch a lot about it. Janna said since Chuck was [redacted] immediate supervisor he would be the one who would meet with [redacted] and discuss some of the issues.

I told (M) Janna that one of the issues that was brought up was that (S) [redacted] was holding on to one of the students in a Pro-Act restraint but the student was to strong for her so she had to lay him down on the ground and sit on him. I asked if that got brought to her attention and she said that was the one handed restraint incident she was speaking about earlier. She said [redacted] admitted to doing the one handed restraint but denied laying on the student.

I explained to (M) Janna that after looking into this case for the past several months and knowing the in and outs of the case it appears that there were some pretty severe allegations that have been made in regards to things that [redacted] has been doing with the students. I told Janna it appeared that [redacted] was talked to several times about things but nothing was ever done about it. I asked Janna if that made sense and she said "right". I asked Janna who makes the decision in regards to [redacted] discipline and she said it is who ever does her evaluation and in this case it would be (M) Chuck. She said that is generally how it works and she said she does oversee the special education program and the things that she talked to [redacted] about were discussed with her and Janna did type that up in a memorandum. Janna said, "from any other perspective I don't know how many other, you don't know what, basically what do you do when something comes up like that one incident, you know, and the kids are super severe, so they can do things that are unsafe and so to hold a student in a restraint by yourself is not the optimum thing to do and they are trained to do a two person restraint but if someone is going to hurt them self, or hurt another student, then sometimes that can occur. I'm not saying it happens all the time but it can occur."

I asked (M) Janna what the reporting process was if a teacher were to use a restraint hold on a student and she said the teacher would document the incident if it was an unusual behavior.

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I asked Janna what would qualify as unusual behavior for an autistic child and she said it would be something that isn't listed in the behavior support intervention plans. She said they write interventions plans that say how they will react to certain things. She said if it is outside of the behaviors that are typical that was there policy. Ultimately Janna said everything should be documented.

I used the example of the student who was bouncing on the ball which (S) [redacted] claims hit her foot causing the child to fall off the ball, which isn't what was reported. I asked Janna if that was suppose to be documented some how or if that was a normal "kid falling down" incident. Janna said if a kid gets hurt or there is a mark then the parents should be called. She said that is what is done in a typical school situation. She added obviously if they were bleeding then they would do an incident report but it depended on the student.

I asked (M) Janna if the one arm restraint (S) [redacted] had with a student, where she had to put him on the ground and sit on top of him to control him, was reported. Janna said [redacted] denied sitting on top of the student and she did not know if (M) Chuck had documented that incident or not. I asked Janna if the parents were notified about any of this stuff and she said she did not know. I told Janna that if I were a parent and a restraint hold was used on my child at the school I would want to know about it and she agreed. Janna said it was very rare to have that happen because they had a de-escalation training that was part of Pro-Act which covered talking kids down. She said the ultimate goal was to never, ever, have to use restraint and when restraint is used it should only be in certain situations such as harm and safety. Janna said [redacted] knows the policies and has been there longer then she has so she should really know what she is suppose to do in those situations. Janna said if [redacted] used a full restraint on a student then it should have been reported immediately to the parents.

I told (M) Janna there was another incident where another teacher saw (S) [redacted] lock a student out of the classroom which was immediately reported to the principal, (M) Chuck. I told Janna that I understood she could not speak for Chuck but Chuck had called that teacher back and said the student was locked out of the classroom because he was a risk to the other students. I asked Janna if that was something commonly done when a student is out of control in a classroom. Janna said "no" and added that was not typical. I asked Janna if she heard about that incident and she said she heard the gist of it and the principal knew about it. Janna said it was hearsay from someone else and I told her someone had witnessed the incident. I told Janna that she wasn't the principal, and she didn't make the decision, but the principal basically said it was okay to lock the student out of the classroom. I told her that in my opinion you have a sixth grade autistic child locked out of a classroom and what was stopping him from running out in the middle of the road and getting hit by a car. Janna said her question was if the student had a one on one aid with him or if there was an adult with him and I told her that there were no adults outside of the classroom with the student.

I told (M) Janna there were some other incidents and I didn't know if she knew about them or not. I told Janna it was reported that (S) [redacted] was outside of her classroom with a student and she grabbed the student by the shirt and was escorting him back to the office and he fell

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down to the ground. I told her the witness wasn't sure if the student just trip or if he was shoved to the ground by [redacted] Janna said she was not aware of that incident. I asked Janna, in a situation mentioned above, if it should be reported and she told me again it just depends. Janna asked if it was a trip or was it a fall, because kids trip and fall down and get back up. She said if the child was screaming or crying she would imagine something getting reported but she wasn't there so she does not know. Janna said if she was the teacher she would document it in a daily communication log and probably contact a parent just to let them know. I told Janna that I understood kids fall all the time however in this situation a teacher was physically holding onto a student by his shirt and escorting him somewhere so it put it into a different category for me. Janna asked if it was possible that the child was falling and the teacher reached out to catch him and it appeared to be worse from the witnesses perspective.

I told (M) Janna I had received the special education department behavior incident reports from 2013-2014 and there was no mention of anything ever happening at Breen Elementary School the entire year and no mention of (S) [redacted]. I told Janna some of the incidents on the report occurred at Guiding Hands and the students mentioned were in [redacted] class. I told Janna I found it hard to believe these incident reports were being filled out at Guiding Hands for incidents involving [redacted] students however there have been no issues with those same students at Breen Elementary School, specifically [redacted] classroom. I told Janna that to me, after looking at this paperwork, it appears there is a total lack of reporting about any incidents that have occurred at Breen Elementary School, whether it's a physical or verbal incident. I asked Janna if this was suppose to be reported by the teacher or the school and she said the teacher fills them out and she believed that the principal looks at it. She said she wasn't sure if that was something the principal signed off on or not. After the form is completed it is sent to her at the special education office and they log it. Janna said when she looked at that too she had to ask her, meaning [redacted] if there have been any restraints and [redacted] had denied it.

I asked (M) Janna, with (S) [redacted] denial's of the allegations, if they took into consideration that they had multiple people reporting different incidents but the same things were going on. I told her it appeared obvious to me that [redacted] was going to deny everything because she doesn't want to get into trouble. I asked Janna again if they took that into consideration or if they just say that they talked to her and filled out a report to put into [redacted] file. Janna said yes and the incidents she spoke about they completed the "write ups" and put them in her file and she knows that (M) Chuck has written [redacted] up for other things as well. I told Janna it sounded like [redacted] denies everything, which is expected, and we were talking about children that can't speak for themselves in this particular case. Also, because [redacted] denies everything, they just tell her here is a piece of paper for your file now go back to your class. I told her that it just didn't seem appropriate. I explained to Janna that it's probably not because of her, but speaking candidly, the overall appearance was not good.

I told (M) Janna it was a failure to report on the witnesses part for not coming forward because they were mandated reporters. I told her the witnesses reporting these incidents to the principal does not fulfill their requirement to report under 11166 of the Penal Code. I told

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Janna that when the principal was notified he didn't do anything either. I told Janna that there were some allegations of physical abuse and 11166 PC covers "suspected" child abuse, not that the actual abuse had been carried out in front of them, just suspected. I told Janna that if the administration is hearing things about (S) [redacted] going hands on or using restraints, and I understood it is an autistic class and the teachers and aids are trained, but when aids are coming forward and saying [redacted] sat on a child, which is not a Pro-Act approved technique, that would be a suspected child abuse. I told her there was a lack of reporting on the witnesses as well as the administration at that point. I told Janna this just might be an education issue with the school or [redacted] is just getting away with it because she has friends.

I asked (M) Janna if the only incidents she was aware of was the ball incident that (M) [redacted] had reported and the letter the 4 teachers drafted and provided to her in regards to personnel issues and the one arm restraint and Janna said that was all she was aware of. Janna said when she met with (S) [redacted] about these two incidents the principal, (M) Chuck, and a union representative attended the meeting. I asked Janna if she was the representative from the district office because she was the director of the special education program and she said that was correct. I asked Janna if there were any other meetings that she had with [redacted] and she said no, unless there was a time when her and Chuck met with [redacted] to talk about boundaries with staff. She said there were no other meetings in regards to students and abuse. I told Janna that it sounded like the fallout of these meetings was just letters in [redacted] file and she said that was correct.

I asked (M) Janna if these types of incidents go up the chain of command at the school district and she said she told the deputy superintendent. I asked who that would have been at the time and she said it was "Todd Cutler". Janna said she met with "Todd" weekly and mentioned the incidents she knew about (S) [redacted] to him. I asked Janna if that information ever got up to the superintendent of the school district and she said she did not know. She said it could have been discussed in "cabinet" but she did not know. I asked Janna what "Todd's" recommendations were after she talked to him and she said he is probably the one who told her how to do the memorandum, and guided her on how to write them, because she was new to the position. She said that could have been where it stopped. I asked Janna if those memorandums were just the ones that got placed in [redacted] file and she said yes. I asked Janna if those were the ones [redacted] signed with (M) Chuck and Janna said there was only one from her which was in regards to the single handed restraint as well as other things like attendance and being on her cell phone.

I asked (M) Janna, just to be clear, that there was nothing else that was ever reported to her and she said that was correct. I asked if (S) [redacted] was teaching at another school right now and Janna said [redacted] was still on leave however they had plans in place to move her to another school depending on the outcome of the investigation. I concluded my interview with Janna.

On 09/04/14 I received an e-mail from (W) [redacted] which had the written statement her and the other members of the team wrote to (M) Janna. The letter was exactly the same as the one I

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one I had received from (W) [REDACTED] which has been attached to this report.

Disposition:

Attach to original report and forward to the PCDA's Office.

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