

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JENNIFER ELLER,)
)
 Plaintiff,)
)
 v.)
)
 PRINCE GEORGE'S COUNTY)
 PUBLIC SCHOOLS, ET AL.,)
)
 Defendants.)
 _____)

Case No.: 18-cv-03649-TDC/TJS

EXHIBIT 10

1 IN THE UNITED STATES DISTRICT COURT

2 DISTRICT OF MARYLAND

3 - - -

4 JENNIFER ELLER, :

5 Plaintiff, :

: Civil Action No.

6 vs. :

: 18-CV-03649-TDC/TJS

7 PRINCE GEORGE'S COUNTY PUBLIC :

8 SCHOOLS, PRINCE GEORGE'S COUNTY :

9 BOARD OF EDUCATION, and MONICA :

10 GOLDSON, :

11 Defendants. :

12 - - -

13 CONFIDENTIAL

14 Deposition of RAYNAH ADAMS

15 Washington, D.C.

16 BEFORE:

17 Gail L. Inghram Verbano:

18 Registered Diplomate Reporter,

19 Certified Realtime Reporter,

20 Certified Shorthand Reporter-CA (No. 8635)

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Sheet 2

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6 Deposition of RAYNAH ADAMS, held at

7 the offices of ARNOLD & PORTER 601 Massachusetts

8 Avenue NW, Washington, D.C. Wednesday, November

9 13, 2019, beginning at approximately 9:27 a.m.,

10 the proceedings being recorded stenographically

11 by Gail Inghram Verbano, Registered Diplomat

12 Reporter, Certified Realtime Reporter, Certified

13 Shorthand Reporter-CA (No. 8635), and transcribed

14 under her direction.

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1 A P P E A R A N C E S

2

3 On behalf of Plaintiff:

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1 C O N T E N T S

2

3 EXAMINATION OF: PAGE

4 RAYNAH ADAMS

5 By Mr. Mogul 9

6 By Mr. Sharma 264

7 By Mr. Mogul 307

8

9

10

11 E X H I B I T S

12 EXHIBIT IDENTIFIED

13 Exhibit 1 Spreadsheet of referrals created by 21

14 Mr. Adams

15 Exhibit 2 PowerPoint presentation, "Law 130

16 Enforcement and the LGBT Community"

17 Exhibit 3 Email communication between J. Eller 136

18 and R. Adams dated 8-13-12, no subject

19 line

20 Exhibit 4 Email communication from J. Eller to 141

21 R. Adams dated 8-21-12 re: "Diversity

22 training follow-up," Bates ELLER-1067

5

1 EXHIBIT IDENTIFIED

2 Exhibit 5 Email communication between J. Eller 142

3 and R. Adams dated 8-29-12 re:

4 "Diversity training follow-up," Bates

5 ELLER-1065

6 Exhibit 6 Email communication between J. Eller 145

7 and R. Pope-Brown dated 11-19-13

8 Exhibit 7 Blank Bullying, Harassment, or 159

9 Intimidation Incident School

10 Investigation form, Bates PGCP5-844 to

11 847

12 Exhibit 8 Student Rights & Responsibilities 167

13 Handbook, 2014-2015, Bates PGCP5-101

14 to 132

15 Exhibit 9 Email communication ending 12-18-13 172

16 re: "Response," Bates ELLER-1217 to

17 1218

18 Exhibit 10 Email communication ending 3-17-15 re: 174

19 "Sexual harassment by students," no

20 Bates numbers

21

22

Sheet 3

1	EXHIBIT	IDENTIFIED
2	Exhibit 11	Email communication dated 6-22-15 re: 180
3		"Harassment from student in hall," no
4		Bates numbers
5	Exhibit 12	Email communication ending 6-23-15 re: 180
6		"Harassment from student in Hall," no
7		Bates numbers
8	Exhibit 13	Email communication ending 12-2-15 re: 185
9		"Disrespect and insult from students
10		in hallway," no Bates numbers
11	Exhibit 14	Email communication dated 12-8-15 re: 185
12		"Disrespect and insult from students
13		in hallway," no Bates numbers
14	Exhibit 15	Email communication dated 4-7-16 re: 193
15		"Students in hallway," no Bates
16		numbers
17	Exhibit 16	Email communication ending 5-2-16 re: 194
18		"Continued mis-gendering," no Bates
19		numbers
20	Exhibit 17	Email communication dated 5-9-16 re: 197
21		"Sub report for Monday 9 May," no
22		Bates numbers

1	EXHIBIT	IDENTIFIED
2	Exhibit 26	Email communication dated 6-15-15 re: 235
3		"Requested copy," no Bates numbers
4	Exhibit 27	Email communication dated 6-19-15 re: 237
5		"Requested copy," no Bates numbers
6	Exhibit 28	Email communication ending 10-28-15 237
7		re: Account of interaction with
8		Ms. Claggett," no Bates numbers
9	Exhibit 29	Letter of counsel to J. Eller, 243
10		11-3-15, Bates PGCPS-88
11	Exhibit 30	Email communication dated 8-20-15 re: 248
12		"Staff reduction," no Bates numbers
13	Exhibit 31	Email communication dated 9-23-15 re: 260
14		"English reduction," no Bates numbers
15		
16		
17		
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20		
21		
22		

1	EXHIBIT	IDENTIFIED
2	Exhibit 18	Email communication dated 3-20-15 re: 203
3		Parent contract for FES staff," no
4		Bates numbers
5	Exhibit 19	Email communication dated 11-12-14 re: 210
6		"Transferring of supervisors," no
7		Bates numbers
8	Exhibit 20	Email communication dated 12-5-14 re: 212
9		"Notification: Raynah Adams has
10		reassigned an evaluation to you," no
11		Bates numbers
12	Exhibit 21	Email communication ending 1-7-16 re: 218
13		"Transferring of supervisors," no
14		Bates numbers
15	Exhibit 22	Email communication ending 1-7-16 re: 220
16		"Transferring of supervisors," no
17		Bates numbers
18	Exhibit 23	Incident report dated 2-20-15 222
19	Exhibit 24	Letter from A. Simmons, Esq. to 226
20		J. Eller, 6-25-15
21	Exhibit 25	EEOC Charge of Discrimination dated 231
22		6-3-15

WASHINGTON, D.C.
 Wednesday, November 13, 2019; 9:27 a.m.
 - - -
 RAYNAH ADAMS, having first been
 duly sworn according to law, was examined and
 testified as follows:
 - - -
 EXAMINATION
 BY MR. NOGUL:
 Q. Mr. Adams, thank you very much for
 coming in today.
 A. Thank you.
 Q. As you know -- I think you know my
 name is Elliott Mogul, and I represent Jennifer
 Eller in this case. It's a lawsuit against the
 defendants here, which are Prince George's County
 Public Schools system, Prince George's County
 Board of Education, and Superintendent Goldson.
 In this case Ms. Eller claims that the defendants
 have discriminated against her because of her sex
 and transgender status.
 Could you please state your name

<p>Sheet 4</p> <p style="text-align: right;">10</p> <p>1 and your addresses for the record.</p> <p>2 A. Sure. My name is Raynah Adams. I</p> <p>3 live at 12608 Willow Marsh Lane, Bowie, Maryland.</p> <p>4 Q. Have you ever been deposed before?</p> <p>5 A. I have never been a witness to a</p> <p>6 deposition. I've been in a situation where I've</p> <p>7 been questioned by attorneys but not as a</p> <p>8 witness.</p> <p>9 Q. Were you under oath when you were</p> <p>10 questioned?</p> <p>11 A. Yes.</p> <p>12 Q. So was that at trial?</p> <p>13 A. No. It was a hearing, school</p> <p>14 system hearing.</p> <p>15 Q. Okay. An administrative hearing in</p> <p>16 the school system?</p> <p>17 A. Yes, yeah, hearing.</p> <p>18 Q. Okay. Actually, let's start with</p> <p>19 some ground rules for the deposition. It will</p> <p>20 make it easier for everyone before we get too far</p> <p>21 into it.</p> <p>22 So as you know, you're sworn.</p>	<p style="text-align: right;">12</p> <p>1 question and you have then answered it, we can</p> <p>2 then take a break.</p> <p>3 Do you have any questions about how</p> <p>4 the deposition works?</p> <p>5 A. No, no.</p> <p>6 Q. Okay. Is there any reason you</p> <p>7 think that you would not be able to answer the</p> <p>8 questions today fully and truthfully?</p> <p>9 A. No, there's no reason why I</p> <p>10 wouldn't be able to answer it truthfully. The</p> <p>11 only exception may be if I don't recall.</p> <p>12 Q. Of course.</p> <p>13 A. But, no, I wouldn't falsely answer.</p> <p>14 Q. Of course. Thank you.</p> <p>15 So you're not taking any</p> <p>16 medications or on alcohol or anything that would</p> <p>17 cause you to be unable to answer today?</p> <p>18 A. No.</p> <p>19 Q. And you don't have any physical</p> <p>20 ailments that would prevent you from responding?</p> <p>21 A. No.</p> <p>22 Q. Thank you.</p>
<p style="text-align: right;">11</p> <p>1 You're under oath. It's just as if you were in</p> <p>2 court testifying.</p> <p>3 Please answer each question fully</p> <p>4 and to the best of your recollection. Please</p> <p>5 answer all questions verbally. It's very easy to</p> <p>6 just respond with a nod or a shrug, but please do</p> <p>7 respond verbally so it gets into the record.</p> <p>8 This is the hardest part: Please</p> <p>9 wait until I finish a question before you start</p> <p>10 responding. That will make sure that every word</p> <p>11 gets into the record. And I'll try to do the</p> <p>12 same to you and not talk over you.</p> <p>13 If you need to have a question</p> <p>14 repeated, please just let me know. And if you</p> <p>15 would like the court reporter to read it back to</p> <p>16 you, I think that is something that we can</p> <p>17 accommodate.</p> <p>18 Please let me know if you don't</p> <p>19 understand a question or if you need me to</p> <p>20 rephrase it. And, of course, let me know if you</p> <p>21 need to take a break. We cannot take a break if</p> <p>22 there's a question pending, but if I have asked a</p>	<p style="text-align: right;">13</p> <p>1 So you mentioned that you had</p> <p>2 testified before in an administrative hearing.</p> <p>3 Can you just briefly explain just kind of the</p> <p>4 general nature of that case.</p> <p>5 A. Sure. There was an accusation that</p> <p>6 I did not follow policy. It went to a hearing.</p> <p>7 The hearing ruled in my favor, said whatever the</p> <p>8 accusation was, was not consistent with the</p> <p>9 Maryland Code. I don't know all the details of</p> <p>10 the code. And I was ordered to be reinstated.</p> <p>11 Q. Okay. Thank you.</p> <p>12 So your testimony in that case was</p> <p>13 oral, not written?</p> <p>14 A. Correct.</p> <p>15 Q. Okay. Have you also submitted</p> <p>16 testimony by a declaration or an affidavit that</p> <p>17 was written and signed by you?</p> <p>18 A. No.</p> <p>19 Q. Okay. Thank you.</p> <p>20 Do you understand that you're not a</p> <p>21 defendant in this case?</p> <p>22 A. Yes.</p>

<p>Sheet 5</p> <p style="text-align: right;">14</p> <p>1 Q. Have you retained counsel in 2 connection with this case? 3 A. No, no. 4 Q. And have you met Mr. Sharma before? 5 A. Yes. 6 Q. What was the context in which 7 you've met Mr. Sharma? 8 A. I was -- I got an email from 9 someone in the County that deals with legal 10 matters in reference to this situation. I can't 11 remember if Mr. Sharma or his office reached out 12 to me or if I reached out to their office to meet 13 and get insight on what was going on. 14 And I met with Mr. Sharma -- he 15 told me that I would be subpoenaed, and there 16 were documents that I was asked to look over that 17 were pertaining to what Ms. Eller had presented, 18 I believe. 19 And I reached out to Mr. Sharma 20 after the -- whoever subpoenas me or -- they went 21 looking for me one day, and they called me. And 22 I said, well -- I told them where I was. And I</p>	<p style="text-align: right;">16</p> <p>1 reached out and said, Okay, you'll be called in 2 to be asked questions. 3 Q. Okay. And at those meetings, just 4 what did you talk about? 5 A. Shared the -- whatever the 6 documents were that Ms. Heller had presented that 7 you had shared with his office; told to tell the 8 truth; told to -- I asked was I being sued. And 9 he informed me that the school system was being 10 sued. Questions like: How long am I going to be 11 there? And we talked about possibly all day. 12 Mentioned that the -- the 13 referrals -- that I had some electronic 14 referrals, that I had tried in that school at 15 that particular time to have a better 16 documentation that I could know what my assistant 17 principals were doing at the time as far as the 18 response times and actions and shared that with 19 him. 20 And that's it. 21 Q. You mentioned that Mr. Sharma 22 showed you a few documents. Do you remember what</p>
<p style="text-align: right;">15</p> <p>1 let them know that I had been subpoenaed -- he 2 told me before that they would subpoena me. And 3 so I let him know. 4 And I think I met with him either 5 two -- I think the second time or -- after I got 6 the subpoena. And I think it was two. 7 I don't think I met with you a 8 third time -- I don't recall. 9 Q. Okay. So there were two in-person 10 meetings with Mr. Sharma? 11 A. Yes. 12 Q. Do you know approximately when 13 those meetings happened? 14 A. I mean, I -- they're on my 15 calendar. I -- I -- as soon as I was 16 subpoenaed -- I believe that's the correct 17 term -- I reached out to him and we arranged the 18 meeting shortly after that. 19 So I think the -- I guess the 20 date -- well, we just pushed this one back; 21 right? But I think that it was like October. 22 Late October is when I got the subpoena, and I</p>	<p style="text-align: right;">17</p> <p>1 those were? 2 A. Ms. Eller's perspective on 3 situations. Her notes. 4 Q. So they weren't formal, filed court 5 documents. They were the documents that we've 6 shared from Ms. Eller? 7 A. Yes. I'm sure I saw -- well, you 8 mean formal -- I saw Eller versus Prince George's 9 County Public Schools, the official, "You've been 10 subpoenaed." 11 As a matter of fact, the second 12 meeting, Mr. Sharma asked me -- Attorney Sharma 13 asked me, "Do you need to be formally 14 subpoenaed?" 15 I said, "No because the guy 16 couldn't find me the first time." You know, 17 so -- he called me and I said, "Meet me here." I 18 don't have a problem with that. 19 Q. Did you bring any documents to your 20 meetings with Mr. Sharma? 21 A. No. 22 Q. And I think you briefly touched on</p>

Sheet 6

18

1 this, but what all did Mr. Sharma ask for you to
 2 do to prepare for the deposition?
 3 A. I believe I was given documents to
 4 look over to familiarize myself, this -- to look
 5 over, familiarize myself.
 6 I guess that was to -- that's it --
 7 I don't recall any specific instructions. Don't
 8 be late.
 9 Q. And you were not late. You were on
 10 time. In fact, you were quite early. So thank
 11 you for doing that.
 12 Did you -- regardless of whether
 13 Mr. Sharma asked you to, did you go back and look
 14 at any documents to prepare for the deposition?
 15 A. I looked at the documents that were
 16 given to me, yes.
 17 Q. Did you look at any other documents
 18 that you may have had separately?
 19 A. Any documents?
 20 Q. So when I say "documents," that
 21 could include electronic documents. So it could
 22 include emails, documents.

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1 A. When I looked at Ms. Eller's
 2 account of why she was moved from AP, I looked at
 3 the AP document, the AP numbers, statistics to
 4 confirm the reasoning that one teacher was moved
 5 and another teacher was moved out and prior
 6 moving Ms. Eller in and after -- once moving
 7 Ms. Eller out.
 8 Q. And how did you access those
 9 statistics?
 10 A. That's -- what is AP called? AP
 11 is -- I forget what the full term for AP -- AP
 12 testing scholastic -- I don't -- I can't say it.
 13 AP documents, I wanted to make sure I
 14 familiarized myself with the AP because I felt
 15 like any decision that -- I felt like Ms. Eller's
 16 version of "why" was inconsistent with the
 17 data -- data-wise process that we use. It was
 18 data-based, not emotional-based, and I wanted to
 19 familiarize myself with that information.
 20 Q. So the statistics that you're
 21 talking about are statistics that you had based
 22 on your position as a principal? They're not,

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1 like, publicly available online?
 2 A. I've never looked at it from a
 3 public perspective, so I don't know -- I guess
 4 they're school-system aligned, because I had
 5 access to them as a principal. And I never -- I
 6 never sought those documents as a -- as a
 7 citizen.
 8 Q. Okay. And you still retain access
 9 to those statistics now?
 10 A. I have the numbers in my head from
 11 2012 to 2016.
 12 Q. I'm sorry. That wasn't my
 13 question, but thank you.
 14 I just mean you have the ability to
 15 log in or to find those statistics on your
 16 computer?
 17 A. I have the ability to reach out
 18 to -- I have -- I have the data from the AP stats
 19 from the years that I was principal.
 20 Q. You just have them saved on your
 21 computer?
 22 A. I had them sent to me -- some of

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1 them were already on my computer or they were
 2 shared with me through County representations
 3 throughout each and every year that the -- I was
 4 at Friendly because the AP statistics are
 5 something that you look at to make decisions
 6 regarding how you're going to move forward.
 7 Q. So I understand that you shared
 8 with Mr. Sharma a 30-page document.
 9 MR. MOGUL: Luke, if you could find
 10 a copy of that.
 11 And we'll mark this as Exhibit 1.
 12 This will be a test to see how fast
 13 we can put stickers on these.
 14 (Whereupon, Exhibit No. 1 was marked for
 15 identification.)
 16 BY MR. MOGUL:
 17 Q. Handing the witness what we're
 18 marking as Exhibit 1.
 19 MR. SHARMA: Do you have an extra
 20 copy for me?
 21 MR. MOGUL: Yes, of course.
 22 MR. SHARMA: Thank you.

<p>Sheet 7</p> <p style="text-align: right;">22</p> <p>1 BY MR. MOGUL: 2 Q. Mr. Adams, is this the document you 3 provided Mr. Sharma? 4 A. Yes, sir. 5 Q. Did you provide him any other 6 documents? 7 A. No. 8 Q. And did Mr. Sharma ask you for this 9 document specifically? 10 A. No. I went through -- there were 11 referrals, paper referrals. And I don't remember 12 the -- the details of the conversation, but there 13 were paper referrals. In regards to whether 14 there was accessibility and paper referrals, I 15 know I don't have access to any documentation 16 that's within Friendly the high school because 17 I'm no longer in that position there. 18 But at a certain point I said, 19 Well, there was something on my system that we 20 tried to document referrals, the referral 21 process. It was not something we continued 22 because it was labor-intensive for me. But it</p>	<p style="text-align: right;">24</p> <p>1 investigation may consist of a follow-up 2 conversation with the teacher. It may consist of 3 a conversation in a communication with the 4 student. It may consist of witnesses, things of 5 that nature. It may even consist of security 6 investigation. Just depends on the nature of 7 the -- the incident. 8 The termination based on the 9 student rights and responsibilities, the student 10 rights and responsibilities is an 11 all-encompassing document, and one of the things 12 covered is infractions and responses -- 13 appropriate responses for infractions. 14 Based on what that student rights 15 and responsibilities says, the administrator is 16 supposed to get back to -- take the necessary 17 action response to the teacher and let them 18 know -- i.e., conference held, conference held 19 with student, conference was held with parents, 20 whatever their response is so the teacher would 21 be aware of that. 22 That document is -- a part of that</p>
<p style="text-align: right;">23</p> <p>1 was just a way of saying -- to respondent, 2 saying, Let's make sure the assistant principals 3 are responding to people in regards to their 4 referrals. 5 Q. Could you just explain to us what 6 you mean by "referrals." 7 A. I'm sorry. A teacher, when they 8 have a formal concern that needs to be addressed 9 administratively, they will fill out a document 10 which is called a PS-74 -- it's part of the 11 referral process. 12 They list the name of the student, 13 the incident. If there are details they want to 14 put in there to -- if there are details, they 15 list that. They submit that to the grade-level 16 administrator. In our case there were probably 17 four administrators during most years. There may 18 have been three. I'm not sure. One for each 19 grade. 20 That grade-level administrator who 21 is familiar with the -- should be familiar with 22 the students, they do an investigation. That</p>	<p style="text-align: right;">25</p> <p>1 document is supposed to be given to the teacher. 2 A part of that document is supposed to be kept in 3 the assistant principal's office so they could 4 run a -- so they can keep a record -- a log of 5 how many -- they can look back and see if 6 Student A has had infractions such as these in 7 the past. 8 So -- because the rights and 9 responsibilities documents also list -- it 10 references first response or if this is a 11 continual problem, things of that nature. 12 So -- and my -- what it does not -- 13 what that paper document does not do, it did not 14 let me know that there was a timely response. 15 So the process for me knowing 16 whether someone had responded would be the 17 teacher saying, Hey, Mr. Adams, I never got a 18 response. 19 So I tried to formalize it -- not 20 formalize it. That's the wrong word. I tried to 21 be able to look at realtime to see if I could 22 stand to see if we were getting responses. It</p>

Sheet 8

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1 was a way of evaluating administrative -- the
 2 timeliness of administrative responses.
 3 Q. So this was -- this document
 4 reflects -- please let me know if this is
 5 correct.
 6 This document reflects your efforts
 7 to both document and keep track of referrals from
 8 teachers about the student misconduct?
 9 A. It -- say the question again.
 10 Q. I will ask the question again. I'm
 11 not sure if it will be exactly the same.
 12 This document reflects your efforts
 13 to document and keep track of both the referrals
 14 from teachers and the administrative response to
 15 student misbehavior?
 16 A. The -- the purpose of the document
 17 was to track the timeliness of the administrative
 18 responses. I can -- the paper copies will allow
 19 me to say -- yeah, I think the timeliness, we're
 20 dealing with realtime. So you can make a
 21 response.
 22 So at the end of the specific time

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1 period, I could say, Well, AP No. 1 seemed to
 2 respond to -- well, I could use a less formal if
 3 I hear a teacher say, I never got a response from
 4 AP 1.
 5 This lets the administrator know
 6 that I am looking at the response time. And
 7 their response time -- I forgot what County
 8 policy was. I don't know if it was 48 hours,
 9 3 days, 5 days. I really don't know.
 10 But whatever it was by policy, you
 11 wanted to have a quicker response just so you
 12 could have a more satisfied customer, and
 13 customer being the teacher in this situation.
 14 Q. Thank you.
 15 So I believe this document reflects
 16 some time stamps that -- I see some that are as
 17 far back as March 2013, and the most recent I see
 18 on here is June 2014.
 19 Does that reflect your
 20 understanding of how long you had implemented the
 21 system?
 22 A. I don't see why not. It wasn't

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1 something that -- it seemed -- the purpose of it
 2 was to let administrators know that I have access
 3 to your response.
 4 So I want to see timely -- it is
 5 very labor-intensive because it requires that two
 6 sets of documents -- electronic and a paper copy,
 7 which the paper copy is the County's official
 8 document. So that's the legal document.
 9 This was just a way of saying, I
 10 want to make sure that we're responding to our
 11 customers in a timely fashion.
 12 Q. Did you maintain this document on
 13 your work-issued computer?
 14 A. It was a -- I think it was a Google
 15 doc. I'm not sure.
 16 Q. A Google doc?
 17 A. I think. I don't remember what the
 18 platform was.
 19 Q. Did you use Google docs often in
 20 your time as principal at Friendly High School?
 21 A. 2013, 2014, I wouldn't remember
 22 what the platform was. Let me say this.

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1 When I say I think it was a Google
 2 doc, that's just a document. I don't know. I
 3 probably said -- technology person or somebody, I
 4 said, Give me a platform where I can look at it
 5 and we can all share.
 6 I don't know what it was called. I
 7 just wanted the APs to know -- the assistant
 8 principal to know that I'm looking at your
 9 response times.
 10 Q. So you had this copy in a hard
 11 copy, printed out at home?
 12 A. It was electronic. I attempted to
 13 send -- to save and send to Mr. Sharma. It --
 14 couldn't print it out -- printed it out for the
 15 purpose of this and scanned those in and sent
 16 those over to Mr. Sharma.
 17 I don't know that I have -- I
 18 didn't keep originals in my possession. There's
 19 no reason for me to have originals in my
 20 possession.
 21 Q. Thank you. I'd like to return to
 22 kind of just generally what you did to prepare

Sheet 9	
<p>30</p> <p>1 for today's deposition.</p> <p>2 Did you speak to anyone else other</p> <p>3 than Mr. Sharma about this deposition?</p> <p>4 A. Told my wife I had a deposition. I</p> <p>5 didn't speak to her about details.</p> <p>6 Q. Did you speak to anyone else about</p> <p>7 the deposition?</p> <p>8 A. No. As a matter of fact, I told --</p> <p>9 and I told Mr. Sharma -- I didn't tell my boss,</p> <p>10 my immediate supervisor, about this. On my</p> <p>11 calendar right now it's written as a meet -- a</p> <p>12 "meet Sharma, school attorney."</p> <p>13 Q. And did you speak to anyone else or</p> <p>14 have you spoken to anyone else about the case</p> <p>15 generally, not the deposition?</p> <p>16 A. No.</p> <p>17 Q. Did you bring any -- I don't</p> <p>18 believe you did, but did you bring any documents</p> <p>19 here with you today?</p> <p>20 A. No.</p> <p>21 Q. And anything that we haven't</p> <p>22 covered yet that you might have done to prepare</p>	<p>32</p> <p>1 A. Yes.</p> <p>2 Q. And your current electronic</p> <p>3 calendar includes dates going back towards</p> <p>4 your -- it covers your time as principal at</p> <p>5 Friendly High School?</p> <p>6 A. My -- the majority of my calendar</p> <p>7 was kept by my secretary. It was not something</p> <p>8 that -- I had multiple secretaries. So the --</p> <p>9 depending on which secretary it was -- but I did</p> <p>10 look back to see what could have transpired on</p> <p>11 this September the 2nd that Ms. Eller is</p> <p>12 referring to or September the 1st that</p> <p>13 Ms. Eller is referring to. So I haven't</p> <p>14 purposely deleted anything from my calendar.</p> <p>15 Q. Sure. I'm just trying to</p> <p>16 understand how you still have access to your</p> <p>17 calendar from your time as principal, when you're</p> <p>18 no longer the principal of --</p> <p>19 A. I have Prince George's County</p> <p>20 Public School email. I guess it's a Google</p> <p>21 calendar, Google email. It's -- attached to that</p> <p>22 is a calendar, electronic calendar. That</p>
<p>31</p> <p>1 for this deposition?</p> <p>2 A. Looked over the documents that were</p> <p>3 shared with Attorney Sharma. Tried to access</p> <p>4 timelines, like I said, with the AP. I said,</p> <p>5 Well, that's a data-driven decision, so I can</p> <p>6 pull up the data that would show my perspective.</p> <p>7 And then there was something about</p> <p>8 an emergency meeting that was held in -- in the</p> <p>9 notes. And I said, Well, let me go into my</p> <p>10 calendar. And I just looked and said, okay,</p> <p>11 September -- well, no. The document said</p> <p>12 September, I think, 2nd, two thousand -- I</p> <p>13 don't know what year it was.</p> <p>14 And I went in my calendar to see</p> <p>15 what had transpired the day before. And the day</p> <p>16 before I have a meeting -- had listed a meeting</p> <p>17 with a union rep.</p> <p>18 And I could go into details on that</p> <p>19 when we get to that point and why.</p> <p>20 Q. Sure, that would be great.</p> <p>21 Just so I understand, your calendar</p> <p>22 that you maintain, is that electronic.</p>	<p>33</p> <p>1 calendar, I'm sure I could -- let me back up.</p> <p>2 Whatever hasn't been removed from</p> <p>3 that calendar is on that calendar. Whatever</p> <p>4 hasn't been removed from my email is on the</p> <p>5 email.</p> <p>6 There have been things that I have</p> <p>7 removed from the email, not -- not that relates</p> <p>8 to this situation. Just so I -- over the years,</p> <p>9 I've pruned email so you don't have 6 million,</p> <p>10 but not to remove anything -- I know it's an</p> <p>11 electronic document; and if need be, somebody can</p> <p>12 find it.</p> <p>13 Q. So I'd like to switch gears for a</p> <p>14 moment and talk about your background, if you</p> <p>15 don't mind.</p> <p>16 A. Of course.</p> <p>17 Q. Could you just walk us briefly</p> <p>18 through your educational background.</p> <p>19 A. From what point?</p> <p>20 Q. Let's start with high school and</p> <p>21 then any secondary education. If you could just</p> <p>22 tell us the names of the school you went to, the</p>

Sheet 10	34	36
<p>1 degrees and the years that you graduated.</p> <p>2 A. High school, Frederick Douglas High</p> <p>3 School. I started off US Air Force Academy,</p> <p>4 transferred to the University of Maryland, BA in</p> <p>5 finance.</p> <p>6 Graduate degree --</p> <p>7 Q. Excuse me. Could you also provide</p> <p>8 the years of your graduation?</p> <p>9 A. Okay. High school '82, 1982.</p> <p>10 The Air Force academy, I was only</p> <p>11 there for a semester.</p> <p>12 University of Maryland, College</p> <p>13 Park, I believe that was '87.</p> <p>14 Howard University, MBA, I believe</p> <p>15 it was '91/'92.</p> <p>16 I've taken courses at Bowie State,</p> <p>17 Bowie State University for administration. I've</p> <p>18 taken courses at Trinity -- I think Trinity is a</p> <p>19 university -- don't know -- for certification</p> <p>20 purposes.</p> <p>21 I think that's it.</p> <p>22 Q. Do you recall if any of your</p>	<p>1 So Friendly High School has an</p> <p>2 orthopedic wing. And what I mean by "orthopedic</p> <p>3 wing," it has a number of students who have --</p> <p>4 it's a wing, so not every school has a wing. So</p> <p>5 there are children who come with physical</p> <p>6 disabilities that cannot be -- could not be</p> <p>7 hidden.</p> <p>8 There are -- so our -- I guess I'm</p> <p>9 deviating from the initial question. I'm sorry.</p> <p>10 Let me go back.</p> <p>11 I would have to look at the record</p> <p>12 to say, Course on diversion -- or course on -- I</p> <p>13 forget -- what did you say?</p> <p>14 Q. Diversity.</p> <p>15 A. Diversity. I'm sorry. I'd have to</p> <p>16 look to see if there was a course on diversity.</p> <p>17 I could not answer that.</p> <p>18 But there was always some training</p> <p>19 on making sure that everyone felt included in the</p> <p>20 process and not excluded.</p> <p>21 Q. So let's turn to your work</p> <p>22 experience. First, if you could just walk</p>	
<p>1 coursework at any of these schools related to</p> <p>2 diversity and inclusion as it relates to being an</p> <p>3 administrator at a high school or at any</p> <p>4 educational facility?</p> <p>5 A. You're -- let me take off the plate</p> <p>6 the BA in finance and the MBA because that's</p> <p>7 business and that's money. So I doubt it very</p> <p>8 seriously if there had been any concern about</p> <p>9 anyone's feelings.</p> <p>10 Q. Point taken.</p> <p>11 A. The administrative courses that I</p> <p>12 needed for certification, I would have to check</p> <p>13 the record. I would have to check the record to</p> <p>14 say Course No. 401 or whatever.</p> <p>15 But there was a -- I wish I would</p> <p>16 have known this question. I could have given</p> <p>17 you -- in the educational courses, there was</p> <p>18 always -- there was a concerted effort for</p> <p>19 inclusion, collaborative processes, the</p> <p>20 position -- and what I mean by "position," the</p> <p>21 perceived position or the actual position of</p> <p>22 others so that everyone felt welcomed and a part.</p>	<p>1 through after you graduated from University of --</p> <p>2 A. Can I back up for a second?</p> <p>3 Q. Go ahead.</p> <p>4 A. Now, the people personnel worker</p> <p>5 in -- people personnel worker works with a number</p> <p>6 of schools in regards to -- is assigned a few</p> <p>7 schools. They're in that counseling department.</p> <p>8 They -- they in-service staff</p> <p>9 members. They in-service students. One of those</p> <p>10 things that is included on that is diversity,</p> <p>11 including the code of conduct -- I mean student</p> <p>12 rights and responsibilities, diversity, making</p> <p>13 sure other people understand that aspect.</p> <p>14 Q. Okay. So as I understand, there's</p> <p>15 a position called a people personnel worker --</p> <p>16 A. Right.</p> <p>17 Q. -- at Prince George's County Public</p> <p>18 Schools --</p> <p>19 A. Correct.</p> <p>20 Q. -- who focuses, at least in part,</p> <p>21 on diversity issues?</p> <p>22 A. Yes.</p>	

Sheet 11	38	40
<p>1 Q. Thank you. Okay. And we'll 2 probably come back to that later. 3 A. Oh, sure. 4 Q. So if we can now just talk about 5 your work background. 6 A. Okay. 7 Q. After you graduated from the 8 University of Maryland, what was your first job 9 after that? 10 A. Household Finance. 11 Q. Household Finance. 12 A. A finance company where you charge 13 people exorbitant amounts of interest on 14 short-term loans. 15 Q. And how long did you do that? 16 A. I don't even have it on my resume 17 anymore. I thought it was a -- I thought it 18 was -- it was not in my comfort zone to charge 19 people loans 30 percent, 28 percent. 20 Q. Do you think you had that position 21 for two years? more than that? less than that? 22 A. I wouldn't have resigned in less</p>	<p>1 say, I believe it was this long. 2 Q. Okay. We may not need that, but 3 I'll let you know if you do. 4 A. Okay. 5 Q. What was the job that you took 6 after leaving Household Finance? 7 A. Xerox. 8 Q. Xerox. And how long did you have 9 that position? 10 A. I had it until I moved to Eastman 11 Kodak. It was probably -- oh, shoot. 12 I'm guessing about two years. I 13 was -- I considered myself semi-ambitious. So I 14 didn't want to sit in -- I wanted to make more 15 money. 16 Q. So at Xerox you were in some sort 17 of business role? Sales role? Can you explain 18 what it is? 19 A. Supplied marketing. I answered 20 calls for orders. 21 I worked with a supply rep in the 22 field and worked on large orders, customer</p>	
<p>1 than a year. That's not how I'm -- it's not in 2 my DNA. 3 I -- I don't remember even know if 4 it's on my resume because it's irrelevant to what 5 I do in this field. 6 Q. I understand. I'm just trying to 7 get a sense of the timeline. 8 A. Right. The best I could do is tell 9 you that I could go home and see if there's any 10 documentation, reach out to Mr. Sharma to reach 11 out to you. But I know it wasn't a three-month 12 stint because I had to pay to get the job there, 13 so I had to recoup that money. 14 And I also had to make -- account 15 for myself as being a successful college graduate 16 that had a job. So it wasn't -- it might have 17 been -- I can't even -- I can't -- I give you 18 misinformation. 19 It wasn't three months. It wasn't 20 five years. I could look and see if that's -- if 21 you need to know specifically. I'm sure I 22 could -- no, I'm not sure. I could research and</p>	<p>1 orders. 2 Q. And you said that you next worked 3 at Eastman Kodak. 4 A. Yes. 5 Q. What was your position there? 6 A. Copy rep. 7 Q. Copy rep? 8 A. Copier salesman. I'm sorry. 9 Q. And how long did you have that 10 position? 11 A. I don't know. I don't know. I 12 don't know. 13 Q. Would you say it's more than a 14 year? 15 A. I would say it would have been more 16 than a year, yeah. 17 Q. Less than five years? 18 A. Oh, definitely. Definitely. 19 Q. Where did you work after Eastman 20 Kodak? 21 A. Prince George's County Public 22 Schools.</p>	

Sheet 12

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1 Q. Can you now please walk us through
 2 each individual position that you had at Prince
 3 George's County Public Schools, starting with the
 4 earliest.
 5 A. I was a math teach at Oxon Hill
 6 High School.
 7 Q. Do you remember what year that was
 8 that you started working there?
 9 A. '93.
 10 Q. And how long were you a math
 11 teacher?
 12 A. Approximately four years.
 13 Q. I'm sorry. I should have asked,
 14 how long were you a math teacher at Oxon Hill?
 15 A. Approximately four years.
 16 Q. Did you have any advancement while
 17 you were at Oxon Hill in terms of -- I don't
 18 know -- becoming a department head or anything of
 19 that nature? Or were you just kind of a line
 20 math teacher for those four years?
 21 A. I taught the Maryland functional
 22 math class, which is a State-assessed class for

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1 school.
 2 But the problem is they're not
 3 being educated for the remainder -- for high
 4 school students, for the remainder of that
 5 semester and the total next semester.
 6 So depending on the infraction,
 7 they can apply to the alternative high school.
 8 That's where I taught.
 9 Q. Did you teach math there?
 10 A. Yes.
 11 Q. And how long were you a teacher at
 12 the alternative school?
 13 A. Probably a year.
 14 Q. And where did you go after that?
 15 A. Friendly High School.
 16 Q. So that would have been 1998?
 17 A. '98/'99, yes.
 18 Q. And did you start off at Friendly
 19 High School as a math teacher?
 20 A. No. I left the alternative high
 21 school for a promotion. I started off in -- hold
 22 on. Let me back up.

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1 graduation.
 2 Functional math skills are skills
 3 that high school -- the State deemed that high
 4 school children need to graduate, basics skills.
 5 At the high school level, if they were in my
 6 class, that meant they were deficient.
 7 What I did at Oxon Hill is I
 8 excelled at getting students to master the skills
 9 necessary to pass those -- that test. I excelled
 10 at that.
 11 Q. So starting in 1997, you then took
 12 on a new position?
 13 A. I went to the alternative school
 14 for students who had been expelled.
 15 Q. That's a stand-alone school within
 16 Prince George's County Public Schools?
 17 A. If a student has been -- yeah. If
 18 a student has been expelled from a Prince
 19 George's County School, the dilemma is the
 20 expulsion prohibits the student from being in a
 21 population -- I don't want to say a regular
 22 school -- a traditional -- a comprehensive

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1 Yes, I started off at Friendly High
 2 School as an assistant principal.
 3 Q. What were your duties as an
 4 assistant principal in that initial period?
 5 A. Probably came in as a 9th-grade
 6 administrator. I oversaw the math department. I
 7 probably had some involvement with sports.
 8 Initially -- ultimately, I was
 9 administrator over the senior class a number of
 10 times in regards to -- because the seniors
 11 have -- they have concerns that you don't want to
 12 drop the ball on; otherwise, they don't have time
 13 to make it up. So if something drops, the ball
 14 drops, and then they don't graduate; whereas, if
 15 something happens in 9th, 10th or 11th grade, it
 16 can be fixed.
 17 There are a number of things that
 18 take place with the seniors, and so my principal
 19 at the time put me in charge of the senior class
 20 a number of times, because once you learn it and
 21 he felt like he could trust you with it, why
 22 leave it to chance to teach someone else or leave

Sheet 13

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1 it to chance for someone else to get it?

2 One of the things that I did cover

3 on behalf of my principals was AP, moving AP

4 numbers.

5 I was asked to move AP numbers

6 because I got the job as an assistant principal

7 because of the math numbers I moved as a teacher.

8 As an assistant principal, I moved standardized

9 testing scores on a larger level.

10 Q. And it sounds like -- but please

11 correct me if I'm wrong -- from your prior

12 testimony that included in your job as an

13 assistant principal was dealing with student

14 referrals.

15 A. Discipline, yes.

16 Q. Discipline?

17 A. Yes.

18 Q. That would have been true for any

19 assistant principal?

20 A. Exactly.

21 Q. So how long were you an assistant

22 principal?

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1 A. Yes.

2 Q. So then after you were principal at

3 Thurgood Marshall, where did you -- the next --

4 A. I was demoted to an assistant

5 principal at Friendly High School.

6 Q. Could you explain the circumstances

7 of your demotion?

8 A. They -- my -- well, they do not owe

9 you an explanation at that point. My -- my

10 understanding was that the school was not moving

11 forward.

12 Q. Excuse me. By "the school," you

13 meant Thurgood Marshall?

14 A. Thurgood Marshall.

15 That's not consistent with what the

16 numbers say.

17 Q. Okay. So you were then an

18 assistant principal again at Friendly for how

19 many years?

20 A. Yes. Three.

21 Q. Three years.

22 So that takes us to approximately

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1 A. I believe four years. That's on my

2 resume, though, so I can access that for you.

3 Q. But sitting here today, you believe

4 it was about four years?

5 A. About four years.

6 Q. And after that, what was your

7 position?

8 A. Principal, Thurgood Marshall Middle

9 School.

10 Q. So that would have been

11 approximately 2003?

12 A. It was probably three or four

13 years. I can -- I can give you dates if you need

14 dates, specific dates. I remember -- the things

15 I remember -- might be a piece -- I remember the

16 numbers moving. I remember the middle school

17 assessment numbers moving more so that I

18 remember -- so it was probably three or four

19 years.

20 Q. Three or four years starting

21 approximately 2003 but give or take a couple of

22 years?

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1 2010. Does that sound about right?

2 A. It does.

3 Q. Okay. At that point, is that when

4 you became principal of Friendly?

5 A. Yes. 2010/2011 school year. Yes.

6 Q. And could you just generally

7 describe the duties of a principal as you saw it

8 at Friendly High School.

9 A. Supervise instruction, supervise

10 the learning environment, supervise the climate

11 of the building, safe and orderly so that, you

12 know, instruction can take place.

13 Monitor data, make data-based

14 decisions, deal with whatever emergencies may

15 come up. Be -- look at -- look at what's good

16 for the overall, but also taking the needs of

17 individuals.

18 Q. So then you were principal at

19 Friendly High School until what school year?

20 A. 2016, somewhere -- May of 2016.

21 Q. And what did you do after that?

22 A. I was removed.

Sheet 14

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1 Q. Removed in May of 2016?

2 A. (Nods head.)

3 Q. Can you explain the circumstances

4 of that?

5 A. Sure. I broke up a fight. The

6 accusation was that I didn't do it appropriately.

7 The hearing officer said that I did

8 do it appropriately. I acted consistently with

9 Maryland State, yada, yada, yada. I'm sorry.

10 I acted consistently with what the

11 regulations say I should have done.

12 That case was decided in my favor

13 based on the Maryland Code. And -- and I was in

14 a position -- I was given the position to take a

15 high school, which was my previous position.

16 Q. To take -- I'm sorry?

17 A. To take over a high school as the

18 principal, my previous position.

19 Q. So after the case was decided in

20 your favor, you were offered to take over a

21 different high school, not Friendly?

22 A. Friendly was not available. I

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1 don't know the details of whether they would have

2 said -- I don't know the higher-ups, and I don't

3 know what decision -- I don't think the dynamics

4 of coming back to Friendly in that situation

5 would have been in my best interests or the

6 school's best interests, to be honest with you.

7 But I was -- it was -- legally, I

8 was offered the ability to go back to a high

9 school.

10 Q. And did you take that offer?

11 A. No.

12 Q. Why not?

13 A. It's a lot. It's a lot.

14 Q. Understandably. What did you do

15 instead for work?

16 A. The instructional specialist, STEM

17 instructional specialist.

18 Q. And is that -- you were still being

19 employed by Prince George's County Public

20 Schools?

21 A. Yes.

22 Q. And was that a position tied to a

52

1 particular school or a floating position?

2 A. It's a floating position. I worked

3 with six schools: the science and tech schools

4 and high schools in Prince George's County and

5 the aerospace technology school.

6 So DuVal High School, Oxon Hill

7 High School, Flowers -- Charles Flowers High

8 School, and Eleanor Roosevelt High School; in

9 addition, two middle schools: Thomas Johnson

10 Middle School and Oxon Hill Middle School.

11 Q. Is this position in any way

12 administrative? Or is it purely teaching or

13 something else?

14 A. It's administrative. I support the

15 science and tech and the STEM programs. I

16 support those schools and those programs. I work

17 with those principals and those coordinators in

18 regards to what they see as -- I support them.

19 Q. Do you supervise faculty members or

20 employees in any way?

21 A. I don't. I don't.

22 Q. And you're still in that position

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1 now?

2 A. Yes.

3 Q. Have you had any other employment

4 that we haven't yet talked about since -- let's

5 say since 2010?

6 A. I worked as a real estate agent for

7 Keller Williams.

8 Q. And when was that?

9 A. It was while we were deciding the

10 case on -- the case.

11 Q. So that would have been in 2016?

12 A. '17 probably.

13 Q. And when did you stop acting as a

14 real estate agent?

15 A. As soon as the case was decided.

16 Q. Do you believe -- and that was in

17 2017 sometime?

18 A. I -- I'd give you exact dates, but

19 I couldn't do it right now off the top of my

20 head.

21 Q. So going forward, as you could

22 probably expect, we're mostly going to be talking

Sheet 15

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1 about the time frame between 2011, fall 2011
2 through summer 2016, which I will represent to
3 you was Ms. Eller's tenure as a teacher at
4 Friendly High School.

5 Can you just confirm that you were
6 principal of Friendly High School that entire
7 period?

8 A. I think Ms. Eller left -- I think I
9 left in May -- I think Ms. Eller may have left
10 after that. But I was not there at the end of
11 her tenure, I do not believe.

12 Q. And just -- I'll let you know.
13 Yeah, I think it was more like August when
14 Ms. Eller was formally transferred to another
15 school.

16 A. Okay. I didn't have anything to do
17 with that process. I wasn't involved in that
18 progress.

19 Q. Understandable. So your time as
20 principal ended May 2016?

21 A. Yes.

22 MR. MOGUL: Okay. Does anyone want

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1 just checking my mail on the break.

2 Any platform through communication
3 would be through Google, if it was shared
4 through -- I don't know all the specific icons
5 that -- I don't want to say "icons" -- all the
6 specific -- Google's Google doc or something.
7 Everything would have been done through Google
8 mail or Google calendar in regards to
9 communication.

10 Q. When you created electronic
11 documents -- so whether they're word processing
12 documents or spreadsheets -- would those also
13 have been saved through a Google platform?

14 A. Now, when you say I created
15 documents, such as? I'm sorry.

16 Q. Sure. Really, I'm just talking
17 about broadly. Any spreadsheet like the one that
18 you gave to Mr. Sharma or a Word document like a
19 draft letter you might have been writing.

20 A. A letter would not have necessarily
21 been on a -- so if I created a letter, a
22 referral -- a letter of referral -- letter to a

55

1 a five-minute break?

2 MR. SHARMA: Sure.

3 MR. MOGUL: I could use a
4 five-minute break.

5 (Off the record, 10:21 a.m.)

6 (Back on the record, 10:33 a.m.)

7 MR. MOGUL: So now that we're back
8 on the record, I'd just like to reflect that we
9 just discussed provisionally designating this
10 deposition and its exhibits as confidential,
11 subject to further discussion between the
12 attorneys.

13 BY MR. MOGUL:

14 Q. So, Mr. Adams, I'd like to talk for
15 a minute about recordkeeping.

16 So as principal at Friendly High
17 School between fall 2011 and summer 2016 -- all
18 of my next following questions will involve that
19 time frame -- what electronic devices did you use
20 in the course in your job duties?

21 A. Google mail, Google calendar. And
22 you asked about the calendar earlier, and I was

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1 teacher, I would have typed it up on a laptop. I
2 wouldn't necessarily have saved it -- I would not
3 have necessarily saved it on an electronic
4 platform.

5 So if I gave somebody a letter of
6 referral in regards to an action, it would be --
7 I would print it out, sign it, have them get a
8 copy, put a copy in their file in the office in
9 that building.

10 Q. So the electronic version of that
11 document before you signed it, obviously, would
12 have just been saved on the computer that you
13 typed it up on?

14 A. Not necessarily because it would
15 not have been official -- if it were a referral
16 or something to that nature, it would not have
17 been official unless it was signed so I would not
18 have necessarily saved that document.

19 The documentation of that being
20 saved would be I have a copy in my file. I would
21 put that in someone's hand. If I could not put
22 that in their hand, then I may look at sending

Sheet 16

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1 that scanned copy to them confirming that they
2 received a copy of a document.

3 Q. So if we could just step back for a
4 minute and talk about the actual devices. This
5 is a very basic question, but did you have a work
6 computer? A laptop? Did they give you an
7 iPhone? Any of those things?

8 A. Laptop.

9 Q. They gave you a laptop to use?

10 A. Yes.

11 Q. And did you conduct all of your --
12 all of your work activities that you needed a
13 computer for on that laptop?

14 A. I had multiple laptops during my
15 tenure. But, yes, I never had a comfort level
16 with a desktop computer.

17 Q. Did you have a home computer at
18 this time?

19 A. No.

20 Q. Did the school system issue you a
21 mobile phone or other mobile device?

22 A. There was a short period that they

1 Q. For example, just now during the
2 break, you were looking at -- was it your Prince
3 George's County email that you were looking at?

4 A. Yes.

5 Q. And so do you remember if you could
6 access your email from your phone while you were
7 principal?

8 A. I do not remember doing that, and I
9 remember contemplating getting a -- a Verizon
10 device that -- smaller, something that never took
11 hold that I could, say, do my work. But I -- you
12 couldn't get -- I guess you would need Wi-Fi.

13 And so the answer is, no, I don't
14 recall using a phone to communicate other than
15 via text. I know teachers have my number to text
16 me. In the event that they were going to be
17 late, they could text me, call me, but I didn't
18 receive emails on that. I don't recall that.

19 Q. But you do recall receiving texts
20 from teachers during your time as principal on
21 your personal cell phone?

22 A. Yes.

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1 issued a mobile phone. It was a very short
2 period. It was so they could reach out to you,
3 and they could connect -- contact you.

4 Q. Did you access your work email or
5 other work files using that mobile phone?

6 A. No. I think at this point, I don't
7 think that was in the capacity of -- I don't
8 think that was the reason for those phones. I
9 think it was so I could -- so Person A could
10 reach Person B if they needed to.

11 Q. At some point did the school system
12 allow you to access your work files or work email
13 on a personal cell phone?

14 A. You're asking if I accessed on a
15 personal cell phone?

16 Q. Yes.

17 A. No, I don't remember doing that. I
18 don't -- I look at emails now, but I don't -- I
19 don't know when that transitional -- that time
20 period took place from when the cell phone was in
21 its infancy stages as far as let me access
22 everything.

1 Q. So when you did save electronic
2 files onto the Google platform, for example, was
3 it your understanding that those were accessible
4 to others at the school system?

5 A. Exhibit 1, they were accessible --
6 I believe they were accessible to the
7 administrators. I wanted the administrators to
8 know that they could see -- transparency. I did
9 not want the teachers to necessarily be able to
10 see what was going on from -- I don't want you,
11 as Teacher A, to be able to see Teacher B's
12 referrals and things of that nature.

13 But I wanted the administrators to
14 be able to see because they had access to
15 anybody's -- they had access to anybody's
16 referrals anyway. And I wanted them to be able
17 to see that I had access to their response time.

18 Q. Did you save documents to the hard
19 drive of your computer, of your laptop, that was
20 not shared so it would have just stayed on that
21 laptop?

22 A. I'm not sure what you're asking.

Sheet 17

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1 Give me an example.
2 Q. Sure. So you're creating a
3 document in Microsoft Word, for example, and you
4 just save it to like the C drive. You're not
5 saving it to a platform like the Google platform
6 that you discussed before.

7 A. No, that does not sound -- no. If
8 I -- if I sent you documentation, I would email
9 that document -- if I emailed you that, that was
10 my electronic receipt.

11 The document -- if it was a
12 document, in order for it to be official, formal,
13 it had to be signed anyway. So if it was a
14 referral or things of that nature, it had to be
15 signed anyway.

16 There was a bunch of documents that
17 went out to staff -- i.e., staff meeting, i.e.,
18 this is the agenda. I didn't make any concern --
19 I didn't put any effort into making sure that it
20 was saved for any purpose in the future.

21 Q. Do you know what happened to your
22 laptops -- sorry. I should pause.

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1 wanted to --

2 I felt like they had access anyway.

3 Q. I'm sorry.

4 A. I felt like some of them, if need
5 be, they could -- it's an electronic document on
6 a platform that does not belong to me. So if I
7 delete it, I may not have access to it; but
8 that's not a security solution, if that's what
9 you're asking.

10 Q. I was just asking --

11 A. No, no, no. So my logic is, well,
12 here it is. If you don't have my password, then
13 you can't get in on a normal -- under normal
14 circumstances. But there's no reason for me --
15 and the laptop that I turned in when I finally
16 upgraded to an Apple was some black machine that
17 everyone was laughing at me for having that. And
18 that -- it was just -- it was obviously obsolete.

19 But I mean -- so I -- no. And I
20 think I kept it a little while, just as a --
21 almost as a file just to say, Well, I think I
22 remember putting stuff on this laptop. And,

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1 The laptop that you were most
2 recently issued while you were a principal, do
3 you still have that laptop today?

4 A. No.

5 Q. What did you do with those laptops
6 when you were no longer using them?

7 A. There is a place called TDC. And
8 for the life of me, I couldn't tell you what TDC
9 stands for.

10 You turn in your computers. You
11 upgrade.

12 Q. So you currently have an upgraded
13 laptop?

14 A. Yes.

15 Q. Was it your practice to delete
16 files off of these computers with any regularity?

17 A. No, no.

18 Q. Would you delete files off these
19 computers before you turned them in to TDC?

20 A. I do not recall if they told me to.
21 I can't recall. The only thing I can recall is
22 my daughter's phone being turned in, and she

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1 here, let me get my 1979 state-of-the-art
2 computer up and see if I can find it on here.

3 My resume was on there. And I
4 think some other things may have been on there,
5 but it wasn't -- you know.

6 Q. Turning to your emails, I think you
7 mentioned that you would from time to time manage
8 your inbox and sometimes you would delete things.
9 Did you have a regular practice of deleting
10 emails?

11 A. No, no.

12 Q. Would you archive those emails?
13 Sometimes there's the option to archive instead
14 of delete.

15 A. No. I got over 100 emails a day.

16 Q. I feel you.

17 A. I got over 100 emails a day, and I
18 wasn't supposed to be at my desk all day. So
19 after a while, I just realized that the magic
20 number might be 6 million.

21 Okay. Now, what I may do is if I
22 got emails from Mr. A and I knew that they were

1 someone that I wanted to keep track of important
 2 stuff because I'm always getting stuff from them,
 3 I might delete some other stuff that I now
 4 considered antiquated so I could -- so if Anthony
 5 Whittington is a County employee that sends me
 6 data on the school systems -- so I would keep all
 7 his.

8 But someone else might -- our
 9 department chair. After a while I'd say, I don't
 10 need to confuse -- if I'm searching for
 11 something, I don't need to confuse the department
 12 chair -- their -- their collaborative planning
 13 from three years ago. I'm not going to look at
 14 it. I'm not going to utilize it.

15 But I was not consistent enough to
 16 where --

17 Q. Did you ever have a time when you
 18 had deleted emails but you realized later that
 19 you needed access to them?

20 A. No, I didn't delete
 21 indiscriminately. Delete -- I get spam.

22 Q. Do you recall when you started

1 Attorney Sharma contacted me about any email
 2 correspondence between Ms. Eller and myself --
 3 i.e., me to Ms. Eller or Ms. Eller to me -- and
 4 me to Ms. Eller would also include me to staff.
 5 It would also include me to -- from myself to the
 6 department which she was in. When I spoke to
 7 someone in the County, that could be thousands of
 8 emails that you want me to go through. And they
 9 referred me to -- the attorney has the ability to
 10 request that information from, let's just say
 11 whatever that department is that handles IT,
 12 software. I don't know.

13 Q. So it sounds like you spoke to
 14 someone in the County system about accessing your
 15 emails between you and Ms. Eller after talking
 16 with Mr. Sharma?

17 A. (Nods head.)

18 Q. Okay. I'd asked you before if you
 19 had talked to anyone else about this deposition
 20 or this case, and you had said no. But it sounds
 21 like you want to amend that.

22 A. Okay. Yes, and that wasn't -- that

1 using email that was issued from Prince George's
 2 County Public Schools?

3 A. I didn't use email as a teacher. I
 4 didn't have a laptop as a teacher at Oxon Hill.
 5 I didn't have it as a teacher at the alternative
 6 school.

7 I'm sure I had email as an
 8 assistant principal at Friendly. So that would
 9 have been the first time that I can faithfully
 10 say I'm sure I used email.

11 Q. And that would have been the first
 12 stint when you were at Friendly?

13 A. Yes.

14 Q. So it's safe to say that you were
 15 using email before you even became principal at
 16 Friendly?

17 A. Yes.

18 Q. And do you know of any reason why
 19 emails before fall 2012 wouldn't be available to
 20 you now?

21 A. The system may have removed them.
 22 When -- when, I believe,

1 was prior to meeting with Mr. Sharma.

2 Q. Okay.

3 A. That was just about email
 4 transmission -- that was just about emails, any
 5 emails.

6 I don't have access -- how am I
 7 going to pull up emails that I -- how am I going
 8 to pull up thousands of emails and go through
 9 thousands of emails?

10 Q. Right.

11 A. And I was informed that they had
 12 the ability to contact the people who can go
 13 through the emails.

14 Q. Okay. Do you recall who it was
 15 that you spoke with about the emails?

16 A. I can go into my email and find
 17 out. I don't know. It was probably when I got
 18 notification of I will be in this situation,
 19 whoever is on there, I -- whoever was in that
 20 office, legal office -- I don't know if it was --
 21 it wouldn't have been anyone outside of that
 22 loop.

Sheet 19

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1 And -- and it would have been to
 2 say the person who -- let's just say IT. I don't
 3 know if it's the IT department. The person who
 4 can access that information, I did not speak to
 5 them.
 6 I emailed and said I was instructed
 7 by whoever told me about this, who notified me
 8 that this was -- and I need to reach out to him,
 9 that he --
 10 Q. Sorry. Just --
 11 MR. SHARMA: Objection. Objection.
 12 He has a right to finish his question -- answer
 13 to the question.
 14 Please. You can finish your
 15 answer.
 16 THE WITNESS: Okay. I did not
 17 reach out to anyone. I emailed him through the
 18 legal person that notified me that they would be
 19 dealing with whatever was dealing with; that
 20 he -- I was instructed that he could get that
 21 information; he had the ability to get that
 22 information and that I did not need to be in that

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1 the case and that Attorney Sharma would be
 2 dealing with it.
 3 Q. But do you remember who that was?
 4 A. Name? No. But I could search his
 5 name on my Google email and see who was a part of
 6 that email transmission to me.
 7 Q. Do you remember the role that that
 8 person has? Not the name but just what position
 9 that person has?
 10 A. It's in legal. I mean, no. I
 11 mean, if you told me the name, I would say, Oh,
 12 yeah, that person.
 13 Q. So you testified before that you
 14 used work email before and including your time as
 15 principal at Friendly high school.
 16 A. Yes.
 17 Q. Were you also creating electronic
 18 documents during the entire time that you were a
 19 principal?
 20 A. What do you mean by "electronic
 21 documents"?
 22 Q. Any other electronic document

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1 loop.
 2 BY MR. MOGUL:
 3 Q. I'd just like the record to
 4 reflect, though, when Mr. Adams was saying "he,"
 5 he was gesturing to Mr. Sharma.
 6 A. I'm sorry. I'm sorry. Yeah,
 7 Attorney Sharma.
 8 Q. And I'm sorry for attempting to
 9 interrupt. I should not interrupt, obviously.
 10 But going forward, if you say "this" -- if you
 11 could just say "this case," if that's what you
 12 mean to say.
 13 A. I'm sorry. I'm sorry.
 14 Q. And if you mean him, to say
 15 "Mr. Sharma."
 16 A. Okay. I'm sorry. I apologize.
 17 Q. And so you said that you were not
 18 talking to someone in IT. So was it someone in
 19 the legal department of Prince George's County
 20 Public Schools you were emailing with or talking
 21 to?
 22 A. Whoever notified me that this was

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1 that's not an email. So a Word document, a
 2 spreadsheet, any of those things?
 3 A. I didn't create spreadsheets. I --
 4 if it was data, I had a data person to create
 5 data spreadsheets.
 6 Q. I'm sorry. You said you did
 7 personally create data spreadsheets?
 8 A. No. I had a data person to create
 9 data spreadsheets.
 10 Q. Did you type up documents that
 11 maybe you would later print out? But were you
 12 doing that on computers the entire time?
 13 A. Memos?
 14 Q. Any document.
 15 A. Memos, yes.
 16 Q. And you mentioned before that, of
 17 course, you kept paper documents during your time
 18 period as principal.
 19 A. If there was a referral or
 20 something to that nature that was printed out --
 21 so if it was in regards to -- so I didn't keep
 22 paper documents on collaborative planning. So if

Sheet 20

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1 it was just a department collaborative plan, I
2 didn't keep that paper document.

3 I may keep that time period to say
4 we're collaboratively planning. But if there was
5 a document that may have legal ramifications
6 later dealing with a staff member -- every staff
7 member had a file.

8 So if it were something of that
9 nature, they would have been placed in their
10 file, paper copy.

11 Q. And you would maintain -- you or
12 someone on your staff would maintain a paper copy
13 of student discipline reports as well?

14 A. The assistant principals kept a
15 copy of the referrals, I believe. I believe the
16 referrals were supposed to go in for permanent
17 file at the school. I can't say -- I don't know.
18 I don't -- I didn't check. I don't check records
19 like that. I don't know.

20 Q. Would you ever print out emails to
21 be part of a student or staff member file?

22 A. If it was evidence.

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1 do another form of investigation, which may be
2 what's going on here -- no. Sorry.

3 In an investigation, if you have
4 something that's evidence, then that evidence --
5 whether that evidence is an email or that
6 evidence is a copy of a weapon, photocopy of a
7 weapon, if it's evidence in the -- in the outcome
8 of the decision, then that would need to be
9 attached to whatever documentation that you have.

10 Q. Okay. And that documentation would
11 be stored in a particular file for either a
12 student or a teacher?

13 A. It would be in their -- yeah, that
14 would be in a file.

15 Q. And the physical file folders,
16 where were those stored?

17 A. The files on the teachers were
18 stored in my office. Whatever was cc -- if it
19 was cc'd to HR, then it was sent to HR. If it
20 was cc'd to my immediate supervisor, then it
21 was -- wherever it was cc'd to, then they got a
22 copy.

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1 Q. And where were those records
2 stored?

3 A. So you're saying if it was a
4 file -- if it printed something to be part of a
5 file, if it dealt with that -- if it was evidence
6 for a situation, then that would be put in
7 that -- that would be attached and that would be
8 referenced. So if I'm referencing an email, if
9 Employee A said something in the email that was
10 inappropriate and I wrote that person up for
11 inappropriate communications, let's just say, and
12 that was Exhibit A, then, yes, I would print that
13 and I would copy that.

14 Now, if it's just an investigation,
15 I wouldn't copy that to the referral.

16 Q. So if it was -- if the situation
17 we're talking about is just an investigation, you
18 would not necessarily print out the emails about
19 it; is that what you're testifying?

20 A. Okay. Let me back up, okay?

21 Security does investigations. Some
22 investigations administrators do. They -- they

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1 Student files, disciplinary files
2 were kept in the administrator's office so they
3 could refer to them in regards to possible
4 further disciplinary action so they could have
5 evidence.

6 Q. Was there any regular practice for
7 moving those files -- for example, the files are
8 quite old -- to another location? Or would --
9 during your entire time as principal, did those
10 teacher files stay in your office, the student
11 files stay in the assistant principal's offices?

12 A. Teacher files stayed in my office.
13 Teachers -- if the teacher moved to another
14 school and those files were requested, then --
15 then we would send them, but student files -- and
16 I'm assuming you're just talking about
17 discipline.

18 Q. Yes.

19 A. Student files, I know their
20 permanent record -- I -- I don't -- I really
21 don't know. I can't say that was one of the -- I
22 can't say. I don't know. I don't know. I did

Sheet 21

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1 not follow up and say, Where did these go?
 2 Q. Was there any policy or routine
 3 practice of just throwing away any of those
 4 files?
 5 MR. SHARMA: Which files?
 6 MR. MOGUL: The teacher files.
 7 THE WITNESS: No.
 8 BY MR. MOGUL:
 9 Q. And the student files?
 10 A. No. There wasn't a policy to throw
 11 things away.
 12 Q. Was there ever an occasion where
 13 there was the destruction of the files?
 14 A. Let me back up.
 15 MR. SHARMA: Let him finish, first.
 16 THE WITNESS: Let me back up.
 17 There's a certain amount of time that you're
 18 responsible for keeping files. I don't know what
 19 that time is now.
 20 So even -- even transcripts are
 21 kept in schools for a certain amount of time.
 22 And then after that, I think they're archived --

1 fire? Could there have been an event where
 2 someone stole files, anything of that nature
 3 where those files were no longer -- not a policy,
 4 not a directive, but some event that caused those
 5 files to no longer be available?
 6 A. Not to my knowledge, no.
 7 Q. So I'd like to turn to how the
 8 school administration was organized during your
 9 time as principal. Could you just briefly
 10 explain -- so you were the principal directly
 11 reporting to you was what -- what kind of
 12 administrator?
 13 A. There were three or four
 14 grade-level administrators. A know at one point
 15 we may have gone down to three, and at one point
 16 I felt like we should have four.
 17 They -- they -- those
 18 administrators were in charge of grades, amongst
 19 other things. There are counselors that are in
 20 charge of grades, amongst other things.
 21 But another level, there are
 22 teachers that are in departments that report --

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1 archived electronically or sent up to whatever
 2 office -- they're no longer kept in the school.
 3 So I don't -- I'm not the person
 4 who would be an expert on how long that period is
 5 in -- in the same thing being the case with the
 6 files on discipline.
 7 Q. During your time as principal, was
 8 there ever an event that caused the destruction
 9 of any of the teacher files that were in your
 10 office?
 11 A. No, not to my knowledge. No.
 12 Q. And same question for the student
 13 files.
 14 A. No, not to my knowledge. We did
 15 change registrars. We changed people in the
 16 guidance office. So -- but, no.
 17 But, no, there was no -- if you're
 18 asking if I'm saying, "Hey, destroy files," the
 19 answer is no.
 20 Q. No, that wasn't what I was asking.
 21 A. Okay.
 22 Q. I was really asking, was there a

1 and those administrators oversee certain
 2 departments based on what I believe are their
 3 skill sets -- best suited for the overall good of
 4 the school.
 5 Q. Were those grade-level
 6 administrators also called assistant --
 7 A. Principal.
 8 Q. -- assistant principals?
 9 A. Yes.
 10 Q. Okay. And during your time as
 11 principal, can you recall who were the assistant
 12 principals that worked under you?
 13 A. Now, if I list them and leave a
 14 name out, is that a problem? I'm not purposely,
 15 but I'm not --
 16 Q. I understand. To your
 17 recollection, who are the assistant principals?
 18 A. Mr. Bickerstaff, Mr. Thompson,
 19 Ms. Robinson, Ms. Pope-Brown, Mr. -- I forgot his
 20 name. He's deceased now.
 21 Ms. Catrell? Feazell? I don't --
 22 Mr. Hogans is the one that's

Sheet 22	82	84
<p>1 deceased.</p> <p>2 Ms. Jeffery. Ms. Cowan.</p> <p>3 Q. Cowan?</p> <p>4 A. Cowan.</p> <p>5 Q. So I think you mentioned before</p> <p>6 that these assistant principals would have</p> <p>7 responsibility for matters of student discipline</p> <p>8 within their grades that they supervise?</p> <p>9 A. Right.</p> <p>10 Q. What could they do to address</p> <p>11 student discipline without elevating it to you?</p> <p>12 Like what was the scope of their authority?</p> <p>13 A. Student rights and</p> <p>14 responsibilities, they had to -- they could</p> <p>15 conduct -- they can do from counseling --</p> <p>16 conferencing -- I'm sorry -- conferencing;</p> <p>17 student conference, student-teacher conference,</p> <p>18 parent conference, detention, short-term</p> <p>19 suspension -- all the way up to short-term</p> <p>20 suspension. Long-term suspension had to involve</p> <p>21 me or my designee. And my designee would be the</p> <p>22 administrator in charge, if I were not in the</p>	<p>1 The student rights and</p> <p>2 responsibilities gives a guideline from</p> <p>3 one -- you know, for different infractions. You</p> <p>4 can do, say, A to -- A, B, C. It's a guideline,</p> <p>5 which means that the assistant principals cannot</p> <p>6 exceed that guideline. But the -- there's still</p> <p>7 flexibility.</p> <p>8 So if I say there are A, B, C</p> <p>9 options and the assistant principal feels like A</p> <p>10 should be the correct option and the teacher</p> <p>11 might feel, for whatever reason, substantiated or</p> <p>12 unsubstantiated, that C should happen, then I</p> <p>13 would -- I would find my way involved in that</p> <p>14 based on either through the teacher or through</p> <p>15 the administrator.</p> <p>16 Sometimes the administrator might</p> <p>17 say, "What do you think?" Okay?</p> <p>18 Given -- given their understanding</p> <p>19 of the student, their understanding of the</p> <p>20 situation, or their understanding of the dynamics</p> <p>21 between the student and the teacher.</p> <p>22 But it had to fall within the</p>	
<p>1 building.</p> <p>2 Q. Now, as it happened in practice,</p> <p>3 were you often involved in discussions of student</p> <p>4 discipline even if it didn't rise to the level of</p> <p>5 a long-term suspension?</p> <p>6 A. It wasn't the norm.</p> <p>7 Q. It was not the norm?</p> <p>8 A. No.</p> <p>9 Q. But it did happen from time to</p> <p>10 time?</p> <p>11 A. Yes.</p> <p>12 Q. Do you have any guidance to your</p> <p>13 assistant principals for when they should elevate</p> <p>14 things to you? And by "things," I mean student</p> <p>15 discipline issues.</p> <p>16 A. Sometimes administrators -- the</p> <p>17 assistant principals would want a second opinion.</p> <p>18 Some are -- they would want -- they would want a</p> <p>19 second opinion.</p> <p>20 Sometimes a teacher may want to</p> <p>21 supersede their authority based on their feeling</p> <p>22 about the situation.</p>	<p>1 parameters set by the student rights and</p> <p>2 responsibilities. Could not go outside of that.</p> <p>3 Q. Did the assistant principals have</p> <p>4 responsibility over matters -- over complaints</p> <p>5 against faculty members?</p> <p>6 A. From students?</p> <p>7 Q. From anyone.</p> <p>8 A. So you're asking -- so if a --</p> <p>9 someone complains about a faculty member -- i.e.,</p> <p>10 a student, another faculty member or a parent?</p> <p>11 Q. Correct. Did the assistant</p> <p>12 principals have authority over that?</p> <p>13 A. They could address that. Depending</p> <p>14 on the nature, it was prudent to let me know. It</p> <p>15 could be simple -- it depends on the complexity</p> <p>16 of it.</p> <p>17 We're talking -- we're talking</p> <p>18 about the class next door is too loud to you</p> <p>19 stole my banana. Okay? We're just saying</p> <p>20 whatever the complexity, it was not -- that was</p> <p>21 not cut and dry.</p> <p>22 That was -- they look at it, their</p>	

Sheet 23

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1 comfort zone. I think the experience of the
2 assistant principal played into -- if I had an
3 administrator in charge, I think I had more
4 confidence in their ability to make a decision.
5 But what they also found out is, in order to not
6 keep -- in order to keep me in the loop so I
7 would not be blind-sided, they would still want
8 to run it by me. They would still want to get my
9 thought, because ultimately they would say, if it
10 comes down to it, I don't want you to be
11 blind-sided; I want you to be involved.

12 So, yes, they had flexibility.
13 Yes, they could come to me. It was not
14 definitive that they had to come to me. It
15 depends on the complexity.

16 Q. Could assistant principals make
17 decisions about teacher salary without consulting
18 you?

19 A. I can't make decisions on teacher
20 salary.

21 Q. Who would you need to talk to to
22 make a decision on teacher salary?

1 request for a transfer -- for a teacher to be
2 transferred to another school or another
3 position?

4 A. No.

5 Q. Could you do that?

6 A. I cannot have a teacher transferred
7 out of my building. That would be a decision
8 above the building level. That would be a
9 collaborative decision.

10 So if the -- i.e., if the teacher
11 felt like it was not a placement for them -- you
12 know, better yet, Ms. Eller was at a middle
13 school when she had the sex change. And she
14 called and HR called me and said, I have a
15 teacher; last year she identified as a male.
16 This year she's identifying as a female. It is
17 an issue with the middle school students. Do you
18 have an issue with her coming to your building?

19 So that wasn't a decision that was
20 made at a building level. Now, receiving that
21 person was a decision that you have -- that
22 the -- the building supervisor sometimes would

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1 A. HR.

2 Q. What about benefits?

3 A. No one in the building can address
4 a teacher's benefit.

5 Q. What about approving leave? Could
6 assistant principals approve leave?

7 A. No. I'm the leave-grant authority
8 in the building.

9 Q. What about what classes a teacher
10 is assigned to?

11 A. That's my decision.

12 Q. And in terms of terminating a
13 teacher's position, is that something that's your
14 decision? Or is that a higher-up decision?

15 A. I can only supply the data, the --
16 not data. What's the word I'm looking for?

17 I can supply the support
18 information. I cannot terminate a position.

19 Q. So certainly an assistant principal
20 couldn't do that either?

21 A. By no chance.

22 Q. Could an assistant principal

1 have input. In this situation, I had input.

2 My input was, Let me see the
3 resume.

4 I saw enough in the resume to think
5 that this -- a middle school child and a high
6 school child and maybe we could -- you know, this
7 is -- this is -- this is, yeah, let's move
8 forward. Bring that teacher -- that's -- bring
9 that teacher to my school.

10 I think there was something in
11 college classes that caught my eye. And so my
12 thought was, AP.

13 Q. Would assistant principals have any
14 role in completing annual evaluations for
15 teachers?

16 A. Not at all.

17 Q. Would they have any role in
18 completing interim evaluations for teachers?

19 A. Not at all.

20 Q. Who would have a role in that
21 process?

22 A. Assistant principals don't evaluate

Sheet 24

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1 anyone. Principals evaluate. That's it.
 2 Q. So you would conduct the
 3 end-of-year evaluation --
 4 A. Exactly.
 5 Q. -- for every teacher?
 6 A. Yes.
 7 Q. Was there interim evaluations as
 8 well?
 9 A. If the teacher was unsatisfactory,
 10 the assistant principal wouldn't be a part of
 11 that. I don't remember an interim evaluation on
 12 Ms. Eller.
 13 Q. Can you explain the duties of a
 14 department head? And let me be more specific,
 15 since obviously we're talking about Ms. Eller.
 16 The English department head as
 17 opposed to other department heads, what would
 18 that person's responsibility be?
 19 A. Organize collaborative planning --
 20 I'm sorry.
 21 Organize is not -- organize. Not
 22 supervise -- facilitate collaborative planning.

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1 In charge of the collaborative
 2 planning notes so that they can be -- later be
 3 reviewed by either the administrator in charge of
 4 that department or myself. Make sure we're -- so
 5 make sure we're seeing what we expect to see due
 6 to planning.
 7 Communicate information via the --
 8 so in Ms. Eller's case, the department chair
 9 would communicate information via the English
 10 department, the County's English department. We
 11 are doing A. We're doing B. We're trying C.
 12 Strategies, things of that nature. Tools.
 13 Q. Did the department head have any
 14 role in student discipline?
 15 A. No, no. Now, there are teachers
 16 who talk to people, other teachers, to get advice
 17 or whatever that conversation is, but that's not
 18 formal. They may seek counsel -- not counsel.
 19 You're counsel.
 20 They make seek guidance, but it's
 21 not a part of the process.
 22 Q. Would a department head have any

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1 responsibility, formal responsibility, over a
 2 complaint that's been lodged against a faculty
 3 member?
 4 A. No. They're in the same union.
 5 Q. Okay. Could the department head
 6 make any decisions about salary?
 7 A. I couldn't make a decision on
 8 salary.
 9 Q. How about approving leave?
 10 A. Only I could. Leave-grant
 11 authority.
 12 Q. What about the classes that a
 13 teacher was assigned to?
 14 A. They -- the department head has
 15 no -- the answer is no.
 16 Q. Would the department head complete
 17 evaluations of teachers?
 18 A. They're in the same union. They
 19 can't.
 20 Q. Okay. When you were a principal at
 21 Friendly High School, who did you report to?
 22 A. Instructional director.

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1 Q. Do you know who held that role
 2 while you were principal?
 3 A. I had Bill Barnes. I can't
 4 remember if John Brooks, Ed Ryanes, Mark Fossett.
 5 I can't remember the last guy's name.
 6 Q. Okay.
 7 A. And if I think of it, I'll just --
 8 I'll --
 9 Q. So did you report directly to
 10 anyone else other than the instructional
 11 director?
 12 A. I reported directly to the
 13 instructional director. They were my chain in
 14 regards to the assistant superintendent. I
 15 believe that's the title of the person above
 16 instructional director over the years. Those --
 17 those designations have changed.
 18 Q. Do you remember who was assistant
 19 superintendent over -- that supervised your
 20 instructional director?
 21 A. Janice Briscoe at one point.
 22 I can see the guy's face. It's

Sheet 25

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1 just like the other instructional director. He's
 2 now in DC public schools.
 3 Maybe -- Monica Goldson.
 4 Carletta Marrow, I believe.
 5 I believe. Marrow would not have,
 6 no. She would not have been over there. No, I
 7 don't think so.
 8 And John Brooks may not have been
 9 over me as instructional director. He may have
 10 been over Ed Ryanes as instructional director.
 11 I think that's it.
 12 Q. What role would the instructional
 13 director have in teacher assignments in terms of
 14 teacher assignments to one school or another?
 15 A. Teacher assignments are my
 16 responsibility as principal.
 17 Q. I'm sorry. In terms of moving a
 18 teacher to another school.
 19 A. The reason I'm pausing is because
 20 I've never been instructional director, and I
 21 cannot say for certain they're -- they're -- I
 22 don't know.

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1 I know once it goes higher up, then
 2 whatever that process is, that's that process. I
 3 have nothing to do with that process.
 4 Q. If you -- during your time as a
 5 principal, when you were contacted about a
 6 teacher transferring to your school, was that
 7 contact made by the instructional director?
 8 A. No. HR. Ms. Eller's, that was
 9 made by HR.
 10 Q. And was that the practice whenever
 11 a teacher was being assigned to your school? Was
 12 that an HR contact?
 13 A. As far as transferring, that's the
 14 only situation that I have in regards to
 15 knowledge of.
 16 Now, there are transfers that take
 17 place -- voluntary transfers. Voluntary
 18 transfers, they interview. They say they want to
 19 leave their school. They submit a -- well, they
 20 submit a form that gives them eligibility to
 21 leave their school. They interview. If they
 22 want to come to you, they come to you.

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1 Ms. Eller is the only one that I
 2 have recollection that I was -- a call was given
 3 in regards to the situation.
 4 Q. In the normal course -- not talking
 5 about Ms. Eller -- if someone was to apply to
 6 transfer from one school to your school, would
 7 that be your decision to hire that person,
 8 essentially, to be a teacher at your school?
 9 MR. SHARMA: Objection to the form,
 10 "hiring."
 11 You can answer.
 12 THE WITNESS: Would that be --
 13 you're asking if they want to come to my school
 14 and they put in the appropriate paperwork, you're
 15 asking is it my decision?
 16 BY MR. NOGUL:
 17 Q. Correct.
 18 A. It is my decision whether I'm going
 19 to accept them to my school, unless it's an
 20 involuntary transfer.
 21 There are placements made -- there
 22 are placements made that the teacher -- that the

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1 principal's input may not necessarily be a
 2 factor, and I've had placements of, say,
 3 secretaries.
 4 But I do not have any other -- I've
 5 had placements of teachers, overstaffing. We
 6 have a teacher; we don't have a place for them;
 7 we're putting them at your school. And I don't
 8 know if they asked me if it's okay or if they
 9 told me it was okay.
 10 Q. And the person who was the "they"
 11 telling you that this was happening, was that the
 12 instructional director?
 13 A. No; probably HR.
 14 Q. What role, if any, did the
 15 instructional director have in determining
 16 whether to terminate a teacher?
 17 A. If a teacher was going to -- if the
 18 teacher did something that -- say an act -- an
 19 act or a series of -- so it was a series of
 20 actions; then it was -- it was the principal's
 21 responsibility to document and build a case based
 22 on the documentation. If it was just an act --

Sheet 26	
<p>98</p> <p>1 say if you came in the building and shot 2 Mr. Sharma, then I don't know the process. 3 I don't know what the -- I don't 4 know what the instructional director did based on 5 their ultimate decision or if it was based on the 6 assistant superintendent's ultimate decision or 7 if they had to get approval from the deputy 8 superintendent. So I don't have an answer to 9 that.</p> <p>10 Q. As principal, was there ever a 11 policy that you bring maybe a very serious 12 student discipline matter to the attention of the 13 instructional director?</p> <p>14 A. Student rights and responsibilities 15 tells me where -- what the window is. It tells 16 me my -- as a principal, my -- I have leeway over 17 that.</p> <p>18 Now, I could take action within 19 that leeway and, through an appeal that goes 20 above me through the parent, might not be 21 satisfied, thinks that I leaned too far to one 22 direction; then they could -- I believe they have</p>	<p>100</p> <p>1 out-of-school suspension. They get a copy of 2 that to make sure if there is a red flag, i.e., 3 if every other school in the district has a -- is 4 suspending approximately 10 students a month and 5 Mr. Adams is suspending 150 students a month, 6 that's a red flag. So then that might lead them 7 into: What's going on here?</p> <p>8 Or if a parent got involved and 9 went over your head, which is quite possible, 10 then their involvement may be -- they may be 11 involved in the process.</p> <p>12 Q. So the requirement is really just 13 aggregate data to be given to the supervisor.</p> <p>14 A. Ask the question again. I'm sorry. 15 I got so far off. I apologize.</p> <p>16 Q. No. That's fine.</p> <p>17 A. I apologize. What was the question 18 again?</p> <p>19 Q. I guess really what we want to know 20 is when were you required to report student 21 misbehavior, student harassment, student bullying 22 to a supervisor, if at all?</p>
<p>99</p> <p>1 the right to say, You overstepped your bounds, 2 maybe through my interpretation. Maybe my 3 interpretation could be wrong. And they say, 4 Well, you can't do that. Or based on the facts, 5 were you aware of something else, another 6 variable?</p> <p>7 So whether they -- I cannot say 8 definitively whether that was -- could be an 9 order or a suggestion. I could not say 10 definitively. I think at a certain point -- I 11 think at a certain point, it could be an order. 12 But -- because the authority supersedes mine, but 13 I can't recall a situation.</p> <p>14 Q. Putting aside your -- as principal 15 decision-making process on how to deal with 16 student discipline, was there any requirement 17 that you just report a certain -- certain student 18 discipline acts to a supervisor?</p> <p>19 A. I don't recall that. They get a 20 copy of the number of suspensions that we do on a 21 given period of time; in-school suspension, 22 detentions -- in-school suspensions, and</p>	<p>101</p> <p>1 A. No. That was in my -- that was in 2 my -- that was in my authority.</p> <p>3 Q. So even if a student was, you know, 4 a serial harasser or a serial bully, that 5 wouldn't necessarily be -- it wouldn't be 6 required of you to elevate that to any 7 supervisor?</p> <p>8 A. The student rights and 9 responsibilities document is clear in regards to 10 what constitutes harassment, what constitutes 11 disrespect, what constitutes sexual harassment. 12 It's -- it's -- it's laid out. 13 It's -- it's not -- there's not a lot of room for 14 interpretation, if any room for interpretation. 15 So there would be no reason other 16 than to read it specifically and say, This is 17 what it says, and this is what we fall in. And 18 whether we're going to go with Level 2 or 3 or 19 4 -- I'm assuming that under an infraction, if 20 it's -- well, you have a choice between -- the 21 Grades 3 to 12, you have a choice between 22 Level 2, Level 3, Level 4. It -- Level 1 is not</p>

Sheet 27

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1 an option. Level 5 is not an option.
2 Levels -- between Levels 2, 3 and
3 4, that's a building supervisor's decision. And
4 that would have no reason to -- for me to elevate
5 that up.

6 Like I said, now, if someone called
7 and said -- and they had a complaint about a
8 principal and they thought that maybe I was too
9 Draconian or too benevolent, then that's another
10 issue.

11 But I wouldn't -- I wouldn't -- I
12 wouldn't see a reason to involve an instructional
13 director. What that would tell -- what that
14 would tell the instructional director is that
15 this is under my job description, that I can't do
16 my job.

17 Q. So a similar question, but
18 switching topics a little bit. As principal,
19 were you ever required to bring to the attention
20 of a supervisor if a complaint had been lodged
21 against a teacher by another teacher or a
22 student?

1 Q. Elizabeth Davis.

2 A. Outside of the building. I saw the
3 name in the documents. Outside of the building.
4 I -- I couldn't tell you what her role is at this
5 particular point without accessing information.

6 Q. So she was not someone who was
7 under your supervision?

8 A. No.

9 Q. Gerald Milliner?

10 A. Security guard.

11 Q. And is that the same person as

12 Mr. G?

13 A. Yes.

14 Q. Okay. Robert Kendrick?

15 A. Security. Investigative counsel.

16 I believe the two of them are officially
17 investigative counsels.

18 Q. So they would have a similar role,
19 a similar position at Friendly High School?

20 A. Mr. Kendrick was the supervisor of
21 Mr. Milliner.

22 Q. And just as a general matter, what

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1 A. No, that wasn't required.

2 Q. So, again --

3 A. Now, now, now, that was a
4 requirement, now. If there was a complaint --
5 i.e. -- I forgot the teacher's name. She
6 complained about Ms. Eller going in her room. I
7 might FYI my ID so they wouldn't get blind-sided.

8 (Clarification by reporter.)

9 A. I'm sorry. I'm sorry. I'll say it
10 again so it makes sense.

11 I would -- if I thought there was
12 some complexity to the matter that it may go up,
13 that it's a possibility to go up, I would
14 foretell my -- my supervisor so if it did come to
15 their level, it would not be the first time they
16 heard about the situation.

17 And I apologize.

18 Q. So I have a couple of other names.
19 You mentioned many of these names already, but
20 I'd just like to just ask if you recall what
21 their roles were.

22 A. Sure.

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1 was their responsibility?

2 A. Monitor the building,
3 investigate -- investigate -- investigation. So
4 if there was a -- certain acts -- certain acts,
5 take statements. And that's part of
6 investigating, getting -- bringing facts.

7 And they would be in charge of
8 whether they were going to -- well, they had the
9 ability to charge students.

10 Q. You mentioned Ms. Paula Robinson
11 before. Was she -- and I think you said that she
12 was an assistant principal?

13 A. Exactly.

14 Q. Did she have any other roles at
15 Friendly during your term as principal?

16 A. So she had responsibilities as an
17 assistant principal. She was not another
18 official role -- she was not another role as --
19 as an employee of Friendly High School.

20 Q. Julia Gaffney?

21 A. Teacher, union rep. Or what do
22 they call it? I forgot. They're not a union.

<p>Sheet 28</p> <p style="text-align: right;">106</p> <p>1 They're a -- building association representative. 2 Q. But a role connected to the union? 3 A. Yes. 4 Q. Angela Joyner? 5 A. My guess is in-school suspension 6 coordinator. My guess. 7 Q. Kimberly Cosby? 8 A. I don't know. 9 Q. Jocelyn Isom? 10 A. People personnel worker, PPW. 11 Q. And I don't have a first name for 12 this person but Sergeant Waithe. 13 A. Instructional counselor -- IC, like 14 Mr. Milliner and Mr. Kendrick. 15 Q. All right. When did you first come 16 to know about Ms. Eller? 17 A. Call from HR. 18 Q. Do you know about when that was? 19 A. It had to be in that timeline 20 immediately preceding her coming to Friendly High 21 School, because that would have been when I was 22 contacted by HR about: Do you have a problem</p>	<p style="text-align: right;">108</p> <p>1 joined Friendly High School, did anyone in the 2 school system provide you with advice on how to 3 relate to transgender people? 4 A. Formally, I can't recall 5 official -- official -- I can't recall. 6 Q. Did you reach out to anyone for 7 advice on how to deal with transgender people 8 around the time that Ms. Eller joined Friendly 9 High School? 10 A. I would think that I would have 11 been smart enough to speak to the PPW and the 12 counselors. 13 Q. I'm sorry. What's the PPW? 14 A. People personnel worker, through 15 the guidance track through -- just to -- I don't 16 have any documentation that said I need to speak 17 to you in regards to this. But I don't see why I 18 wouldn't have spoken to someone. 19 Q. You don't recall a specific 20 situation where you did ask someone, do you? You 21 just expect that you had -- 22 A. Right. I don't recall -- I don't</p>
<p style="text-align: right;">107</p> <p>1 with this person coming into the situation? 2 So immediately following that; I 3 can't tell you whether it was days or weeks. I 4 don't know if it was the beginning of the year, 5 middle of the year. 6 Q. And what were you told about 7 Ms. Eller at that time? 8 A. She went through a sex-change 9 procedure, I believe, and that the middle school 10 children knew her as him and then her, and then 11 it was really -- it was something that was -- 12 was, I guess -- I don't know. I don't know if he 13 said it was difficult for -- I'm assuming it was 14 difficult for the kids and Ms. Eller. 15 Q. Did you talk to anyone else other 16 than this HR person about Ms. Eller before she 17 started at Friendly? 18 A. No. 19 Q. So you didn't call up her principal 20 at the time? 21 A. No. 22 Q. Around the time when Ms. Eller</p>	<p style="text-align: right;">109</p> <p>1 recall eight years ago. 2 Q. Prior to Ms. Eller, had you ever 3 worked with anyone who was transgender, that you 4 knew to be transgender? 5 MR. SHARMA: Is this limited to the 6 school system? 7 MR. MOGUL: No; generally. 8 THE WITNESS: Let me think for a 9 few minutes. 10 BY MR. MOGUL: 11 Q. We'll come back to that. 12 A. Okay. 13 Q. Since Ms. Eller, have you had an 14 occasion to work with anyone who you knew to be 15 transgender? 16 A. There is a lady in the building 17 that I work in right now who is transgender. She 18 feeds the -- feeds the animals. I work in the 19 science center. 20 My -- my interaction is not 21 extensive; just hello, hi. You guys waiting to 22 get in; let me let you in because they never</p>

1 answer the door.
 2 Q. What was that?
 3 A. Let me let you in because you don't
 4 have a key and they're not going to ever answer
 5 the door -- not that they won't ever answer the
 6 door, but it's going to be slow. It's going to
 7 be -- "I'll let you in."
 8 Q. Right. So that's the level of
 9 conversation that you've had with her?
 10 A. Yeah; not -- not --
 11 Q. But before working with this
 12 individual, did you do anything to educate
 13 yourself about diversity or inclusion issues
 14 relating to transgender people?
 15 A. Whenever the people personnel
 16 worker from guidance speaks on in-servicing, when
 17 they in-service staff, I'm part of that staff
 18 that is in-serviced.
 19 Q. Can you what explain what
 20 "in-service" means.
 21 A. In-service is so if -- an
 22 in-service is a training to familiarize you with

1 getting into answers to questions that I probably
 2 will be about to ask.
 3 A. Okay.
 4 Q. But I think it would be helpful if
 5 we could just take it step by step so we're very
 6 clear about when things happened.
 7 A. Fair enough. Fair enough.
 8 Q. I just meant to ask that in your
 9 current position, had you received training -- or
 10 in-service training --
 11 A. Diversity.
 12 Q. -- diversity training about
 13 transgender diversity and inclusion issues?
 14 A. So, when you talk about diversity
 15 and you speak to one specific part of diversity,
 16 you're -- I understand -- this is my
 17 interpretation. I understand you're zeroing in
 18 on one particular part of diversity, and I'm
 19 saying that the training would have covered all
 20 diversity.
 21 Now, that is an issue that I know
 22 Ms. Eller sought someone outside the building to

1 something that the -- the provider has more
 2 expertise on. It's -- it's -- it's a short
 3 class.
 4 Q. So in your current position, you
 5 attended one of these in-service trainings
 6 that -- in which diversity related to transgender
 7 people was discussed?
 8 A. Every year the PPW in-services the
 9 school -- the staff members. Every semester the
 10 students are -- grade-level assembly is held at
 11 least once a semester. That is one of the topics
 12 that is covered.
 13 Now, having said that, Ms. Eller
 14 being there at Friendly High School, that would
 15 definitely be something that would not be
 16 ignored. Just like when we had -- I mentioned
 17 earlier we have an ortho population. If -- if
 18 something fits your environment, you would cover
 19 it, just to -- you would cover it so not to -- it
 20 would be -- you would cover it.
 21 Q. Oh, okay. I think -- my question
 22 was much more specific than that. And you're

1 come and give an hour training to someone,
 2 unbeknownst to me, that I said we have to stop
 3 this training because we do have a once-a-month
 4 staff meeting. I have them once a month. And
 5 there are a number of topics that have to be
 6 covered in that staff meeting once a month.
 7 And I saw from Ms. Eller she was
 8 under -- she and whoever were under the
 9 impression that my staff meeting was going to
 10 be -- my hour staff meeting that I have
 11 contracted for them, was going to be totally a
 12 training based on what Ms. Eller and someone else
 13 had spoken to them -- and I believe that might
 14 have been the person that you mentioned that I
 15 didn't know the name, as opposed to when a
 16 traditional staff meeting takes place, it's a
 17 number of issues that are covered because, as you
 18 understand, I meet with them once a month. So
 19 everything that has to be covered in that once a
 20 month, has to be covered.
 21 Q. Okay. I'm sorry to have to say
 22 this again, but --

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1 A. Sure.

2 Q. -- I want to be very specific.

3 And, again, I think your answer got

4 a little off topic for the question. So we will

5 get to that; I promise you.

6 A. Okay.

7 Q. We will get to those staff

8 meetings. I just wanted to ask in your current

9 position --

10 A. As a specialist, as a STEM

11 specialist?

12 Q. -- have you received in-service

13 training that's about diversity and inclusion as

14 it relates to transgender people?

15 A. Oh, I just remembered, we go

16 through training every year. And we have to

17 approve -- we have to sign off on that. We have

18 to pass a test. Diversity is included in that

19 training.

20 Q. And does it include transgender

21 individuals?

22 A. I would be willing to say yes, very

115

1 much so.

2 Yes.

3 Q. Okay.

4 A. Yes. And that's -- that's

5 system-wide. That's every employee, from

6 Monica -- from the CEO down has to -- I can't say

7 the CEO.

8 That's every employee has to go

9 through that training in diversity. And included

10 in diversity is transgender. Included in

11 diversity is how students -- how students, staff

12 and whoever may be -- that you may interact with

13 and that you may not have any insight into their

14 perspective, and thus, the training will allow

15 you to, in short, see things through their eyes

16 so you won't be so quick to be judgmental.

17 Q. And so you mentioned this training

18 happens every year.

19 A. Yes.

20 Q. When was it that the training

21 started to include transgender issues?

22 A. I can't answer that.

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1 Q. Did it include transgender issues

2 when you --

3 A. I can't answer that. I don't know.

4 Q. Let me finish the question.

5 A. I'm sorry. I'm sorry. I'm sorry I

6 did that. I'm sorry.

7 Q. When you started as principal at

8 Friendly, did it then include transgender issues,

9 the in-service training?

10 A. I can't say.

11 Q. But the annual in-service training

12 over your time at Prince George's County Public

13 Schools system has not always included

14 transgender diversity issues, has it?

15 MR. SHARMA: Objection.

16 You can answer.

17 THE WITNESS: I started in 1993 as

18 a math teacher. As a math teacher, I only

19 concerned myself with the kids that came into my

20 class. Okay? So I did not look at the

21 overall -- I did not look at the big picture. I

22 cannot say when that started.

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1 BY MR. NOGUL:

2 Q. If you don't mind, I am going to

3 step through this a little bit.

4 So Prince George's County Public

5 Schools system offered you training while you

6 were a teacher; correct?

7 A. Yes.

8 Q. Generally?

9 A. Yes.

10 Q. Do you recall if any of that

11 training included how to interact with a diverse

12 student body?

13 A. I don't recall.

14 Q. And do you recall if any of that

15 training while you were a teacher included how to

16 deal with transgender students?

17 A. I don't recall.

18 Q. Do you recall if any of that

19 training concerned how to interact with a diverse

20 population of coworkers?

21 A. I don't recall.

22 Q. Do you recall if any of that

1 training while you were a teacher included how to
2 interact with transgender coworkers?

3 A. I don't recall.

4 Q. Over your time as an administrator
5 now, you've already testified you received
6 training as a general matter.

7 A. Yes.

8 Q. Did any of that training concern
9 how to interact with a diverse student body?

10 A. You asked me when training started,
11 and I don't recall when that took place. But I
12 do know that we had a diverse population in
13 regards to race, religion, sexual orientation,
14 any of the protected classes as far as
15 discrimination is concerned.

16 So to quote that training, I cannot
17 quote when and where. But I can say that -- I
18 can say that I'm sure I was trained on
19 protected -- on -- I'm sure the County would
20 train on protecting those protected classes that
21 are subject to discrimination for -- and I
22 can't -- I can't quote the legal -- right.

1 administrator?

2 MR. SHARMA: Objection.

3 You can answer.

4 THE WITNESS: As an administrator?

5 BY MR. MOGUL:

6 Q. Yes.

7 A. You mean so for Ms. Eller wanting
8 to be an administrator? You're saying that?

9 Q. No, no, no. I'm saying when you
10 were an administrator --

11 A. Okay.

12 Q. -- were you provided training
13 for -- about how to promote an inclusive
14 environment for faculty and staff that are
15 transgender?

16 A. I would -- I would be surprised if
17 the people personnel worker didn't include that
18 in their -- in the guidance department.

19 Q. But you don't remember -- do you
20 remember specific times that it happened?

21 A. I can't say over 26 years that
22 these were the specific times that that happened,

1 Q. Of course.

2 But you don't recall when
3 transgender-specific diversity training was
4 provided to you as an administrator?

5 A. I can't recall when -- specifically
6 when the start of black/white, different
7 religions was either. So no.

8 Q. And the same question now regarding
9 how to supervise --

10 A. But I do recall at some point in my
11 life in my professional training that those
12 protected classes, which is included -- which
13 sexual orientation is included in. So I can't
14 say that that would have been left off the table
15 and they would have stopped at -- they would have
16 stopped short of the law in regards to what
17 groups cannot be discriminated based on protected
18 citizen -- protected classes.

19 Q. Moving beyond the issue of just
20 don't discriminate against people, did you
21 receive training on how to promote an inclusive
22 environment for transgender people as an

1 no.

2 Q. Could you say how many times you've
3 had training that included -- roughly how many
4 times you had training that included diversity
5 issues related to transgender people?

6 MR. SHARMA: Objection.

7 THE WITNESS: No, I can't say -- I
8 couldn't even give you all my supervisors. No, I
9 can't.

10 I can't tell you the
11 administrators -- all the administrators that
12 worked for me by name. I can't -- no -- the
13 answer is no.

14 BY MR. MOGUL:

15 Q. As principal of Friendly High
16 School, did you ever request that the school
17 system provide training that was not already
18 being provided to you and your faculty and staff?

19 A. You're talking specifically in
20 regards to the transgender diversity?

21 Q. Right now I'm just asking the
22 general question.

1 A. Ask the question again.
 2 Q. Sure.
 3 As principal of Friendly High
 4 School, did you ever request that the school
 5 system provide any training to you and your
 6 faculty and staff that was not already being
 7 provided?
 8 A. Ms. Eller wanted -- that was one of
 9 her concerns. So I'm sure I would have
 10 communicated to the PPW. I wouldn't have asked
 11 someone from the State to come in or someone that
 12 did -- that wasn't assigned to work with Friendly
 13 High School, was not assigned to work with
 14 Friendly High School, because the people who were
 15 assigned are the people who understand the
 16 population, understand the building, understand
 17 the dynamics of the building, and are not in a
 18 position to walk away once -- it can be ongoing.
 19 So I -- like I said, once again, I can't tell you
 20 dates and things of that nature. But brought to
 21 my attention, I would have -- PPW, somebody who
 22 was -- who was qualified to train the staff, who

1 had gotten training on -- from others in the
 2 County, from their departments to say, Okay,
 3 well, I need you to in-service the staff.
 4 So there's no -- there's no
 5 misunderstanding. Everyone is -- everyone has --
 6 no one can use lack of knowledge as an excuse
 7 to -- everyone knows.
 8 And it's better for the building if
 9 everyone knows so you don't -- like I said, in
 10 regards to, like, all the protected classes of
 11 citizens, it would be difficult for me not to go
 12 into another community and not have any insight,
 13 so -- to be offensive. So I wouldn't have -- I
 14 wouldn't have welcome that ignorance to be a part
 15 of the process that could destroy a building.
 16 Q. Do you remember which PPW you asked
 17 to start inputting transgender training into?
 18 A. Whoever was assigned --
 19 MR. SHARMA: Objection as to the
 20 form of the question.
 21 You can answer.
 22 THE WITNESS: Whoever was

1 assigned -- if you're assigned as the PPW, you're
 2 the expert.
 3 BY MR. NOGUL:
 4 Q. Do you remember who were the PPWs
 5 while you were principal of Friendly High School?
 6 A. I remember the one. I don't
 7 remember the names of the others. There were
 8 multiple ones. I remember when Isom got there.
 9 I remember when Isom left. But I do not remember
 10 the ones before her. I do not remember the name
 11 of the one after her.
 12 Q. Backing up a bit, my question had
 13 been somewhat more general than how you answered
 14 it, although I appreciate the answer.
 15 But just beyond the situation of
 16 Ms. Eller's request for additional training, did
 17 you request additional training from the school
 18 system or from the PPWs, any other training?
 19 A. So you're asking me that when
 20 something was brought to my attention and then I
 21 directed the person who has the training to -- to
 22 train -- if you're asking me if I said, Let's --

1 each and every year there's a training that has
 2 to take place.
 3 I can't answer how many times
 4 beyond -- beyond that that I said -- I can't. I
 5 can't.
 6 Q. But it is something that you would
 7 have done. You would have -- you do know that
 8 you have on occasion requested additional
 9 training from either the school system or the PPW
 10 for your --
 11 A. I do know that that has been
 12 something that's been brought to my attention.
 13 And I would not have left that as a reason to be
 14 negligent in regards to -- reason to be negligent
 15 in regards to something that impacts Friendly
 16 High School.
 17 I have no reason to say, Let's not
 18 address this; let's ignore this.
 19 I don't have any reason to say I
 20 want to -- I want to have a hostile environment,
 21 inappropriate environment for someone that I
 22 said, Yes, bring them; they can come; let's bring

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1 them to Friendly; I think they could be a benefit
2 to this institution.

3 Q. A bit more specific now.
4 Do you recall a March 17th,
5 2015 -- you don't have to recall the date.

6 But do you recall that there was a
7 presentation on transgender diversity issues by
8 Major Irene Burks of the PG County Police
9 Department?

10 A. I recall that through the read.

11 Q. So you only recall it from the
12 reading? You don't recall it yourself in your
13 memory?

14 A. I recall it -- that that prompted
15 me to -- that -- that situation, that setup of a
16 staff meeting which was going to be solely
17 dedicated to -- that was not brought to her
18 speaking. When we have speakers come in for
19 15, 20 minutes is one thing. When it was -- when
20 it was -- occurred to me that this is going --
21 Ms. Eller and Major -- I don't know the name.

22 Q. Burks.

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1 A. -- Burks were under the impression
2 that this hour staff meeting in March was going
3 to be solely dedicated to this training in the
4 midst of -- what else happens in March? -- state
5 assessment exams; seniors are getting ready to
6 graduate in upcoming -- just a number of things
7 that are going to be -- that was not -- we
8 have -- we have had speakers come in all the
9 time, outside people. It was not -- and that was
10 not communicated to me that the entire hour was
11 going to be based on this, the single -- single
12 focus.

13 Q. Okay.

14 A. Or if -- that was March 25th, you
15 say?

16 Q. March 17th, 2015.

17 A. March 17th.

18 Q. Let me just go back to my original
19 question, because I don't think you quite
20 answered it, which is: Other than looking at the
21 documents, do you remember that event, that --
22 that presentation?

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1 A. Not specifically, no.

2 Q. Do you know, were you the one to
3 request Major Burks to come in and make that
4 presentation?

5 A. I don't think I was.

6 Q. Do you know who did?

7 A. I can't recall that.

8 Q. Did you have a conversation with
9 Major Burks before she gave the presentation?

10 A. You mean -- that I can't -- I can't
11 recall.

12 Q. Do you know who was invited to that
13 staff meeting?

14 A. Besides staff? I'm assuming it was
15 a staff -- a staff -- I don't recall.

16 Q. Would you expect that it would have
17 been like an all-staff meeting for the high
18 school, or would it have been something more
19 specific?

20 A. What do you mean, "more specific"?

21 Q. Well, I don't know how you ran
22 staff meetings. But it could have been that you

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1 would have some staff meetings that were for all
2 of faculty and staff at the high school and some
3 that would be department-specific or
4 grade-specific or something like that.

5 A. No. It would be all staff with the
6 exception of the custodians and the -- the
7 cafeteria workers.

8 Q. Okay. And how were the staff
9 informed about when these staff meetings would
10 take place?

11 A. There is something that -- an
12 all-email blast that goes to all staff.

13 Q. Do you remember if Major Burks had
14 any, like, physical materials that she passed out
15 at the presentation?

16 A. I don't remember.

17 Q. Do you remember if she gave a
18 PowerPoint presentation?

19 A. I don't remember.

20 Q. If I could show you -- it's what we
21 have as Tab 37 but will be Exhibit 2.

22 (Whereupon, Exhibit No. 2 was marked for

Sheet 34

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1 identification.)

2 BY MR. MOGUL:

3 Q. Mr. Adams, if you wouldn't mind

4 just paging through to see if you remember this

5 document.

6 A. Do you want me to answer it now?

7 Q. I'd prefer if you looked at it just

8 to be sure.

9 A. Okay.

10 I briefed it when you were --

11 Q. Oh.

12 A. And I don't remember it.

13 Q. Okay.

14 A. I don't -- that's -- I don't

15 remember it.

16 Q. Thank you.

17 Do you remember just generally how

18 that presentation went? How was it received?

19 A. I don't. I saw Ms. Eller's notes

20 that someone said something. I didn't recall. I

21 don't.

22 Q. And do you remember if the training

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1 was ended abruptly?

2 A. If it went on past a certain

3 period, I would have said, We need to stop and

4 move on, because there are -- this is a staff

5 meeting, and there are a number of things on the

6 agenda.

7 Now, Major --

8 Q. Burks?

9 A. -- Burks may not have been aware of

10 the staff agenda. Ms. Eller may not have been

11 aware of what the entire staff agenda entailed.

12 But that was no reason to -- like I

13 said, I -- looking at a recollection that sounds

14 like that they were under the impression that

15 this was -- the staff meeting was going to be

16 entirely dedicated to one thing, which that's

17 unprecedented. I can't name a normal staff

18 meeting at any time that's dedicated just to one

19 thing.

20 Q. Do you recall doing any follow-up

21 after that presentation in terms of contacting

22 Ms. Burks?

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1 A. I don't recall.

2 Q. Do you recall doing any follow-up

3 after that presentation, including conversations

4 with other staff or faculty members about it?

5 A. I don't recall.

6 Q. Do you recall ever contacting

7 Ms. Burks again after -- Sergeant Burks again --

8 I'm sorry -- Major Burks again after that

9 presentation?

10 A. No.

11 Q. Did you ever have a similar

12 training to what Major Burks had presented after

13 that -- after her presentation?

14 A. I do not recall a -- we, in regards

15 to -- in regards to diversity and the rights and

16 the responsibility of everyone involved in

17 dealing with -- in dealing with everyone as a

18 diverse -- a diverse population, there is a group

19 that deals with that training -- that is, the

20 people personnel workers.

21 So there would be no reason for me

22 to say, I need to bring someone from the outside

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1 to train -- train staff on something that we have

2 the capacity of in the county.

3 Q. During your time as principal, did

4 you ever schedule an assembly or other meeting

5 for students that would include a diversity and

6 inclusion topic?

7 A. The people personnel worker always

8 speaks to that aspect. Their grade-level

9 assembly's held once a semester, at minimum.

10 That's twice a year. That is one of the topics

11 that's covered.

12 Q. And so am I correct that that would

13 be all students would be invited to that --

14 A. Exactly.

15 Q. -- per grade?

16 A. Grade-level assemblies, you

17 wouldn't have them all at the same time. You

18 would replicate -- you would replicate the

19 presentation for maybe two grades or one grade,

20 depending on the size of the population. You

21 couldn't fit the whole school in.

22 Q. Do you recall if these -- if any of

1 these assemblies included a discussion of
 2 diversity and inclusion for LGBT individuals?
 3 A. So diversity, would include -- I
 4 don't want to missay it again.
 5 Q. LGBT.
 6 A. LGBT. Thank you.
 7 Diversity would include that.
 8 There would be no reason to prohibit that. I
 9 mean, there would be no reason to -- not to
 10 say -- to -- to restrict any -- restrict any
 11 class that has been -- that it's illegal to
 12 discriminate against based on protected class.
 13 Q. Do you recall any of these
 14 assemblies having a specific focus on diversity
 15 inclusion for LGBT individuals, not discussing
 16 just diversity inclusion generally?
 17 A. Each assembly would cover a number
 18 of factors. Not just -- we wouldn't pull
 19 students out for one specific -- at a time in
 20 assembly, you're going to talk about grades,
 21 focus, attendance.
 22 They're -- I don't have a copy of

1 Ms. Eller having a potential assembly that would,
 2 among other things, include diversity issues
 3 related to transgender individuals?
 4 A. No.
 5 MR. MOGUL: If we could pull up the
 6 next exhibit, Tab 153.
 7 (Whereupon, Exhibit No. 3 was marked for
 8 identification.)
 9 BY MR. MOGUL:
 10 Q. Mr. Adams, this appears to be an
 11 email from Ms. Eller to you in August 2012. Is
 12 that correct?
 13 A. Right. Do you have my response?
 14 Q. Not in this document.
 15 Do you recall this email?
 16 A. No, but I would -- I would be
 17 shocked that I wouldn't respond. And I wanted to
 18 be -- I see this perspective, and I would want to
 19 see what I said.
 20 And it would be -- I would be
 21 shocked if I didn't respond. And -- and this
 22 response may include an action plan. It may

1 an assembly, but we wouldn't -- we wouldn't
 2 interrupt instruction and bring students down for
 3 one specific aspect, when -- at the expense of
 4 all the other aspects that need to be covered.
 5 Otherwise, they would be in assembly -- they
 6 would -- we wouldn't do that.
 7 Q. In the context of a multi-issue
 8 assembly, did it ever happen that there was an
 9 assembly that one of the several issues was
 10 specifically diversity inclusion for LGBT
 11 individuals?
 12 A. I would think so, but I cannot -- I
 13 cannot recall specifically. And I know you want
 14 me to give you dates, and you want me to say --
 15 you want me to recall -- I cannot recall -- I
 16 cannot recall the specifics of what the people
 17 personnel worker would speak to any more than I
 18 can recall the specifics of what was the guidance
 19 counselor spoke to any more than I can recall the
 20 specifics of what security spoke about or the
 21 grade-level administrators spoke about.
 22 Q. Do you recall discussing with

1 include an -- I don't know.
 2 But I -- I would respond. I would
 3 like to see my response before -- I would like to
 4 see my time response. And if I responded, I
 5 would think Ms. Eller would have that response
 6 also.
 7 Q. Okay. This is produced to us by
 8 the school system, and each email is produced
 9 individually. So I understand that you may have
 10 responded to this email, but I'm just going to
 11 ask you a couple of questions about this.
 12 So does this refresh your
 13 recollection that, as you'll see in the first
 14 line, Ms. Eller says that the two of you
 15 discussed at the end of the 2011/2012 school year
 16 how to address harassment that she had been
 17 facing?
 18 MR. SHARMA: Objection.
 19 That's not what it says, but you
 20 can answer.
 21 THE WITNESS: Ask the question
 22 again.

1 BY MR. MOGUL:
 2 Q. Mr. Adams, why don't you tell me
 3 what it is that this email is referencing.
 4 A. You want me to read it to you?
 5 Q. No. I'd like you to just --
 6 A. Summarize it?
 7 Q. What is your understanding of what
 8 Ms. Eller is asking here in this email?
 9 MR. SHARMA: Objection. The
 10 document speaks for itself, but you can answer.
 11 THE WITNESS: Like I said, do you
 12 want me to read it to you? I'm interpreting what
 13 it says, and that's why I'm saying, I would --
 14 I'm sure I did not leave a -- I'm sure I did not
 15 leave an email from any staff member or any
 16 parent without a response.
 17 And this wouldn't be an exception
 18 to that. And my response at that time in real
 19 time would tell you exactly -- the question that
 20 you asked on my interpretation of whatever you
 21 asked, I'm sure my response would be a more
 22 accurate as opposed to waiting eight years later

1 you're asking me.
 2 Q. I'm just asking, sitting here
 3 today, do you remember having this conversation?
 4 A. I remember Ms. Eller wanting --
 5 wanting training. I remember Ms. Eller speaking
 6 to me about her concerns, you know, sexual
 7 orientation being one of them.
 8 She may have spoken to me about her
 9 concerns about AP, or -- or attendance or being
 10 ill or being -- not being able to be to work on
 11 time.
 12 I mean, I remember there were other
 13 conversations that Ms. Eller -- I remember. But,
 14 I mean, I can't specifically say on a given --
 15 August 13th, which was -- August 13th would
 16 have been before the students came back.
 17 It would have been teacher -- I
 18 don't know what it was called. It's when the
 19 teachers report and the students haven't reported
 20 yet.
 21 I cannot recall, this.
 22 MR. MOGUL: I'd like to now turn to

1 to -- to guesstimate what I may have thought in
 2 2012.
 3 BY MR. MOGUL:
 4 Q. So Ms. Eller says here, "At the end
 5 of the 2011-2012 school year, we discussed things
 6 that would reduce stress and friction for me in
 7 the coming school year."
 8 Sitting here today, do you remember
 9 having a conversation with Ms. Eller on that
 10 topic at that time?
 11 A. That time? Which time? I can't --
 12 no. I would love to see my response.
 13 What I am saying is, I'm -- it --
 14 it would be an issue if I didn't respond to
 15 someone's email. It would be an issue, if I
 16 didn't respond to someone's email at the
 17 beginning of -- the students aren't even in
 18 school yet. It's staff development time. It
 19 would be an issue if I didn't respond to a
 20 student, or student, staff or parent at any time.
 21 And I would be willing to bet that
 22 I responded, which would answer the question that

1 what we have as Tab 1, so it will be Exhibit 4.
 2 (Whereupon, Exhibit No. 4 was marked for
 3 identification.)
 4 BY MR. MOGUL:
 5 Q. So, Mr. Adams, does this
 6 August 21st email refresh your recollection?
 7 A. No. It sounds like -- it sounds
 8 like the first few days of school, maybe the
 9 first day of school. So the first day of school
 10 would have been before grade-level assemblies.
 11 So, I mean, if you -- do you have a
 12 calendar of 2012 that we could look at?
 13 Q. I'm sure we could pull one up.
 14 A. Because --
 15 Q. Would that help?
 16 A. The 13th -- if the 13th is the
 17 first day -- Monday, the 13th, is the day that
 18 probably staff reported. And then Tuesday,
 19 the -- Tuesday, the middle of the day on Tuesday
 20 is probably the first week that students
 21 reported. There's a chance that the grade-level
 22 assemblies hadn't taken place by then. Or it's a

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1 chance that because you have four grade-level
2 assemblies, that one may have taken place as
3 opposed to all four.

4 But, no, to answer your question, I
5 don't recall.

6 MR. MOGUL: If we now go to Tab 3,
7 which will be Exhibit 5.

8 (Whereupon, Exhibit No. 5 was marked for
9 identification.)

10 BY MR. MOGUL:

11 Q. So, Mr. Adams, the lowest email
12 physically in this document says, "Mr. Adams, I
13 sat in on the 11th-grade student assembly and
14 only heard diversity and appropriate behavior and
15 questions in response to diversity -- spelled
16 incorrectly -- mentioned one time with the
17 sentence, 'We have a diverse staff, and you
18 should respect all your teachers.' Am I correct
19 in assuming this was not the assembly we had
20 discussed and there will be another assembly at a
21 later date?"

22 Did I read that correctly?

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1 the case. Whether it's a parent, whether it's
2 a -- I'm going to respond.

3 And it looks like Ms. Eller put
4 this last response and I just blanked out. And
5 that's consistent with that, which is
6 inconsistent with who I was or am.

7 Q. I'm just trying to get a sense of
8 what you remember. I'm not saying that you
9 didn't respond.

10 A. And I'm trying to, too, by saying I
11 would have responded because if I didn't, you
12 would see -- somewhere in the line you would see,
13 "You did not respond to my email, my previous
14 email."

15 And I'm quite certain that if that
16 were the case, you would at least see a situation
17 where you would see, "Please respond. Second
18 request. You did not respond to my email."

19 Q. Okay. Following this
20 August 28th/August 29th, 2018, chain of emails,
21 do you recall if there had been a later student
22 assembly scheduled that would include LGBT

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1 A. Yes.

2 Q. And then it looks like your
3 response later that same day, August 28th, was,
4 "I understand that the 11th-grade assembly
5 didn't follow the planned agenda."

6 Did I read that correctly?

7 A. You did.

8 Q. Does this email chain refresh your
9 recollection about having student assemblies that
10 would have talked about diversity and inclusion
11 in fall 2012?

12 A. No. No.

13 Q. And you see there's a further email
14 at the top from Ms. Eller asking for follow-up.

15 Do you recall --

16 A. Is there a response to that?

17 Q. I don't know.

18 A. And my question is: If there's a
19 chain, I'm going to respond to the teacher. I'm
20 going to respond to the teacher.

21 We're talking about a legal issue
22 that I'm not going to respond to, and that's not

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1 diversity topics?

2 A. I would like to see my response. I
3 don't recall. I don't recall. I -- I would not
4 recall this unless it was on, there. I would
5 wonder why it was shut off, like I said. At a
6 certain point, I would think that someone would
7 say, Ms. Eller in this situation, "Why aren't you
8 responding to my email? Why are you ignoring my
9 emails?"

10 MR. MOGUL: And now I'd like to
11 turn to Tab 5, which would be Exhibit 6.

12 (Whereupon, Exhibit No. 6 was marked for
13 identification.)

14 BY MR. MOGUL:

15 Q. Have you had a chance to look over
16 the email?

17 A. Yes.

18 Q. Sitting here today, do you recall
19 this email exchange between Ms. Brown and
20 Ms. Eller that you were cc'd on?

21 A. I don't recall it.

22 Q. Do you recall following up with

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1 either Ms. Pope-Brown or Ms. Eller about this
2 email chain?
3 MR. SHARMA: Well, let me just
4 object for a second. He was cc'd on the bottom
5 email on Exhibit 6. It doesn't appear that he
6 was cc'd on the top email. If I'm incorrect, you
7 can correct me.

8 MR. MOGUL: Okay.

9 MR. SHARMA: But you can answer.

10 MR. MOGUL: Mr. Sharma, I believe
11 this was produced by you all, so --

12 MR. SHARMA: But your question had
13 to do with him being cc'd on it.

14 MR. MOGUL: Yes, but is the below
15 email -- you produced this, so I don't really
16 know how it's --

17 MR. SHARMA: So is your question to
18 him, is it the -- was he cc'd on the below email?
19 Is that what you're asking?

20 MR. MOGUL: No, that's not my
21 question. My question to you is --

22 MR. SHARMA: We're missing each

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1 I see she's recommending some resources and some
2 speakers. And what I do not have is the ability
3 to -- well, there is a curriculum. It is not up
4 to me to change the curriculum. That has to be
5 approved by -- I can't change the curriculum.

6 What Ms. Eller -- I mean, she has
7 some -- I don't know whether these -- she
8 mentioned social studies classes. I don't know
9 whether these are world history, US history. I
10 don't know.

11 She just says social studies
12 classes -- AP history. I know there's an
13 approved curriculum, and it's not for me to
14 change -- or Ms. Eller to change the approved
15 curriculum. Their success is measured on that.

16 Q. Ms. Pope-Brown in her email
17 references the high school performance office.
18 Can you tell me what that is?

19 A. That's the supervision of -- that's
20 the -- the office that supervises the high
21 schools. So the instructional directors,
22 assistant superintendent.

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1 other. I'm sorry.

2 MR. MOGUL: My question is: When
3 we get something like this from the school
4 system, does this show that Ms. Pope-Brown was
5 forwarding on this entire email chain?

6 MR. SHARMA: I'm not in a position
7 to answer that question. I don't know.

8 MR. MOGUL: Okay.

9 MR. SHARMA: All I'm saying is on
10 the face of the document, it doesn't appear that
11 he was cc'd on the top email.

12 MR. MOGUL: And I'm not saying that
13 he was.

14 THE WITNESS: I'm sorry. I got --
15 BY MR. MOGUL:

16 Q. That's fine. Let's find ourselves
17 where we were in the questions.

18 Yes. Following this email chain on
19 November 19th, 2013, did you follow up with
20 Ms. Eller or Ms. Pope-Brown about the suggested
21 speakers?

22 A. I cannot recall, the -- Ms. Eller,

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1 Ms. Pope-Brown, I don't know -- I
2 can't say. I can't say what the trends, the
3 communication back and forth to and from that
4 office.

5 I know we can't change the
6 curriculum without approval. So in a given
7 class, there is an expectation. The parents are
8 made aware of what that course consists of.

9 Q. Would the high school performance
10 office be who you would request a change in
11 curriculum to?

12 A. I wouldn't change it on my own
13 inside the building.

14 Q. Right.

15 A. I would -- I would -- it would
16 be -- it would be -- it would be taken up the
17 chain. I wouldn't -- I wouldn't -- I don't have
18 the authority as -- as the building supervisor, I
19 do not have the authority to change the
20 curriculum.

21 I see that there is something going
22 on with -- and this is November that there was, I

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1 guess, a discussion in regards to multiple
2 speakers speaking on something that may not be in
3 the curriculum, and that is something that would
4 have -- I would have gotten in trouble for not
5 approving -- for approving that, I would have
6 gotten in trouble -- because it's not in my
7 jurisdiction to approve the curriculum that the
8 County has said this is the curriculum.

9 Q. So my question was: Is the high
10 school performance office the office that would
11 need to make that approval?

12 A. That would be going up the chain.
13 I don't know who would make the -- I don't know
14 if it's the high school performance. I don't --
15 we're referencing in an earlier conversation
16 about the instructional directors and their roles
17 and responsibilities. I don't know what the
18 process is. I don't know if they would ask the
19 superintendent, the deputy superintendent. Or I
20 don't know that the -- I don't know that legal
21 would say, You can't change curriculum. I don't
22 know.

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1 did spend time doing stuff other than what you
2 should have been doing, is not what was deemed a
3 sound process.

4 Now, it looks like because it's
5 a -- in Ms. Eller's eyes, it's a social
6 studies -- social, that it may fit in social
7 studies. I'm not so sure that -- I wouldn't have
8 had the ability to approve that. I don't know
9 that they would have had the ability to tell the
10 State that we want to do this. I don't know. I
11 don't know.

12 MR. MOGUL: Would now be a good
13 time to take a quick lunch break? Half an hour?

14 MR. SHARMA: Sure.
15 (Luncheon recess taken from 12:29 p.m.
16 to 12:58 p.m.)

17 BY MR. MOGUL:

18 Q. Mr. Adams, back on the record. I'd
19 like to now turn to dealing with student
20 discipline, which is a topic we have talked about
21 a little bit before, but I'd like to discuss that
22 a little bit further.

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1 I don't know.

2 Q. So you don't recall ever submitting
3 to the high school performance office a request
4 for a change in curriculum?

5 A. No.

6 Q. Okay.

7 A. No. The students -- the students
8 at the end of the semester or year, they get
9 measured on the curriculum which has been
10 approved by the State of Maryland.

11 So one of the issues with that is
12 pacing, which is covering all material. And
13 given due -- due -- given enough time to cover
14 what is going to be measured and what they're
15 going to be deemed successful or unsuccessful.

16 So to put something else that's not
17 in the curriculum as a part of the class and then
18 to be measured on that in the year and then be
19 held accountable to, well, their ability -- their
20 mastery of the subject as measured by
21 standardized tests wasn't what it should have
22 been; and then to be confronted with, Well, you

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1 What was your personal policy of
2 how you dealt with reports that you received of
3 student harassment of teachers? How would you
4 address that?

5 A. The student code of conduct is --
6 is -- is specific in its characterization. So I
7 did look at that prior to coming in, and some of
8 the things that -- some of the accusations that
9 Ms. Eller classified as harassment may fall under
10 disrespect.

11 There is something called sexual
12 harassment in the -- in the student rights and
13 responsibilities. It didn't -- they didn't seem
14 to align according to -- I think under -- under
15 sexual harassment, I think there were three
16 classifications. And it didn't seem to align to
17 what Ms. Eller referenced as sexual harassment.

18 Now, I don't have the document in
19 front of me. But, like I said, I thought some of
20 the things were listed as disrespect. So if
21 there was something that -- I'm sorry.

22 Ask the question. I know I've

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1 faded off the answer.

2 Q. That's okay. Yeah. I would just
3 ask, going forward, if you'd just answer my
4 question, because --

5 A. Okay. I'm sorry.

6 Q. You're going too far fast -- too
7 far ahead.

8 So what was your personal policy of
9 how you dealt with reports to you that there had
10 been student harassment of a teacher?

11 A. Reports went to the administrators,
12 or they went to me. Rarely did they go directly
13 to me. There are times that they went directly
14 to me. And if they went directly to me, it may
15 be because of the absence of an assistant
16 principal, or there were instances where
17 Ms. Eller went directly to me.

18 Refer to the rights and
19 responsibilities and stay within the code.

20 Q. Was your procedure for addressing
21 reports of harassment of faculty, would it be any
22 different if that report included discriminatory

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1 either myself or someone investigated and took --
2 took action.

3 I would not create a document for
4 documentation's sake based on someone's sending
5 me a request for, Can you help me? No more so
6 than I would if you stopped me in the hall, and
7 said, Hey, speak to Johnny.

8 Q. If you referred an instance of
9 harassment to be dealt with to one of your
10 assistant principals, would that then get
11 documented some way? Would the assistant
12 principal document --

13 A. Can I ask for clarification?

14 Q. Of course.

15 A. You keep referring to harassment.
16 And I'm looking through the emails or looking
17 through the referral -- whatever we're looking
18 through. I don't see -- I didn't see where a lot
19 of that fell under harassment. I see what fell
20 under disrespect, but you keep referring to it as
21 harassment.

22 And it's -- it was just when the

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1 language or derogatory language?

2 A. Everything falls within the student
3 rights and responsibilities. So whatever
4 category it fell in, it gave you a category of an
5 offense, the grade levels that was -- were
6 appropriate for a response, and the response
7 options, whether they were Level, 1, 2, 3, 4, 5.

8 Q. And would you keep a record of
9 discipline responding to such report of
10 harassment?

11 A. I wouldn't keep my own record, no.

12 Q. You weren't required to maintain
13 records of student discipline?

14 A. No. If you -- so if you reached
15 out to me, it wasn't a referral, which didn't
16 mean that I wouldn't respond to your concerns,
17 but it wasn't an official referral. It was
18 a -- you know, in order for it to be documented,
19 that process has to be started; that referral
20 process has to be started.

21 But if you reached out to me and
22 said, whatever the -- I would make sure that

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1 referrals came, they -- according to the rights
2 and responsibilities, it looks like it fell under
3 disrespect, according to the rights and
4 responsibilities. But we're continually
5 referring to them as harassment.

6 And the box for harassment has
7 another set of parameters, which is different.

8 I just want to make notation of
9 that.

10 So the -- well, so you mentioned
11 whatever the offense was. What did you ask about
12 the offense?

13 Q. My question was: If you received a
14 report of harassment, and then referred that on
15 to an assistant principal to deal with, would the
16 assistant principal document how they addressed
17 the situation?

18 A. I received a report. I would have
19 received it orally or sent email. The response
20 would not -- a report on an offense. Their
21 response to the offense would not have gone on
22 official documentation. That has to be initiated

Sheet 41

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1 by the teacher.
2 I -- if I resolved it or addressed
3 it and if it was sent to me via email, I would
4 have sent it back via email. If it was given to
5 me verbally -- either verbally or email.

6 Q. I'd like to return to something you
7 were saying about the distinction between
8 harassment and disrespect just so I understand
9 how you use the term in your duties as principal.

10 If someone had made comments about
11 someone's religion, would you count -- negative,
12 obviously, about someone's religion, would that
13 be something that would be harassment or
14 disrespect? How would you categorize that?

15 A. If you show me -- if you access the
16 student rights and responsibilities, it's clear.
17 I'm not going to interpret it off the top of my
18 head, just like as a -- as a building supervisor,
19 when an offense took place, it wasn't up for
20 me -- it wasn't up to me to classify what that
21 was offense was. It was spelled out in the
22 student rights and responsibilities.

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1 use during your time as principal?

2 A. Yes.

3 Q. Would you ever fill out this form
4 yourself?

5 A. I do not recall filling it out
6 myself.

7 Q. Would those under your supervision
8 fill out this form, when appropriate?

9 A. Yeah, the bullying, harassment,
10 yes. Yes.

11 Q. Would those under your supervision
12 fill this out, as far as you know, completely?
13 These forms.

14 A. To the best of their -- to the best
15 of their ability.

16 Q. And specifically, would those under
17 your supervision fill out question 5, when
18 appropriate? It's on the first page.

19 A. So I have -- okay.

20 Are we looking at investigation or
21 reporting form? The investigation form?

22 Q. Sorry. This is just the second

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1 That's what -- the point I'm -- it
2 was spelled out. So it was not left up for
3 interpretation. It was just: This is the
4 offense. This is what so-and-so did or is
5 accused of doing. This is where it falls under.
6 And this is -- under this category, those are the
7 options for addressing it.

8 That looks like it right there.

9 Q. Yeah, I was wondering if we had it.
10 I might ask you questions about
11 that later. I just wanted to make sure we had
12 it.

13 MR. MOGUL: Pulling up what will be
14 Exhibit 7.

15 (Whereupon, Exhibit No. 7 was marked for
16 identification.)

17 BY MR. MOGUL:

18 Q. Mr. Adams, have you seen this form
19 before?

20 A. Yes. Bullying, harassment, form,
21 yes.

22 Q. Is this something that you would

161

1 page of this.

2 A. "Why did the harassment,
3 intimidation or bullying occur?"

4 Q. Yes.

5 A. Okay.

6 Q. Would those under your supervision
7 fill out that question when it was appropriate?

8 A. If they're filling it out, yeah.

9 Q. And you'll see on -- on the -- on
10 the second full page, so really the third page of
11 this document, there's a place to put in the name
12 of victims, alleged victims. Would that be
13 filled out by those under your supervision?

14 A. Yes.

15 Q. I'm sorry. That question also
16 appears on the very first page of the form.
17 Would that also be filled out by those under your
18 supervision?

19 A. Can you pull out also the -- the
20 form on the student rights and responsibilities?
21 Because I'm -- I'm -- I'm not -- I'm not totally
22 clear that the harassment for the bullying,

Sheet 42

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1 harassment falls in line with the -- with the
2 staff member for this or if this is for students.

3 So it says "name of student
4 victims," "name of witnesses," "name of alleged
5 offenders."

6 It doesn't say "name of students"
7 or "staff members" under "victim." It says "name
8 of student victims."

9 So I may be under the impression
10 that concerns such as communication, comments,
11 inappropriate comments may not fall under this
12 documentation.

13 I think the staff -- I think the
14 students -- student rights and responsibilities
15 does address that. So if -- if I, Student A,
16 addressed Student B -- Student B, Mr. Sharma,
17 Student B, I think the student rights and
18 responsibilities addressed that I am capable of
19 harassing, bullying, intimidating.

20 But if I, Student A, address
21 Teacher Sharma, I think it falls under disrespect
22 and subordination. I could be wrong. But I'm

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1 So is there a form that you would
2 use to document students-on-staff harassment,
3 bullying, disrespect?

4 A. I think you have the documentation
5 with the student rights and responsibilities. If
6 you pull it out, I can show you exactly what it
7 falls under.

8 Q. There's a different form.

9 A. No. I think -- I think if you show
10 me the student rights and responsibilities, and I
11 think it's clear in regards to if a student says,
12 i.e., to a staff member where it falls under -- I
13 think it falls under disrespect.

14 Q. Thank you. I understand that.

15 I'm asking about the form that's
16 used to document that. Or is there a form that
17 would be used to document that?

18 A. That would be disrespect, so that
19 wouldn't be a -- that would be a PS-74, which is
20 a referral, which would be under all the other --
21 but it wouldn't be a separate document that says
22 student's harassment of an adult. I could be

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1 looking at the "name of student victims." It
2 just doesn't say "name of victims." It doesn't
3 say "name of staff or student."

4 I think it may be -- this document
5 may be directed towards students.

6 Q. Okay. So do you recall this form
7 ever being used for an incident where the alleged
8 victim was not a student?

9 A. I can't say that I do. And I can't
10 say that there's anything that would allude to
11 that. And I think that if you pull out the
12 student rights and responsibilities, you'll see
13 under harassment or sexual harassment under
14 bullying, you'll see where it falls under. And
15 then where -- in disrespect when it's addressing
16 an adult, it falls under disrespect.

17 Now, if it's staff to staff, I
18 don't think it -- this is -- is the form that is
19 appropriate either. I think that's just a
20 documentation. I could be wrong.

21 Q. That anticipated, I think, my next
22 question.

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1 wrong. But the form is right there, so I can
2 clarify if you let me see it.

3 Q. So you believe that there's a form
4 within this -- this, the guidebook, that would
5 cover this situation?

6 A. I believe that under the student
7 rights and responsibilities -- and you're right
8 there.

9 Under the student rights and
10 responsibilities, allegations against a student
11 to a staff member, all under a category, which is
12 disrespect.

13 Q. Thank you. Yes, I understand that.
14 I was just trying to figure out if there was also
15 a different form that is used --

16 A. No, no.

17 Q. Let me just finish the question so
18 it's clear.

19 A. I'm sorry. I'm sorry. I'm sorry.

20 Q. Is there a different form that's
21 used for harassment, disrespect, of a student to
22 a teacher?

Sheet 43

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1 A. Disrespect from a student to a
 2 teacher is to be reported on a PS-74 referral
 3 document.
 4 I believe if you show me that, I
 5 can point that out. I don't know that under
 6 their definition of harassing, harassment,
 7 bullying, intimidation, cyberbullying, that it
 8 falls under anything other than disrespect.
 9 Q. So any negative or derogatory
 10 comment a student made to a teacher would be
 11 categorized as disrespect, not harassment?
 12 A. So let me back up.
 13 If there's an infraction and it's
 14 brought to my attention, I'm going to pull out
 15 that document and go according to that document.
 16 So I'm asking that if you want me to make that
 17 interpretation, give me that document, and I'll
 18 look at it and I'll show you -- I'll say what --
 19 MR. SHARMA: And I have it online
 20 if that would assist your question.
 21 MR. MOGUL: We have it here, so
 22 that way we can all just have the same copy.

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1 specific individual or group with the intent of
 2 annoying, ridiculing, demeaning, tormenting,
 3 intimidating or otherwise causing fear in another
 4 person (sexual orientation, racial, religious)."
 5 Did I read that correctly,
 6 Mr. Adams?
 7 A. Yes. Yes.
 8 Q. I don't see -- do you see in that
 9 definition that the definition of harassment and
 10 intimidation is limited to student-on-student
 11 activity?
 12 A. Give me a minute.
 13 Q. Okay.
 14 A. Because you're looking at
 15 definition. Now I'm trying to find it in this.
 16 Page 27; right?
 17 Q. Yes.
 18 A. Yes.
 19 So I'm sorry. Can you state your
 20 question again.
 21 Q. Sure.
 22 A. I see where we saw the definition

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1 THE WITNESS: But I would not have
 2 made that assessment without the document, even
 3 as its principal, never mind four years later or
 4 two years later.
 5 MR. MOGUL: This will be marked as
 6 Exhibit 8.
 7 (Whereupon, Exhibit No. 8 was marked for
 8 identification.)
 9 MR. MOGUL: Let record reflect that
 10 we've marked as Exhibit 8 the Student Rights &
 11 Responsibilities Handbook. This is the 2014/2015
 12 version. Note that.
 13 BY MR. MOGUL:
 14 Q. So, Mr. Adams, if you turn to --
 15 it's Page 27 of this document. There's also a
 16 marking PGCPs-128, depending on which page number
 17 you choose to look at.
 18 There's a glossary here that I do
 19 see a definition for harassment and intimidation.
 20 I'll just read it out loud.
 21 It says, "An incident or a series
 22 of actions, statements or behaviors directed at a

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1 of "harassment." Okay.
 2 Q. Does that definition of
 3 "harassment" limit the harassment to just actions
 4 directed to students as opposed to other members
 5 of the school community?
 6 MR. SHARMA: Objection; the
 7 document speaks for itself.
 8 You can answer.
 9 THE WITNESS: Under the responses
 10 of student rights and responsibility, I see
 11 harassment listed in two areas. I see it under
 12 bullying.
 13 BY MR. MOGUL:
 14 Q. Can you direct us to a page,
 15 please.
 16 A. Page 15.
 17 I see it under "disrespect,"
 18 Page 16.
 19 And I see it under "sexual
 20 misconduct," Page 17.
 21 In each of the situations it gives
 22 a -- a response level based on the grade level of

1 what an administrator should do.
2 Two, three and four -- response
3 Levels 2,3 and 4 are -- and I apologize for not
4 knowing this -- response Levels 2,3 and 4 --
5 well, they're listed on Page 14. But that these
6 are the response levels that an administrator has
7 the ability to take, based on the variables
8 involved in the situation.

9 Q. Mr. Adams, if there was a report of
10 a staff member harassing or bullying another
11 staff member, how would that be documented?

12 MR. SHARMA: You said, staff
13 member, on another staff member?

14 BY MR. MOGUL:

15 Q. Uh-huh.

16 A. I'm sorry. Ask the question again,
17 please.

18 Q. Yes. If there was a report of a
19 staff member harassing, or bullying another staff
20 member, how would that be documented?

21 A. Okay. That would be an
22 investigation. An investigation would concern --

1 MR. MOGUL: I'd like to now pull
2 out what we have as Tab 150. Exhibit 9.
3 (Whereupon, Exhibit No. 9 was marked for
4 identification.)

5 BY MR. MOGUL:

6 Q. Mr. Adams, please just review this
7 email chain from December 2013. Let me know
8 when you're finished.

9 A. Okay.
10 (Witness reviews document.)
11 Yes, sir.

12 Q. Mr. Adams, does reviewing this
13 email chain refresh your recollection about the
14 meeting referred to by you and Ms. Eller in
15 October 2013?

16 A. No.

17 Q. Does reviewing this email refresh
18 your recollection about the conversation had
19 between you and Ms. Elizabeth Davis?

20 A. No.

21 Q. We mentioned Ms. Elizabeth Davis
22 before. I believe you couldn't remember her

1 would involve both administration and/or
2 security.

3 Securities investigation would --
4 Mr. Milliner, Mr. -- the other two that were
5 mentioned -- theirs has police authority.

6 Their documentation on that side,
7 they would get statements. I don't know their
8 process for getting the -- gathering all the
9 information.

10 But it's -- it's -- whatever tools
11 they have, whatever tools they have, whether
12 they're witness statements, cameras, whatever,
13 they would get all the information, and see if
14 there was -- and that information would be shared
15 with the administrative team.

16 Staff to staff, that's something
17 that would go up the chain and communicate with
18 the -- with the instructional director.

19 And I don't know -- I mentioned
20 earlier I don't know who they would communicate
21 with in regards to the possible next steps.

22 Okay. Yes.

1 position.

2 Does this refresh your recollection
3 of what position she had?

4 A. I mean, I am reading "compliance
5 officer." But -- I -- I don't -- if she walked
6 through this door, I would not know who that was.

7 Q. Ms. Davis says in her email -- it's
8 the December 18th, 12:16 p.m. email.

9 A. Okay.

10 Q. She says in that email, "I have
11 been in contact with Mr. Adams and Dr. Powell,
12 and we agree that the issues to date are best
13 handled as they occur with the specific
14 individuals involved."

15 Do you remember agreeing with that
16 position at the time?

17 A. No. I mean, I -- no. I mean,
18 that's -- no. So I'm reading here that she's
19 saying in a -- correct me -- "issues to date are
20 best handled as they occur with the specific
21 individuals involved."

22 And I'm assuming that's why I -- on

Sheet 45

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1 the back, on page -- on my response on Friday,
2 December 13th, October 14th, the first four
3 students, [REDACTED] whatever took
4 place there. October 23rd, [REDACTED] I'm
5 assuming she's saying "occur with the specific
6 individuals involved." In other words, when a
7 situation happens, we deal -- we address that
8 situation.

9 Q. Sitting here today, you don't have
10 a reason to think that you had a different
11 opinion from Ms. Davis, do you?

12 MR. SHARMA: Objection.

13 You can answer.

14 THE WITNESS: I can only say what's
15 here. I can't say -- I honestly can't tell you
16 seven years ago unless it was --

17 MR. MOGUL: Let's move on to
18 Tab 30, which will be Exhibit 10.

19 (Whereupon, Exhibit No. 10 was marked
20 for identification.)

21 BY MR. MOGUL:

22 Q. Mr. Adams, just please review this

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1 is that the PS-74, or is that something else?

2 A. That would be a statement. That
3 would be a statement from security.

4 If she's -- if she is saying -- if
5 Ms. Eller -- if Mr. G -- if I am directing
6 Ms. Eller to give him a statement, that would be
7 a security statement. That would be Mr. -- Mr. G
8 would be -- he does not have the jurisdiction to
9 respond to referrals.

10 Q. Okay.

11 A. Do we have a copy of the statement?

12 Q. I don't believe I do, at least not
13 here today.

14 A. So he wouldn't respond to
15 referrals. He would -- he wouldn't give her a
16 blank sheet of paper, you know, to get -- he
17 would need a statement, which is -- it's a
18 specific security document. I don't know the --
19 what it's called.

20 Okay. Maybe it's called security
21 statement. I don't know.

22 Q. I understand that you don't recall

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1 email chain from March 2015 and let me know when
2 you're done, please.

3 A. March 16th?

4 Q. I was just saying the general email
5 chain from March 2015, if you could just review
6 the whole chain.

7 A. Oh, okay. I'm sorry. I'm sorry.
8 I'm -- okay.

9 (Witness reviews document.)

10 Okay. Go ahead.

11 Q. Does this email chain refresh your
12 recollection about any of the particular
13 incidents here?

14 A. No.

15 Q. Am I correct in noting that this
16 email chain shows that Mr. G identified the
17 students involved in the incident and sought a
18 statement from Ms. Eller?

19 A. You're correct that Mr. G
20 identified the students, and I asked Ms. Eller
21 for a statement regarding the incident.

22 Q. Okay. And would that statement --

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1 this incident specifically. But in normal course
2 of events when Mr. G finished an investigation
3 like this, would he be responsible for
4 disciplining those students or would that be --
5 A. No, he doesn't have disciplinary --
6 he has police -- he has charging authority. In
7 the event of a crime, he has charging authority.
8 That would probably -- more -- most likely be
9 discussed. I don't recall whether they have to
10 discuss it with administration.

11 Q. In the event of something that's
12 not a crime, like here, what would -- would Mr. G
13 refer the situation to an assistant principal for
14 discipline? Just in the normal course.

15 A. If you give Mr. G -- he's
16 identified the students. Can you give him a
17 statement regarding the incident? The process
18 from there would be, let's assume -- we don't
19 have verification. But the process would be to
20 give Mr. G a statement. Mr. G would identify
21 those -- says he's identified those children.

22 He would, in turn, communicate that

Sheet 46

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1 information to the grade-level administrator in
 2 charge of those children, whether it's one or
 3 multiple. Then they would take action based on
 4 his -- based on the information that they have at
 5 their disposal. They would also -- he would
 6 probably take statements from them. Someone
 7 would take statements from the students: Yes, I
 8 did this; no, I didn't do that.

9 And then an administration or
 10 administration -- somebody from administration
 11 would take action based on that.

12 But a referral would not be
 13 completed because that has to initiate with --
 14 and I understand why Ms. Eller wouldn't have put
 15 this on -- she has no idea who this is, it sounds
 16 like.

17 But then that would be
 18 communicated -- an action would be taken.

19 Q. And would that action that's then
 20 taken be documented somehow?

21 A. Documented, there would be some --
 22 there should be something. That something may

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1 not go to -- may not go beyond a verbal
 2 communication, and I'll give you an example.

3 Two students fight in the hall.
 4 Security does an investigation. Fighting, they
 5 could be suspended. Fighting in your classroom,
 6 they could be suspended.

7 There would not have necessarily
 8 been a referral necessary if someone was --
 9 someone is going to intervene. Somebody is going
 10 to intervene to stop the fight. There would not
 11 necessarily be a referral. Then there would not
 12 necessarily be a written documentation that said,
 13 We suspended those students.

14 Now, those students would get
 15 suspended. So they get suspended. There would
 16 be documentation -- there would be communication
 17 with their teachers that via, when they return
 18 from suspension, that Student A, Student B,
 19 excused absence for a set amount of days based on
 20 suspension. It wouldn't necessarily say the --
 21 it wouldn't say the reason for the suspension.
 22 MR. MCGUL: Okay. Let's turn to

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1 Exhibit 11, which is Tab 44.

2 A. Yes.

3 (Whereupon, Exhibit No. 11 was marked
 4 for identification.)

5 BY MR. MCGUL:

6 Q. Have you had a chance to review
 7 this email?

8 A. Yes, I read it, yes.
 9 I have this letter.

10 Q. I'm sorry.
 11 So, Mr. Adams, when you finish
 12 reviewing this email chain from June 2015, please
 13 let me know.

14 A. (Witness reviews document.)
 15 Yes.

16 Q. Do you recall this incident that is
 17 being reported by Ms. Eller in these emails?

18 A. No.
 19 (Whereupon, Exhibit No. 12 was marked
 20 for identification.)

21 BY MR. MCGUL:

22 Q. We're now marking as Exhibit 12.

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1 A. Yes, sir.

2 Q. Mr. Adams, is this a continuation
 3 of the email chain from the exhibit we just
 4 looked at previously?

5 A. Exhibit 11?

6 Q. Yes.

7 A. Yes.

8 Q. If you look midway in this email
 9 chain, there's one dated 11:28 a.m. on
 10 June 22nd.

11 Ms. Eller says, "Mr. Adams,
 12 Mr. Kendrick has personal issues with me, and I
 13 do not believe he will take this matter
 14 seriously. Ms. Eller."

15 Do you recall, sitting here today,
 16 what Ms. Eller was referring to in that email?

17 A. Do you have anything that could
 18 prompt my memory?

19 Q. Unfortunately, this is what I have.

20 A. Did Ms. Eller ever say what she
 21 thought the personal issues were with
 22 Mr. Kendrick, to you -- I mean, I'm looking at

1 this, and it says he "has personal issues with
 2 me." And -- and --
 3 Q. I'm just asking if you recall.
 4 A. No. And I know I have two -- well,
 5 yeah, in a given time period, you have two
 6 investigative counsels.
 7 To do an investigation and -- if
 8 you -- if you, the teacher, believe that the
 9 investigation is going to be tainted based on
 10 whatever -- you could have dated before or
 11 whatever it was -- I'm not going to make it more
 12 complex than it has to be.
 13 So if you're saying he "has issues
 14 with me," and I'm not getting into -- and I'm
 15 not -- I'm certainly not saying that Mr. Kendrick
 16 and Ms. Eller dated. I'm just saying that the
 17 dynamics of individuals within the building that
 18 aren't shared with me -- because this is just "he
 19 has issues with me" -- if you prefer Mr. G, then
 20 I don't have a problem with Mr. G.
 21 That way, you won't think the
 22 investigation was comprised by "he has personal

1 chain, Ms. Eller writes to you, "Yesterday, Mr. G
 2 identified the girl and told me he would be
 3 coming back to take my statement."
 4 And you respond in the email above
 5 that, "Please see Mr. Thompson regarding the
 6 investigation."
 7 Did I read those two quotes
 8 correctly?
 9 A. So what I'm going to assume is that
 10 that child was identified as a 9th-grade
 11 student. Mr. Thompson, he's the administrator in
 12 charge of 9th grade. So, therefore, I'm going
 13 to delegate it to Mr. Thompson, because I'm --
 14 I'm -- at this point I'm going to assume
 15 Mr. Thompson is going to take action; you can
 16 speak to Mr. Thompson in regards to this
 17 situation, and we shouldn't have any issues from
 18 here.
 19 What Mr. G probably did was looked
 20 at it, showed Mr. Thompson on the -- if he had
 21 camera access, showed Mr. Thomas what he saw, and
 22 said -- and they said, Oh, this is -- this is

1 issues, and I don't believe he will take this
 2 matter seriously." So if you think that that's
 3 the case, that's not a big deal to say.
 4 Q. Okay.
 5 A. Okay. Now, if you said, "He has
 6 issues with me based on and such-and-such," and
 7 you concern yourself with the fact that he's
 8 affecting my ability to whatever -- my ability to
 9 do my job, my rights as a human being, whatever
 10 it is, then that's another issue.
 11 But if you think -- and notice, I
 12 didn't say, What are the issues? Yes. Okay. If
 13 you think Mr. Kendrick is not going to support
 14 you and Mr. G will do a better job, then the best
 15 way to get to the bottom of this is to have Mr. G
 16 do it -- no.
 17 The best way to remove any doubt
 18 that the investigation has not been -- has not
 19 been -- has been taken seriously is to give the
 20 person that you -- you and I both agree that he's
 21 quite capable of doing the job.
 22 Q. Towards the top in this email

1 Jane Doe.
 2 MR. MOGUL: We'll now identify two
 3 exhibits. It will be 13 and 14.
 4 (Whereupon, Exhibit No. 13 and
 5 Exhibit No. 14 were marked for
 6 identification.)
 7 BY MR. MOGUL:
 8 Q. Mr. Adams, if you would please
 9 review these two email chains from December 2015
 10 and let me know when you're done.
 11 A. Okay.
 12 Q. Thanks.
 13 A. (Witness reviews document.)
 14 Yes, sir.
 15 Q. Am I correct that this email chain
 16 describes a report from Ms. Eller regarding a
 17 student using offensive language and the male
 18 pronoun to refer to her?
 19 A. Not a report; an email.
 20 Q. Otherwise, am I correct in
 21 describing this?
 22 A. I'm sorry.

Sheet 48

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1 MR. SHARMA: Objection. I think
2 the document speaks for itself and describes
3 itself.

4 But you can answer if you know what
5 he's asking.

6 THE WITNESS: Can you ask it again,
7 because you said "report" and I stopped there.

8 BY MR. MOGUL:

9 Q. Does this email reflect Ms. Eller
10 telling you about an incident where a student
11 used offensive language and the male pronoun to
12 refer to her?

13 MR. SHARMA: Same objection.

14 THE WITNESS: Do you want me to
15 read what it says? I'm not going to interpret
16 it.

17 It says -- I mean, says [reading]:
18 Ms. Eller said at approximately 12:05, walking
19 down -- they kept walking from the stairway. I
20 told them they were going the wrong way; they
21 need to go down the stairway to the cafeteria.
22 They ignored me and kept walking. As they walked

1 MR. SHARMA: Objection as to the
2 form of the question.

3 You may answer.

4 THE WITNESS: I thought -- I
5 thought we referenced -- I forgot her name --
6 BY MR. MOGUL:

7 Q. Are you talking about Ms. Davis?

8 A. Yes. I thought we referenced that
9 she said everything she dealt with on a
10 case-by-case basis.

11 Q. Absolutely. But some time has
12 passed between that email and then this is --
13 this latest thing is December 2015. The latest
14 exhibit we looked at was from December 2015. So
15 I'm just wondering if this continued to be your
16 position.

17 A. So the -- I -- ask the question
18 again, I'm sorry. I'm lost in that.

19 Q. Sure. Following this December 2015
20 incident reported in these emails, was it your
21 position that disrespect to Ms. Eller should
22 continue to be addressed on a case-by-case basis?

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1 away, one said to the other, "He ugly as shit."
2 They round the corner and continued on the math
3 wing.

4 So your question is?

5 BY MR. MOGUL:

6 Q. That's fine. You've read the
7 email.

8 A. Okay.

9 Q. Do you recall this incident?

10 A. No.

11 Q. The second part of this email
12 chain, which is on Tab -- Exhibit 14, reflects
13 that you asked Mr. G to give you the students'
14 names.

15 Do you know why you did that?

16 A. I would find the names to see who
17 the grade-level administrator is.

18 Q. So after this incident in
19 December 2015 and the prior incidents we've seen
20 in these emails of disrespect to Ms. Eller, was
21 it your position that these incidents should be
22 addressed on a case-by-case basis?

1 MR. SHARMA: Objection.

2 You can answer.

3 THE WITNESS: So in the process of
4 this going on, we are speaking to the students in
5 regards at grade-level assembly. And we've -- we
6 do -- we're -- we speak to them twice a year,
7 each grade level. Okay?

8 So on the previous report, you saw
9 that, when Ms. Eller informed me that I -- that
10 something had not taken place at -- well,
11 summarized one point, and I don't know -- I don't
12 have the counter to that. I don't have the PPW's
13 response, too, so I don't know if -- if it's the
14 whole story.

15 And I know everyone has their
16 perspective. Okay? So I don't know that it's
17 the whole story. If it wasn't -- if it is the
18 whole story, then on my position, I would have
19 had to do something to -- to make amends for
20 someone who didn't do their job.

21 I don't have in there the response
22 that the grade level -- I think she's 11th

1 grade -- the grade-level administrator, whoever
 2 was supposed to cover that. That may have been a
 3 different account of what was taking place.

4 Now, in regards to some of these
 5 issues, we're -- we're -- we're -- we are
 6 investigating, but I don't see the -- an
 7 investigator's report that says this, in fact,
 8 did take place. I'm not saying it didn't take
 9 place. When you say these issues, I'm not saying
 10 they didn't. I'm just hearing the one
 11 perspective.

12 And I'll say that, because there is
 13 a statement that later on, I guess we'll get to
 14 where Ms. Eller says one of the teachers is not
 15 qualified to teach AP, and that's just -- that
 16 was just her perspective, and the data points to
 17 something different.

18 Okay? So two levels.

19 First of all, there are things
 20 taking place in regards to grade-level assemblies
 21 and people -- things of that nature.

22 Secondly, I can't -- I don't see

1 Better yet, Mr. G would say that to
 2 the grade-level administrator: Here is a result
 3 of my investigation, so you can take that
 4 information and move forward with it.

5 Q. And would Mr. G or one of the other
 6 investigators make that synopsis report in an
 7 email or some other way?

8 A. No. They wouldn't need to
 9 communicate that to me. They wouldn't need to
 10 give that to me. They would just need to make
 11 the -- make the -- they would need to conduct the
 12 investigation so that we could have the best set
 13 of information possible to move forward.

14 Q. But you mentioned that they would
 15 provide a synopsis to someone. It might be to
 16 you. It might be the assistant principal. I'm
 17 just trying to find out how that synopsis is
 18 given. Is that given in an email?

19 A. No, it wouldn't be given in an
 20 email.

21 Q. How would it be given?

22 A. The security people might say, I

1 the investigation, so I don't know what -- who --
 2 what came of it. I'm only taking Ms. -- we're
 3 only taking Ms. Eller's perspective. I can't say
 4 that that's -- I have a reason to doubt these,
 5 but I can't say that I don't have a second side
 6 that says maybe there is a different perspective.
 7 BY MR. MOGUL:

8 Q. I wanted to follow up on something
 9 you just mentioned, the fact that you don't have
 10 the investigative report here.

11 A. Yes.

12 Q. I suppose that would have been
 13 something either written by Mr. G or the
 14 assistant principal?

15 A. Investigative report is a security
 16 report. I wouldn't keep the security report.
 17 I'd get a synopsis of it.

18 Q. Who would keep it?

19 A. Security services. I would get a
 20 synopsis. Mr. G would say -- I'll give you an
 21 example. Mr. G would say, Here's what I --
 22 Here's the results of my investigation.

1 looked at the camera. I couldn't come to a
 2 conclusion.

3 Or, yeah, it looks obvious he did.
 4 Or I didn't see, anybody I could identify. I
 5 mean, whatever those options were.

6 And the security person would
 7 probably just say that to me or whoever.

8 Q. And by "say that," you mean would
 9 verbally --

10 A. Would verbally say that. Verbally
 11 say that. So that -- to whoever so that they
 12 could have confirmation on where do we go from
 13 here.

14 MR. MOGUL: Exhibit 15.
 15 (Whereupon, Exhibit No. 15 was marked
 16 for identification.)

17 THE WITNESS: Yes, sir.

18 BY MR. MOGUL:

19 Q. Do you recall this incident?

20 A. No.

21 Q. I'm curious: In this email chain,
 22 you asked Sergeant Waithe to investigate this

Sheet 50

194

1 particular situation. Is there a reason why it
 2 would have been Sergeant Waithe? I just hadn't
 3 seen Sergeant Waithe show up in other emails that
 4 you had written.
 5 A. Maybe Mr. G was absent.
 6 Q. Okay.
 7 A. I can't -- I can't tell you. Maybe
 8 Mr. G was working on something else. I don't
 9 know.
 10 I can tell you -- I don't know. I
 11 don't know. They're both qualified.
 12 MR. MOGUL: Okay. This is Exhibit
 13 16.
 14 (Whereupon, Exhibit No. 16 was marked
 15 for identification.)
 16 THE WITNESS: Oh, Mr. G had a heart
 17 attack at one point. He went out for a while. I
 18 don't know what the timeline is, but it very well
 19 may have been -- that may be an option.
 20 BY MR. MOGUL:
 21 Q. So now I'm showing you Exhibit 16,
 22 which is an email chain from April into May 2016.

195

1 If you could just review that and let me know
 2 when you're done.
 3 A. Can -- let me ask you question.
 4 Can I just respond to my wife with a text, or do
 5 I have to wait?
 6 MR. MOGUL: Let's take a
 7 five-minute break.
 8 MR. SHARMA: Thank you. We'll go
 9 off the record.
 10 (Off the record, 2:08 p.m.)
 11 (Back on the record, 2:12 p.m.)
 12 BY MR. MOGUL:
 13 Q. Mr. Adams, you have Exhibit 16 in
 14 front of you. Have you had a chance to review
 15 it?
 16 A. Yes.
 17 Q. Do you recall the incident that
 18 Ms. Eller is reporting here?
 19 A. I don't.
 20 Q. And if you don't mind, I'm just
 21 going to read this out loud into the record.
 22 Ms. Eller writes to you, "The girl

196

1 in white and on her cell phone [REDACTED]
 2 I did not quite catch it) referred to me as 'he'
 3 twice. I corrected her, to which she replied,
 4 'Sorry, but you know . . .' The students walked
 5 down the hallway to my right, and I could hear
 6 the other students arguing with her, saying,
 7 'It's a lady,' and her disagreeing with that."
 8 Did I read that correctly?
 9 A. Yes.
 10 Q. So following this email chain in
 11 April and May 2016, did you still believe -- or
 12 did you believe that the disrespect that
 13 Ms. Eller was receiving should be addressed on a
 14 case-by-case basis?
 15 MR. SHARMA: Objection.
 16 You can answer.
 17 THE WITNESS: When you address
 18 something in grade-level assemblies, it's no
 19 longer being addressed on a case-by-case basis.
 20 Okay?
 21 In regards to the students, the
 22 punitive part of whatever has to be addressed by

197

1 case by case. Now, I cannot say grade-level
 2 assemblies, things of that nature; and I don't
 3 know that that's -- if you classify that as not
 4 addressing being respectful or disrespectful; I
 5 don't know these students, the names.
 6 I'd be interested in seeing if
 7 their -- their tenure at Friendly. So -- I would
 8 just be curious on -- so if [REDACTED] is a new
 9 student -- I'm not saying she is or isn't --
 10 would she have been subjected to whatever we put
 11 in place over the years or is that new? I don't
 12 know.
 13 (Whereupon, Exhibit No. 17 was marked
 14 for identification.)
 15 BY MR. MOGUL:
 16 Q. Could we now go to -- this is
 17 Exhibit 17. Please review this email chain from
 18 May 2016 and let me know when you've finished.
 19 A. (Witness reviews document.)
 20 Go ahead.
 21 Q. Do you recall receiving this email?
 22 It looks like it was forwarded to you by

Sheet 51

198

1 Mr. Thompson.

2 A. I don't. I don't.

3 Q. Mr. Adams, over the last few

4 minutes, you've referenced a few times that you

5 thought that grade-level assemblies were

6 addressing the situation.

7 Can you just explain a little bit

8 more how you think that the grade-level

9 assemblies were addressing that?

10 MR. SHARMA: Objection.

11 You can answer.

12 THE WITNESS: Ask the question

13 again.

14 BY MR. MOGUL:

15 Q. Sure. Over the last few minutes,

16 you've referred to the grade-level assemblies a

17 few times. I would just like to know a little

18 bit more about what was included in the

19 grade-level assemblies that you thought would

20 address this situation with Ms. Eller.

21 A. Well, everything is addressed at

22 grade-level assemblies. And fighting, which I

200

1 So I'm -- I'm saying we address

2 it -- it doesn't mean I'm saying we eradicate it

3 because we haven't eradicated anything on here.

4 And I would say that if you're --

5 if you're looking at the numbers, we did not

6 eradicate it. We did not eradicate it.

7 Q. I understand. That wasn't my

8 question, but thank you for your answer.

9 I guess, specifically, I'd like to

10 know what was it that took place at the

11 grade-level assemblies that you thought -- maybe

12 not addressed but was relevant to the incidents

13 that were happening to Ms. Eller?

14 A. Ms. Eller and the -- in the emails

15 that you showed me -- this is disrespect based on

16 a sexual nature.

17 That's like if you're -- I cannot

18 recall specifically word for word -- I cannot

19 quote -- as Ms. Eller quoted one assembly, I

20 cannot.

21 So I don't know the details and I

22 don't -- I don't give them a script. I know

199

1 probably can reference more references to

2 fighting than you've shown me right here. Now,

3 I'm not saying that -- I'm not saying that it

4 eradicates everything.

5 I'm saying just because I address

6 everything -- everything is addressed in here,

7 doesn't mean that it's eradicated, including

8 attendance, including -- including dress code

9 violations, including electronic devices,

10 including -- I don't think that once we address

11 everything -- even though we continually address

12 it, I don't know that we get rid of anything.

13 And so if you're asking me, by

14 addressing it, do I think I'm going to eradicate

15 it? I don't.

16 I think we've made a definitive

17 effort to address anything that's going to affect

18 our staff and/or students. If nothing else, a

19 self-interest. If I'm going to get an email

20 about it, I can't ignore the fact that I'm

21 getting an email in the midst of whatever other

22 tasks, I may have.

201

1 what's to be covered, and I know that it benefits

2 the building for all the things -- and I'm

3 contractually -- I'm contracted to have those

4 things covered.

5 Q. I'm sorry. You're contractually

6 required to have which things covered?

7 A. Grade-level assemblies.

8 Q. You're contractually required to

9 have a grade-level assembly?

10 A. To make sure students know their

11 rights and responsibilities. In addition to the

12 grade-level assemblies -- I'm sorry -- we didn't

13 cover that they signed a -- they sign a -- the

14 beginning of every year, they sign a document

15 that they're aware of their behavior

16 expectations. I forgot what that's called. I

17 forgot what it's called.

18 But it takes place. It's a

19 disclaimer -- I don't know if it's a disclaimer.

20 It's something that they -- so if they commit an

21 act, they can't -- they can't claim ignorance.

22 Q. During your time as principal at

Sheet 52

202

1 Friendly, was there a student assembly that had,
 2 among other topics, a specific topic about
 3 diversity and inclusion for LGBT people?
 4 MR. SHARMA: Objection; you can
 5 answer.
 6 THE WITNESS: No. I would not have
 7 dedicated one assembly to one -- I would not have
 8 dedicated an assembly to one particular issue.
 9 BY MR. MOGUL:
 10 Q. That wasn't my question.
 11 A. I'm sorry.
 12 Q. My question was: Was there ever an
 13 assembly that, among other issues -- so let's
 14 say, this assembly has 10 agenda items. One of
 15 the agenda items was diversity and inclusion for
 16 LGBT individuals.
 17 A. You have to ask PPW. I don't know
 18 the specific --
 19 Q. While Ms. Eller was emailing you
 20 about various incidents that we've seen and
 21 others, did you ever reach out to anyone else for
 22 advice on how to address this situation?

203

1 A. You mean outside the building? I
 2 don't know.
 3 Q. Either way.
 4 A. I don't know. I don't know.
 5 Q. Okay. I'd like to turn to a new
 6 exhibit.
 7 (Whereupon, Exhibit No. 18 was marked
 8 for identification.)
 9 BY MR. MOGUL:
 10 Q. Exhibit 18, Mr. Adams, if you could
 11 just review that and let me know when you're
 12 finished.
 13 A. (Witness reviews document.)
 14 Yes, sir.
 15 Q. I'd like to first ask you just kind
 16 of generally about the form before asking you
 17 about the specific document.
 18 Is this -- do you know what form
 19 this is? It says it's a Google form. Does this
 20 seem familiar to you?
 21 A. May have been from a parent contact
 22 log.

204

1 May have been from a parent -- it
 2 looks like a parent contact log.
 3 Q. So you've seen parent contact logs
 4 like this before?
 5 A. I don't recall. I don't recall.
 6 Q. You don't recall ever seeing a
 7 parent contact log of any sort?
 8 A. Of any sort?
 9 Q. I don't mean this one. I mean any
 10 parent contact log that looked like this.
 11 A. I don't -- I've seen parent contact
 12 logs. I can't --
 13 Q. Is that what this is, a parent
 14 contact log?
 15 A. It looks like a parent contact log.
 16 I can't deny that it's a parent contact log. I
 17 just don't recall -- I don't recall. I don't
 18 recall.
 19 Q. You don't recall seeing this
 20 specific parent contact log?
 21 A. I wouldn't remember what a specific
 22 parent contact log -- I'm trying to make

205

1 reference to the fact do I remember a parent
 2 contact log.
 3 I -- I don't remember -- I don't
 4 remember this -- you can ask other staff members.
 5 I don't remember this parent contact log -- I
 6 don't recollect an electronic parent contact log
 7 in the -- I remember, like, teachers writing down
 8 on a note that they're doing something. I can't
 9 say that I remember a -- a Friendly High School
 10 contact -- electronic contact catalog that was
 11 orchestrated by -- that was -- was -- was -- I
 12 don't know. I don't.
 13 Q. Okay.
 14 A. I don't.
 15 Q. Do you know, was there someone on
 16 your staff that we would -- that we could talk to
 17 who would be the person that would look at parent
 18 contact logs?
 19 A. It says, "Google Forms,
 20 nobody@google.com."
 21 That doesn't seem like a Friendly
 22 High School -- a PG County document.

Sheet 53

206

1 Q. It says at the bottom, "This form
 2 was created inside of PGCPs."
 3 A. I don't recall, and it may be it's
 4 through guidance. I don't know. I don't know.
 5 Q. Okay.
 6 A. They would probably have a contact
 7 log.
 8 Q. I'm sorry. Who is "they"?
 9 A. Maybe guidance -- I can't say
 10 probably. Maybe guidance would have a contact
 11 log. Maybe the people personnel worker would
 12 have a parent contact log.
 13 I can't recall staff members having
 14 a contact log that has a -- especially that would
 15 have a drop-down menu of -- because -- on a
 16 referral form, it has something previous --
 17 previous actions taken.
 18 Check parent contact, check
 19 conference with student. It has -- it has
 20 something that for a teacher, that would take
 21 care of what this form seems to do.
 22 Q. Okay. Do you remember ever

208

1 a document. Other than that, I would not recall
 2 this situation.
 3 I would not recall -- I would not
 4 recall this situation.
 5 Q. In your time as principal --
 6 talking generally, not about Ms. Eller in
 7 specific -- did it ever come to your attention
 8 that a parent had made discriminatory remarks to
 9 a staff member or faculty member?
 10 A. Inappropriate remarks?
 11 Q. Sure. Discriminatory, remarks,
 12 but . . .
 13 A. Inappropriate, yes.
 14 You want to know what the --
 15 Q. Well, I'm -- I'm just wondering if
 16 you took action after hearing about that sort of
 17 incident.
 18 A. Depending on the remark, I may ban
 19 that parent from the building. Depending on --
 20 it looks like it could be an emotional -- an
 21 emotional action that in -- in -- intrudes on the
 22 safety of staff, students.

207

1 speaking with Ms. Eller or anyone else about a
 2 parent using the incorrect gender with Ms. Eller?
 3 A. I remember seeing a reference to --
 4 this is the one where the pen was thrown or the
 5 alleged pen was thrown. And that's where the
 6 parent references -- Ms. Eller says a pen top and
 7 she threw it at the desk.
 8 Do you remember seeing that?
 9 MR. MOGUL: Move to strike that as
 10 nonresponsive.
 11 MR. SHARMA: Objection.
 12 BY MR. MOGUL:
 13 Q. My question again was, do you
 14 remember talking with Ms. Eller or anyone else
 15 about a parent using the incorrect gender with
 16 Ms. Eller?
 17 A. Okay. Let me --
 18 Q. I'm just asking if you recall.
 19 A. The reason I possibly recall this
 20 situation, it sounds like the situation where a
 21 pen was thrown.
 22 That's -- and that's because I saw

209

1 Q. Do you recall ever having to take
 2 action with respect to a parent who had made an
 3 inappropriate remark to Ms. Eller?
 4 A. This document didn't seem to have
 5 come to me.
 6 I've had parents not want their
 7 child in Ms. Eller's class based on -- based on
 8 their misperceptions or their perceptions.
 9 My response has been that she's
 10 very qualified to do the job, and that's -- and a
 11 person's sexual orientation has nothing to do
 12 with their ability or inability to perform a --
 13 a -- a job function. So I have addressed parents
 14 on that.
 15 Q. Thank you. A little bit more
 16 specifically, though: Did you ever have an
 17 occasion where you had to take action when a
 18 parent had said something inappropriate to
 19 Ms. Eller?
 20 A. If I had taken action on a parent,
 21 I'm going to ban that parent.
 22 I'm going to get water.

Sheet 54

210

1 An action that I would take against
 2 a parent would be to ban them if I felt like it
 3 was an issue.
 4 I could not reprimand a parent. I
 5 could not -- if a parent made an action that was
 6 a crime, then that would be another issue that
 7 would fall outside my jurisdiction.
 8 So if I took an action on a parent,
 9 it would be to ban a parent based on -- and if I
 10 banned a parent, I would inform that staff member
 11 because it's a safety concern, then I want them
 12 to know that we've taken appropriate actions.
 13 Q. Do you recall ever banning a parent
 14 because of something that the parent had said or
 15 done to Ms. Eller?
 16 A. No.
 17 MR. MOGUL: This is Exhibit 19.
 18 (Whereupon, Exhibit No. 19 was marked
 19 for identification.)
 20 (Witness reviews document.)
 21 THE WITNESS: Yes, sir.
 22 BY MR. MOGUL:

212

1 A. Yes.
 2 Q. At the top of this email, it looks
 3 like you're responding to Ms. Eller, saying, "I
 4 will review your concerns and get back to you and
 5 the English team."
 6 Do you recall if you followed up
 7 with Ms. Eller?
 8 A. To address their concerns?
 9 Q. Yes.
 10 A. I probably addressed it as a group.
 11 And there may be concerns, but we're going to
 12 move her into this -- I do understand,
 13 suggestions and concerns. But I have to address
 14 and say, Well, we are -- I do address -- I do
 15 understand your concerns, but we're still in a
 16 position that we're going to move her to the
 17 English department.
 18 (Whereupon, Exhibit No. 20 was marked
 19 for identification.)
 20 BY MR. MOGUL:
 21 Q. This is Exhibit 20. If you could
 22 just take a look at it, Mr. Adams, please.

211

1 Q. Does this email refresh your
 2 recollection that Ms. Eller was concerned about
 3 Ms. Robinson being placed in a supervisory role
 4 over the English department?
 5 A. (Nods head.)
 6 Q. What do you remember about that
 7 concern?
 8 A. Ms. Robinson had made an
 9 inappropriate remark to someone in the social
 10 studies department -- I think it's kind of a
 11 friend of Ms. Eller's or colleague that she was
 12 comfortable with.
 13 The -- because of that comment,
 14 inappropriate comment, action had to be taken.
 15 In addition to action being taken, Ms. Robinson
 16 had to be removed from overseeing social studies.
 17 She was placed over English
 18 department, which I think was what she was
 19 degreed and certified in teaching.
 20 Q. And was it your decision under your
 21 authority to change that assignment for
 22 Ms. Robinson?

213

1 A. (Witness reviews document.)
 2 Yes, sir.
 3 Q. Do you know what this email is?
 4 A. Observation.
 5 Q. I'm sorry?
 6 A. Classroom observation.
 7 Q. Could you just explain a little bit
 8 more, what is the effect of this email?
 9 A. An assistant principal does a
 10 formal observation of a teacher based on -- a
 11 formal observation of a class instruction.
 12 Q. So it says here -- the subject
 13 line, is "Notification: Raynah Adams has
 14 reassigned an evaluation to you."
 15 And the "you" in this case, the
 16 recipient, is Paula Robinson; is that correct?
 17 A. Correct.
 18 Q. Now, it says here "evaluation." Is
 19 that the same thing as an observation -- an
 20 informal observation?
 21 A. They're observing a class and
 22 observing a lesson plan, evaluating that lesson

Sheet 55	
<p style="text-align: right;">214</p> <p>1 plan.</p> <p>2 They're not evaluating, doing an</p> <p>3 evaluation of a teacher. I evaluate a teacher.</p> <p>4 Q. Okay.</p> <p>5 A. So you're evaluating a lesson plan</p> <p>6 through an observation process. You're not</p> <p>7 evaluating that teacher.</p> <p>8 Q. So what kind of reports would be</p> <p>9 generated by the assistant principal after an</p> <p>10 informal observation?</p> <p>11 A. Informal or formal?</p> <p>12 Q. I'm sorry. Formal.</p> <p>13 A. An FFT formal observation would be</p> <p>14 based on four domains: Pre-observation</p> <p>15 preparation, which sometimes would -- a teacher</p> <p>16 and an assistant principal would sit down and</p> <p>17 have a conference on what's to be expected.</p> <p>18 Now, the assistant principal does</p> <p>19 not have to have a pre-observation conference for</p> <p>20 the second time around. But the first time they</p> <p>21 have to have a pre-observation conference: This</p> <p>22 is what I'm teaching; these are the expectations;</p>	<p style="text-align: right;">216</p> <p>1 given a grade, or is it just a --</p> <p>2 A. They're scored. They're scored.</p> <p>3 Q. So does this email reflect that you</p> <p>4 had assigned Ms. Robinson to perform a formal</p> <p>5 evaluation -- I'm sorry -- a formal observation</p> <p>6 of Ms. Eller's class?</p> <p>7 A. Correct.</p> <p>8 Q. And this was in December 2014?</p> <p>9 A. Correct.</p> <p>10 Q. Is this a task that Ms. Robinson</p> <p>11 would have had because she was placed in the</p> <p>12 supervisory role over the English department?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. So Ms. Robinson would not</p> <p>15 have had any -- would Ms. Robinson have any</p> <p>16 involvement in Ms. Eller's formal evaluation at</p> <p>17 the end of this school year?</p> <p>18 A. No.</p> <p>19 Q. Okay. Would you consult</p> <p>20 Ms. Robinson in performing Ms. Eller's formal</p> <p>21 evaluation at the end of the school year?</p> <p>22 A. Would I consult? Well,</p>
<p style="text-align: right;">215</p> <p>1 this is what I'm focusing on; and these are the</p> <p>2 details of what I'm trying to address.</p> <p>3 Once in the observation, they're</p> <p>4 looking at classroom environment and they're</p> <p>5 looking at instructional practices.</p> <p>6 Classroom environment being that</p> <p>7 spacing of the desks, how -- how -- if students</p> <p>8 are working independently or in group,</p> <p>9 collaboratively; if there are -- as far as</p> <p>10 instruction, what kind of questions are being</p> <p>11 asked by the teacher, what kind of questions are</p> <p>12 being asked by the students, interaction, their</p> <p>13 answers.</p> <p>14 Are they in-depth? Are they</p> <p>15 one-answer questions -- one-word answers or</p> <p>16 et cetera, things of that nature. And what kind</p> <p>17 of reflection is taking place.</p> <p>18 And then there's a Domain 4, which</p> <p>19 is having had that observation, what do you</p> <p>20 expect to come out of that and what are your next</p> <p>21 steps based on the observation?</p> <p>22 Q. So are each of those four factors</p>	<p style="text-align: right;">217</p> <p>1 Ms. Robinson doesn't have the -- the --</p> <p>2 evaluation of the teacher's effectiveness.</p> <p>3 Now, if there's documentation that</p> <p>4 says that the teacher is not performing their</p> <p>5 duties, but that would be documentation that</p> <p>6 would be communicated with me and shared. And</p> <p>7 the teacher would be aware of that, that these</p> <p>8 are aspects that they are -- may need to improve,</p> <p>9 may need to improve.</p> <p>10 But if you're saying at the end, do</p> <p>11 I ask Ms. Robinson is she a good teacher or not,</p> <p>12 I don't do that.</p> <p>13 Q. But it might be your practice to</p> <p>14 ask Ms. Robinson for just -- for information</p> <p>15 regarding Ms. Eller before completing the</p> <p>16 evaluation?</p> <p>17 A. No.</p> <p>18 Q. No?</p> <p>19 A. No.</p> <p>20 Q. Would you consult the formal</p> <p>21 observation report for Ms. Robinson before</p> <p>22 completing an evaluation?</p>

Sheet 56

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1 A. That would be a part of -- that
 2 would be a part of whether the teacher was deemed
 3 effective or ineffective. That would be a piece
 4 of whether the teacher was deemed effective or
 5 ineffective. Their goals as indicated by the
 6 teacher would be a part of whether they're deemed
 7 effective or ineffective.
 8 MR. MOGUL: This is Exhibit 21,
 9 which is an email chain from, well, November and
 10 January -- November 2014 and January 2015.
 11 (Whereupon, Exhibit No. 21 was marked
 12 for identification.)
 13 BY MR. MOGUL:
 14 Q. Mr. Adams, just let me know when
 15 you're finished reading this exhibit.
 16 A. (Witness reviews document.)
 17 So this is the same as Exhibit 19
 18 with the addition of the first two lines?
 19 Q. Mr. Adams, in the first two lines,
 20 as you were referencing, it's your email to
 21 Ms. Eller.
 22 A. Okay.

220

1 Ms. Eller about these concerns that she's
 2 expressing about Ms. Robinson between
 3 November 12th, 2014, and your email of
 4 January 7th, 2015?
 5 A. The email references that we did
 6 meet. I don't recall.
 7 (Whereupon, Exhibit No. 22 was marked
 8 for identification.)
 9 BY MR. MOGUL:
 10 Q. Mr. Adams, when you finish
 11 reviewing this email chain from January 7th,
 12 2015, please let me know. This is Exhibit 22.
 13 A. (Witness reviews document.)
 14 Okay.
 15 Q. Mr. Adams, based on your review of
 16 this chain of emails, do you recall -- or does it
 17 appear that you had responded to Ms. Eller's
 18 concerns about Ms. Robinson's supervisory role of
 19 the English department before January 7th,
 20 2015?
 21 A. It says here, "I forwarded a
 22 correspondence without giving it due attention."

219

1 Q. Do you recall having met with
 2 Ms. Eller after this response, which is
 3 January 7th, 2015?
 4 A. Is this the incident where
 5 Ms. Robinson referred to Ms. Eller as Mr. or he
 6 or something? Used a pronoun that was
 7 inappropriate?
 8 Q. I don't think we're there yet.
 9 A. Okay. I'm sorry.
 10 Q. That's okay.
 11 I'm just curious. After this
 12 email -- your email to Ms. Eller on
 13 January 7th, 2015, do you recall meeting with
 14 Ms. Eller about the concerns that she expressed
 15 in this email?
 16 A. I can't say I recall -- if that
 17 were the situation, I recall that.
 18 Q. Do you recall meeting with
 19 Ms. Eller between her email on November 12th
 20 and your email on January 7th?
 21 A. Say that again.
 22 Q. Sure. Do you recall meeting with

221

1 Although we both have a different recollection of
 2 the previous resolution, we can meet in order to
 3 address your concerns and move forward."
 4 So you're asking me if -- and I
 5 apologize.
 6 Q. I'm asking you if, I guess,
 7 between -- having read these emails, between
 8 November 12th, 2014, and January 7th, 2015,
 9 had you discussed with Ms. Eller her concerns
 10 with Ms. Robinson being a supervisor of the
 11 English department?
 12 A. It says here [reading]: I thought
 13 we met regarding the 'incident.' If you like, we
 14 can meet regarding the situation. There have --
 15 there have no other concerns from . . .
 16 That's inappropriate.
 17 [Reading]: No other concerns were
 18 brought to my attention. Please see me -- any
 19 additional concerns.
 20 [Reading]: You received complaints
 21 about it from students, and you called me into
 22 your office to ask that I explain to my AP

Sheet 57

222

1 classes that Ms. Robinson . . .

2 It looks like we met. It looks

3 like the objective that Ms. Eller had and the

4 object that I had were -- were not aligned,

5 according -- according to the -- according to

6 these top two correspondence, the one from

7 Ms. Eller and myself.

8 (Whereupon, Exhibit No. 23 was marked

9 for identification.)

10 BY MR. MOGUL:

11 Q. Mr. Adams, please let me know when

12 you finish reviewing Exhibit 23, a

13 February 20th, 2015 incident report.

14 A. (Witness reviews document.)

15 Yes.

16 Q. Do you recall seeing this complaint

17 before?

18 A. I recall that.

19 Q. Do you recall the particular

20 meeting that Ms. Eller is discussing in this

21 complaint?

22 A. I recall the day, the PD that it

224

1 describing in this report?

2 A. Probably moments later.

3 Q. Do you recall who told you?

4 A. No.

5 Q. Did you receive this complaint

6 around the time that Ms. Eller submitted it? Do

7 you remember? She submitted it February 20th?

8 A. I probably -- I was probably

9 informed of it. And I'm -- I'm going to assume

10 by Ms. Eller or Ms. Eller and someone else.

11 So if someone else informed me of

12 it, then I probably went to Ms. Eller. If

13 Ms. Eller informed me of it, then I probably

14 wanted the documentation so we could have

15 documentation of this incident.

16 Q. Did you take any action after

17 hearing about -- I guess on the 13th when you

18 heard about this incident?

19 A. I would think so. I would think

20 that there should be a -- there should be a

21 letter in regards for Ms. Robinson's actions.

22 I don't know -- I don't have access

223

1 took place. I recall my personal reaction. I

2 recall knowing -- I recall my surprise. That's

3 the word I'll use right now.

4 I just recall knowing that an

5 employee was -- an inappropriate situation

6 involving an employee with another employee had

7 taken place and that it had to be addressed.

8 Q. I'm sorry. You used the term "PD."

9 Can you explain what that is.

10 A. I'm sorry. Professional

11 development.

12 Q. Were you in attendance at that

13 professional development meeting?

14 A. Not at that meeting. They were --

15 the school was broken into departments. The

16 departments -- the administrator in charge of the

17 departments was with their corresponding

18 department. I could have been in another

19 department. I was not in that room when that

20 happened. I do recall that.

21 Q. Do you recall when you first

22 learned about the incident that Ms. Eller is

225

1 to my file. I cannot recall specifically -- I

2 can't say -- I cannot say -- I remember my anger.

3 And that's the main thing I remember, was my --

4 my anger to the situation.

5 I don't -- I don't recall -- I

6 recall Ms. Robinson saying something to another

7 teacher, and then I recall this situation of --

8 the one where Ms. Robinson said something to the

9 other teacher.

10 She had no -- no excuse. What can

11 you -- what excuse can you say?

12 And this one I -- I want to say she

13 said it was an accident. I did not -- not that

14 that's -- ultimately, not that that's -- I don't

15 know. I don't know.

16 Q. Do you recall doing anything in

17 response to receiving this complaint, anything

18 different?

19 A. I can't recall.

20 Q. Do you recall if Ms. Robinson

21 remained the supervising -- assistant principal

22 supervising the English department for the rest

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1 of that school year?

2 A. I would think so.

3 I would think that the actions

4 would be taken and -- just like with another

5 employee, the -- the actions would be taken and

6 then according to -- according to the school

7 system, the action would be taken and we would

8 move forward there. But I can't -- the details,

9 specifics, I just remember the incident. I don't

10 remember, okay, Step 1,2,3,4,5.

11 (Whereupon, Exhibit No. 24 was marked

12 for identification.)

13 BY MR. MOGUL:

14 Q. This is Exhibit 24. It's a memo

15 dated June 25th, 2015. Just let me know when

16 you've had a chance to look it over.

17 MR. SHARMA: Good time for a break?

18 MR. MOGUL: Sure, let's take a

19 break a five-minute break.

20 (Off the record, 3:03 p.m.)

21 (Back on the record, 3:09 p.m.)

22 BY MR. MOGUL:

228

1 suggests that Ms. Robinson routinely communicates

2 with her subordinates in a manner that is rude,

3 condescending and disrespectful."

4 Have you had interactions with

5 Ms. Robinson that would confirm this conclusion?

6 A. You mean beyond the two that are

7 noted here?

8 Q. Correct.

9 A. I can't remember specifics of her

10 saying something that was -- i.e., with Ms. Eller

11 and, i.e., with Ms. Reynolds [sic].

12 I remember her being a -- I

13 wouldn't define her as -- I wouldn't describe her

14 as warm -- a warm personality.

15 Q. Further down in that conclusion, it

16 says -- in that conclusion paragraph, it says,

17 "It is accordingly recommended that Ms. Robinson

18 receive appropriate professional counsel and/or

19 discipline as deemed appropriate."

20 Did I read that correctly?

21 A. (Nods head.)

22 Q. All right. Do you recall taking

227

1 Q. So, Mr. Adams, we're looking at

2 Exhibit 24. Do you recall receiving this memo?

3 A. I don't recall, but I obviously --

4 I'm cc'd on it, so I'm sure I received it.

5 Q. Do you recall -- this is dated

6 June 25th, 2015.

7 Do you recall whether any

8 administrative action had been taken against

9 Ms. Robinson before this memo was issued?

10 A. I don't recall.

11 Q. Do you recall after you received

12 this memo -- I know you don't recall receiving

13 the memo. But do you recall taking any actions

14 in response to this memo?

15 A. I -- I -- no, I don't recall. I

16 don't recall.

17 Q. If you could turn to the section

18 called "Conclusion" on Page 3, that very last

19 paragraph on that page. It says here -- you can

20 let me know if I have stated this correctly.

21 "Of concern, however, is evidence

22 ascertained in this investigation and others,

229

1 any action in response to that recommendation?

2 MR. SHARMA: Objection.

3 You can answer.

4 THE WITNESS: I don't recall the

5 details.

6 BY MR. MOGUL:

7 Q. Would it have been your

8 responsibility to follow up on this

9 recommendation on this memo?

10 A. Yes.

11 Q. Would it have been a responsibility

12 you shared with others, perhaps others outside

13 the building?

14 A. Well, it says it cc'd my

15 instructional director, and it was after the

16 school year had ended. I don't know if that was

17 the instructional director that started the next

18 school year. So I -- I think that there may have

19 been some transitional -- at the upper level

20 above -- the level above me immediately at some

21 point, so I -- I cannot say definitively what --

22 2016 was my last year at Friendly High School. I

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<p>1 know there's a different instructional director. 2 It wasn't Mark Fossett. So it would have had 3 to -- I don't know when that transition took 4 place. 5 This was dated June 25th. I 6 don't know if -- I don't know, so I can't -- 7 there's nothing that says I remember. 8 Q. But would it have been a 9 responsibility that you shared with whoever the 10 instructional director was, the responsibility to 11 follow up on this recommendation? 12 MR. SHARMA: Objection. 13 You can answer. 14 THE WITNESS: Yes. 15 BY MR. MOGUL: 16 Q. A little further on in this 17 conclusion paragraph, it says -- 18 A. Actually, let me say this: It's a 19 recommendation that is made. It is her 20 recommendation. I don't know that it's -- I 21 mean, I don't know -- I can't recall a 22 conversation. I can't recall that it's a</p>	<p>1 Q. Have you seen this document before? 2 A. I don't recall seeing it. 3 MR. SHARMA: I just note for the 4 record this is actually two separate documents. 5 This is combined into one. 6 MR. MOGUL: Oh, okay. Well, we can 7 just mark those as separate exhibits. 8 MR. SHARMA: Whatever is easier for 9 you. I just wanted to clarify that. One was 10 submitted by Ms. Eller. The other one comes from 11 the EEOC to our client, which is the notice. 12 MR. MOGUL: Yeah. 13 MR. SHARMA: So I don't know what 14 you're going to ask, but . . . 15 MR. MOGUL: My impression was that 16 the notice forwarded this on to your client, so 17 they came as one. 18 Let's just proceed. 19 MR. SHARMA: Sure. 20 BY MR. MOGUL: 21 Q. So you don't recall seeing either 22 page of this document?</p>	
<p>1 directive. It's a recommendation. I don't know. 2 And I would have to ask. 3 Q. Thank you. 4 A. Okay. 5 Q. Further on it says, in quotes, 6 "Further, it is recommended that during the 7 2015/2016 academic year, both Friendly Eight 8 School students and staff received diversity and 9 sensitivity training." 10 Did I read that correctly? 11 A. Yes. 12 Q. Do you recall taking any action 13 that would address that recommendation? 14 A. So the -- I don't know. I can't 15 remember. 16 (Whereupon, Exhibit No. 25 was marked 17 for identification.) 18 BY MR. MOGUL: 19 Q. Mr. Adams, this is Exhibit 25. If 20 you could just take a look and let me know when 21 you finished reviewing it. 22 A. Go ahead, sir.</p>	<p>1 A. No, sir. 2 Q. Did you at some point become aware 3 that Ms. Eller had filed a charge of 4 discrimination with the EEOC? 5 A. I don't -- I don't recall -- I 6 didn't -- I don't recall ever seeing this. I 7 think the only hint is when Ms. Eller stated in 8 the meeting, that "I will sue you; I've done it 9 before." 10 Q. So no one out of building 11 administration forwarded this to you? 12 A. Not aware of this. 13 Q. And no one told you that this was 14 going on, this EEOC charge? 15 A. No. 16 Q. Around the time -- this time being 17 around summer 2015 -- did anyone tell you that 18 Ms. Eller might engage in some -- in reporting of 19 discrimination outside of the school system? 20 A. No. That, like I said, the only -- 21 the only -- in retrospect, in the -- in a staff 22 morning meeting when Ms. Eller said, "I will sue</p>	

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1 you. You know I will. I've done it before,' in
2 retrospect, okay, yeah.

3 Q. And do you recall around when that
4 staff meeting took place?

5 A. September 2nd. I don't know the
6 year. It's -- because of the -- the document
7 that said that I didn't notify her of an
8 emergency meeting. That's the reason I noticed
9 the second.

10 Q. Do you remember reassigning
11 Ms. Eller so that she was no longer teaching AP
12 classes in June of 2015?

13 A. Yes.

14 Q. Do you recall meeting Ms. Eller
15 personally to discuss that decision?

16 A. I'm sure I did.

17 Q. But do you actually recall the
18 meeting?

19 A. I'm sure I have to notify you
20 before you leave the school year. I have to
21 notify a teacher that they're going to. So it
22 would be part of your end-of-year evaluation that

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1 you sign, and I'd have to notify you that you're
2 not going to teach that class before you leave.

3 Q. Okay. So I understand that you
4 know that you did have the meeting.

5 A. Yes.

6 Q. But do you remember the content of
7 the meeting, what was said at the meeting?

8 A. No.

9 Q. Do you recall telling Ms. Eller
10 that there was a student, [REDACTED] who
11 complained about Ms. Eller? Does that ring any
12 bells?

13 A. I recall seeing that in the
14 documentation. I don't know who that child is.

15 I had another parent who, as a
16 staff member, who used to be principal, who
17 contacted me. Ms. Eller was aware of that in
18 regards to the showing movies during AP class.

19 (Whereupon, Exhibit No. 26 was marked
20 for identification.)

21 BY MR. NOGUL:

22 Q. Could you just review this --

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1 Exhibit 26 -- email chain from June 2015.

2 A. Okay.

3 MR. SHARMA: Do you know what it
4 says at the top --

5 MR. NOGUL: I do.

6 MR. SHARMA: -- with this hole
7 punched?

8 MR. NOGUL: I can represent to you
9 that it says, "See me." Sorry about the
10 placement of that hole.

11 BY MR. NOGUL:

12 Q. So does looking at this email chain
13 refresh your recollection at all about what was
14 in the letter from [REDACTED]?

15 A. No.

16 Q. Do you remember why you asked
17 Ms. Pope-Brown to see you about that letter?

18 A. Ms. Pope-Brown is probably the
19 12th-grade administrator, and this was probably
20 a 12th-grade student.

21 Q. Do you remember meeting with
22 Ms. Pope-Brown after this email?

237

1 A. No. No.

2 (Whereupon, Exhibit No. 27 was marked
3 for identification.)

4 BY MR. NOGUL:

5 Q. We're now looking at Exhibit 27, an
6 email dated June 19th, 2015.

7 Mr. Adams, this email is dated four
8 days after the one that we just looked at; is
9 that correct?

10 A. Yes.

11 Q. Do you recall if you ever shared a
12 copy of the [REDACTED] letter with Ms. Eller?

13 A. I do not recall. I do not know --
14 I don't recall.

15 (Whereupon, Exhibit No. 28 was marked
16 for identification.)

17 BY MR. NOGUL:

18 Q. We're now looking at Exhibit 28, an
19 email chain from October 2015. Please let me
20 know when you've had a chance to review.

21 A. (Witness reviews document.)

22 I saw this earlier.

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1 Q. I'm sorry. When did you see it?
 2 A. I guess it was a piece of
 3 information that had been passed on that I got
 4 from Attorney Sharma, I guess, something to this
 5 variation.
 6 Q. Okay. Based on your review of this
 7 email, do you remember this incident?
 8 A. I do.
 9 Q. Looking all the way at the bottom,
 10 the first email in this chain is an email from
 11 you to Ms. Eller. It says, "Please send me an
 12 email account of the interaction between you and
 13 Ms. Claggett. Thank you."
 14 So this would indicate that you had
 15 probably heard of this incident before that
 16 email?
 17 A. Probably the teacher came to me.
 18 Q. Which teacher?
 19 A. The other English teacher.
 20 Q. Ms. Claggett?
 21 A. Yes.
 22 Q. So why did you ask Ms. Eller for an

1 might have had some insight on [REDACTED] I remember
 2 that -- go ahead. Ask your next question.
 3 I think Mr. Thompson might have had
 4 some insight on who is this student.
 5 Q. Do you remember talking with anyone
 6 else other than Mr. Thompson, Ms. Eller,
 7 Ms. Claggett about this incident?
 8 A. And let me say this: I would not
 9 bet my life I spoke to Mr. Thompson. I know I
 10 spoke to someone. Either it was Mr. Thompson or
 11 maybe it was Ms. Pope-Brown. Someone had some
 12 insight to the child that I didn't know.
 13 I want to say Mr. Thompson, but I
 14 can't --
 15 Q. Do you remember what action you
 16 took following speaking with these various people
 17 about this incident?
 18 A. Yeah. Two situations. One
 19 referencing [REDACTED] at a certain point was
 20 referring to herself as a she. Then at a certain
 21 point referring to himself as a he.
 22 The insight that Ms. Claggett gave,

240

239

1 email account?
 2 A. For her account of the situation,
 3 that even though I wanted to -- I got one
 4 account; I wanted the second. I could not -- I
 5 could not -- I could not move forward on just one
 6 account.
 7 Q. Did you ask Ms. Claggett for an
 8 email account of the incident?
 9 A. She probably came to my office and
 10 told me. I don't know -- I just know at that
 11 point if that were the case, then I'd have one
 12 side of the story and I needed the second side of
 13 the story.
 14 Q. Do you recall meeting with anyone
 15 else -- or talking with anyone else about this
 16 incident? Other than Ms. Claggett and Ms. Eller.
 17 A. The child -- I probably spoke to --
 18 I can't remember if [REDACTED] was a 9th-grader or --
 19 I can't remember the grade, [REDACTED] grade. I
 20 could probably figure that out.
 21 I want to say Mr. Thompson may have
 22 had some involvement -- not involvement. He

1 that it was a recent change.
 2 Now, I don't know -- I don't know
 3 how recent "recent" was. I don't know if
 4 "recent" was yesterday or -- I know that [REDACTED]
 5 was in Caring Colours, and that may have spurred
 6 Ms. Eller to speak up on behalf of [REDACTED]
 7 I know the situation had elevated
 8 to where Ms. Claggett felt afraid in -- in -- of
 9 the situation and -- maybe because of size. I
 10 don't know.
 11 I don't know.
 12 So -- I want to say there was a
 13 safety concern. I know I -- I document -- I
 14 wrote it up. I think probably a letter of
 15 counsel.
 16 I don't know -- I'm sure you have
 17 it. The -- the -- I directed Ms. Eller, if you
 18 have a situation like this, to tell me. And I
 19 can -- tell me or administrative team and we can
 20 address that and for the -- for the exact reason
 21 that it got inappropriate.
 22 Q. You mentioned that there were two

241

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1 actions that you had taken following your
2 investigation of the incident.

3 A. Yes.

4 Q. I don't think I heard the second.
5 You mentioned a letter of counsel. But what was
6 the second?

7 A. [REDACTED] wants to be referred to as
8 [REDACTED] I don't know what the name the child used
9 before. Wanted to be referred to as [REDACTED]

10 Q. So what was your action?

11 A. Let Ms. Claggett know that this
12 child wants to be referred to as [REDACTED] I don't
13 even know what the name was that the child went
14 by prior to. But if the child wants to be
15 referred to as -- the child wants to be referred
16 to as [REDACTED] the child is [REDACTED]

17 Or the pronoun used with [REDACTED] -- I
18 don't remember the previous, what she was -- what
19 she was referenced as when she identified as a
20 female.

21 Q. Just for the record, you mentioned
22 Caring Colours, and I just want to put on the

243

1 record what that is.

2 A. Caring Colours, Ms. -- Ms. Eller
3 wanted to establish an after-school
4 organization -- after-school -- I don't know if
5 "organization" is the right word. Wanted a -- a
6 group that would -- would -- a support group for
7 students who identified as part of the LGBT
8 community.

9 (Whereupon, Exhibit No. 29 was marked
10 for identification.)

11 BY MR. MOGUL:

12 Q. Mr. Adams, this is Exhibit 29.
13 When you've had a chance to review it, please let
14 me know.

15 A. Okay.

16 Q. Is this the letter of counsel that
17 you were just referring to?

18 A. Yes.

19 Q. Can you just describe, what is a
20 letter of counsel?

21 A. It's a -- it's a letter -- it's not
22 a reprimand. It's not a -- it's not -- it's not

244

1 a reprimand. It's not a formal -- it's just a
2 way of documenting -- it's a letter -- it's a
3 warning saying that's not appropriate; you can't
4 do that.

5 But it's not something that can be
6 held against you in regards to your performance
7 or -- it just says, "You can't do that."

8 Q. Does a letter of counsel go into a
9 staff member's permanent file?

10 A. It does.

11 Q. But it doesn't factor into their
12 evaluation?

13 A. No. It just -- it -- it's a -- if
14 it were -- if something in this nature were to
15 happen again, it would be documentation that
16 said, We did communicate in regards to this is
17 something that you can't do.

18 And it's just documentation for
19 that purpose. But it's not a reprimand. It's
20 not a -- there's no action that can be taken with
21 a letter of counsel.

22 Q. And you mentioned here in this

245

1 letter of counsel, you asked that Ms. Eller
2 follow proper protocol. Can you just describe
3 what, in your view, is the proper protocol for
4 the situation that came up here.

5 A. What line are you on?

6 Q. It's towards the bottom of the
7 first paragraph, two lines up.

8 A. She was speaking on behalf of a
9 student to another teacher, which was not her
10 responsibility to speak to another staff member
11 on behalf of another -- to speak to another staff
12 member on behalf of a student.

13 She should have spoken to an
14 administrator in regard -- brought that to their
15 concern so they could address that staff member.
16 If that staff member -- i.e. Ms. Claggett -- were
17 doing something inappropriate, then that
18 administrator would either take appropriate
19 actions or take me aware so I could take
20 appropriate action.

21 But there was nothing -- there
22 was -- there was nothing that Ms. Eller could --

1 her -- her job description did not allow her to
 2 formally correct a staff member.
 3 Q. Is there a formal school policy
 4 that Ms. Eller had violated or just a, "This is
 5 better done a different way?"
 6 A. I can't speak to if there's a
 7 formal policy that you shouldn't speak to another
 8 teacher about a student.
 9 I can say this: Ms. Eller is not a
 10 guardian or parent of [REDACTED] so Ms. Eller cannot
 11 speak on behalf of [REDACTED] to a staff member.
 12 So I guess there is a policy: You
 13 don't represent that student.
 14 Q. Is there a formal policy about
 15 using correct pronouns if you're a teacher
 16 referring to a student? Do you know of one?
 17 A. I'd have to access if you're saying
 18 there's a formal policy. I can't say for sure.
 19 I can't say that the child -- I
 20 don't know the child's last name. The child
 21 wanted -- at a certain point, the child wanted to
 22 be referenced to as "he," [REDACTED]

1 Monday. But -- and one of the things might be,
 2 Well, on Monday, he wants to be referred to as
 3 he; on Tuesday, she wants to be referred to as
 4 she; on Wednesday, he wants, to be referred --
 5 well, now we got another issue. Let's get to the
 6 bottom of this, because now they may be playing
 7 games with you.
 8 But that wasn't the case with
 9 [REDACTED] But it was easy to say, Let somebody
 10 supervise this and oversee this.
 11 And at that point, Ms. Eller had
 12 not had any formal responsibility for correcting
 13 staff members. They are in the same union.
 14 Q. Did Ms. Claggett receive a letter
 15 of counsel following this interaction?
 16 A. No.
 17 Q. So the only -- your only action
 18 with regard to Ms. Claggett was discussing with
 19 her that she should use [REDACTED] proper pronouns?
 20 A. I believe so.
 21 (Whereupon, Exhibit No. 30 was marked
 22 for identification.)

1 Like I said, I don't know whether
 2 that child -- I don't know if it was Tuesday, and
 3 that child made that proclamation on Monday. I
 4 don't know if that -- when.
 5 So I thought that was kind of easy
 6 to deal with in regards to it would have been
 7 easy for me to approach -- as a supervisor to
 8 approach Ms. Claggett and say, Hey, Ms. Claggett,
 9 I understand that you're referring to [REDACTED] as --
 10 whatever you're referring -- as "her," as "she."
 11 Do you know on behalf of policy, you can't.
 12 Okay?
 13 And I'm happy to -- and when we
 14 spoke, you know, I'm happy to say, whatever the
 15 conversation -- obviously, that conversation had
 16 got elevated. And it took place in
 17 Ms. Claggett's room. So it wasn't -- didn't seem
 18 like it was mutual -- I don't know -- I don't
 19 recall.
 20 I don't recall the specifics. But
 21 this is so much easier for me to say,
 22 Ms. Claggett -- or whoever -- Yeah, I know it was

1 THE WITNESS: Let me ask you a
 2 question: Did you get documentation of
 3 Ms. Claggett's information?
 4 BY MR. NOGUL:
 5 Q. I'm not sure I understand what you
 6 mean.
 7 A. Because she expressed a fear for
 8 her safety.
 9 Q. That's news to me.
 10 A. I mean -- yeah, that's -- that's --
 11 she expressed a fear for -- she did not feel
 12 comfortable with her coming into her room in that
 13 situation.
 14 And that's why at 2:35, that email
 15 went out or whatever, because that was something
 16 that normally would still be out for dismissal.
 17 Q. We have now Exhibit 30. Mr. Adams
 18 if you could just review this email from
 19 August 2015.
 20 A. (Witness reviews document.)
 21 Okay. Go ahead.
 22 Q. Mr. Adams, what does it mean to --

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<p>1 when you use the word "reduce," what does that 2 mean? 3 A. I don't know. I don't know. 4 That's what -- I don't know. I don't know. 5 Q. You wrote this email? 6 A. Yes. 7 Q. You really don't know what you 8 meant by the term "reduce"? 9 A. No, no. I haven't seen a lot of 10 typos, but I haven't -- and I'm guessing that 11 Mr. Fossett responded to me and may have said, 12 What do you mean by "reduce"? 13 I don't know a -- I don't know a 14 formal -- I don't know. 15 Q. Okay. And the subject line that 16 you wrote says "staff reduction." That doesn't 17 help you figure out what that term means? 18 A. Oh, I'm sorry. I'm sorry. 19 If we have to reduce staff on a 20 given year, I have to look at who we need to 21 reduce on a given year. 22 This was my request to reduce</p>	<p>1 A. He wouldn't need to -- he -- 2 Mr. Fossett would know that we have to reduce 3 someone from one of the departments. English is 4 the biggest department in the building. 5 Q. I believe you mentioned in here 6 that Ms. Eller would receive a conditional 7 certificate. 8 A. Correct. 9 Q. What does that mean? What does it 10 mean when someone has a conditional certificate? 11 Actually, strike that. I'll ask it differently. 12 Can someone continue to each 13 English, for example, when they have a 14 conditional certificate? 15 A. You can -- you can be in a class to 16 teach a class if you're a substitute. 17 Q. I'm sorry. 18 A. Substitute teacher. 19 Q. Yes, I understand that. If you're 20 not a substitute teacher and you have a 21 conditional certificate -- 22 A. I'm sorry. I'm trying to give you</p>	
<p>1 Ms. Eller. 2 Q. And by "reduce," sorry, what do you 3 mean by that? 4 A. I'm sorry. I'm sorry. To have her 5 moved to another location because our staffing 6 can't support the number of teachers that we 7 have. 8 Q. This email refers to Ms. Eller's 9 SPCI. 10 What is an SPCI? 11 A. Her certification status. I cannot 12 give you the acronym for SPCI. It looks like it 13 affects her certification status from fully 14 certified to conditionally certified. 15 Q. And you're not referencing in this 16 email to a concern about staffing levels, are 17 you? 18 A. Say that again, because I am 19 addressing staffing levels. I'm addressing 20 staffing levels as it addresses budget. 21 Q. Okay. I don't see a reference to 22 the budget in this email.</p>	<p>1 some background. So there are levels of 2 certification. 3 There's fully certified. There's 4 conditional certified. If you don't have anyone 5 for the class, you can get a substitute in there, 6 and they would have to attempt to follow the 7 curriculum. 8 Okay. So they can teach a class. 9 When you're certified, you have to -- when you're 10 not certified, conditionally certified, your 11 tenure -- you lose tenure. 12 So when we're asked, Okay, so where 13 are we removing someone from your building, in 14 the event that you're reducing staffing? What 15 department? What teacher, based on this? 16 English teacher is Ms. Eller 17 because she's least tenured because she is 18 conditionally certified. 19 Q. Got it. So being conditionally 20 certified removes your tenure, but it doesn't 21 mean you have to stop teaching a class? 22 A. Right. It removes your tenure.</p>	253

Sheet 65

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1 Q. Had you consulted with anyone else
 2 before making this request to Mr. Fossett to --
 3 specifically to reduce Ms. Eller's position?
 4 A. When you deal with reduced staffing
 5 and reduced population, chances are there's a
 6 conversation with your scheduler in regards to
 7 which department can we best -- can we move
 8 forward best with a reduction.
 9 Q. And who was the scheduler at
 10 Friendly at the time?
 11 A. Ms. -- Ms. Mariano-Dolesh.
 12 Q. And do you know how to spell that
 13 last name?
 14 A. D-O-L-E-S-H.
 15 And that would just be -- that's
 16 not asking them for their -- that's not asking
 17 them what to do.
 18 That's saying, Okay. I have to
 19 reduce someone. What are my class sizes? What
 20 can I best -- what can I best -- how can I best
 21 run this building knowing that I'm going to lose
 22 a staff member? Which department can best fill

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1 can't say.
 2 Q. Okay.
 3 A. I can say that it's based on
 4 tenure, that staff reduction.
 5 Q. Was it possible that there were
 6 other teachers at the time -- at this time,
 7 August 2015, that were conditionally certified?
 8 A. So you're asking me is it possible,
 9 but you're not asking me what the facts were.
 10 I mean, having no knowledge of it,
 11 I'd have to say it's possible. I can't say
 12 that -- I can't say I recall someone from social
 13 studies, math, science, English, PE -- I can't
 14 say that.
 15 I can't say -- I'm sure the
 16 document -- what the size of the departments
 17 were. And you can say how big one department was
 18 versus another department. Okay? That's all.
 19 But I would look at how we can best
 20 move forward if we're going to have to lose a
 21 teacher.
 22 Q. Did you -- do you recall getting a

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1 that -- can best move forward without -- can best
 2 move forward?
 3 So English department may have had
 4 ten teachers in it. Social studies has five. So
 5 a department that has more would best be able to
 6 survive a reduction in staff.
 7 Q. In your experience, about what
 8 percentage of your faculty members were fully
 9 certified at a time versus conditionally versus
 10 not certified?
 11 A. Ask the question again.
 12 Q. In your experience while you were
 13 principal at Friendly, about what percentage of
 14 your faculty would be fully certified,
 15 conditionally certified and not certified?
 16 A. I can't answer that. I don't know.
 17 Q. Was it rare for someone to be
 18 conditionally certified?
 19 A. The goal was to have everybody
 20 fully certified. Okay? I can't say -- I can't
 21 say -- I don't have a number, so I can't say
 22 rare. I can't say it was rare, one or ten. I

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1 response from Mr. Fossett to this email?
 2 A. I don't.
 3 Q. Do you recall having a follow-up
 4 conversation with Mr. Fossett after sending this
 5 email?
 6 A. I -- I -- is this the same year we
 7 made the transition?
 8 No, I don't. I don't.
 9 Q. Do you recall having a conversation
 10 with anybody else, regardless of Mr. Fossett or
 11 anyone else, about this request after you sent
 12 the email?
 13 A. I would say that there was a
 14 conversation because the -- the administrative --
 15 I'm sorry.
 16 The ID would be doing his duty.
 17 But I don't recall staff reductions -- Friendly
 18 High School lost enrollment for multiple years in
 19 a row. So it was a process that was not new. It
 20 was not a single one time. It went from a school
 21 that had 1600 to a school that had 900. So there
 22 were continually cuts in the staffing to

Sheet 66

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1 accommodate the schedule.

2 I mentioned earlier in our meeting

3 that some years I had three assistant -- at least

4 one year I had three assistant principals, and

5 most of the years I had four. So one year one of

6 my thoughts was, let me maximize the number of

7 teachers and try to shave -- cut down on the

8 number of supervisors.

9 That was -- I cannot say which year

10 that was. I did not find that we were able to

11 function in a way in which it was best suited for

12 success.

13 So everything and everybody were on

14 the table when you -- every department, whether

15 it was guidance -- guidance went from four to

16 three personnel. One year I experimented with

17 three administrators versus four.

18 When you look at the creative arts,

19 the reason you have to speak to the scheduler,

20 you think of the creative arts, because initially

21 you might say, I'm losing an English teacher and

22 keeping a -- a teacher of a nonassessed course,

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1 such as PE.

2 And even though your inclination

3 might be to say, Well, English, the teacher is

4 more important than the PE teacher.

5 Well, no. With the staffing and

6 with the options, you may be looking at a PE

7 class that has 60 kids in it because every child

8 has to have a certain -- so you have to look on

9 the -- on the population, the impact of the

10 population that's going to be impacted based on

11 the decision.

12 So I'm trying -- that has to be --

13 you want to look at -- if I have five social

14 studies teachers, or maybe four -- I can't

15 remember -- can I afford to do this? Can I

16 afford to cut science? Can I afford to cut

17 English? Can I afford to cut math? Can I afford

18 to creative arts? Can I afford to cut a

19 counselor? Can I afford to cut an administrator?

20 Can I afford to cut a secretary? I've cut a

21 secretary before.

22 Q. So returning to my question: Do

260

1 you recall having a conversation with anyone else

2 other than Mr. Fossett about your request to

3 reduce Ms. Eller's position?

4 A. I don't recall. I usually speak to

5 my administrative team in regards to whether

6 they're -- what are their thoughts.

7 Q. Would your administrative team

8 include the assistant principals?

9 A. Yes.

10 (Whereupon, Exhibit No. 31 was marked

11 for identification.)

12 BY MR. NOGUL:

13 Q. Mr. Adams, please let me know when

14 you've finished reviewing Exhibit 31.

15 A. (Witness reviews document.)

16 Q. And so, Mr. Adams, this email is

17 coming a little over a month after the last email

18 we looked at; is that correct?

19 A. After school started, yes.

20 Q. Right. And September 23rd would

21 have been after school started.

22 Was it normal to request for a

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1 reduction in staff after the new school year had

2 started?

3 A. The request did not take place

4 after the school year. The request took place

5 before the school year.

6 Q. The lower email is dated

7 September 23rd?

8 A. Right. But the initial request

9 took place before the school year.

10 Q. I understand. But the

11 September 23rd email happened after the school

12 year had started?

13 A. After we made plant, yes.

14 Q. Do you recall consulting with

15 Mr. Fossett before your September 23rd email?

16 A. I don't, but it says here that will

17 not happen -- I'm assuming we did.

18 Q. Sorry. I'm asking before your

19 email. Do you remember talking with Mr. Fossett

20 about --

21 A. I do not remember a conversation.

22 I'm going to assume for the sake of this -- I'm

Sheet 67

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1 going to assume that we -- I can't say that. I
 2 can't assume.
 3 Q. Do you remember consulting with
 4 anyone else prior to sending this
 5 September 23rd, 2015, email about reducing
 6 Ms. Eller's position?
 7 A. No.
 8 Q. Do you know what Mr. Fossett means
 9 by "They are holding all the teachers"?
 10 A. No. Well, I know what that means,
 11 that we are holding all the teachers. It means
 12 that whatever reduction that we were slated to
 13 have to do is not going to take place after we
 14 have made -- for whatever reason, after we have
 15 made arrangements or whatever we've done, we
 16 planned for it, that then they -- evidently
 17 they -- he says, They are holding all teachers.
 18 In other words, whatever was -- we
 19 were told was going to happen is not going to
 20 happen.
 21 And this is -- so this is in -- so
 22 this is in after -- after the fact, you're

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1 A. Yes.
 2 Q. Sure.
 3 A. Mr. Fossett may have been familiar
 4 with the lawsuit.
 5 Q. Thank you.
 6 Mr. Adams, do you remember
 7 specifically asking one of the PPWs to address
 8 LGBT diversity at the grade-level assemblies?
 9 A. I can't say I do or do not. I
 10 can't say specific -- I don't recall specific
 11 conversations.
 12 MR. MOGUL: Okay. That concludes
 13 our questions.
 14 MR. SHARMA: I have a few, if I
 15 may.
 16 MR. MOGUL: Of course.
 17 EXAMINATION
 18 BY MR. SHARMA:
 19 Q. Mr. Adams, let's talk about
 20 Ms. Eller coming to Friendly High School.
 21 Did you have any issues with her
 22 coming to Friendly, even though she was a

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1 saying, Okay. I've made these arrangements.
 2 I've properly notified -- I'm assuming I've
 3 notified people. And now you're saying, No,
 4 that's not going to be the case.
 5 Q. Do you recall having any follow-up
 6 conversations about this issue following the
 7 September 23rd email?
 8 A. I don't.
 9 Q. And do you know if Ms. Eller's
 10 position was reduced during this school year?
 11 A. I'm going to assume the answer
 12 is -- the answer couldn't be -- no, during the
 13 '15 -- It could not be. It could not be.
 14 MR. MOGUL: Can we take a
 15 five-minute break?
 16 MR. SHARMA: Sure.
 17 (Off the record, 4:01 p.m.)
 18 (Back on the record, 4:05 p.m.)
 19 THE WITNESS: Can I address
 20 something?
 21 BY MR. MOGUL:
 22 Q. On the record?

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1 transgender woman?
 2 A. No. I knew she was transgender. I
 3 asked the HR for the resume; the resume looked
 4 appropriate; and said, Welcome aboard.
 5 Probably had an interview, and
 6 said, Welcome aboard.
 7 Q. So you met with her in person --
 8 A. Yes.
 9 Q. -- prior to her coming onboard?
 10 A. I would think that -- I -- I cannot
 11 remember. I would think that I would not have
 12 not met with her to say -- I have not hired
 13 another employee without meeting with them --
 14 I've made one exception. An employee was in Asia
 15 and so we Skyped. And that was the only one that
 16 we -- I can recall that we didn't -- didn't meet
 17 in person before we moved.
 18 Q. So as to Ms. Eller, you met with
 19 her in person is your recollection?
 20 A. I believe so. I believe so.
 21 Q. And how was Ms. Eller as an English
 22 teacher?

Sheet 68	266	268
<p>1 A. As an AP teacher or as a --</p> <p>2 Q. Let's start with English, and we'll</p> <p>3 get to AP in a few minutes.</p> <p>4 A. As an English teacher, I thought</p> <p>5 she was fine. We didn't have any -- there's</p> <p>6 nothing that says that she was -- in her</p> <p>7 evaluation that says she was not doing her job to</p> <p>8 the satisfaction of expectations.</p> <p>9 Q. To your recollection, were her</p> <p>10 evaluations satisfactory?</p> <p>11 A. Yes.</p> <p>12 Q. Did Ms. Eller's status as a</p> <p>13 transgender woman play any role in your</p> <p>14 evaluations of her as an English teacher?</p> <p>15 A. No, no.</p> <p>16 Q. Okay. And what -- and was there an</p> <p>17 occasion where you had to discipline Ms. Eller</p> <p>18 during her tenure at Friendly High School?</p> <p>19 A. Yes.</p> <p>20 Q. Can you tell us what those</p> <p>21 incidents were?</p> <p>22 A. I recall the situation we had a</p>	<p>1 4:15 or 4:30.</p> <p>2 4:15 or 4:30. And it was a -- the</p> <p>3 staff meeting was for 7:15 to take a vote on</p> <p>4 which one of the -- which one of the plans would</p> <p>5 we -- we're going to move forward as far as</p> <p>6 collaborative planning.</p> <p>7 There were two options, the -- in</p> <p>8 regards to the association and not their union --</p> <p>9 in regards to the teacher association,</p> <p>10 PGCCCP [sic] -- I -- their union -- their</p> <p>11 association. I'm sorry.</p> <p>12 The teachers can do two -- they're</p> <p>13 obligated to do 225 minutes of planning. I</p> <p>14 wanted them to do 90 minutes of planning. With</p> <p>15 one department, which was the social studies</p> <p>16 department, they didn't want to do any</p> <p>17 collaborative planning.</p> <p>18 We took it to -- I asked that they</p> <p>19 come in so we can take it to a vote so we could</p> <p>20 move forward. That was the meeting that we --</p> <p>21 that Ms. Eller -- I don't know if she stood up,</p> <p>22 but she shouted out and -- on behalf of</p>	
<p>1 morning meeting, an emergency meeting in regards</p> <p>2 to collaborative planning. Ms. Eller referenced</p> <p>3 that in one of her email transmissions, that she</p> <p>4 had not gotten proper notification that they</p> <p>5 didn't have to -- staff members didn't have to</p> <p>6 check their emails after their duty day, which</p> <p>7 was on September the 1st. We had an email --</p> <p>8 we had a -- a -- an emergency meeting in regards</p> <p>9 to collaborative planning on September the 2nd.</p> <p>10 I -- that was something that I</p> <p>11 referenced earlier and said -- I looked on</p> <p>12 September the 1st, on that -- 2015, that said</p> <p>13 "met union rep"; so I -- I assumed that was with</p> <p>14 Ms. Gaffney and whoever else may have been a part</p> <p>15 of that association -- I don't know if it was</p> <p>16 just Ms. Gaffney -- after school.</p> <p>17 And after that meeting, a decision</p> <p>18 was made to call everybody together -- I don't</p> <p>19 know if that was a collaborative decision in</p> <p>20 regards to how we were going to move forward with</p> <p>21 collaborative planning.</p> <p>22 I made that email at 4:00 -- it was</p>	<p>1 Ms. Gaffney, about the fairness and things of</p> <p>2 that nature.</p> <p>3 I don't think she was aware that --</p> <p>4 she mentioned that she was late and that she</p> <p>5 wasn't response -- that she didn't have to be</p> <p>6 there at 7:15, because I allowed them to be late.</p> <p>7 My position was that I allowed them</p> <p>8 to be late because I'm aware of the traffic.</p> <p>9 Some teachers come across the Wilson Bridge.</p> <p>10 Other teachers come from the other side of the</p> <p>11 Beltway. So everybody comes on 210 at a certain</p> <p>12 point. Some people come from 210 from below</p> <p>13 Charles County.</p> <p>14 So I know there are -- there are</p> <p>15 concerns in regards to traffic -- variables. So</p> <p>16 I don't -- I don't have an issue with them being</p> <p>17 5,10 minutes late. It's still their duty day.</p> <p>18 Like I said, I communicated --</p> <p>19 after the communication, I'm assuming it was with</p> <p>20 Ms. Gaffney or someone else because it's on my</p> <p>21 calendar that we brought it to a vote. And the</p> <p>22 vote was just whether you were going to do 90</p>	

Sheet 69

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1 minutes of collaborative planning or 225 minutes.
 2 And I don't need 225, minutes because we can't
 3 supervise that, and that's just beyond.
 4 Ms. Eller did reference that -- she
 5 did reference me saying, Well, don't -- you know,
 6 you don't know the details of this situation,
 7 with Ms. Gaffney.
 8 And the reason I was surprised that
 9 she was speaking on behalf of that was the
 10 English department was doing the collaborative
 11 planning as -- as it was assigned. That
 12 wasn't -- they were doing -- they were doing
 13 exactly what we had always wanted and what I
 14 wanted them to continue. The math department
 15 was. The science department was.
 16 The only department that had an
 17 issue with that was social studies, which
 18 happened to be Ms. Gaffney's department. That's
 19 the department that Ms. Eller spoke on behalf of.
 20 Q. So was Ms. Eller disciplined as a
 21 result of her outbreak?
 22 A. Yes.

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1 Q. What was the discipline that she
 2 was --
 3 A. I forgot. I saw it. I saw it in
 4 one of the documents that it was -- she had
 5 erased some of the stuff and written in her
 6 explanation, but, I mean, it was in there. I
 7 don't remember if it was --
 8 Q. A letter of counsel or reprimand?
 9 A. I mean, it's -- somebody's got a
 10 copy.
 11 Q. Do you recall an incident where
 12 Ms. Eller struck a student with a pen?
 13 MR. MOGUL: Objection.
 14 You can answer.
 15 THE WITNESS: Once I looked at the
 16 document, I said, Oh, yeah.
 17 Did I remember that from -- would I
 18 remember that from conversation? No.
 19 BY MR. SHARMA:
 20 Q. Do you recall what, if any,
 21 discipline was imposed on Ms. Eller for striking
 22 a student with a pen?

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1 MR. MOGUL: Objection.
 2 You can answer.
 3 THE WITNESS: That was probably a
 4 letter of reprimand.
 5 BY MR. SHARMA:
 6 Q. Okay.
 7 A. I -- it's in there. I'm guessing
 8 that that would be a letter of reprimand. I
 9 mean, from my perspective, you talk to the
 10 student or you get information in regards to
 11 student -- I don't know if I spoke to the student
 12 or got a security statement.
 13 I don't know if there were witness
 14 statements. I'm assuming that there was witness
 15 statements. There was a student statement. And
 16 then there was a Ms. Eller statement.
 17 After the investigation, it was
 18 deemed that something was thrown from Ms. Eller
 19 to the student. Ms. Eller referenced that it was
 20 thrown at the desk and it bounced off the desk.
 21 But, I mean, that's not the -- that's not what
 22 was consistent with -- that wasn't what -- what

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1 was written on there, which led me to believe
 2 that the -- if a student accuses a teacher of
 3 something and not only am I going to have to get
 4 that statement, but we're going to have to get
 5 witness statements because -- on the -- on the --
 6 just on the surface, I mean, the teacher has more
 7 credibility than the student. But we can't just
 8 discount the student, so we have to get
 9 additional information.
 10 So I'm assuming that additional
 11 information said she did throw it at the student.
 12 Whether it hit the table or the -- that's -- and
 13 that's what I referenced in with the -- the
 14 email. And I don't know if that -- that email
 15 that -- that parent contact -- I don't know if
 16 that's dated after the -- the letter was written
 17 as -- as a -- or if it was a -- I don't know -- I
 18 don't know why -- that's the -- I mentioned that
 19 earlier.
 20 That's the first time -- I don't
 21 remember seeing a parent contact log that looked
 22 like that. And my wondering when seeing that

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<p>1 was -- was this something that was done knowing 2 that the given situation and reaching out to the 3 teacher -- I don't know -- reaching out to the 4 parent. I'm sorry.</p> <p>5 Q. But you do recall that there was 6 some kind of discipline imposed on Ms. Eller for 7 that incident?</p> <p>8 A. There was.</p> <p>9 Q. Do you recall an incident when 10 Ms. Eller had a nervous breakdown in the 11 classroom and told the class to shut the fuck up?</p> <p>12 A. I remember -- I vaguely remember a 13 nervous breakdown or something that unnerved 14 Ms. -- I don't know if it was a formal 15 explanation as a nervous breakdown, but it's 16 something that unnerved Ms. Eller. I don't 17 remember the specifics about -- you know, shut 18 the fuck up. I don't remember that.</p> <p>19 Q. Do you know if that incident led to 20 any type of discipline for Ms. Eller?</p> <p>21 A. I would think. Yeah, I would 22 think.</p>	<p>1 everybody -- what I mean, every staff member, 2 every parent, every person outside your building.</p> <p>3 Two, it felt like documentation. 4 It felt like documentation. So you didn't want 5 that to be -- you didn't want to be unresponsive.</p> <p>6 Q. Okay. And sitting here today, do 7 you believe that you responded to each and every 8 one of Ms. Eller's complaints that were made 9 known to you?</p> <p>10 A. Yes.</p> <p>11 Q. And the vast majority of those 12 responses would have been via email?</p> <p>13 A. Oh, definitely. If you -- if you 14 send me an email, I'm going to respond to you in 15 email.</p> <p>16 If you -- if you come to me and say 17 something to me, then I may not. If you say 18 something to me about a situation, I may look and 19 might say something back to you.</p> <p>20 But I know that you now have an 21 electronic receipt of reaching out to me that can 22 be -- you have an electronic receipt. So there's</p>	
<p>1 Q. But you don't have any recollection 2 sitting here?</p> <p>3 A. I don't recall.</p> <p>4 Q. Do you recall any other incidence 5 of discipline that hasn't been mentioned today?</p> <p>6 A. I don't recall.</p> <p>7 Q. Each and every time that you 8 imposed discipline on Ms. Eller, did her 9 transgender status play a role in your 10 decision-making process?</p> <p>11 A. No.</p> <p>12 Q. You emphasized earlier that -- 13 that -- there was some back-and-forth between you 14 and Mr. Mogul, and there was -- you emphasized 15 that there should have been a response to an 16 email from Ms. Eller.</p> <p>17 Were you consciously always trying 18 to respond to Ms. Eller's emails with regard to 19 her complaints?</p> <p>20 A. Definitely.</p> <p>21 Q. Why is that?</p> <p>22 A. One, you respond to everyone. And</p>	<p>1 no ifs, ands and buts about it.</p> <p>2 Actually, I would tell my parents, 3 reach out to your -- if you have a concern with 4 the teacher, I prefer that you not call; I prefer 5 that you send an email, because there is an 6 electronic receipt.</p> <p>7 Q. Would Ms. Eller typically 8 communicate with you via email or in writing as 9 opposed to in person?</p> <p>10 A. If she had a concern, email.</p> <p>11 Q. There's an allegation in the 12 complaint that Ms. Eller was physically 13 assaulted. Are you aware of any incident of 14 physical assault against Ms. Eller during your 15 tenure as principal at Friendly High School?</p> <p>16 A. I'm not aware of that.</p> <p>17 Q. Are you aware of any complaints 18 that Ms. Eller made to you about being physically 19 assaulted?</p> <p>20 A. Nothing comes to mind.</p> <p>21 Q. And are physical -- were physical 22 assaults common at Friendly High School during</p>	277

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1 your tenure --

2 A. No.

3 Q. -- amongst --

4 A. No.

5 Q. -- onto staff?

6 A. No.

7 Q. We have spent a lot of time talking

8 about training this morning. I just want to make

9 sure that I'm clear.

10 You indicated that staff is trained

11 once a year. Is that correct?

12 A. There's a formal process by which

13 they are trained on a number of factors.

14 Q. Are you referring to the online

15 training modules that staff has to complete on

16 their own?

17 A. That. And prior to the online,

18 those trainings took place in the school.

19 Q. Okay.

20 A. Those trainings took place in staff

21 meetings at the beginning of the year.

22 Q. But you would agree, would you not,

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1 that staff is trained at the beginning of the

2 school year each and every year?

3 A. Yes.

4 Q. Regarding issues from mandatory

5 reporting requirements to diversity training?

6 A. Correct.

7 Q. And you yourself had to undergo

8 those trainings, did you not?

9 A. Correct.

10 Q. Along with each and every staff

11 member in that building?

12 A. Correct.

13 Q. You also mentioned training that

14 was provided to staff once a month. Is that

15 accurate?

16 A. I reference staff -- staff

17 meetings.

18 Q. Okay. Were trainings provided at

19 these meetings?

20 A. If that were on the agenda, yes.

21 Not every meeting had trainings for -- it depends

22 on what was on the agenda.

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1 Q. Okay. Would diversity be one of

2 the items on an agenda during a monthly staff

3 meeting, to your recollection?

4 A. I can't remember a specific

5 situation where we said diversity training is on

6 this -- on this training -- I can't remember

7 specifics.

8 Q. Who would set the agenda for these

9 staff meetings?

10 A. I would set and approve the agenda.

11 But there were people who -- who had insight on

12 what needed to be a part of the training based on

13 stuff that had come down from the County -- i.e.,

14 instruction, just what -- instruction, student

15 interaction, whatever would come down, whether

16 it's from the different departments or -- so --

17 Q. Let me just back up for one second.

18 Was the student population at

19 Friendly High School diverse, in your opinion?

20 A. By "diverse" --

21 Q. Did you have students that were

22 gay, lesbian, bisexual --

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1 A. Yes.

2 Q. -- transgender?

3 A. Yes.

4 Q. And were there any other staff

5 members at Friendly High School that were?

6 A. There were other gay staff members.

7 Yes, there are other gay staff members. Had a

8 gay administrator. The administrator who

9 identified as gay, as an administrator. Teachers

10 that identified as gay, yes.

11 Q. Going back to the training, you

12 mentioned that for students, there was an

13 assembly once a semester?

14 A. Yes.

15 Q. And during that assembly, the

16 students were made aware of diversity issues,

17 training, inclusion, all the terms that Mr. Mogul

18 used earlier today, were they not?

19 MR. MOGUL: Objection.

20 THE WITNESS: Yes.

21 BY MR. SHARMA:

22 Q. Isn't it also true that the

Sheet 72

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1 students received a student rights handbook --
 2 A. Yes.
 3 Q. -- at the beginning of each year?
 4 A. And that's what I was trying to
 5 reference earlier. Yes.
 6 Q. And they were also required to fill
 7 out an acknowledgment form which indicated that
 8 they had actually reviewed and received a copy of
 9 the student rights handbook?
 10 A. Exactly, yes.
 11 Q. In that handbook, does it not
 12 preclude discrimination and harassment and
 13 bullying --
 14 A. It does.
 15 Q. -- based on sexual orientation,
 16 amongst other categories of people?
 17 A. Yes.
 18 Q. The AP class, Ms. Eller was
 19 teaching AP English?
 20 A. Yes. There was a period where she
 21 was teaching 11th-grade AP English and
 22 12th-grade AP English.

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1 the end of the year?
 2 A. Okay. So there are two AP classes
 3 that she took over.
 4 Q. Okay.
 5 A. The first AP class was 11th-grade
 6 AP. And I'll give you the scores of the teacher
 7 before Ms. Eller, Ms. Eller's scores, and the
 8 teacher after Ms. Eller.
 9 Q. Sure. That would be great.
 10 A. So the teacher before Ms. Eller,
 11 one year she had four students score successful
 12 scores, which is 3 or above. The next year she
 13 had three students score successful scores, which
 14 are 3 or above.
 15 Ms. Eller took over, and her first
 16 year she had three students score 3 or above.
 17 Her second year, she had zero students score 3 or
 18 above. I removed her at that point.
 19 The next year, the teacher who took
 20 over that class had six students score 3 or
 21 above.
 22 Q. Okay. What was the other class

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1 Q. And there came a point in time when
 2 you decided to remove from her that position;
 3 isn't that correct?
 4 A. Both positions, yes.
 5 Q. Why did you do that, sir?
 6 A. The data.
 7 Q. The data?
 8 A. Yes.
 9 Q. What data?
 10 A. So for one of the AP
 11 classes -- well, advanced placement has five
 12 scores, 1, 2, 3, 4, 5, in regards to their efficiency,
 13 with the class.
 14 And they take a test at the end of
 15 the year --
 16 Q. Right.
 17 A. -- and if they get a 3 or above,
 18 that is considered passing; and that is
 19 considered -- they benefit from that by being
 20 able to possibly get college credit.
 21 Q. And what were Ms. Eller's students'
 22 scores like on that advanced-placement testing at

285

1 Ms. Eller taught?
 2 A. The other class had -- had -- was
 3 12th-grade AP English. And the year before
 4 Ms. Eller, they had an average score of 2.11.
 5 She had 5 students score 3 or above.
 6 Ms. Eller took over the class. The
 7 first year she had one student score 3 or above,
 8 and she had a class average of 1.5.
 9 The second year Ms. Eller had the
 10 class, she had one student score 3 or above, and
 11 she had a class average of 1.43.
 12 The third year she had the class,
 13 she had a class average of 1.31. And she had one
 14 student score.
 15 That was the -- the teacher who
 16 took over for Ms. Eller was Ms. Claggett, the
 17 teacher that there was the incident with.
 18 I saw in the notes that you showed
 19 me that you shared with me that Ms. Eller deemed
 20 that Ms. Claggett wasn't qualified to teach the
 21 class. But the first year that Ms. Claggett
 22 taught the class, she had an average of 1.68.

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<p>1 So I saw the trend of</p> <p>2 1.5,1.43,1.31. I saw the trend going down, in</p> <p>3 the wrong direction.</p> <p>4 The -- the next year, that teacher</p> <p>5 was 1.68, which was -- which was a higher average</p> <p>6 score, mean score than any of the -- any of</p> <p>7 Ms. Eller's classes in both of those. So I -- I</p> <p>8 don't know what happened to that teacher after I</p> <p>9 left, but I felt like we reversed -- reversed the</p> <p>10 data, reversed the trend.</p> <p>11 Q. Okay. So let me just back up for</p> <p>12 one second.</p> <p>13 When a teacher teaches an AP class,</p> <p>14 such as Ms. Eller, she was teaching 11th-grade</p> <p>15 and 12th-grade AP English; is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. Would she have regular English</p> <p>18 classes as well, or was that pretty much her</p> <p>19 workload for the day?</p> <p>20 A. So there would be at least another</p> <p>21 class for a teacher. They had three classes a</p> <p>22 day. So Ms. Eller would have had a third class</p>	<p>1 been a while since I've been in the classroom.</p> <p>2 Q. What about her base salary; would</p> <p>3 that change?</p> <p>4 A. Not at all. Not at all.</p> <p>5 Q. So when you removed Ms. Eller from</p> <p>6 11th-grade AP English or 12th-grade AP English,</p> <p>7 her base pay stayed same?</p> <p>8 A. Yeah. I don't have anything to do</p> <p>9 with that. That doesn't affect base pay.</p> <p>10 Q. Okay. What about her benefits;</p> <p>11 were they affected?</p> <p>12 A. No.</p> <p>13 Q. Her leave status, was that</p> <p>14 affected?</p> <p>15 A. No.</p> <p>16 Q. Besides Ms. Eller, did you remove</p> <p>17 any other AP classes during those years --</p> <p>18 A. Yes.</p> <p>19 Q. -- AP teachers from their classes?</p> <p>20 A. Yes.</p> <p>21 Q. Who else did you remove?</p> <p>22 A. I removed Mr. Young from AP</p>	
<p>1 in addition to those classes, and the teachers</p> <p>2 could have three preps.</p> <p>3 Q. Three what?</p> <p>4 A. Preparations. I'm sorry. Three --</p> <p>5 three different classes.</p> <p>6 Q. I gotcha.</p> <p>7 And so when you removed Ms. Eller</p> <p>8 from 11th-grade AP English, she was teaching</p> <p>9 what at that point, then? Did she revert back to</p> <p>10 a regular English teacher for three periods?</p> <p>11 A. There was a point -- I know</p> <p>12 Ms. Eller taught 12th-grade English. And I</p> <p>13 know Ms. Eller taught 10th-grade English.</p> <p>14 The -- I did not put Ms. Eller in a</p> <p>15 9th-grade class because those seemed to be the</p> <p>16 least mature of my children -- they seemed to be</p> <p>17 the least mature of my children. And I did not</p> <p>18 see evidence that that would be a -- a good fit</p> <p>19 for the teacher or the students.</p> <p>20 Q. Would teachers get paid extra for</p> <p>21 teaching AP classes?</p> <p>22 A. Again, I'd have to check. It's</p>	<p>1 calculus. I removed Ms. Rawls from AP English.</p> <p>2 That's the replacement to Ms. Eller.</p> <p>3 I removed Ms. Strickland at AP -- I</p> <p>4 don't know what social studies class that was; AP</p> <p>5 US history, I think. I removed her from that.</p> <p>6 The AP numbers came back every</p> <p>7 year, so it made it -- you could -- you could --</p> <p>8 cut and dried. You can give them at least two</p> <p>9 years and say, Am I seeing success or am I seeing</p> <p>10 a trend towards success?</p> <p>11 So I removed Ms. -- I think it was</p> <p>12 Ms. -- Ms. Simmons, Dr. Simmons from an AP class.</p> <p>13 She's referenced in one of the -- Lauren Simmons,</p> <p>14 I can't -- without referencing data, without</p> <p>15 referencing the information, I can't -- but it</p> <p>16 was -- it's not -- it's something that I didn't</p> <p>17 have -- the data would say whether we're being</p> <p>18 successful or not or whether we're seeing</p> <p>19 positive trends. And if not, then we have to</p> <p>20 move forward.</p> <p>21 Q. Did Ms. Eller's status as a</p> <p>22 transgender woman have any role in your</p>	

Sheet 74

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1 decision-making process to remove her from AP
2 English?

3 A. No. That's -- her resume said she
4 taught college English. And I felt like that may
5 be a phenomenal fit in order for AP students to
6 achieve success, somebody who is familiar with
7 college curriculum.

8 Q. Did Ms. Eller's complaint of
9 discrimination affect your role -- affect your
10 decision-making process to remove her from AP
11 English?

12 A. No.

13 Q. In fact, I believe you had
14 testified earlier you weren't even made aware the
15 charge of discrimination that Ms. Eller filed.

16 A. This is the first time I've seen
17 this document, and that's why I mentioned -- no.
18 This is the first time I've seen that document.

19 Q. To your knowledge, has Ms. Eller
20 ever filed a complaint against you for
21 discrimination?

22 A. Not -- I can only reference in the

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1 meeting she said, I've done it before. You --
2 I've done it -- and I forgot what she stated
3 specifically. "You know I'll do it again."

4 Q. I'm sorry. What do you mean by
5 that?

6 A. In a morning meeting, when she
7 yelled out, she said something about, "I will sue
8 you, and I've done it before," something to that
9 reference.

10 Q. She threatened you with a lawsuit?

11 A. Yes.

12 Q. I see.

13 Were you aware of any other
14 internal grievances filed by Ms. Eller?

15 A. The only things I was aware of --
16 whatever I was aware of, there's a response to
17 it. I was not aware of -- I was not aware that
18 she had filed that.

19 Q. And you weren't aware until such
20 time at -- until after you left Friendly High
21 School?

22 A. I wasn't aware of it until --

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1 until -- until I got notification from the legal
2 office that I'm being subpoenaed.

3 Q. Do you believe you willfully
4 ignored Ms. Eller's complaints that were made to
5 you?

6 A. No. I think we made it a --
7 made -- made a concerted effort to make sure
8 we're responsible in a timely manner. I think
9 you can respond up to 48 hours later. But if you
10 noticed, the response is -- my responses were
11 never -- they're never -- they never near 48
12 hours.

13 And they're either, I'm going to
14 address it or this person or let me put you in
15 contact so they can move forward the
16 investigation.

17 It was never a situation where you
18 wanted to discount her concerns.

19 Q. You mentioned -- you all discussed
20 a conditional certificate.

21 A. Yes.

22 Q. Do you know why Ms. Eller

293

1 transitioned from a -- what is it? Permanent
2 certificate or --

3 A. Yes.

4 Q. -- to a conditional one?

5 A. There's a certain -- there are a
6 certain number of courses that you have to keep
7 up to date on. And if you don't keep up to date,
8 that affects your certification status.

9 I think it mentioned in my email
10 that there were six credits that she did not take
11 in a given time period, which she was
12 professionally required to do.

13 Q. And who makes that known to you?
14 Is there a department within the Prince George's
15 County Public Schools that keeps track of
16 certifications and credits and requirements, to
17 your knowledge?

18 A. Yes. I don't know what part of
19 human resources does that. But it has nothing --
20 their maintaining their certification statuses
21 were not a part that -- that communication or
22 that loop.

Sheet 75

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1 We don't -- we don't submit
 2 anything on behalf of the teachers. We don't
 3 have any effect. We just -- if something is not
 4 done, we get a notification that someone's status
 5 has changed.
 6 Q. And you or the school system plays
 7 no part in a certified teacher's maintenance of
 8 their accreditation, do you?
 9 A. No. That's their professional
 10 responsibility to maintain their certification.
 11 Q. So Ms. Eller failed to maintain her
 12 certification?
 13 MR. MOGUL: Objection.
 14 You may answer.
 15 BY MR. SHARMA:
 16 Q. Based on the fact that she
 17 wasn't --
 18 A. Yes.
 19 Q. -- accredited?
 20 A. Yes, yes.
 21 Q. So she lost tenure of her own
 22 volition?

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1 A. Yes.
 2 MR. MOGUL: Objection.
 3 BY MR. SHARMA:
 4 Q. And as a result of losing tenure of
 5 her own volition, she became the least -- she
 6 became subject to a staff reduction in the event
 7 that the budget so required --
 8 MR. MOGUL: Objection.
 9 BY MR. SHARMA:
 10 Q. -- within the English department --
 11 MR. MOGUL: Objection.
 12 BY MR. SHARMA:
 13 Q. -- because she was the least-senior
 14 employee?
 15 MR. MOGUL: Objection.
 16 THE WITNESS: She became the
 17 least-senior employee in the English department.
 18 BY MR. SHARMA:
 19 Q. And if everyone else in the English
 20 department was tenured, would she be the first to
 21 be reduced due to a budget reduction?
 22 A. Yes.

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1 Q. Are you aware of a point in time
 2 when Ms. Eller became accredited again to get her
 3 permanent certification?
 4 A. No. No.
 5 Q. The Torch Club, are you familiar
 6 with that?
 7 A. This is the first time I'm hearing
 8 of that term.
 9 Q. The club that was at Friendly High
 10 School was Colours?
 11 A. Caring Colours.
 12 Q. Caring Colours, are you familiar
 13 with that club?
 14 A. Yes.
 15 Q. What is it?
 16 A. It was a club that Ms. Eller asked
 17 to bring to Friendly High School LGBT students so
 18 they would have a -- they would have a -- a --
 19 I'd have to look.
 20 They would have an organized group
 21 for a platform so if there were concerns, that
 22 they could connect, relate. And just they had

297

1 a -- they had a -- what's the word I'm looking
 2 for?
 3 They had a connection based on
 4 the -- they had a connection based on this. So
 5 I'll give you an example.
 6 There was a club that was the
 7 Christian connection, so Christians, you know,
 8 Christian students who wanted to connect with
 9 each other could meet. So it was like interest.
 10 Like interest, based on like interest. And they
 11 could connect and meet on a consistent basis.
 12 Q. So Ms. Eller approached you about
 13 starting this club, or was it already in
 14 existence prior to you getting there?
 15 A. No, it wasn't already in existence.
 16 She -- she wanted to initiate that, and that was
 17 not an issue.
 18 Q. What was your response, if any?
 19 A. It's not an issue. We have -- you
 20 know, we have students that fall into this
 21 category, and great.
 22 Q. Okay. What are the requirements --

Sheet 76

298

1 you have to seek approval from a superior? Is
2 this within your discretion to start a new club
3 such as this?

4 A. I don't have to seek superior
5 approval. It's not a -- it's not an emolument.
6 It's a club. It's not an emolument, so I don't
7 have to seek approval.

8 Q. Okay. And is there a -- do these
9 clubs require some type of budget requirements
10 or --

11 A. No.

12 Q. -- funding from the school?

13 A. No. No. An emolument would. A
14 club doesn't have to. An emolument follows a
15 club that you can connect to an instructional
16 improvement -- i.e., if there's a math club or
17 something that you can say -- you can tie that
18 to, I'm going to improve instruction based on the
19 interaction, after-school interaction.

20 Q. Okay. So you approved her request
21 to start this club?

22 A. Yes.

300

1 for certain.

2 Q. And at the time you left Friendly
3 High School, the club was still in existence?

4 A. Yes.

5 Q. Met once a week?

6 A. I don't know.

7 Q. After school?

8 A. Yes.

9 Q. And what was the enrollment like in
10 the club? Do you have any idea how many students
11 took part?

12 A. No. I was never -- I was never
13 invited. So -- so there were certain clubs where
14 people say, Mr. Adams, come on through. And if
15 they asked you to come in for whatever reason,
16 then you come in and say, Hey, hi. But I don't
17 want someone to think that I'm spying --

18 Q. Sure.

19 A. -- on their club.

20 Q. And students, do they need to fill
21 out permission forms or slips to attend this
22 club?

299

1 Q. Was there any other staff member
2 that was going to be a part of this besides
3 Ms. Eller?

4 A. Not to my knowledge.

5 Q. Okay. And how often did the club
6 meet?

7 A. I cannot -- I cannot say.

8 Q. Do you recall the years when this
9 club was in existence for?

10 A. There was a reference -- in one of
11 the documents, there's a reference to wanting to
12 start a club. There was an okay.

13 There was -- it was -- I don't know
14 whether that was -- I don't know what year that
15 was, but it was -- I don't seem to be -- I don't
16 seem -- I don't think there was a problem. I
17 don't think it ended.

18 Q. Was the club started at or around
19 the time Ms. Eller came onboard at Friendly, or
20 did it take a couple of years to get going?

21 A. I thought it was early. I didn't
22 think it took a couple of years, but I can't say

301

1 A. No.

2 Q. Okay. And you don't know what the
3 enrollment was like, how many students we're
4 talking about?

5 A. No.

6 Q. Okay. Did you ever have an
7 occasion to visit or attend a session of the
8 club?

9 A. No. She didn't -- she didn't
10 invite me.

11 Q. And why did you approve the club,
12 other than there being students of these classes
13 of people? Were you trying to accommodate
14 Ms. Eller in any way?

15 A. There's a common interest. There's
16 a common interest that a teacher had an
17 enthusiasm for. That usually would constitute it
18 starting a club.

19 You would -- you wanted more clubs
20 and organizations than you possibly -- than you
21 probably had. But you had to have someone who
22 was vested and -- vested in the success of that

Sheet 77

302

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1 organization -- i.e., chess club.

2 Q. Other than the one -- I believe it
3 was the one email where -- the parent log email
4 or -- do you know what I'm talking about? Were
5 you aware of any other incidents where Ms. Eller
6 complained about parents and harassment or
7 bullying or discrimination?

8 A. No. No. No. No. I mean --

9 Q. What was your recourse like for
10 parents? What could you do with parents other
11 than ban them from physically entering the
12 school?

13 A. So recourse as if -- as in if a --
14 I don't want my child in a class?

15 Q. Sure, start there.

16 A. I could start with that person
17 is -- is -- is certified, is qualified and is in
18 a position to be successful.

19 So with Ms. Eller, I remembered
20 that she taught college, which was a -- which was
21 a plus in regards to preparing our children for
22 college.

1 student, even if there's -- even if there is an
2 option.

3 So when Ms. Eller was teaching
4 AP English, there wasn't another teacher that
5 could teach that. If she's teaching 10th-grade
6 English, then if you move one child out of
7 10th-grade English because they want to be moved,
8 then you have to -- then you have no recourse for
9 not removing every child.

10 Q. Was there ever an occasion where
11 you disallowed Ms. Eller from taking leave of any
12 sort?

13 A. No.

14 Q. Did Ms. Eller make known to you
15 that she was receiving counseling or medical
16 treatment of any type during her tenure at
17 Friendly High School?

18 A. I want to say Ms. Eller made it
19 known that she had some health concerns. I don't
20 know if that's -- I can't say that they were
21 ongoing or it was a specific time period.

22 In regards to when a teacher

303

305

1 Q. Had a parent ever requested that
2 their child be removed from Ms. Eller's class?

3 A. Probably. I would think so.

4 Q. Did you, in fact, remove a student
5 from Ms. Eller's class based on a parent request?

6 A. That would not be my first
7 recourse. I cannot sit here and definitively say
8 that someone over the course of however many --
9 over the course of my time at Friendly and in her
10 course of her time at Friendly that no one was
11 removed.

12 I know there were -- there are
13 classes -- there were children who had a
14 less-than-ideal relationship with Ms. Eller,
15 either through their point of view or through
16 Ms. Eller's point of view.

17 Our position was -- our position
18 was not to open that possibility, because then
19 you couldn't be consistent. And it's not fair
20 to -- it's not fair to the -- in this case, it
21 wouldn't be fair to Ms. Eller. And it wouldn't
22 be fair to the teacher that's receiving that

1 leaves, if a teacher requests to leave, we do
2 everything in our power to -- to allow that
3 teacher to leave, utilize their leave.

4 I saw in one of the references that
5 Ms. Eller was concerned because she wanted to
6 leave. Then by the time we'd get a sub, that it
7 was only a -- a -- a part, maybe -- I don't know
8 how much time had passed, but there is -- there
9 is documentation in there from her saying that, I
10 wanted to leave at a specific time; I couldn't
11 leave until another time and why am I being
12 charged for -- her concern was a half day.

13 Policy is we only have a full day
14 and a half day. We don't -- for staff --
15 teaching staff members, we can't break it --
16 they're not hourly employees. We can't break it
17 up into a quarter of a day.

18 Q. With respect to complaints made by
19 staff members about other staff, they're supposed
20 to complete the 4170 form, correct, charge of
21 discrimination? That was one of the exhibits?

22 A. I'd have to look. I haven't been

Sheet 78

306

1 in the school for two years.

2 Q. Is it your understanding that those

3 complaints are investigated by the employee labor

4 relations office?

5 A. Yes.

6 Q. So the investigation isn't done at

7 the school building level?

8 A. No. And let me apologize for

9 forgetting that form, because I haven't been in

10 the building for a while.

11 Q. No. I, understand.

12 Did you ever treat Ms. Eller

13 differently because she's a transgender woman?

14 A. No.

15 Q. Did you ever retaliate against her

16 for being transgender?

17 A. No.

18 Q. Did you ever retaliate against her

19 for anything that she may have filed against

20 anyone at the school?

21 A. No.

22 For the record, when a teacher -- a

307

1 staff member, when they do something

2 inappropriate, professionally, I'm responsible

3 for sweeping that under the rug and moving

4 forward, whether that be any teacher, and taking

5 the -- taking the appropriate action, then moving

6 forward. I can't hold it against them.

7 MR. MOGUL: Okay.

8 FURTHER EXAMINATION

9 BY MR. MOGUL:

10 Q. Just a few more questions.

11 A few minutes ago you were talking

12 with Mr. Sharma about AP grade statistics.

13 A. They weren't grades. They were

14 scores.

15 Q. AP score statistics.

16 And you referenced there were two

17 years that Ms. Eller taught 11th-grade AP.

18 A. Yes.

19 Q. Do you know which years those were?

20 Do you have that information?

21 A. I don't. I don't.

22 Q. Okay.

308

1 A. I don't.

2 Q. Don't recall if her first year at

3 Friendly was one where she had taught the AP

4 classes? The 11th-grade AP class.

5 A. I don't think that, based on the

6 fact that the last year -- 2016, the last year I

7 was there, I know Ms. Linda Wilkinson taught the

8 AP 11th-grade students and maybe two years. I

9 don't know. So -- I know Ms. Linda Wilkinson

10 was teaching one class, and Ms. Claggett was

11 teaching another class.

12 And I know Ms. Eller's --

13 Ms. Eller's time -- well, she taught two years,

14 and then she could not -- I could not have

15 started there.

16 Ms. Rawls, I don't know the year

17 that Ms. Eller started that AP -- AP --

18 12th-grade English. I don't know the year that

19 Ms. Eller started. But I think that was three

20 years, and two years for the other AP.

21 Q. And you mentioned, I think, that in

22 the year that Ms. Claggett took over 12th-grade

309

1 AP English, you mentioned the average score. But

2 I don't think you mentioned how many students

3 that year received a grade -- a score of 3 or

4 above.

5 A. One.

6 Q. Okay. So that was the same as the

7 years that Ms. Eller had taught AP English in

8 terms of the number that had received 3 or above.

9 A. Yeah, but not the average.

10 Q. And do you know how many students

11 were taking 11th-grade and 12th-grade AP

12 English during these years?

13 A. I couldn't recall those numbers.

14 Q. Do you know if the number of

15 students ebbed and flowed or stayed fairly

16 constant over those years?

17 A. I don't recall seeing a number

18 where you say, Oh, wow, we have this surge or

19 this -- I don't recall seeing a change in numbers

20 like that. And that's why I'm looking at the

21 average -- the mean would tell you, based on how

22 many students, what . . .

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<p>1 Q. Was -- during each of these years, 2 both the years immediately preceding Ms. Eller's 3 teaching of AP English and afterward, was there 4 only one AP English class in each grade level? 5 A. English, yes. Yes. I don't have 6 the number of 2s. I think the number of 2s would 7 shed some light on -- although we would not say 8 that that was success in regards to being 9 successful. 10 It would show that there's -- 11 there's -- it would show something. It would be 12 some data that we had to take into account. So 13 you could have -- you could have a 3 and have all 14 other 1s, and then you could have one 3 and have 15 ten 2s, and I cannot measure them the same. 16 I can say, Well, at least we have 17 10 students that were close as opposed to zero 18 students that were close, and that's why I gave 19 you the average. 20 Q. I believe when you were speaking 21 with Mr. Sharma, that you testified that when 22 Ms. Eller became conditionally certified, that</p>	<p>1 So I'm -- I'm just going to -- I'm 2 going to assume that, but I can't go through all 3 the departments. And, like I said, they -- else 4 I would have said, I have two teachers in one 5 department that -- how -- how do we approach 6 that? 7 Q. So you're assuming, based on the 8 email, that there were no other teachers in 9 English that were conditionally certified? 10 A. Correct. 11 Q. But you don't know that absolutely 12 certain? 13 A. Not without going back and looking 14 at documents -- documentation. 15 Q. Okay. And I believe you were 16 discussing with Mr. Sharma the online training 17 modules that are offered at the beginning of each 18 year to staff members? 19 A. Yes. 20 Q. Are those required of every staff 21 member to complete? 22 A. Yes, sir.</p>	
<p>1 meant that she was least senior in the English 2 department. 3 A. Correct. 4 Q. Before when we were talking about 5 that, you said that you couldn't recall how many 6 other teachers might have been on conditional 7 certification or not certified at all. So how 8 could you say that she was definitely the least 9 senior in the English department? 10 A. No, I thought you were talking 11 about throughout the school. 12 Q. Okay. So is your testimony that 13 you know that no other English teacher was 14 conditionally certified during that year when you 15 discussed the reduction of Ms. Eller's position? 16 A. Based on the email, the one 17 email -- based on the one email. Otherwise, 18 if -- if there were multiple people, then that 19 wouldn't -- that would be a process that's 20 different. That wouldn't necessarily be, Well, 21 then here's your certification versus someone 22 else's certification.</p>	<p>1 Q. And do you recall, every year is 2 there a diversity component of that training 3 module? 4 A. I recall seeing a diversity module 5 when we went through the -- when I went through 6 the portal this year. 7 Q. Okay. 8 A. I don't -- I've been through the 9 portal previous years. I couldn't say if I -- if 10 I go into the portal for the training, when I'm 11 in, I can say, Oh, yeah, I remember this. 12 But I can't say, so -- I can't say 13 that the number of things that might have ended 14 up being, whether it's blood-borne pathogens or 15 whatever. 16 Q. So you can't say for sure whether 17 the online training module before the 2019/2020 18 school year included a diversity component? 19 A. Can I? 20 Q. Yeah. 21 A. I was out of the system for 16 22 months; so, no, I can't say -- speak to that.</p>	

Sheet 80

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1 Q. Before you were out of the system,
 2 would that online training module -- do you
 3 recall if it included a diversity component?
 4 A. I would have to look at it and say
 5 what it included.
 6 Q. So you don't recall?
 7 A. I don't recall.
 8 Q. And do you recall if the online
 9 training modules include a diversity component
 10 specifically focused on transgender individuals?
 11 A. I cannot recall a training that I
 12 know was required that you go through it, but I
 13 cannot recollect without looking at some kind of
 14 documentation saying, Oh, yeah.
 15 Q. And other than the presentation by
 16 Major Burks that we discussed, do you remember
 17 any staff meetings specifically covering
 18 diversity as it relates to transgender
 19 individuals?
 20 A. I didn't remember that.
 21 Q. Okay. So you don't remember any
 22 others?

316

1 CERTIFICATE OF SHORTHAND REPORTER
 2
 3 I, Gail Inghram Verbano, Registered
 4 Diplomate Reporter, Certified Realtime Reporter,
 5 Certified Shorthand Reporter (CA) and Notary
 6 Public, the officer before whom the foregoing
 7 proceedings were taken, do hereby certify that
 8 the foregoing transcript is a true and correct
 9 record of the proceedings; that said proceedings
 10 were taken by me stenographically and thereafter
 11 reduced to typewriting under my supervision; and
 12 that I am neither counsel for, related to, nor
 13 employed by any of the parties to this case and
 14 have no interest, financial or otherwise, in its
 15 outcome.
 16
 17
 18
 19
 20

 21 Gail Inghram Verbano, CSR, RDR, CRR
 22 CA-CSR No. 8635

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1 A. No. I didn't remember that until
 2 it was like, Oh, yeah, the documentation that
 3 said, Oh, yeah. And then there were things about
 4 it I didn't remember.
 5 Q. So, again, you didn't remember any
 6 other staff meetings that included a transgender
 7 component?
 8 A. I cannot definitively say I
 9 remember any specific one thing about any staff
 10 meeting over the years.
 11 Q. Okay.
 12 MR. MOCUL: All right. Thank you.
 13 Anything else?
 14 MR. SHARMA: No. He's indicated
 15 he's going to waive reading.
 16 (Signature having been waived, the
 17 deposition of RAYNAH ADAMS was concluded
 18 at 5:00 p.m.)
 19
 20
 21
 22

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE DISTRICT OF MARYLAND
 3 Southern Division
 4 JENNIFER ELLER,)
 5 Plaintiff,)
 6 vs.) Case No.:
 7) 18-cv-03649-TDC
 8 PRINCE GEORGE'S COUNTY)
 9 PUBLIC SCHOOLS, et al.,)
 10 Defendants.)

11 - - - - -
 12 DEPOSITION OF ROBIN POPE-BROWN
 13 Thursday, December 12, 2019, 9:55 a.m.
 14 Arnold & Porter Kaye Scholer
 15 601 Massachusetts Avenue, NW
 16 Washington, DC

22

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22

1 DEPOSITION OF ROBIN POPE-BROWN,
 2 a witness herein, called by the Plaintiff for
 3 examination, taken pursuant to the Federal Rule of
 4 Civil Procedure 30(b)(1), by and before Marjorie
 5 Peters, a Registered Merit Reporter, Certified
 6 Realtime Reporter and Notary Public in and for the
 7 District of Columbia, at Arnold & Porter Kaye
 8 Scholer, 601 Massachusetts Avenue, NW, Washington,
 9 DC, on Thursday, December 12, 2019, at 9:55 a.m.

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09:56:22 **1** Q. How would you like me to address you

09:56:23 **2** today, as Principal Pope-Brown or Ms. Pope-Brown?

09:56:29 **3** A. Robin.

09:56:29 **4** Q. Have you ever been deposed before,

09:56:31 **5** Robin?

09:56:32 **6** A. Yes.

09:56:32 **7** Q. When was that?

09:56:34 **8** A. It was a lawsuit against the County with

09:56:43 **9** a previous principal. I'm trying to remember his

09:56:51 **10** name. Salim. Mr. Salim.

09:56:54 **11** Q. Is Salim his last name?

09:56:56 **12** A. Yes.

09:56:57 **13** Q. That's the name of the principal?

09:56:58 **14** A. That's the name of the -- yes, that's

09:57:00 **15** the name of the principal.

09:57:01 **16** Q. What was your role in the case?

09:57:02 **17** A. I had to talk about -- I was his

09:57:11 **18** assistant principal, and I had to talk about how --

09:57:16 **19** his work and what he did, and what I did. The

09:57:20 **20** differences in what he did and what I did.

09:57:23 **21** Q. Okay. Do you remember approximately

09:57:25 **22** when that was?

09:39:03 **1** P R O C E E D I N G S

09:55:12 **2** ROBIN POPE-BROWN,

09:55:12 **3** a witness, having been first duly sworn, was

09:55:16 **4** examined and testified as follows:

09:55:16 **5** EXAMINATION

09:55:16 **6** BY MS. CHEEMA:

09:55:40 **7** Q. Good morning, Ms. Pope-Brown.

09:55:46 **8** My name is Puneet Cheema, and I'm

09:55:49 **9** with Lambda Legal. I represent Jennifer Eller in a

09:55:51 **10** case against the PG County Public Schools, the PG

09:55:53 **11** County Board of Education, and the CEO, Monica

09:55:58 **12** Goldson, that's currently pending in the District of

09:56:00 **13** Maryland. I'm here with my colleagues Rebecca and

09:56:03 **14** Michael from Arnold & Porter, who are also on the

09:56:06 **15** team representing Ms. Eller.

09:56:09 **16** A. Okay.

09:56:09 **17** Q. Could you state your name for the

09:56:11 **18** record, please.

09:56:11 **19** A. Robin Pope-Brown.

09:56:13 **20** Q. And your address?

09:56:14 **21** A. 10605 Gloucester Lane, Cheltenham,

09:56:16 **22** Maryland, 20623.

09:57:26 **1** A. It had to be over five or six years ago.

09:57:40 **2** Q. Do you remember the name of the lawsuit,

09:57:42 **3** the person who filed suit?

09:57:44 **4** A. No.

09:57:44 **5** Q. Okay. Have there been any other cases

09:57:51 **6** in which you've been involved?

09:57:54 **7** A. No.

09:57:54 **8** Q. So that's the only time that you've been

09:57:56 **9** deposed before?

09:57:57 **10** A. Yes.

09:57:57 **11** Q. Have you ever testified at trial?

09:58:03 **12** A. Yes.

09:58:03 **13** Q. When was that?

09:58:01 **14** A. That was the same deposition.

09:58:07 **15** Q. So you testified at trial in that case

09:58:08 **16** as well?

09:58:10 **17** A. Yes.

09:58:10 **18** Q. Did you submit any written testimony in

09:58:17 **19** that case?

09:58:18 **20** A. No.

09:58:22 **21** Q. Okay. So even though you have been

09:58:27 **22** through this before, I'm going to give you an

09:58:27 **1** overview of how today's going to work. I'm going to
 09:58:30 **2** be asking you a series of questions to which you are
 09:58:32 **3** under oath to provide full and complete answers. If
 09:58:34 **4** you do not understand any question that I ask,
 09:58:37 **5** please let me know before you respond and I will
 09:58:40 **6** rephrase it or explain.
 09:58:40 **7** A. Okay.
 09:58:42 **8** Q. You took an oath before we started this
 09:58:45 **9** morning?
 09:58:45 **10** A. Yes.
 09:58:45 **11** Q. It requires you to fully answer each
 09:58:47 **12** question to the extent that you can.
 09:58:49 **13** A. (Nods head up and down.)
 09:58:50 **14** Q. If you're not sure of an answer or don't
 09:58:52 **15** have a complete answer, you're still required to
 09:58:54 **16** answer the question with as much as you know.
 09:58:56 **17** A. Okay.
 09:58:57 **18** Q. Do you understand that?
 09:58:58 **19** A. Yes.
 09:58:59 **20** Q. Thank you.
 09:59:00 **21** As you can see, the court reporter
 09:59:00 **22** is recording everything we say. Because she can

09:59:30 **1** Q. Is there any reason you can think of why
 09:59:35 **2** you would not be able to answer questions fully and
 09:59:50 **3** accurately today?
 09:59:50 **4** A. No.
 10:00:00 **5** Q. Are you on any medications that would
 10:00:02 **6** prevent this?
 10:00:04 **7** A. No.
 10:00:04 **8** Q. Have you drank any alcohol this morning?
 10:00:07 **9** A. No.
 10:00:08 **10** Q. And you know that you're not a defendant
 10:00:12 **11** in this case, right?
 10:00:13 **12** A. Yes.
 10:00:13 **13** Q. Have you retained counsel in this
 10:00:16 **14** matter?
 10:00:17 **15** A. No.
 10:00:17 **16** Q. Have you met Mr. Sharma before today?
 10:00:21 **17** A. We've spoken by phone, but I've never
 10:00:26 **18** seen him before today.
 10:00:26 **19** MR. SHARMA: The privilege is mine.
 10:00:31 **20** Q. He represents the Defendants in this
 10:00:32 **21** case, and he may make objections when I ask a
 10:00:35 **22** question. You are free to continue to answer the

09:59:03 **1** only record words. please answer all questions
 09:59:06 **2** verbally, and not with physical movements, like a
 09:59:08 **3** nod or a shrug.
 09:59:10 **4** A. Yes.
 09:59:11 **5** Q. Thank you.
 09:59:14 **6** Because she can only record one of
 09:59:16 **7** us speaking at a time, please wait until I have
 09:59:18 **8** finished asking my question before you respond.
 09:59:21 **9** A. Yes.
 09:59:21 **10** Q. If you need to have a question repeated,
 09:59:24 **11** please let me know, and the court reporter can read
 09:59:26 **12** it back to you.
 09:59:28 **13** A. Okay.
 09:59:28 **14** Q. Let me know if you need a break at any
 09:59:32 **15** time. Please note that we can't take a break while
 09:59:36 **16** a question is pending; that is, if I have asked a
 09:59:40 **17** question, you will need to answer it before we can
 09:59:41 **18** take a break.
 09:59:42 **19** A. Okay.
 09:59:44 **20** Q. Do you have any questions about how the
 09:59:46 **21** deposition will work?
 09:59:49 **22** A. No.

10:00:38 **1** question, even if he objects.
 10:00:41 **2** A. Okay.
 10:00:41 **3** Q. Did you speak with Mr. Sharma -- well,
 10:00:43 **4** you mentioned you spoke with Mr. Sharma on the phone
 10:00:47 **5** before today. Have you spoken with anyone else from
 10:00:48 **6** his firm?
 10:00:50 **7** A. Not that I know of. I know that I've
 10:00:55 **8** spoken with people from the County's legal
 10:00:58 **9** department, but when you -- it just gets kind of
 10:01:02 **10** blurry as far as who is from what office. So not
 10:01:05 **11** that I know of.
 10:01:08 **12** Q. Have you spoken with anyone from the
 10:01:09 **13** County's legal department about this case?
 10:01:11 **14** A. Originally, yes, I was called into the
 10:01:16 **15** County's legal department, and they asked me, did I
 10:01:20 **16** remember, you know, Ms. Eller, and what I refreshed
 10:01:23 **17** about Ms. Eller and her time at Friendly. Friendly
 10:01:34 **18** High School.
 10:01:34 **19** (Clarification requested by the Court Reporter.)
 10:01:36 **20** Q. Do you remember approximately when that
 10:01:38 **21** was?
 10:01:38 **22** A. I want to say it may have been -- I tend

13

16:01:51 **1** to think of time in school years, so it may have
 16:01:54 **2** been at the beginning of the school year or last
 16:01:59 **3** school year.
 16:02:03 **4** Q. How long did that meeting last?
 16:02:08 **5** A. Maybe ten minutes.
 16:02:09 **6** Q. Did they show you any documents?
 16:02:15 **7** A. No.
 16:02:15 **8** Q. Before meeting Mr. Sharma today, how
 16:02:22 **9** many times did you speak with him on the phone?
 16:02:24 **10** A. On the phone, maybe once. Maybe once.
 16:02:33 **11** Q. Okay.
 16:02:33 **12** A. And -- yeah. I think it was maybe once.
 16:02:38 **13** Q. And approximately when was that?
 16:02:40 **14** A. Oh, no. It was twice. One was this
 16:02:45 **15** morning. The other one -- the first time, I think
 16:02:49 **16** it was when -- it could have been last week. Last
 16:02:56 **17** week-ish.
 16:02:59 **18** Q. What did you speak about?
 16:03:07 **19** A. We talked about how a deposition is run,
 16:03:13 **20** and to tell the truth, and don't be nervous.
 16:03:16 **21** Q. Okay. Have you received any e-mails
 16:03:22 **22** from Mr. Sharma?

15

10:04:23 **1** A. Yes.
 10:04:23 **2** Q. Which e-mails were those?
 10:04:25 **3** A. They were the e-mails that were sent to
 10:04:29 **4** the County because I was asked to provide e-mails to
 10:04:34 **5** the County. I don't remember when, but I guess when
 10:04:39 **6** all of this came about, I was asked to provide any
 10:04:42 **7** e-mails.
 10:04:42 **8** Q. Okay. And so the e-mails that you
 10:04:45 **9** provided, did you review those before you sent those
 10:04:51 **10** to the County?
 10:04:51 **11** A. Not all of them, because it was late
 10:04:53 **12** last night and I just wanted to make sure that I
 10:04:59 **13** didn't leave any e-mails out.
 10:05:00 **14** Q. Okay. So this was just last night?
 10:05:03 **15** A. Yes.
 10:05:03 **16** Q. Did you send the e-mails to the County
 10:05:05 **17** last night?
 10:05:09 **18** A. No.
 10:05:07 **19** Q. Okay. You just reviewed the e-mails
 10:05:09 **20** last night that you had previously sent to the
 10:05:11 **21** County?
 10:05:11 **22** A. Yes.

14

10:03:26 **1** A. Yes, about the time and place of where
 10:03:32 **2** we're supposed to go.
 10:03:33 **3** Q. Okay. Did the e-mails provide any other
 10:03:36 **4** information other than those logistics?
 10:03:39 **5** A. No.
 10:03:36 **6** Q. Has he provided you any documents?
 10:03:45 **7** A. No.
 10:03:48 **8** Q. Did you do anything to prepare for this
 10:03:50 **9** deposition?
 10:03:51 **10** A. No. I wish I could have. I wouldn't be
 10:03:54 **11** nervous.
 10:03:55 **12** Q. You don't need to be nervous.
 10:03:59 **13** So you didn't review any documents
 10:04:00 **14** before you came in today?
 10:04:02 **15** A. No.
 10:04:05 **16** MR. SHARMA: I'm just having a hard
 10:04:07 **17** time hearing because there's a humming noise.
 10:04:08 **18** MS. CHEEMA: I'll try to be louder.
 10:04:11 **19** MR. SHARMA: Please. Thank you.
 10:04:11 **20** BY MS. CHEEMA:
 10:04:17 **21** Q. Did you review any e-mails before you
 10:04:20 **22** came in today for this matter?

16

10:05:12 **1** Q. Did you speak with anyone else other
 10:05:21 **2** than Mr. Sharma about this deposition?
 10:05:24 **3** A. I had a coworker -- a previous coworker
 10:05:28 **4** who is also -- I guess had been served with a
 10:05:33 **5** subpoena, and he asked me had I been served. I told
 10:05:36 **6** him yes, and that was it.
 10:05:38 **7** Q. What's the name of the coworker?
 10:05:41 **8** A. Kevin Thompson.
 10:05:50 **9** Q. Other than the fact that he was served,
 10:05:52 **10** did you discuss anything else with him?
 10:05:59 **11** A. No.
 10:05:58 **12** Q. Did you bring any documents with you
 10:05:58 **13** today?
 10:05:59 **14** A. No.
 10:05:59 **15** Q. Other than reviewing the e-mails that
 10:06:08 **16** you reviewed last night, did you do anything else to
 10:06:12 **17** prepare for this deposition?
 10:06:13 **18** A. No. Tried to get a good night's sleep.
 10:06:17 **19** Q. That's smart. Very wise.
 10:06:19 **20** So, Ms. Pope-Brown, I'd like to ask
 10:06:25 **21** you a little bit about your background. Where did
 10:06:27 **22** you go to high school?

10:06:26 **1** A. Potomac High School in Oxon Hill,
 10:06:34 **2** Maryland.
 10:06:34 **3** Q. When did you graduate from there?
 10:06:37 **4** A. 1980.
 10:06:44 **5** Q. Where did you go to school after that?
 10:06:46 **6** A. I went to Salisbury University in
 10:06:50 **7** Salisbury, Maryland. And I ended up graduating from
 10:06:54 **8** the University of the District of Columbia with my
 10:06:56 **9** bachelor's degree. And I received my master's from
 10:07:00 **10** Bowie State University.
 10:07:01 **11** Q. When did you receive be your bachelor's
 10:07:03 **12** from UDC?
 10:07:06 **13** A. 1990 -- hmm. I want to say 1998. That
 10:07:16 **14** might not be accurate.
 10:07:17 **15** Q. Okay. I understand.
 10:07:18 **16** When did you receive your master's
 10:07:21 **17** from Bowie State.
 10:07:27 **18** A. I started working for the County in '94.
 10:07:32 **19** Maybe -- my son was born in '90. Maybe about '93,
 10:07:41 **20** you know, maybe '96.
 10:07:43 **21** Q. Did you say you received your bachelor's
 10:07:45 **22** in 1998?

10:08:54 **1** I remember the graduation because it rained, and he
 10:08:58 **2** was a little baby. So it had to be -- I don't know.
 10:09:08 **3** It had to be in the '90s. I started working for the
 10:09:19 **4** County in '94.
 10:09:12 **5** In order to be a principal, you have
 10:09:14 **6** to have your master's. I became a principal in
 10:09:19 **7** 2001. So the master's had to be around 2000. I
 10:09:33 **8** don't know. I quit.
 10:09:34 **9** Q. I completely understand.
 10:09:38 **10** What was your bachelor's degree in?
 10:09:39 **11** A. My bachelor's degree is in business
 10:09:43 **12** administration. And my master's is in master's of
 10:09:47 **13** special education.
 10:09:48 **14** Q. And after your master's in special
 10:09:53 **15** education, did you get any other education?
 10:10:04 **16** A. Certifications. We have to keep up our
 10:10:08 **17** certification --
 10:10:07 **18** Q. Okay.
 10:10:07 **19** A. -- to keep our teacher's license.
 10:10:09 **20** Q. What kind of certification is that?
 10:10:11 **21** A. It's a teacher's certification. Every
 10:10:15 **22** year, you have to take certain classes, do certain

10:07:46 **1** A. Yes. I'm sorry. No. Yeah. '98, I
 10:07:50 **2** received my bachelor's and. My master's -- I'm --
 10:07:54 **3** I --
 10:07:54 **4** Q. Take your time.
 10:07:55 **5** A. Yeah, because -- I'm trying to go back
 10:07:57 **6** and think because I was working on my master's when
 10:07:59 **7** my son was born. He was born in 1990. And I want
 10:08:10 **8** to say anywhere from -- that couldn't be right,
 10:08:15 **9** because if I got my -- I'll have to check. I really
 10:08:20 **10** don't know, because I couldn't have gotten my
 10:08:22 **11** bachelor's before my master's, but --
 10:08:24 **12** Q. Did you have your bachelor's when your
 10:08:26 **13** son was born?
 10:08:28 **14** A. Yes, I did.
 10:08:31 **15** Q. Okay.
 10:08:32 **16** A. Thank you.
 10:08:34 **17** So -- okay, thank you. Yes, I did.
 10:08:36 **18** So, this is embarrassing.
 10:08:42 **19** Q. It's okay.
 10:08:44 **20** So we'll say that you got your
 10:08:47 **21** bachelor's sometime before 1990; is that right?
 10:08:50 **22** A. He was born -- he was born in '90. And

10:10:19 **1** things to keep your teaching certification.
 10:10:21 **2** Q. Okay. That's an annual process?
 10:10:25 **3** A. Certification is probably every three or
 10:10:28 **4** four years, but you have to take -- continue to take
 10:10:32 **5** the classes, and then report to the state every
 10:10:35 **6** three or four years.
 10:10:36 **7** Q. Got it.
 10:10:41 **8** A. I'm trying to figure out when the dates
 10:10:44 **9** are for.
 10:10:46 **10** Q. It's hard to go back that far. I
 10:10:49 **11** understand.
 10:10:49 **12** So you mentioned you started to work
 10:10:52 **13** for the County in 1994?
 10:10:54 **14** A. Yes.
 10:10:54 **15** Q. What position did you start working for
 10:10:57 **16** the County?
 10:10:58 **17** A. I started out as a substitute teacher.
 10:11:00 **18** From there, I worked as a media aide.
 10:11:04 **19** Q. When did you move from substitute
 10:11:06 **20** teaching to becoming a media aide?
 10:11:09 **21** A. Oh, really? I can tell you when I
 10:11:11 **22** started teaching. I started teaching in July of

21

10:11:20 **1** 1995.

10:11:21 **2** Q. Okay. When you started teaching, what

10:11:26 **3** were you teaching?

10:11:29 **4** A. Science, ^ seventh ^ 7th grade.

10:11:31 **5** Q. Science seventh grade.

10:11:32 **6** What school?

10:11:33 **7** A. James Madison Middle School.

10:11:36 **8** Q. And how long did you teach science for

10:11:43 **9** the seventh grade at James Madison?

10:11:45 **10** A. Five years.

10:11:46 **11** Q. What happened after that?

10:11:51 **12** A. I became an assistant principal at

10:11:55 **13** Templeton Elementary School.

10:11:58 **14** Q. When was that?

10:11:59 **15** A. 2001 to 2005 or '6.

10:12:14 **16** Q. What happened after that?

10:12:15 **17** A. I was going to say, from there -- from

10:12:18 **18** Templeton Elementary School, I became an assistant

10:12:22 **19** principal at Thurgood Marshall Middle School. And I

10:12:26 **20** was there for two years.

10:12:32 **21** And I went to Oxon Hill Middle

10:12:35 **22** School, and that's where I worked for Mr. Salim.

23

10:14:08 **1** Q. So you were an assistant principal from

10:14:11 **2** 2001 through 2012 before you arrived at Friendly?

10:14:15 **3** A. No, I was assistant principal at 2012

10:14:18 **4** at -- when I arrived at Friendly, and I didn't

10:14:20 **5** become principal until -- this is my third year, so

10:14:25 **6** it's '19, '16.

10:14:25 **7** Q. Okay.

10:14:31 **8** A. Yeah. No, '17. I became principal

10:14:34 **9** there in 2017.

10:14:34 **10** Q. But were you an assistant principal from

10:14:37 **11** 2001 to 2017?

10:14:38 **12** A. Yes.

10:14:38 **13** Q. So you had quite a lot of experience as

10:14:40 **14** an assistant principal?

10:14:42 **15** A. Yes.

10:14:42 **16** Q. So most of my questions are going to be

10:14:53 **17** limited to approximately 2012 through 2016.

10:15:00 **18** A. Okay.

10:15:00 **19** Q. During your time at Friendly High

10:15:09 **20** School.

10:15:10 **21** A. Okay.

10:15:11 **22** Q. And if I mean for the question to cover

22

10:12:46 **1** And I was there a couple of years.

10:12:46 **2** Then I was at Oxon Hill High School.

10:12:55 **3** From Oxon Hill High School, I stayed

10:13:00 **4** there two or three years, and I began as an

10:13:05 **5** assistant principal at Friendly High School in 2012,

10:13:09 **6** the fall of 2012.

10:13:14 **7** Q. Okay. So you were at Thurgood Marshall

10:13:20 **8** Middle School from -- or I'm sorry, I don't know if

10:13:23 **9** it's a middle school. Thurgood Marshall from

10:13:26 **10** approximately 2005 to 2007; is that right?

10:13:29 **11** A. Yes, yeah. That's about right, yes.

10:13:31 **12** Q. Do you remember the years that you were

10:13:32 **13** at Oxon Middle School?

10:13:36 **14** A. Oxon Hill Middle School.

10:13:46 **15** Q. Oxon Hill Middle School?

10:13:44 **16** A. So it was about 2007 to 2009.

10:13:47 **17** Q. Okay.

10:13:51 **18** A. Yeah, about there.

10:13:52 **19** Then Oxon Hill High School from like

10:13:57 **20** 2009/10 to 2012 as far -- the end of the school year

10:14:03 **21** 2012 and started at Friendly the beginning of the

10:14:05 **22** school year of 2012.

24

10:15:16 **1** a different period, I'll let you know.

10:15:16 **2** A. Okay.

10:15:18 **3** Q. Can you tell us about the organizational

10:15:20 **4** structure of administration at Friendly High School?

10:15:23 **5** A. There's the principal, of course, and

10:15:27 **6** under the principal are the administrators. At

10:15:32 **7** Friendly, it ranged from three or four assistant

10:15:35 **8** principals depending on budget years. And under the

10:15:40 **9** assistant principals were the different departments.

10:15:45 **10** Q. How many departments are there?

10:15:50 **11** A. There's social studies, math, creative

10:15:53 **12** arts, athletics. Maybe -- I'm rounding up, maybe

10:15:59 **13** ten.

10:16:00 **14** Q. Okay. Who was -- there were ten

10:16:10 **15** departments mentioned. Who was in charge of the

10:16:12 **16** departments?

10:16:13 **17** A. Wow. Really? Okay.

10:16:15 **18** Q. In terms of role, like what kind of

10:16:18 **19** role?

10:16:19 **20** A. So each assistant principal has certain

10:16:22 **21** departments. I don't remember exactly which

10:16:26 **22** department every -- because it would vary per year.

10:16:30 **1** It was not always the same year, because we always
 10:16:32 **2** did not have four assistant principals. We could
 10:16:36 **3** have had three.
 10:16:37 **4** So for instance, I may have the
 10:16:39 **5** English department, where my colleague might have
 10:16:42 **6** the science department.
 10:16:43 **7** And then we dealt with grade level.
 10:16:46 **8** So if the student was -- if it was behavior, the
 10:16:53 **9** assistant principal for that grade level handled it.
 10:16:57 **10** If it was a content situation, the assistant
 10:17:00 **11** principal of that content handled it.
 10:17:05 **12** Does that answer the question?
 10:17:09 **13** Q. Who would you be communicating with in
 10:17:12 **14** each of the departments?
 10:17:13 **15** A. As what role?
 10:17:14 **16** Q. For -- if there were -- if it was a
 10:17:18 **17** content issue?
 10:17:19 **18** A. If I was the assistant principal?
 10:17:21 **19** Q. Yes.
 10:17:21 **20** A. So if it was a content issue, if I was
 10:17:23 **21** the assistant principal, I would communicate with
 10:17:25 **22** the department chair or the teachers.

10:18:53 **1** to make sure that answers were calibrated and, you
 10:18:59 **2** know, one teacher didn't give a certain grade, and
 10:19:04 **3** another teacher, another grade for the same prompt.
 10:19:08 **4** To make sure everybody was on the same page, things
 10:19:11 **5** like that.
 10:19:11 **6** So it was everything regarding
 10:19:14 **7** content and instructional information.
 10:19:16 **8** Q. Okay. So they would get that training
 10:19:18 **9** from the County and bring it back for the teachers?
 10:19:21 **10** A. Yes.
 10:19:21 **11** Q. And they would be responsible for
 10:19:23 **12** implementing that training and disseminating it to
 10:19:26 **13** the teachers?
 10:19:27 **14** A. Yes.
 10:19:27 **15** Q. So they would be training the teachers
 10:19:29 **16** themselves, essentially?
 10:19:31 **17** A. Yes.
 10:19:31 **18** Q. When you were vice principal and were
 10:19:37 **19** speaking directly with teachers, what would you --
 10:19:40 **20** what are the types of matters that you spoke with
 10:19:43 **21** teachers directly about?
 10:19:45 **22** A. Anything they needed. For me, it

10:17:26 **1** Q. So you communicated directly with
 10:17:32 **2** teachers as well?
 10:17:33 **3** A. Yes. As an assistant principal, yes.
 10:17:35 **4** Q. What's the role of the department chair?
 10:17:36 **5** A. The department chair is the liaison
 10:17:44 **6** between the assistant principals and the teachers,
 10:17:51 **7** and also the County offices and the teachers and
 10:17:54 **8** principals.
 10:17:54 **9** So basically, a liaison, they also
 10:17:57 **10** did -- liaison as far as information. They did
 10:18:02 **11** training to the teachers. So they would go out to
 10:18:05 **12** training, and then come back and train, turnkey that
 10:18:09 **13** information to the teachers under their departments.
 10:18:13 **14** Q. Who would they be liaising with in the
 10:18:19 **15** County offices?
 10:18:19 **16** A. The instructional specialists from those
 10:18:23 **17** various departments. And it would also depend on
 10:18:25 **18** what the professional development was.
 10:18:26 **19** Q. What professional development would they
 10:18:41 **20** be responsible for?
 10:18:42 **21** A. It could be anything like writing
 10:18:47 **22** prompts, training teachers how to grade on a rubric

10:19:46 **1** wasn't -- I can't talk to you because that's not my
 10:19:49 **2** lane. If a teacher came to me about anything, I
 10:19:52 **3** would attempt to help.
 10:19:54 **4** Q. Are there matters that teachers are
 10:19:57 **5** supposed to take to the department chair rather than
 10:19:58 **6** you?
 10:20:00 **7** A. It really should be that way, but in all
 10:20:06 **8** honesty, it really isn't that way. That's the way
 10:20:10 **9** it's supposed to be, but it isn't.
 10:20:12 **10** Q. That's not how it works in practice?
 10:20:14 **11** A. Right. And especially in a small school
 10:20:18 **12** like Friendly. Friendly is a very small school
 10:20:20 **13** compared to the other high schools in the County.
 10:20:23 **14** It probably works better at the other high schools
 10:20:26 **15** because there are so many layers. But at Friendly,
 10:20:29 **16** because we're so small, it's really difficult to
 10:20:32 **17** say, well, no, you need to go over there.
 10:20:34 **18** Q. So teachers would talk with you about
 10:20:37 **19** anything, and would you respond?
 10:20:38 **20** A. Yes.
 10:20:38 **21** Q. Were there any employees that teachers
 10:20:39 **22** themselves supervised?

10:20:52 **1** A. No.

10:20:52 **2** Q. Did they have assistants?

10:20:54 **3** A. What do you mean?

10:20:54 **4** Q. Did teachers have assistants?

10:20:57 **5** A. Oh, teacher assistants?

10:20:59 **6** Q. Mm-hmm.

10:21:00 **7** A. No, not for general education classes,

10:21:03 **8** but for our special education classes, they did.

10:21:05 **9** They're called -- I was going to say

10:21:10 **10** paraprofessionals, but that's not what it is.

10:21:12 **11** Co-teachers.

10:21:15 **12** Q. What's the role of the pupil personnel

10:21:18 **13** worker?

10:21:18 **14** A. The pupil personnel worker is -- that's

10:21:27 **15** the person that takes care of attendance, any

10:21:31 **16** student needs, if they had an issue at home, if

10:21:33 **17** there were any outside issues that needed to be --

10:21:43 **18** where -- that they needed to find from outside, so

10:21:52 **19** outside resources, they do that. If we need to find

10:21:58 **20** therapy for a student, they would try to find those

10:22:04 **21** resources. It almost kind of overlaps with the

10:22:07 **22** counselor, but their biggest role is attendance.

10:22:39 **1** talk to a teacher about, how many times has Johnny

10:23:43 **2** been absent? Have you spoken with the mom? That

10:23:48 **3** kind of thing.

10:23:47 **4** Q. Okay.

10:23:47 **5** A. So they would have those conversations.

10:23:49 **6** Or if they found out something about

10:23:51 **7** a student and they wanted to let the teacher know

10:23:54 **8** something was going on with the student, you know,

10:23:57 **9** just to be on the lookout because the student may be

10:23:58 **10** going through something.

10:24:00 **11** Q. So their main responsible was to care

10:24:07 **12** for the students?

10:24:08 **13** A. Pretty much, yes. And the parents.

10:24:10 **14** They also -- so if there was a suspension of a

10:24:14 **15** student, and the parent wanted to appeal the

10:24:16 **16** suspension, that would go through the PPW.

10:24:24 **17** Q. What kind of supports could they provide

10:24:27 **18** for students?

10:24:35 **19** A. Aside from talking to them, going over

10:24:37 **20** their grades, talking to them about the importance

10:24:39 **21** of school, about coming to school, things like that.

10:24:42 **22** Direct support. Making sure that they had any

10:22:10 **1** Q. What do they do for attendance?

10:22:18 **2** A. They do home visits for students who

10:22:18 **3** have not come to school. They keep the records on

10:22:25 **4** who is and is not in school. What type of absence

10:22:30 **5** it is. They do parent conferences, student

10:22:33 **6** conferences regarding attendance.

10:22:38 **7** Q. Do they have any other responsibilities

10:22:40 **8** to students?

10:22:41 **9** A. In a small school, it may overlap. So

10:22:44 **10** if -- they develop a relationship with a student or

10:22:51 **11** students, and a student will come to them with an

10:22:54 **12** issue, they would help the students with the issues.

10:22:57 **13** Q. Okay. What kind of issues would they

10:23:02 **14** help students with?

10:23:03 **15** A. It could be anything from, you know, my

10:23:06 **16** mom is yelling at me today, or you know, I'm feeling

10:23:11 **17** really bummed out because my boyfriend broke up with

10:23:14 **18** me. I mean, it could be a number of things.

10:23:17 **19** Q. Do they have any responsibilities to

10:23:20 **20** teachers?

10:23:21 **21** A. No. No. They really don't. Outside --

10:23:34 **22** not outside of the attendance piece. So they may

10:24:48 **1** resources that they needed.

10:24:52 **2** Q. Did they have the power to authorize

10:24:55 **3** training?

10:24:57 **4** A. No. The PPW?

10:25:01 **5** Q. Mm-hmm.

10:25:02 **6** A. When you say "authorize training," what

10:25:05 **7** do you mean?

10:25:09 **8** Q. If they saw a need for training for

10:25:09 **9** students for something, could they say that they

10:25:10 **10** want -- they wanted to bring that?

10:25:13 **11** A. They could bring it up, but they -- any

10:25:18 **12** type of training actually would have to go through

10:25:21 **13** the principal.

10:25:24 **14** Q. Okay.

10:25:24 **15** A. And you know -- but, no, they couldn't

10:25:27 **16** just say, okay, I see a need, so I'm going to do a

10:25:30 **17** training. It still would have to, you know, go

10:25:33 **18** through the principal.

10:25:34 **19** Q. So they would make a recommendation?

10:25:36 **20** A. They could, yes.

10:25:37 **21** Q. Okay. What other kinds of

10:25:43 **22** recommendations do you rely on PPWs to make?

10:25:48 **1** A. Anything pertaining to a child -- like I
 10:25:53 **2** said before, if she knows or he knows that a child
 10:25:55 **3** is going through certain things, the PPW may
 10:25:59 **4** recommend how we can assist the child.
 10:26:06 **5** Q. Are their responsibilities limited to
 10:26:08 **6** helping students on an individualized basis?
 10:26:13 **7** A. No. There are -- they also, during our
 10:26:18 **8** Student Code of Conduct, so they talk to those
 10:26:21 **9** groups of students about everything in the Code. So
 10:26:26 **10** it can go from suspensions, you know, the different
 10:26:31 **11** types of suspensions, the attendance, theft,
 10:26:37 **12** bullying, sexual harassment. Anything in the Code,
 10:26:44 **13** the PPW goes over. We do it in groups, grade level
 10:26:50 **14** groups, so it's ninth grade, tenth grade, eleventh
 10:26:55 **15** grade and twelfth grade.
 10:26:56 **16** Q. How many times does that happen?
 10:26:59 **17** A. That happens once per quarter.
 10:27:01 **18** Q. Once per quarter, okay.
 10:27:03 **19** A. Yeah, so it's four times a year.
 10:27:05 **20** Q. And do they talk to the entire grade
 10:27:07 **21** together?
 10:27:07 **22** A. Yes.

10:28:37 **1** Q. So the conversation about the Code
 10:28:41 **2** wouldn't necessarily be the exact same every
 10:28:44 **3** quarter?
 10:28:44 **4** A. The same content, yes, but if there was
 10:28:54 **5** something that stood out, she might, you know, spend
 10:29:04 **6** a little bit more emphasis on that.
 10:29:08 **7** Q. Did the PPW have the discretion to
 10:29:09 **8** decide what to emphasize, or did she do that in
 10:29:13 **9** coordination or collaboration with anyone else in
 10:29:16 **10** the administration?
 10:29:16 **11** A. I'm trying to think. We all worked as a
 10:29:21 **12** team, so it wouldn't -- like, we didn't meet ahead
 10:29:28 **13** of time and say, okay, we're seeing this, so we're
 10:29:31 **14** going to hit that, we're seeing that, we're going to
 10:29:33 **15** hit that.
 10:29:34 **16** Q. So you did not meet with her before this
 10:29:36 **17** meeting to discuss what you thought she should talk
 10:29:41 **18** about?
 10:29:42 **19** A. Before this meeting, or before --
 10:29:44 **20** Q. Before the one-and-a-half to two hour
 10:29:48 **21** conversation about the Code?
 10:29:49 **22** A. Like I said before, Friendly was a very

10:27:08 **1** Q. How long does that last?
 10:27:08 **2** A. Probably about hour-and-a-half or two
 10:27:13 **3** hours, because she has to go through everything in
 10:27:20 **4** the Code.
 10:27:20 **5** Q. Who decides what exactly the PPW is
 10:27:29 **6** going to talk about during those sessions?
 10:27:31 **7** A. Well, what she talks about is the Code.
 10:27:35 **8** She goes over the entire Code. In the Code, there
 10:27:43 **9** are different infractions, and she goes over all of
 10:27:46 **10** those infractions with all of the students.
 10:27:51 **11** Q. If there had been an incident in the
 10:27:53 **12** previous quarter that pertained to a particular
 10:27:59 **13** infraction, could they spend more time talking about
 10:28:01 **14** that?
 10:28:01 **15** A. Yes. Yes. So for instance, if we have
 10:28:06 **16** a situation with students fighting, or a situation
 10:28:12 **17** with bullying/harassment. If we have a situation
 10:28:16 **18** where students are -- you know, little boys, you
 10:28:22 **19** know, touching the girls and thinking that it's, you
 10:28:24 **20** know, cute.
 10:28:26 **21** So she keeps up on what's going on.
 10:28:31 **22** Stealing. Sexual harassment.

10:28:52 **1** small school, so we are always talking on a daily
 10:29:55 **2** basis about what was going on.
 10:28:57 **3** Q. But there wasn't like a plan to sit down
 10:29:58 **4** and discuss what the specific quarterly Code would
 10:30:02 **5** be?
 10:30:03 **6** A. Not that I know of.
 10:30:04 **7** Q. So how did -- the PPW then decided on
 10:30:08 **8** her own what to focus on in that conversation?
 10:30:11 **9** A. I can't say that she decided on her own.
 10:30:14 **10** Again, it -- some things were just obvious to all of
 10:30:18 **11** us. So I can't say that it was like her decision.
 10:30:33 **12** Q. When you say you might talk about, you
 10:30:35 **13** know, fighting or bullying or theft, how would the
 10:30:38 **14** PPW have been made aware of the incidents?
 10:30:42 **15** A. So the PPW also gets copies of PS-74s.
 10:30:51 **16** (Clarification requested by the Court Reporter.)
 10:30:52 **17** A. 74s, yes.
 10:30:54 **18** Also, the way the school is
 10:30:58 **19** structured, again, it is so small, you know when
 10:31:02 **20** things happen.
 10:31:09 **21** Q. So the PPW gets copies of all PS-74s?
 10:31:12 **22** A. She should, in a perfect world, yes. In

10:31:15 **1** reality, no.

10:31:18 **2** Q. Why would the PPW not get a copy of a

10:31:24 **3** PS-74?

10:31:26 **4** A. Human error, paperwork, things like

10:31:33 **5** that.

10:31:33 **6** Q. If you wanted the PPW to focus on a

10:31:44 **7** particular issue during one of the quarterly

10:31:48 **8** conversations about the Code of Conduct, could you,

10:31:51 **9** as vice principal, make a recommendation to the PPW

10:31:58 **10** to do so?

10:31:58 **11** A. Yes.

10:31:58 **12** Q. Could anyone else make a recommendation

10:31:59 **13** to the PPW to do so?

10:32:00 **14** A. Yes.

10:32:01 **15** Q. Who else could?

10:32:02 **16** A. Probably anyone could. Anyone could.

10:32:08 **17** So again, because we're so small, if

10:32:08 **18** a teacher said, you know, I'm having a problem with

10:32:16 **19** so and so and so, or this and this and that, they

10:32:16 **20** could talk to the PPW.

10:32:17 **21** In that case, I'm sure that the PPW

10:32:19 **22** would go to the principal and say, hey, Miss So and

10:32:37 **1** though, what to talk about during the assembly?

10:32:39 **2** A. Well, because they went -- we -- you

10:32:41 **3** know, we go by what's in the Code --

10:32:44 **4** Q. Right?

10:32:44 **5** A. -- it's pretty much the same every

10:32:48 **6** quarter.

10:32:48 **7** Q. Right. But whether to emphasize one

10:33:50 **8** subject matter or another within the Code, she had

10:32:54 **9** discretion to do that?

10:33:56 **10** A. Yeah. So if she says, I'm getting more

10:33:58 **11** suspensions for fighting, she will do a reminder

10:34:03 **12** about fighting. And then go over what the

10:34:08 **13** disciplinary action is for whatever it is.

10:34:12 **14** Then, you know, let them know the

10:34:14 **15** importance of, you know, being in school, because

10:34:18 **16** the disciplinary action could take you out of

10:34:21 **17** school. There are some disciplinary actions that

10:34:23 **18** you don't go out of school. You just go to

10:34:25 **19** in-school suspension.

10:34:28 **20** And the -- it all depends on what

10:34:31 **21** the Code says.

10:34:31 **22** Q. Okay. And where did the PPW's

10:32:23 **1** So or Mr. So and So brought this to my attention.

10:32:27 **2** You know, what are you seeing? Is -- you know, are

10:32:29 **3** you seeing a lot of complaints about this, that or

10:32:31 **4** the other? Any discipline infractions, things like

10:32:35 **5** that.

10:32:36 **6** But it was never a thing where a

10:32:39 **7** teacher would come to her and then all of a sudden

10:32:43 **8** we're sitting in the Code of Conduct and we're like,

10:32:48 **9** why is she talking about that? It's always kind of

10:32:49 **10** known what the topics are going to be because we

10:32:52 **11** discuss everything in the Code.

10:32:55 **12** Q. Okay. So does she need authorization

10:33:01 **13** from the principal to raise a specific issue during

10:33:04 **14** the assembly?

10:33:11 **15** A. I wouldn't -- no, I wouldn't say that

10:33:12 **16** she actually needed authorization from the

10:33:17 **17** principal.

10:33:19 **18** Q. So she would just discuss with the

10:33:22 **19** principal whether the need that someone had

10:33:25 **20** requested was real?

10:33:26 **21** A. If that happened, yes.

10:33:29 **22** Q. Is it within the PPW's discretion,

10:34:37 **1** understanding of what needed to be addressed come

10:34:38 **2** from?

10:34:41 **3** A. What do you mean?

10:34:41 **4** Q. You mentioned some things were obvious.

10:34:47 **5** I think I heard you say that.

10:34:48 **6** Is the PPW in the school itself?

10:34:52 **7** A. Yes.

10:34:52 **8** Q. You mentioned she's supposed to be

10:34:59 **9** copied on all PS-74s?

10:34:59 **10** A. She should have been, or received or

10:34:58 **11** come through her desk in some form or fashion.

10:35:02 **12** Now, that is not a written

10:35:06 **13** administrative procedure, but because Friendly is so

10:35:12 **14** small, it's just so easy to, you know, let her know

10:35:16 **15** what's going on.

10:35:18 **16** Q. Okay. So other than PS-74s, how else

10:35:22 **17** did the PPW gain an understanding of what needed to

10:35:26 **18** be addressed when talking about the Code of Conduct?

10:35:29 **19** A. Talking to administrators and

10:35:33 **20** principals.

10:35:33 **21** Q. Okay. Did she talk to teachers as well?

10:35:35 **22** MR. SHARMA: Objection.

10:35:06 **1** You can answer.

10:35:37 **2** A. Oh. I don't know whether she talked to

10:35:40 **3** teachers. I can't say whether I can remember any

10:35:46 **4** incident where a teacher said something to her.

10:35:48 **5** Q. But she talked to you about incidents?

10:35:51 **6** A. Did the PPW talk to me about incidents

10:35:54 **7** about children?

10:35:55 **8** Q. Yes.

10:35:58 **9** MR. SHARMA: Objection as to the

10:35:57 **10** scope.

10:35:57 **11** If you understand the question, you

10:35:59 **12** can answer.

10:36:00 **13** A. Can you be more specific?

10:36:04 **14** Q. You've mentioned that the PPW talks

10:36:08 **15** about the Code of Conduct?

10:36:10 **16** A. Mm-hmm.

10:36:11 **17** Q. And she can address issues that have

10:36:15 **18** come up in the recent past?

10:36:18 **19** A. (Nods head up and down.)

10:36:17 **20** Q. How does the PPW understand what needs

10:36:22 **21** to be addressed?

10:36:22 **22** MR. SHARMA: Objection. This has

10:37:37 **1** Q. What was the PPW's name from 2011 to

10:37:44 **2** 2016?

10:37:48 **3** A. Jocelyn Isom.

10:37:52 **4** Q. How much of her time did she spend at

10:37:55 **5** Friendly?

10:37:57 **6** A. Out of the schools that she had to

10:38:00 **7** serve, she spent most of her name at Friendly.

10:38:04 **8** Q. By "most of her time," could you --

10:38:15 **9** about -- during the week, about how often would she

10:38:18 **10** be there?

10:38:18 **11** A. I would say, because of a high school,

10:38:32 **12** probably about -- back in 2016, I would say maybe

10:38:37 **13** about 90 percent of the time.

10:38:42 **14** Q. Did she have an office in the building?

10:38:44 **15** A. Yes.

10:38:44 **16** Q. Where was her office located?

10:38:53 **17** A. She's changed offices, so I can't

10:38:55 **18** remember all of them.

10:38:58 **19** Q. Fair enough. Fair enough.

10:39:01 **20** Who was responsible for hiring the

10:39:03 **21** PPW?

10:39:04 **22** A. The Board of Education.

10:36:24 **1** been asked and answered.

10:36:25 **2** You can answer it again, though.

10:36:28 **3** A. So we would have conversations.

10:36:31 **4** Q. How frequently?

10:36:32 **5** MR. SHARMA: Objection. She wasn't

10:36:34 **6** done answering.

10:36:35 **7** A. I'm not -- I can't say how frequently.

10:36:45 **8** I can't say how frequently. I can't say was

10:36:49 **9** infrequently, but I -- you know, I really don't have

10:36:55 **10** an answer for that.

10:37:01 **11** Q. Did you have any set periodic meetings

10:37:04 **12** with the PPW?

10:37:06 **13** MR. SHARMA: Objection as to the

10:37:08 **14** scope of the question.

10:37:09 **15** You can answer, if you understand.

10:37:12 **16** A. Did I have any set meetings? No set

10:37:16 **17** meetings, but I met with her. So we didn't have

10:37:18 **18** scheduled meetings.

10:37:19 **19** Q. Okay. How many PPWs were assigned to

10:37:28 **20** Friendly from 2012 to 2016?

10:37:30 **21** A. One PPW, and she had Friendly and three

10:37:35 **22** other schools.

10:39:06 **1** Q. Did any administrators at Friendly have

10:39:11 **2** any involvement in the hiring process?

10:39:15 **3** A. No.

10:39:15 **4** Q. Who supervised the PPW?

10:39:17 **5** A. The Board of Education.

10:39:18 **6** Q. How did the Board of Education exercise

10:39:34 **7** supervision of the PPW?

10:39:35 **8** A. There is the Office of Student Services.

10:39:42 **9** So the head of the Office of Student Services, who

10:39:45 **10** is supervised by -- at that time, they change titles

10:39:49 **11** so much -- I'm going to say the associate

10:39:55 **12** superintendent, I'm not quite sure of the exact

10:39:58 **13** hierarchy back then.

10:40:02 **14** Q. Did someone from the Office of Student

10:40:09 **15** Services ask you for input on the work of the PPW?

10:40:11 **16** A. Yes. I do want to say yes. But that

10:40:25 **17** was nothing in writing, it was verbal conversations.

10:40:35 **18** Q. How often did that happen?

10:40:36 **19** A. Just depends on what's going on in the

10:40:39 **20** year. The PPW actually is the superintendent's

10:40:44 **21** designee.

10:40:56 **22** Q. So there was no formal process for you

10:40:59 **1** to provide feedback about the PPW's work to their
 10:41:04 **2** supervisor?
 10:41:04 **3** A. No. That was tracked by data.
 10:41:09 **4** Q. What kind of data?
 10:41:11 **5** A. Suspension data, in-school suspension
 10:41:15 **6** data, attendance.
 10:41:28 **7** Q. As vice principal, did you have any role
 10:41:28 **8** in evaluating the PPW?
 10:41:30 **9** A. No.
 10:41:30 **10** Q. If you had any complaints about the PPW,
 10:41:35 **11** could you have made those?
 10:41:38 **12** A. Yes.
 10:41:39 **13** Q. To whom would you have made those?
 10:41:43 **14** A. At the time, the director of student
 10:41:45 **15** services.
 10:41:54 **16** Q. Has it changed now?
 10:41:57 **17** A. No.
 10:41:59 **18** Q. It's still the same person?
 10:42:01 **19** A. Yes.
 10:42:01 **20** Q. Have you ever made a complaint about the
 10:42:03 **21** PPW?
 10:42:04 **22** A. No.

10:42:04 **1** instructions -- instruction that they should be
 10:43:58 **2** receiving; to make sure that they follow the Code of
 10:44:05 **3** Conduct.
 10:44:10 **4** Q. As principal now, what are your primary
 10:44:14 **5** responsibilities to teachers?
 10:44:15 **6** A. Pretty much the same thing, except my
 10:44:20 **7** APs, I try to have my APs be more hands-on, but by
 10:44:25 **8** being a small school, I'm kind of still doing the
 10:44:29 **9** same things.
 10:44:33 **10** Q. What authority do you have now as
 10:44:35 **11** principal that you didn't have as vice principal?
 10:44:38 **12** A. That's a good question.
 10:45:02 **13** Couldn't sign checks. I couldn't
 10:45:06 **14** make decisions on when and where different things
 10:45:12 **15** would take place. I would have to run everything by
 10:45:16 **16** the principal. I would have to bring things to him,
 10:45:28 **17** as opposed to me being principal now, people bring
 10:45:28 **18** things to me, then I have to decide what I'm going
 10:45:31 **19** to do with it.
 10:45:33 **20** So as an assistant principal, I
 10:45:36 **21** think it was a little easier. So I could push it
 10:45:39 **22** off to the principal.

10:42:04 **1** Q. Did you ever make a recommendation to
 10:42:16 **2** the PPW to provide to students information about
 10:42:22 **3** specific types of incidents during a quarterly
 10:42:26 **4** assembly?
 10:42:26 **5** A. Not that I can think of, but I don't
 10:42:32 **6** remember. I mean, I may have. I can't swear that I
 10:42:37 **7** did or didn't.
 10:42:53 **8** Q. As vice principal from 2012 to 2016,
 10:42:57 **9** what were your primary responsibilities to teachers?
 10:43:00 **10** A. Everything. Supervise instruction in
 10:43:07 **11** the classroom, monitoring grades. For the teachers.
 10:43:10 **12** Attending -- doing observations, attending
 10:43:20 **13** collaborative planning meetings.
 10:43:32 **14** (Clarification requested by the Court Reporter.)
 10:43:32 **15** A. Collaborative planning meetings.
 10:43:37 **16** (Clarification requested by the Court Reporter.)
 10:43:38 **17** Q. What were your primary responsibilities
 10:43:40 **18** to students?
 10:43:42 **19** A. I want to say babysitting, but that
 10:43:46 **20** would be mean.
 10:43:40 **21** To keep them -- you know, to keep
 10:43:51 **22** them safe; to make sure that they are receiving the

10:45:19 **1** Q. As principal now, what are your primary
 10:45:44 **2** responsibilities to students?
 10:45:46 **3** A. Again, making sure that they received
 10:45:52 **4** their instructional services. Keeping them safe.
 10:45:56 **5** They -- safe environment. And that they're socially
 10:46:04 **6** and emotionally positively impacted while they're in
 10:46:08 **7** the school. I deal with students as far as
 10:46:12 **8** homelessness, physical abuse from parents, from
 10:46:19 **9** boyfriends, sexual abuse. I deal with transgender
 10:46:25 **10** students. I deal with homosexual students.
 10:46:35 **11** Anything that comes up.
 10:46:38 **12** And again, because we're a small
 10:46:41 **13** school, I -- I'm not isolated, and it's very easy
 10:46:44 **14** for people to get to me if they wanted to talk to
 10:46:48 **15** me.
 10:46:48 **16** Q. Does the school have a written policy
 10:46:53 **17** for staff prohibiting discrimination against people
 10:46:57 **18** who are trans because of their sex, gender identity
 10:47:00 **19** or transgender status?
 10:47:02 **20** A. It would be whatever the County policy
 10:47:05 **21** is. We don't make -- the schools don't make
 10:47:08 **22** separate policies on different issues. It's

10:47:12 **1** whatever the County.

10:47:15 **2** Q. So does the County have a policy

10:47:17 **3** prohibiting -- for staff prohibiting discrimination

10:47:22 **4** against people who are transgender because of their

10:47:25 **5** sex, gender identity or transgender status?

10:47:28 **6** A. Yes.

10:47:28 **7** Q. And what is it?

10:47:27 **8** A. I don't know the name of the policy, but

10:47:28 **9** it falls under the sexual harassment and

10:47:30 **10** discrimination.

10:47:43 **11** (Plaintiff's Exhibit 32, Administrative Procedure,

10:47:43 **12** Discrimination and Harassment, PGCPS 679 - 700, was

10:47:44 **13** marked for identification.)

10:47:44 **14** Q. We're handing you a document that's

10:47:46 **15** Bates Numbered PGCPS 679, titled Administrative

10:47:55 **16** Procedure, Discrimination and Harassment, and

10:47:56 **17** marking it as Exhibit 32.

10:48:28 **18** A. Did you want me to review this?

10:48:30 **19** Q. You don't need to read it carefully, but

10:48:34 **20** if you want to take a moment to just skim over it.

10:48:37 **21** A. Okay.

10:49:01 **22** Q. Do you recognize this document?

10:50:44 **1** Q. Does it apply to security guards?

10:50:47 **2** A. Everybody.

10:50:47 **3** Q. Contractors?

10:50:48 **4** A. Cafeteria workers. Anybody that comes

10:50:53 **5** in the door.

10:50:53 **6** Q. How is it distributed?

10:50:58 **7** A. We get it through our e-mails, and we

10:50:58 **8** also receive training.

10:51:02 **9** Q. When you say "we," who do you mean?

10:51:08 **10** A. Everybody in the County.

10:51:08 **11** Q. Does that mean all employees?

10:51:09 **12** A. All employees.

10:51:09 **13** Q. What kind of training do you get on it?

10:51:13 **14** A. Webinars, videos, in addition to the

10:51:16 **15** written policy.

10:51:25 **16** Q. When you say you get it through e-mail,

10:51:28 **17** how frequently does that happen?

10:51:30 **18** A. Whenever it is updated, and at the

10:51:33 **19** beginning of each school year. So it's not updated

10:51:38 **20** every school year, but we get them every school

10:51:38 **21** year.

10:51:38 **22** Q. And you mentioned there are webinars and

10:49:42 **1** A. Yes.

10:49:53 **2** Q. What is it?

10:49:44 **3** A. It is a AP4170 on discrimination and

10:49:47 **4** harassment.

10:49:48 **5** Q. Is this the policy you were referencing,

10:49:51 **6** the County policy?

10:49:51 **7** A. If this was the latest policy during

10:49:54 **8** that time, because policies are updated. I don't

10:50:04 **9** know how regularly they are. So the first thing I

10:50:06 **10** looked at was the date.

10:50:07 **11** I can't say whether or not this was

10:50:10 **12** the same policy that was out in 2016 or not.

10:50:13 **13** Q. Do you know if the policy has been

10:50:14 **14** updated in the last ten years?

10:50:15 **15** A. Yes.

10:50:16 **16** Q. It has been updated?

10:50:18 **17** A. Yes.

10:50:19 **18** Q. Do you remember when it was updated?

10:50:21 **19** A. No.

10:50:21 **20** Q. Does this policy or its updated version

10:50:40 **21** apply to all staff?

10:50:42 **22** A. Yes, staff and students.

10:51:40 **1** videos. Can you say a little bit more about that;

10:51:53 **2** how many webinars?

10:51:54 **3** A. We have to watch them. It's almost like

10:51:58 **4** a training-type thing. So you watch them, you have

10:52:02 **5** to answer questions at the end.

10:52:00 **6** Q. When you say "watch them," it sounds

10:52:12 **7** like you're talking about more than one.

10:52:14 **8** A. Right. So it's on, like, different

10:52:19 **9** topics. In addition to discrimination, sexual

10:52:25 **10** discrimination and harassment, there are other

10:52:26 **11** topics. Like, I don't know, there's quite a few.

10:52:43 **12** I'm trying to think of some of the other topics.

10:52:46 **13** I'm drawing a blank.

10:52:55 **14** Right now, sexual discrimination is

10:52:55 **15** the only one that's sticking out.

10:52:58 **16** Q. Would there be more than one video on

10:53:09 **17** sexual discrimination?

10:53:02 **18** A. No, it would be one.

10:53:07 **19** Q. Okay. So there would be one video on

10:53:12 **20** this topic?

10:53:12 **21** A. Yes. I believe so.

10:53:14 **22** Q. And is that every year?

10:53:18 **1** A. Yes. Actually, sometimes twice a year.

10:53:19 **2** Q. When would that happen twice a year?

10:53:23 **3** A. In the fall, and then in the spring.

10:53:29 **4** Q. Is it always twice a year?

10:53:32 **5** A. No. It's not always twice a year, no.

10:53:34 **6** Q. How frequently is it twice a year?

10:53:39 **7** A. I don't know. You know, really never

10:53:42 **8** paid attention, but there's a long list that we have

10:53:48 **9** to go through in certain time frames.

10:53:51 **10** Q. Does the instructions on whether you

10:53:54 **11** need to watch that training twice a year, does that

10:53:57 **12** come from the County?

10:53:58 **13** A. Yes.

10:53:58 **14** Q. Between 2011 or 2012 to 2016, do you

10:54:05 **15** remember approximately how many times it was twice a

10:54:06 **16** year?

10:54:07 **17** A. No.

10:54:07 **18** Q. Okay. Are there any guidelines about

10:54:18 **19** how to implement this non-discrimination policy for

10:54:21 **20** staff?

10:54:22 **21** A. What do you mean?

10:54:22 **22** Q. Like any protocols about what this means

10:55:48 **1** A. What do you mean?

10:55:49 **2** Q. You mentioned that there's a Student

10:55:55 **3** Rights & Responsibilities document?

10:55:56 **4** A. Yes.

10:55:56 **5** Q. Is this policy discussed in that

10:56:04 **6** document?

10:56:04 **7** A. Yes. So is this document in the Rights

10:56:10 **8** & Responsibilities document; is that what you're

10:56:12 **9** asking?

10:56:12 **10** Q. Well, how are the students learning that

10:56:15 **11** they need to comply with this policy?

10:56:18 **12** A. What -- what we do is read what the

10:56:20 **13** definition is of sexual harassment. That comes

10:56:23 **14** straight out of the Code. And then with the

10:56:30 **15** students, we talk about what the disciplinary

10:56:33 **16** actions are.

10:56:36 **17** Q. And is the definition of sexual

10:56:38 **18** harassment that's in the Code based on this policy?

10:56:41 **19** A. Yes.

10:57:26 **20** (Previously marked Plaintiff's Exhibit 8, Student

10:57:31 **21** Rights & Responsibilities Handbook, was presented.)

10:57:03 **22** Q. We are handing you are a 32-page

10:54:25 **1** and how to apply it within the school environment?

10:54:27 **2** A. No. We are asked to review it with our

10:54:30 **3** employees in the building. And then with the

10:54:40 **4** students, they get the information through the

10:54:45 **5** Students Rights & Responsibilities document.

10:55:01 **6** Q. Do you think repeated and intentional

10:55:04 **7** misgendering would qualify as a violation of this

10:55:08 **8** policy?

10:55:08 **9** MR. SHARMA: Objection.

10:55:09 **10** You can answer.

10:55:09 **11** A. Repeat the question.

10:55:10 **12** Q. Do you think repeated and intentional

10:55:15 **13** misgendering would qualify as a violation of this

10:55:18 **14** policy?

10:55:18 **15** MR. SHARMA: Objection.

10:55:18 **16** You can answer.

10:55:19 **17** A. Intentional, yes.

10:55:23 **18** Q. You mentioned that this policy also

10:55:41 **19** applies to students?

10:55:43 **20** A. Yes.

10:55:43 **21** Q. How are they instructed about the

10:55:47 **22** requirements of this policy?

10:57:06 **1** document titled Students Rights & Responsibilities

10:57:10 **2** Handbook, which has been previously marked as

10:57:25 **3** Exhibit 8.

10:57:41 **4** Do you recognize this document,

10:57:44 **5** Ms. Pope-Brown?

10:57:44 **6** A. Yes.

10:57:45 **7** Q. What is it?

10:57:48 **8** A. It's the Code of Student Conduct. Or

10:57:48 **9** Student Rights & Responsibilities. They changed the

10:57:50 **10** name.

10:57:50 **11** Q. Is it the same Code of Conduct that you

10:57:53 **12** have been talking about this morning?

10:57:54 **13** A. Yes. To my knowledge, yes.

10:57:56 **14** Q. How is it distributed to students?

10:58:02 **15** A. Each student gets a copy of -- students

10:58:09 **16** get -- it comes in a booklet form, and students

10:58:13 **17** receive a copy.

10:58:14 **18** Q. They have a hard copy. Is there a copy

10:58:16 **19** available for them online anywhere --

10:58:19 **20** A. Yes.

10:58:19 **21** Q. -- if they lose access to their hard

10:58:22 **22** copy?

16:58:22 **1** A. Yes. I don't foresee them going to look
 16:58:26 **2** it up, but yes.
 16:58:28 **3** Q. So they can access it anytime online?
 16:58:30 **4** A. Yes.
 16:58:31 **5** Q. Can you flip to page 8 of the Student
 10:58:36 **6** Rights & Responsibilities.
 10:58:37 **7** A. Yes.
 10:58:37 **8** Q. And read the first section at the top of
 10:58:40 **9** the page under the title Section 2, Rights &
 10:58:43 **10** Responsibilities.
 10:58:45 **11** A. Administrators -- school administrators
 10:58:51 **12** responsibility, which -- you said page 8?
 10:58:53 **13** Q. It's page 8 of my copy, but it might be
 10:58:57 **14** page 7 of the actual --
 10:59:02 **15** A. Oh, okay. Section 2.
 10:59:03 **16** Q. Yes. Yes.
 10:59:05 **17** A. "PGCPS respects the rights of all
 10:59:08 **18** individuals to be treated equally and fairly to
 10:59:10 **19** ensure that no individual is discriminated against
 10:59:12 **20** based on race, color, sex, age, national origin,
 10:59:16 **21** religion, sexual orientation, or disability in the
 10:59:21 **22** areas of freedom of expression, procedural and

11:00:29 **1** headed called Caring Colors, and students were very
 11:00:35 **2** instrumental in helping all students understand
 11:00:43 **3** sexual orientation.
 11:00:47 **4** So our students really don't get
 11:00:51 **5** down in the weeds with a document. So from peer to
 11:00:55 **6** peer, that was the attempt to touch every -- every
 11:01:04 **7** student that was not a part of Caring Colors, and
 11:01:08 **8** show them an understanding of what it really
 11:01:11 **9** meant -- what they did, what their organization
 11:01:13 **10** stood for, and what they meant.
 11:01:15 **11** Q. And how did they do that?
 11:01:17 **12** A. Posters, word of mouth, talking to
 11:01:23 **13** different groups of students. Not official -- not,
 11:01:26 **14** like, a set time, they're going to talk to this
 11:01:31 **15** group or that group, but just spreading the word.
 11:01:36 **16** Their presence in the school was very strong. Very
 11:01:42 **17** strong students. Very strong students.
 11:01:44 **18** Q. Approximately how many students were in
 11:01:50 **19** that organization, Caring Colors?
 11:01:53 **20** A. In Caring Colors, during that time,
 11:01:57 **21** probably -- I can just guess. Maybe 15, 20, but
 11:02:01 **22** that's a guess.

10:59:26 **1** due-process, personal rights and access to school
 10:59:28 **2** programs. If you have any questions about
 10:59:31 **3** non-discrimination policies, please use the
 10:59:33 **4** following contact information."
 10:59:40 **5** Q. And it says on the block to the right of
 10:59:41 **6** the two blocks that, "For non-discrimination
 10:59:43 **7** policies based on gender, race, religion, sexual
 10:59:47 **8** orientation, and disability" to contact, and it has
 10:59:52 **9** a name and address.
 10:59:53 **10** So if the students wanted to see the
 10:59:55 **11** actual policies, would they need to get in touch
 10:59:57 **12** with another person?
 10:59:59 **13** A. No. They would come to the
 11:00:01 **14** administration.
 11:00:02 **15** Q. Okay. Are the actual policies, like the
 11:00:05 **16** previous exhibit we were looking at, like the
 11:00:12 **17** discrimination and harassment policy, are the actual
 11:00:14 **18** policies distributed to students in any way?
 11:00:16 **19** A. For sexual orientation harassment?
 11:00:20 **20** Q. For discrimination.
 11:00:21 **21** A. No. And what we had done at Friendly,
 11:00:24 **22** we have an organization that actually Ms. Eller

11:02:03 **1** And 15 and 20 of some of the most
 11:02:07 **2** popular kids, like our SGA president, things like
 11:02:10 **3** that.
 11:02:11 **4** Q. And you said that organization was
 11:02:14 **5** headed by Ms. Eller?
 11:02:17 **6** A. Ms. Eller, yes.
 11:02:17 **7** Q. Did she start the organization?
 11:02:19 **8** A. I don't remember whether she started the
 11:02:21 **9** organization or not, because the organization was
 11:02:29 **10** there when I got there. I used to attend their
 11:02:28 **11** meetings. Some of their meetings, not all of their
 11:02:31 **12** meetings.
 11:02:31 **13** But I don't know if she started it
 11:02:33 **14** or not. She may have. I don't know.
 11:02:35 **15** Q. Do you know why Caring Colors was
 11:02:44 **16** founded?
 11:02:44 **17** A. No.
 11:02:45 **18** Q. Do you know when Caring Colors was
 11:02:47 **19** founded?
 11:02:48 **20** A. No.
 11:02:48 **21** Q. After Ms. Eller left, did someone take
 11:02:49 **22** her role of --

11:03:01 **1** A. Yes.

11:03:01 **2** Q. Who did that?

11:03:02 **3** A. That was Ms. Bell and -- who was the

11:03:10 **4** other teacher that left? There was another teacher

11:03:12 **5** that left. I don't remember her name. I don't

11:03:18 **6** remember the names.

11:03:21 **7** Q. It sounds like a second teacher was

11:03:23 **8** involved in it, but then also left Friendly High

11:03:28 **9** School?

11:03:28 **10** A. Yes.

11:03:26 **11** Q. Is Ms. Bell still at Friendly High

11:03:30 **12** School?

11:03:30 **13** A. Ms. Bell is still at Friendly High

11:03:33 **14** School.

11:03:33 **15** Q. Does she still help the organization?

11:03:35 **16** A. Yes, she still does.

11:03:37 **17** Once the -- the group from -- I

11:03:43 **18** would say -- thinking about those -- 2017 or '18,

11:03:55 **19** I'm not sure, the group that was there when

11:04:00 **20** Ms. Eller was there was the strongest, most popular

11:04:06 **21** group. When those students graduated, the students

11:04:12 **22** that were left were not as dedicated to the mission.

11:05:20 **1** inclusive of everyone, and that was a student

11:05:23 **2** decision.

11:05:23 **3** Q. Okay. So allies can be members of the

11:05:29 **4** organization now?

11:05:29 **5** A. Right. Right. You don't have to be gay

11:05:29 **6** or transgender. Anybody can be a member that is an

11:05:33 **7** ally. So building up their broad base.

11:05:35 **8** Q. But the focus of the organization is

11:05:37 **9** still --

11:05:37 **10** A. Yes.

11:05:39 **11** Q. -- LGBT students?

11:05:39 **12** A. Yes. And transgender students.

11:05:39 **13** Q. Okay.

11:05:43 **14** A. Well, I guess that includes...

11:05:45 **15** Q. You mentioned that Caring Colors did a

11:05:49 **16** lot to explain to students about sexual orientation?

11:05:53 **17** A. Mm-hmm.

11:05:54 **18** Q. Were they able to make efforts to

11:06:01 **19** explain gender identity to students as well?

11:06:04 **20** A. This is an opinion, because I don't have

11:06:09 **21** any data on it, but I think that they did. There

11:06:15 **22** are always a few outliers as far as students are

11:04:17 **1** Right now, our student government

11:04:26 **2** president is, again, president of Caring Colors.

11:04:24 **3** They changed the name to -- I can't remember the

11:04:27 **4** name, but they wanted it to be more inclusive of

11:04:32 **5** everyone, not just people who dealt with sexual

11:04:37 **6** orientation and gender issues and things like that,

11:04:42 **7** to be inclusive of everybody. So they decided to

11:04:45 **8** change the name.

11:04:46 **9** Q. Do you know what the name is right now?

11:04:54 **10** A. No. I could find out. I don't

11:04:56 **11** remember.

11:04:59 **12** Q. Okay. Is there an organization that's

11:04:58 **13** dedicated to the needs of students who are LGBT at

11:05:02 **14** Friendly High School right now?

11:05:03 **15** A. Yes. That's the organization.

11:05:09 **16** Q. But you mentioned that it was -- they

11:05:08 **17** had changed their mission to be broader than just

11:05:10 **18** sexual orientation and gender?

11:05:12 **19** A. Broader as far as including more people.

11:05:15 **20** Q. Oh, I see.

11:05:16 **21** A. Yeah, just including people that don't

11:05:19 **22** necessarily personally have the same issues, but

11:06:19 **1** concerned, and the student outliers were those that

11:06:27 **2** were already ODD, oppositional defiant, with

11:06:29 **3** anything. So if you say left, they're going to go

11:06:32 **4** right. When you say right, they're going to go

11:06:34 **5** left. If you say give everyone a chance, they're

11:06:36 **6** going to say no.

11:06:39 **7** As far as the school and the student

11:06:41 **8** body was concerned, they were very successful.

11:06:43 **9** Q. In terms of...

11:06:45 **10** A. In terms of acceptance and, you know,

11:06:47 **11** meeting people where they are and treating everyone

11:06:50 **12** as the person that they decide to be.

11:06:58 **13** Q. Did the school provide Caring Colors

11:07:00 **14** with resources?

11:07:01 **15** A. Anything they needed. Anything they

11:07:03 **16** needed. Like I said, I did attend some of the

11:07:06 **17** meetings. So they were like any other organization

11:07:08 **18** in the building. So whatever it was they needed,

11:07:11 **19** And they were very recognized.

11:07:13 **20** Q. What did they ask the school for?

11:07:15 **21** A. Was it okay to put up posters. Was it

11:07:21 **22** okay to have different meetings. And things like

11:07:23 **1** that.

11:07:24 **2** Q. Would the school provide the funding to

11:07:26 **3** print the posters?

11:07:28 **4** A. They were student-made posters. They

11:07:31 **5** didn't ask for printed posters.

11:07:34 **6** Whatever it is they or any other

11:07:36 **7** group asks for is -- was provided. Every group has

11:07:42 **8** their own budget. They create their own budget.

11:07:45 **9** Q. We are handing you a 25-page document

11:08:06 **10** entitled Providing Safe Spaces for Transgender and

11:08:16 **11** Gender Non-Conforming Youth: Guidelines for Gender

11:08:23 **12** Identity Non-Discrimination, which we are marking as

11:08:27 **13** Plaintiff's Exhibit 33.

11:08:37 **14** (Plaintiff's Exhibit 33, *Providing Safe Spaces for*

11:08:37 **15** *Transgender and Gender Non-Conforming Youth:*

11:08:37 **16** *Guidelines for Gender Identity Non-Discrimination,*

11:08:41 **17** *was marked for identification.)*

11:08:41 **18** Q. Have you seen this document before?

11:08:55 **19** A. Actually, I have not.

11:08:58 **20** Q. So it hasn't been distributed to

11:09:07 **21** administrators at Friendly High School?

11:09:09 **22** A. Not that I can remember. I can't swear

11:10:21 **1** to?

11:10:21 **2** A. The principal, the principal to his

11:10:23 **3** boss, and his boss to his boss, so on and so forth.

11:10:26 **4** Q. Who is the boss of the principal?

11:10:28 **5** A. The instructional director. And at that

11:10:32 **6** time, it was Mark Fossett.

11:10:35 **7** Q. Who is Mark Fossett's boss?

11:10:38 **8** A. At the time, I don't know. I don't

11:10:40 **9** remember. They've changed so much. I don't

11:10:44 **10** remember who his boss was.

11:10:45 **11** Q. Do you remember the role of who was

11:10:47 **12** above the instructional director?

11:10:48 **13** A. No.

11:10:57 **14** Q. Okay. During your time as vice

11:10:59 **15** principal, did you ever make a recommendation for a

11:11:01 **16** change in policy?

11:11:02 **17** A. For this policy?

11:11:03 **18** Q. For any change in policy?

11:11:05 **19** A. No.

11:11:05 **20** Q. Did administrators at Friendly have any

11:11:10 **21** role in investigating the policies?

11:11:12 **22** A. No.

11:09:12 **1** that I didn't receive it. I can tell you I don't

11:09:17 **2** remember reading it.

11:09:17 **3** Q. Okay. To your memory, have you been

11:09:29 **4** encouraged to have any discussions about this within

11:09:31 **5** the school? Using this document?

11:09:36 **6** A. Encouraged by...

11:09:37 **7** Q. The Board of Education.

11:09:40 **8** A. No. No.

11:09:42 **9** Q. As vice principal, did you have a role

11:09:49 **10** in identifying gaps in existing policies?

11:09:50 **11** A. No.

11:09:56 **12** Q. So if you saw a need for a policy

11:10:02 **13** update, you could not make a recommendation to

11:10:05 **14** anyone?

11:10:06 **15** A. I -- yes. I could. Yes.

11:10:09 **16** Q. Okay.

11:10:09 **17** A. I think anybody could make a

11:10:16 **18** recommendation.

11:10:11 **19** Q. Who would that recommendation be made

11:10:14 **20** to?

11:10:16 **21** A. It would probably just go up the chain.

11:10:18 **22** Q. So who would you make the recommendation

11:11:12 **1** Q. Where are the policies maintained?

11:11:16 **2** A. Online.

11:11:21 **3** Q. Online?

11:11:22 **4** A. So there's a special place online that

11:11:24 **5** you can go and get -- one place, one-stop shop.

11:11:28 **6** Q. And all of the policies are maintained

11:11:30 **7** online?

11:11:38 **8** A. Yes.

11:11:39 **9** Q. Teachers can access them anytime?

11:11:39 **10** A. Yes.

11:11:39 **11** Q. Students can access them anytime?

11:11:42 **12** A. Yes.

11:11:47 **13** MS. CHEEMA: Okay. Let's take a

11:11:48 **14** five-minute break.

11:11:52 **15** THE WITNESS: Thank you.

11:21:55 **16** (RECESS, 11:11 a.m. - 11:24 a.m.)

11:24:58 **17** BY MS. CHEEMA:

11:24:59 **18** Q. From the time you began at Friendly High

11:25:02 **19** School to 2016, what training did you receive

11:25:05 **20** through the PG County school system?

11:25:09 **21** MR. SHARMA: Objection.

11:25:10 **22** You can answer, again.

11:25:14 **1** A. It is so vast.

11:25:15 **2** Q. Yeah.

11:25:15 **3** A. I mean, I can't -- unless you're talking

11:25:20 **4** specifics.

11:25:21 **5** Q. So what are the basic requirements for

11:25:23 **6** annual training that you have to do every year?

11:25:25 **7** A. We have to go -- we go over all of the

11:25:31 **8** administrative procedures. We also have to take the

11:25:39 **9** online courses.

11:25:40 **10** Q. What are the online courses?

11:25:42 **11** A. The ones that I mentioned earlier where

11:25:44 **12** you watch a video and you have to answer questions

11:25:46 **13** afterwards. You get a pass/fail. And the County

11:25:50 **14** keeps record of that.

11:25:54 **15** Q. The administrative procedures, do you

11:25:57 **16** have like a handbook that contains all of the

11:26:00 **17** administrative procedures?

11:26:01 **18** A. They're online.

11:26:03 **19** Q. They're online.

11:26:09 **20** Approximately how long does it take

11:26:14 **21** to do the training every year; how much time do you

11:26:18 **22** spend?

11:27:33 **1** A. It is the modules, and sometimes it is

11:27:40 **2** through our principal meetings.

11:27:45 **3** Q. How frequently is it through principal

11:27:48 **4** meetings?

11:27:48 **5** A. I don't know because the agenda changes,

11:27:53 **6** so...

11:27:54 **7** Q. What are the principal meetings?

11:27:59 **8** A. When all of the principals in the system

11:28:00 **9** come together to meet on different topics;

11:28:05 **10** instructional topics, student topics, content

11:28:19 **11** topics, administrative procedures.

11:28:22 **12** Q. How often does that meeting occur?

11:28:24 **13** A. We meet once a month.

11:28:31 **14** Q. How long is that meeting?

11:28:32 **15** A. All day.

11:28:33 **16** Q. All day?

11:28:34 **17** A. Yes.

11:28:34 **18** Q. If there is a training component of it,

11:28:40 **19** how long would the training be?

11:28:42 **20** A. It's hard to say. Depends on what it

11:28:44 **21** is.

11:28:45 **22** Q. What's the longest training you've ever

11:28:16 **1** A. Probably -- it's hours. It's hours.

11:28:27 **2** Q. About how many hours?

11:28:28 **3** A. Maybe a couple of hours.

11:28:31 **4** Q. Okay.

11:28:34 **5** A. Yes.

11:28:34 **6** Q. This is mandatory training?

11:28:36 **7** A. Yes.

11:28:36 **8** Q. Is there any elective training?

11:28:40 **9** A. There may be modules that are elective,

11:28:43 **10** but I don't remember what they are.

11:28:46 **11** Q. Okay. Does the subject matter of the

11:28:51 **12** training change from year to year?

11:28:57 **13** A. Not that I can remember.

11:28:59 **14** Q. How much training about discrimination

11:27:16 **15** do you receive on an annual basis?

11:27:13 **16** A. When you say "how much," what type of

11:27:16 **17** increment are you talking?

11:27:17 **18** Q. In terms of how many times do you have

11:27:21 **19** to complete a non-discrimination training in a year?

11:27:24 **20** A. Sometimes twice.

11:27:26 **21** Q. Okay. And what is the format of that

11:27:32 **22** training?

11:28:46 **1** had during that meeting?

11:28:50 **2** A. Three hours.

11:28:51 **3** Q. What was that about?

11:28:52 **4** A. I don't remember. I really don't. They

11:28:55 **5** all run together. So are you asking me were there

11:28:02 **6** any about sexual orientation, or just in general?

11:29:07 **7** Q. Were there any trainings on

11:29:11 **8** non-discrimination during the principal meetings

11:29:14 **9** from 2012 through 2016?

11:29:17 **10** A. Yes, when we went over the

11:29:19 **11** administrative procedures.

11:29:20 **12** Q. Okay. So does that -- how frequently

11:29:25 **13** does that happen?

11:29:26 **14** A. I know we do it every year, sometimes

11:29:30 **15** more than once per year.

11:29:33 **16** Q. And that's during the principals'

11:29:36 **17** meeting?

11:29:37 **18** A. Yes.

11:29:37 **19** Q. Okay. Other than when you're talking

11:30:05 **20** about all of the administrative procedures together,

11:30:07 **21** has there ever been a training for principals about

11:30:11 **22** gender identity?

11:30:13 1 A. No. Not that I know of.

11:30:14 2 Q. Have any of the non-discrimination

11:30:24 3 trainings you've gotten from PG County provided you

11:30:27 4 with any skills or techniques to understand bias?

11:30:31 5 A. No, not that I know of.

11:30:33 6 Q. Okay.

11:30:36 7 A. Actually, I take that back. Yes, we did

11:30:39 8 get training on implicit bias.

11:30:41 9 Q. When was that?

11:30:43 10 A. It's been a couple of years now.

11:30:47 11 Q. What kind of implicit bias was that?

11:30:50 12 A. All types, race, sexual orientation,

11:30:53 13 gender.

11:30:55 14 Q. Was that -- who provided that training?

11:30:57 15 A. It was -- I don't know their names. It

11:31:02 16 was -- they weren't from the County.

11:31:04 17 Q. How long was that training?

11:31:08 18 A. Two hours. And the last one was Monday.

11:31:17 19 Q. There was another implicit bias training

11:31:20 20 on Monday?

11:31:21 21 A. Yes.

11:31:21 22 Q. Is this now a regular training that --

11:32:38 1 What about after the meeting?

11:32:37 2 A. Well, the results were discussed during

11:32:39 3 the meeting.

11:32:40 4 Q. Okay. Who attended that training?

11:32:50 5 A. All systemic principals. All grades,

11:32:56 6 elementary, middle, high, all central office staff,

11:32:58 7 superintendent, associate superintendents.

11:33:05 8 Q. When you say "central office staff," who

11:33:09 9 does that refer to?

11:33:09 10 A. So anybody other than the principal. So

11:33:15 11 instructional directors, associate superintendents,

11:33:16 12 directors, managers, central office staff.

11:33:25 13 Q. So everyone -- folks above you?

11:33:27 14 A. Right.

11:33:27 15 Q. Any vice principals or department

11:33:30 16 chairs?

11:33:30 17 A. Not at that meeting. They get that

11:33:32 18 separately. Their meetings are separate.

11:33:34 19 Q. Do they also receive the implicit bias

11:33:37 20 training?

11:33:35 21 A. They have not received the one that I

11:33:39 22 have received. They've received the previous ones.

11:31:26 1 A. I don't know.

11:31:27 2 Q. Okay. The training that you took two

11:31:30 3 years ago, was that the first training on bias, on

11:31:35 4 implicit bias?

11:31:36 5 A. On implicit bias, yes.

11:31:38 6 Q. And that covered all types of implicit

11:31:41 7 bias?

11:31:41 8 A. Yes.

11:31:41 9 Q. What kind of format was it in?

11:31:44 10 A. It was discussion topics. It was

11:31:55 11 questions, question/answer. There were two

11:32:00 12 presenters.

11:32:04 13 Q. Do you remember what organization the

11:32:07 14 presenters were from?

11:32:08 15 A. I don't.

11:32:09 16 Q. Was there any test at the end of that

11:32:20 17 training that you took to evaluate your

11:32:23 18 comprehension?

11:32:24 19 A. Yes. As a matter of fact, we had to

11:32:26 20 take a test before the meeting to interpret the

11:32:32 21 bias.

11:32:35 22 Q. Before the meeting.

11:33:41 1 They normally start with principals and then they

11:33:45 2 trickle down because everybody's meetings are

11:33:47 3 different, on different days.

11:33:48 4 Q. Okay. So vice principals and teachers

11:33:51 5 have received an implicit bias training?

11:33:55 6 A. As far as I know, yes, because what I am

11:33:58 7 told, because I don't attend their meetings, that

11:34:01 8 they received the same things that we received.

11:34:04 9 Q. Okay. So your understanding is that the

11:34:06 10 same presenters and same substance of the training

11:34:11 11 that you received was also provided to --

11:34:14 12 A. I don't know. I have never attended

11:34:17 13 theirs.

11:34:18 14 Q. But your understanding is that that's

11:34:19 15 how the system is supposed to work?

11:34:21 16 A. I don't know if -- I'm not privy if it's

11:34:24 17 like the same presenters and, you know, all of that.

11:34:27 18 I don't know.

11:34:28 19 Q. Do you know if they have received a

11:34:30 20 training that's similar to the implicit bias

11:34:34 21 training that you received?

11:34:34 22 A. Yes. Yes.

11:34:38 **1** Q. Okay. Would it have been the same time
 11:34:42 **2** period, two hours' length?
 11:34:44 **3** A. I would assume so.
 11:34:46 **4** Q. Did that training equip you with the
 11:34:54 **5** skills you need to effectively resolve all
 11:34:57 **6** situations of bias at Friendly High School?
 11:35:01 **7** A. I don't think that's the -- a fair
 11:35:02 **8** question for me because I don't any biases. I think
 11:35:14 **9** you would have to ask someone who maybe had biases.
 11:35:20 **10** Then if you're talking about gender biases, I
 11:35:25 **11** thought it was very adequate, in my opinion, for
 11:35:29 **12** anybody that's struggling, if they are struggling.
 11:35:34 **13** But for me, it's information that I have already
 11:35:37 **14** heard before.
 11:35:37 **15** Q. Do you in your role have to resolve
 11:35:40 **16** situations involving other people's bias?
 11:35:43 **17** A. Yes.
 11:35:43 **18** Q. Did this training equip you with the
 11:35:45 **19** skills to --
 11:35:46 **20** A. Yes.
 11:35:48 **21** Q. Okay. Is non-discrimination training
 11:35:56 **22** provided to students?

11:37:13 **1** what, she would come to me with whatever she needed.
 11:37:17 **2** And I asked her, I said, well, Ms. Eller, this is
 11:37:20 **3** what the -- you know, the Code says. The Code said
 11:37:24 **4** I call the parent, student goes to in-school. And
 11:37:29 **5** Ms. Eller wanted to speak with the student more just
 11:37:32 **6** to have this conversation. I'm like, sure.
 11:37:35 **7** I was on a halfway decent
 11:37:39 **8** relationship with this young lady, but because she
 11:37:41 **9** had some emotional issues, sometimes that would
 11:37:45 **10** change. It just depends.
 11:37:46 **11** So we sat down, and I spoke with the
 11:37:51 **12** young lady, and -- with Ms. Eller, and tried to talk
 11:37:54 **13** to her and let her know that Ms. Eller is a human
 11:37:59 **14** being like all of us, and this is what she prefers
 11:38:02 **15** to be called. I gave the young lady an analogy of
 11:38:06 **16** her own mother and, you know, how would you feel if,
 11:38:10 **17** you know, this was happening to your mother, they're
 11:38:13 **18** calling your mother out of their name or how they
 11:38:15 **19** don't want to be called.
 11:38:17 **20** And I called the young lady's
 11:38:19 **21** parent. The young lady's parent was on the
 11:38:21 **22** telephone with us. And the young lady's parent

11:38:07 **1** A. Yes.
 11:38:07 **2** MR. SHARMA: Objection.
 11:38:08 **3** Q. What kind of training?
 11:38:08 **4** MR. SHARMA: Objection.
 11:38:09 **5** A. We --
 11:38:10 **6** MR. SHARMA: You can answer.
 11:38:11 **7** A. We answered it before, but --
 11:38:12 **8** MR. SHARMA: Exactly.
 11:38:15 **9** A. -- the Code of Student Conduct.
 11:38:17 **10** Q. In addition to the quarterly meeting
 11:38:19 **11** about the Code of Conduct, is any other training
 11:38:22 **12** provided to students?
 11:38:23 **13** A. No. Unless there's a particular
 11:38:26 **14** situation that may come up.
 11:38:34 **15** Q. What kind of situation would trigger a
 11:38:36 **16** training?
 11:38:39 **17** A. So for instance, in Ms. Eller's case,
 11:38:46 **18** there was a student who has some emotional issues,
 11:38:54 **19** and she -- the student called Ms. Eller -- referred
 11:38:56 **20** to Ms. Eller as a man, and Ms. Eller brought the
 11:37:04 **21** student to my attention. Ms. Eller and I had the
 11:37:09 **22** type of working relationship where, it didn't matter

11:38:24 **1** continued to tell the student how wrong she was.
 11:38:26 **2** But the student would not let it go. She held on
 11:38:31 **3** fast that, I don't care what any of you all say.
 11:38:35 **4** It's a he. That's what I say. It was born a he.
 11:38:38 **5** He will never -- as far as I am concerned, never be
 11:38:42 **6** a he.
 11:38:45 **7** So it -- as long as -- as long as we
 11:38:47 **8** were in the office and all of us talking, and she
 11:38:49 **9** wasn't disrespectful in -- wasn't disrespectful in
 11:38:55 **10** her tone, it was -- she was just talking. She's --
 11:38:59 **11** I don't care what you say, religions say this, I --
 11:39:01 **12** you know. And the young lady was sent to in-school
 11:39:04 **13** suspension, because that's the punishment for the
 11:39:09 **14** harassment, but it never changed her mind.
 11:39:12 **15** Now that's an anomaly for Friendly,
 11:39:17 **16** since I've been at Friendly. I can really remember
 11:39:21 **17** that instance and another instance with a couple of
 11:39:27 **18** young men that were equally as defiant. But for the
 11:39:35 **19** rest of the time, the students at Friendly loved
 11:39:38 **20** Ms. Eller. Loved Ms. Eller. Male students, female
 11:39:43 **21** students, parents. She was a great teacher.
 11:39:52 **22** Q. So you mentioned that you and Ms. Eller

11:39:55 **1** sat down and called the student's mom and the mom
 11:39:57 **2** was on the phone?
 11:39:58 **3** A. Mm-hmm.
 11:39:58 **4** Q. Other than that conversation, did you
 11:40:02 **5** try to provide any formal training to the student?
 11:40:05 **6** A. The student was not receptive. At all.
 11:40:17 **7** And is the type of student that would become very
 11:40:19 **8** hostile if pushed to a certain point. And because
 11:40:24 **9** she was speaking in a normal tone, she heard and
 11:40:32 **10** understood everything we were saying. She just
 11:40:35 **11** would not change her mind.
 11:40:42 **12** Q. So you did not provide any training
 11:40:45 **13** beyond that conversation?
 11:40:45 **14** A. The training was the conversation.
 11:40:47 **15** Q. Okay.
 11:40:48 **16** A. The training was the conversation.
 11:40:49 **17** Q. You mentioned she was provided in-school
 11:40:56 **18** suspension?
 11:40:57 **19** A. Yes.
 11:40:59 **20** Q. Were there any other consequences of
 11:41:01 **21** that student's...
 11:41:05 **22** A. She was asked to -- if she couldn't

11:42:45 **1** identify bias?
 11:42:47 **2** A. The students? The training they were
 11:42:54 **3** provided was the training that was provided from the
 11:42:58 **4** Code.
 11:43:03 **5** Q. What is the format of that training?
 11:43:07 **6** A. The Code is reviewed, we give examples,
 11:43:13 **7** and students can ask questions.
 11:43:15 **8** Q. When you say "the Code is reviewed," are
 11:43:17 **9** the students reading the Code while sitting in an
 11:43:20 **10** assembly?
 11:43:21 **11** A. So, no, the Code is read to them.
 11:43:23 **12** Q. The entire Code from the beginning to
 11:43:24 **13** the end?
 11:43:25 **14** A. ^ Ck the different -- so if you look at
 11:43:36 **15** the disciplinary response terms, they were also --
 11:43:41 **16** they reviewed the disciplinary response levels.
 11:43:52 **17** Q. And they're given examples, you
 11:43:54 **18** mentioned?
 11:43:59 **19** A. Yes.
 11:43:58 **20** Q. So it's a conversation between the PPW
 11:43:58 **21** and the assembly?
 11:43:59 **22** A. It could be the -- the PPW. Also, the

11:41:08 **1** address Ms. Eller as, you know, what Ms. Eller asked
 11:41:12 **2** her to address her as, then she needed to keep her
 11:41:16 **3** mouth shut and not say it out loud.
 11:41:21 **4** Q. Was that student in Ms. Eller's class?
 11:41:25 **5** A. No. Ms. Eller's students would never do
 11:41:28 **6** that. Would never do that, Ms. Eller was there a
 11:41:31 **7** long -- I got there in 2012, she left in 2016, and
 11:41:35 **8** like I said, that was an anomaly for that to happen.
 11:41:44 **9** Q. Did that student refer to Ms. Eller by
 11:41:49 **10** the wrong pronouns after that conversation that you
 11:41:52 **11** had with her?
 11:41:52 **12** A. The student stayed away from Ms. Eller.
 11:41:56 **13** Q. Was the student instructed to stay away
 11:42:07 **14** from Ms. Eller?
 11:42:08 **15** A. The student was instructed to stay away
 11:42:10 **16** from Ms. Eller if she could not be respectful of
 11:42:15 **17** what Ms. Eller wanted.
 11:42:17 **18** Q. In the quarterly meetings about the Code
 11:42:33 **19** of Conduct, are students taught any skills to
 11:42:38 **20** identify bias?
 11:42:39 **21** A. I don't understand.
 11:42:40 **22** Q. Are they provided training about how to

11:44:02 **1** assistant principal could be there. Also, security
 11:44:04 **2** would be there. Because they cover not -- it wasn't
 11:44:08 **3** just about the sexual bias. It was about the Code
 11:44:12 **4** of Conduct, the Students Rights & Responsibilities.
 11:44:17 **5** Q. And did that quarterly assembly cover
 11:44:24 **6** bias against people who are gender non-conforming?
 11:44:30 **7** A. I would not use those words, "gender
 11:44:34 **8** non-conforming," because I don't know whether that
 11:44:35 **9** was even out back then. But I know that it dealt
 11:44:39 **10** with homosexual, transgender. The gender
 11:44:46 **11** non-conforming is new for me. The pronoun is new.
 11:44:50 **12** I don't -- I don't remember the pronoun he, she,
 11:44:58 **13** they being out in 2016. So I don't remember
 11:45:09 **14** covering that specific thing.
 11:45:02 **15** Q. You mentioned it covered people who are
 11:45:05 **16** transgender?
 11:45:05 **17** A. Yes.
 11:45:05 **18** Q. What was discussed about that?
 11:45:07 **19** A. That they are people that -- I can't say
 11:45:09 **20** verbatim what it was, but as far as -- discussed as
 11:45:15 **21** far as being respectful, and trans -- you know, and
 11:45:18 **22** just talking to them about what -- what it means to

11:45:23 **1** be transgender as far as what you wanted to be
 11:45:26 **2** called and being treated as a human being.
 11:45:29 **3** Q. That was discussed between 2012 and
 11:45:31 **4** 2016?
 11:45:32 **5** A. Yes.
 11:45:33 **6** Q. In quarterly assemblies?
 11:45:36 **7** A. In quarterly assemblies.
 11:45:37 **8** Q. How frequently in those quarterly
 11:45:40 **9** assemblies?
 11:45:40 **10** A. Like how many times did we say it?
 11:45:42 **11** Q. Was it at every quarterly assembly?
 11:45:44 **12** A. So we cover the Code in every quarterly
 11:45:48 **13** assembly.
 11:45:48 **14** Q. Did you cover people who were
 11:45:50 **15** transgender in every quarterly assembly?
 11:45:52 **16** A. I don't know whether we covered people
 11:45:54 **17** that are transgender in every quarterly assembly.
 11:45:57 **18** Q. But you did cover people who are
 11:45:59 **19** transgender in some quarterly assemblies?
 11:46:02 **20** A. Probably, yes. I mean, for four years,
 11:46:06 **21** I can't tell you exactly.
 11:46:06 **22** Q. Do you specifically remember talking in

11:47:13 **1** thing was -- how do I say that?
 11:47:15 **2** Back in 2016 and 2012, it wasn't
 11:47:21 **3** about the pronoun like it is now. Ms. Eller
 11:47:25 **4** represented herself as a female, and that's what she
 11:47:31 **5** wanted to be called. We didn't actually identify it
 11:47:37 **6** as a pronoun. It's who she is. It's who she is.
 11:47:42 **7** She's a she.
 11:47:44 **8** Q. So "she" would be a pronoun?
 11:47:46 **9** A. It is, but what I'm saying is, as far as
 11:47:48 **10** the students were concerned, we didn't say, she is a
 11:47:53 **11** pronoun, so now she's female, so now you're going to
 11:47:57 **12** call her she. We didn't talk to the students that
 11:47:59 **13** way. We said, Ms. Eller is a female. She's
 11:48:02 **14** referred to as a female.
 11:48:04 **15** Q. And you remember that being discussed in
 11:48:05 **16** a quarterly assembly?
 11:48:07 **17** A. I didn't say it exactly like I'm just
 11:48:08 **18** saying it now. And I didn't discuss Ms. Eller, we
 11:48:12 **19** discussed transgender.
 11:48:13 **20** Q. Okay. So do you remember -- did you
 11:48:17 **21** provide that instruction at a quarterly assembly?
 11:48:23 **22** A. No.

11:48:58 **1** the assembly referring to people who are
 11:48:12 **2** transgender?
 11:48:13 **3** A. Yes.
 11:48:13 **4** Q. How often did you specifically
 11:48:15 **5** remember --
 11:48:16 **6** A. I don't remember.
 11:48:16 **7** Q. But you think it happened once?
 11:48:17 **8** A. Probably more than once in four years.
 11:48:19 **9** Q. Do you remember specific instances of
 11:48:22 **10** the assembly discussing people who were transgender?
 11:48:25 **11** MR. SHARMA: You just asked that.
 11:48:25 **12** A. I don't know.
 11:48:26 **13** MR. SHARMA: How many times are you
 11:48:29 **14** going to ask the same question? Objection.
 11:48:35 **15** A. No.
 11:48:35 **16** Q. Did the quarterly assembly discuss the
 11:48:46 **17** importance of pronouns?
 11:48:56 **18** A. I would not say it discussed pronouns,
 11:49:58 **19** it discussed the right of anyone to be called what
 11:47:02 **20** they wanted to be called. So that's what it
 11:47:08 **21** discussed.
 11:47:12 **22** We didn't -- again, the pronoun

11:48:29 **1** Q. Who did provide that instruction?
 11:48:22 **2** A. I can't remember.
 11:48:23 **3** Q. Okay.
 11:48:25 **4** A. I really can't.
 11:48:27 **5** Q. But you remember it being provided?
 11:48:35 **6** A. Yes.
 11:48:33 **7** MR. SHARMA: Objection.
 11:48:43 **8** Q. As vice principal, did you have the
 11:48:47 **9** authority to identify gaps in training?
 11:48:50 **10** A. You already asked me.
 11:48:51 **11** MR. SHARMA: Objection.
 11:48:51 **12** Q. I may ask questions more than once.
 11:48:54 **13** MR. SHARMA: That's not permissible.
 11:48:55 **14** A. Whatever my last answer was.
 11:48:56 **15** Q. Did you have the authority to recommend
 11:48:59 **16** additional training?
 11:48:07 **17** A. I have answered that one, too.
 11:49:06 **18** Q. I asked about gaps in policies earlier.
 11:49:12 **19** A. No, you asked about --
 11:49:12 **20** MR. SHARMA: You knew you asked the
 11:49:13 **21** same question?
 11:49:14 **22** MS. CHEEMA: No. I'm talking about

11:49:15 **1** training now.

11:49:15 **2** A. So is there a policy that says that I

11:49:17 **3** can make recommendations, no. But anybody can make

11:49:22 **4** recommendations.

11:49:23 **5** Q. And who would those recommendations go

11:49:26 **6** to?

11:49:27 **7** A. Again --

11:49:27 **8** MR. SHARMA: Objection.

11:49:27 **9** A. -- like I said before --

11:49:28 **10** MR. SHARMA: Even I can answer this

11:49:30 **11** now.

11:49:30 **12** A. You've asked that.

11:49:32 **13** It goes to the principal, the

11:49:33 **14** principal takes it to his boss, and his boss takes

11:49:36 **15** it to his boss, and so on.

11:49:38 **16** Q. Did you ever make any recommendations

11:49:39 **17** about training to Principal Adams while you were

11:49:42 **18** vice principal?

11:49:45 **19** A. Yes.

11:49:45 **20** Q. What kind of recommendations did you

11:49:47 **21** make about training?

11:49:48 **22** A. Ms. Eller asked me to -- that we needed

11:50:41 **1** A. Yes.

11:50:41 **2** Q. And you did not affirmatively provide

11:50:45 **3** support for Ms. Eller's recommendation?

11:50:47 **4** A. What do you mean "support"?

11:50:49 **5** Q. Did you inform Mr. Adams whether you

11:50:52 **6** agreed with --

11:50:53 **7** A. He didn't ask me.

11:50:54 **8** Q. -- with Ms. Eller's -- okay.

11:50:58 **9** Did you have an opinion about

11:50:58 **10** Ms. Eller's desire for a training?

11:50:59 **11** A. Yes.

11:50:59 **12** Q. What was your -- but you did not share

11:51:07 **13** your opinion with Mr. Adams?

11:51:09 **14** MR. SHARMA: Objection.

11:51:09 **15** A. He didn't ask me.

11:51:10 **16** Q. And so you did not share your opinion

11:51:12 **17** with Mr. Adams?

11:51:13 **18** MR. SHARMA: Objection.

11:51:13 **19** A. He didn't ask me.

11:51:14 **20** Q. Does anyone evaluate the efficacy of the

11:51:29 **21** training provided to staff?

11:51:32 **22** A. I don't know.

11:49:50 **1** to have an assembly specifically about transgender,

11:49:55 **2** and I talked to Mr. Adams about it. And from there,

11:50:00 **3** that's where I left it.

11:50:06 **4** Q. What did you talk to Mr. Adams about

11:50:09 **5** specifically?

11:50:09 **6** A. What I just said.

11:50:10 **7** Q. Did you confirm -- did you agree with

11:50:13 **8** Jenny about the need for an assembly?

11:50:15 **9** A. I did not give him that information.

11:50:17 **10** Well, did I talk with Jennifer, Ms. Eller, to ask

11:50:20 **11** her that? I -- she and I talk. Are you asking me

11:50:24 **12** did I talk to Mr. Adams of whether I agreed with

11:50:27 **13** that?

11:50:28 **14** Q. Yes. In your conversation with

11:50:29 **15** Mr. Adams, what was your opinion about the need for

11:50:31 **16** the assembly?

11:50:32 **17** A. I didn't have one. I just submitted the

11:50:34 **18** information.

11:50:34 **19** Q. So you passed on Ms. Eller's

11:50:38 **20** recommendation for a training --

11:50:39 **21** A. Yes.

11:50:39 **22** Q. -- to Mr. Adams?

11:51:32 **1** Q. Does anyone evaluate the efficacy of

11:51:38 **2** training provided to students?

11:51:40 **3** A. Not in a formal way, no.

11:51:56 **4** MS. CHEEMA: Should we break for

11:51:57 **5** lunch?

11:51:59 **6** MR. RODRIGUEZ: Sure.

11:51:59 **7** MS. CHEEMA: We'll break for lunch.

11:52:01 **8** THE WITNESS: Okay.

11:52:05 **9** (RECESS, 11:52 a.m. - 12:40 p.m.)

12:40:39 **10** MS. CHEEMA: Ready?

12:40:49 **11** THE WITNESS: Yes.

12:40:41 **12** BY MS. CHEEMA:

12:40:41 **13** Q. What is the process for making a

12:40:44 **14** complaint about student behavior, if a teacher

12:40:47 **15** wanted to make a complaint?

12:40:48 **16** A. There's several.

12:40:49 **17** One is completing a PS-74. One is

12:40:56 **18** the teacher can inform the administrator.

12:41:01 **19** Q. Which administrator?

12:41:03 **20** A. It doesn't matter. It really doesn't

12:41:07 **21** matter. As I was saying earlier this morning, it's

12:41:12 **22** that because Friendly is so small, sometimes you

12:41:14 **1** can't get to the administrator that's assigned to
 12:41:17 **2** your content or grade level, so you go to, you know,
 12:41:21 **3** whatever administrator that's available, depending
 12:41:25 **4** on the seriousness of the infraction.
 12:41:28 **5** Q. By "administrator," you mean vice
 12:41:32 **6** principal?
 12:41:32 **7** A. Yes.
 12:41:32 **8** Q. If the vice principal assigned to your
 12:41:35 **9** grade level or subject matter is not available, you
 12:41:36 **10** can go to a different vice principal?
 12:41:38 **11** A. If they're not available, you can go to
 12:41:40 **12** any vice principal. Or the principal, if you see --
 12:41:44 **13** you know, if you -- if he happens to be near and you
 12:41:46 **14** wanted to report.
 12:41:48 **15** Q. Would that be an oral conversation with
 12:41:51 **16** the vice principal or principal?
 12:41:54 **17** A. It depends on the teacher. Sometimes
 12:41:57 **18** teachers do it orally. Sometimes teachers complete
 12:42:01 **19** documents.
 12:42:01 **20** Q. Okay. Are there different kinds of
 12:42:04 **21** complaints for which teachers are advised to
 12:42:05 **22** document it in a PS-74?

12:42:26 **1** complaints should be -- you know, a PS-74 should be
 12:43:33 **2** completed. It doesn't always happen. But if the
 12:43:38 **3** administrator knows about it, the consequence is
 12:43:39 **4** still given.
 12:43:40 **5** So the administrator won't stop the
 12:43:42 **6** consequence because the teacher didn't submit a
 12:43:45 **7** PS-74.
 12:43:46 **8** Q. Okay. So once -- if a PS-74 is
 12:43:51 **9** completed, who would a teacher provide that to?
 12:43:55 **10** A. So she would give it to the -- so it --
 12:43:59 **11** the grade level administrator, and the grade level
 12:44:03 **12** administrator would speak with the student, find out
 12:44:07 **13** what happened. If there were witnesses necessary to
 12:44:11 **14** talk to, depending on what the complaint was, speak
 12:44:14 **15** with the witnesses. Also speak with the teacher.
 12:44:19 **16** After the discipline was dispersed, the result would
 12:44:28 **17** be list on the bottom part of the PS-74.
 12:44:29 **18** The teacher is supposed to get a
 12:44:31 **19** copy, the parent, and the guidance office is
 12:44:39 **20** supposed to receive a copy to be placed in the
 12:44:42 **21** student's file, but that doesn't happen all the
 12:44:49 **22** time.

12:42:10 **1** A. All complaints should be documented in a
 12:42:13 **2** PS-74, but the reality then was that the teachers
 12:42:16 **3** didn't always have time to do it. So if something
 12:42:22 **4** may have happened in the middle of class, they
 12:42:25 **5** wouldn't necessarily stop instruction to complete
 12:42:28 **6** it. And their plans may be to have completed it by
 12:42:33 **7** the end of the day, and sometimes those plans didn't
 12:42:36 **8** work out. They didn't complete it. But the student
 12:42:38 **9** would still receive a consequence.
 12:42:41 **10** So for instance, if something
 12:42:43 **11** happened in the classroom, the teacher would maybe
 12:42:47 **12** contact the administrator, the administrator would
 12:42:50 **13** deal with the student, and then the teacher may or
 12:42:53 **14** may not complete a PS-74.
 12:42:56 **15** Q. Okay. So there could be consequences
 12:43:04 **16** against students that were not documented in PS-74s?
 12:43:08 **17** A. Oh, definitely.
 12:43:09 **18** Q. Is that pretty common?
 12:43:15 **19** A. Yes.
 12:43:16 **20** Q. If a complaint was serious, would that
 12:43:20 **21** require a documentation of PS-74?
 12:43:24 **22** A. Yes. When you say "require," all

12:44:06 **1** Q. When you say "administrator," again,
 12:44:58 **2** that's referring to vice principal?
 12:45:01 **3** A. Vice principal.
 12:45:01 **4** Q. And so the vice principal reviews the
 12:45:03 **5** complaint, evaluates it?
 12:45:04 **6** A. Investigates it, yes.
 12:45:07 **7** Q. Okay. Who provides a copy of the PS-74
 12:45:17 **8** to the PPW?
 12:45:11 **9** A. I don't know. I really don't know.
 12:45:20 **10** Q. Is it someone's responsibility to
 12:45:30 **11** provide the PS-74 to the PPW?
 12:45:33 **12** A. I'm sure it is, but I don't know who
 12:45:36 **13** that person is.
 12:45:37 **14** Q. When you were vice principal, in
 12:45:39 **15** responding to complaints and evaluating PS-74s, how
 12:45:43 **16** often did you provide copies to the PPW?
 12:45:46 **17** A. I never provided anyone copies. I gave
 12:45:48 **18** them to the secretary.
 12:45:54 **19** Q. Did you instruct the secretary to
 12:45:51 **20** provide them to the PPW as well?
 12:45:53 **21** A. To anybody that was on the bottom of the
 12:45:56 **22** disbursement.

12:45:57 **1** Q. Is the dispersement is on the PS-74
 12:46:00 **2** itself?
 12:46:01 **3** A. Yes.
 12:46:01 **4** Q. If the PPW was not listed on the bottom
 12:46:09 **5** of the dispersement, would you instruct the
 12:46:12 **6** secretary also to give it to the PPW?
 12:46:14 **7** A. Probably not.
 12:46:17 **8** The PPW pretty much got involved
 12:46:20 **9** when something was suspendable or something ongoing.
 12:46:31 **10** So if a student continued the same infraction.
 12:46:40 **11** Q. When you were evaluating a PS-74 as vice
 12:46:47 **12** principal and deciding what consequence should be
 12:46:50 **13** provided, how would you make that evaluation; how
 12:46:55 **14** would you decide what the consequence should be?
 12:46:56 **15** A. The Code. The Code.
 12:46:58 **16** Q. Okay.
 12:46:59 **17** A. And the reason why we went by the Code
 12:47:02 **18** is if we didn't or if a parent wanted to dispute, we
 12:47:08 **19** could always have the Code to go back to.
 12:47:22 **20** Q. When deciding how to respond, what are
 12:47:24 **21** the types of responses available?
 12:47:25 **22** A. It depends on the infraction. It

12:48:47 **1** A. It depends on where it's dispersed to.
 12:48:53 **2** So the student's CUM. The parent gets a copy. CUM,
 12:48:58 **3** meaning folder.
 12:48:59 **4** Q. Okay.
 12:48:59 **5** A. Parents get a copy. I can't remember
 12:49:01 **6** everything on the bottom of the form.
 12:49:13 **7** Q. Was there any central filing location
 12:49:15 **8** where copies of PS-74s would be kept?
 12:49:19 **9** A. No.
 12:49:19 **10** Q. They were all individually in each
 12:49:23 **11** student's file?
 12:49:24 **12** A. Right.
 12:49:24 **13** Q. Were they tracked anywhere centrally?
 12:49:27 **14** A. Not that I know of. Like a location
 12:49:31 **15** where we could go in and say, on January 5th, this
 12:49:35 **16** student received a PS-74, that type of thing?
 12:49:39 **17** Q. Or where you had documentation of all of
 12:49:43 **18** the PS-74s that had been received?
 12:49:45 **19** A. No.
 12:49:46 **20** Q. So other than the actual paper document
 12:49:49 **21** of the PS-74, is any documentation made in a central
 12:49:55 **22** file about the PS-74's existence?

12:47:31 **1** depends.
 12:47:34 **2** Q. What kind of corrective action could be
 12:47:36 **3** provided?
 12:47:38 **4** A. What do you mean? What kind of response
 12:47:40 **5** could be --
 12:47:41 **6** Q. Are there corrective responses?
 12:47:43 **7** A. What do you mean by "corrective
 12:47:44 **8** responses"? I think all of them are corrective, but
 12:47:47 **9** what are you talking about specifically?
 12:47:48 **10** Q. Well, so for example, suspension is a
 12:47:52 **11** putative response.
 12:47:54 **12** A. Mm-hmm. Are you talking about maybe
 12:47:59 **13** writing a letter or apologizing to the victim; is
 12:48:02 **14** that what you're talking about?
 12:48:03 **15** Q. Or to change the student's behavior,
 12:48:06 **16** like training of some sort.
 12:48:07 **17** A. No. Not at the high school level.
 12:48:17 **18** Q. And the consequence that is provided to
 12:48:25 **19** the complainant, that's documented in the PS-74, you
 12:48:29 **20** mentioned?
 12:48:29 **21** A. If a PS-74 is received.
 12:48:44 **22** Q. Okay. Where are the PS-74s maintained?

12:48:59 **1** A. No.
 12:50:09 **2** Q. Is there an evaluation of whether the
 12:50:16 **3** consequences meted for PS-74s are effective?
 12:50:29 **4** A. I don't understand what you mean.
 12:50:23 **5** Q. Is there any evaluation to see if the
 12:50:27 **6** consequence to the complaint had its desired
 12:50:31 **7** outcome?
 12:50:35 **8** A. I'm still not sure what you mean.
 12:50:37 **9** Q. That's okay.
 12:50:37 **10** A. If you can give me an example.
 12:50:39 **11** Q. So if a student is intentionally
 12:50:59 **12** misgendering a teacher, and a PS-74 is filed about
 12:50:54 **13** that, and a consequences is provided in response to
 12:50:59 **14** that PS-74, would there be any evaluation later in
 12:51:02 **15** time to check in to see if the conduct was still
 12:51:04 **16** happening?
 12:51:07 **17** A. Not necessarily by the administrator,
 12:51:11 **18** but the teachers would let us know.
 12:51:14 **19** Q. So the responsibility was on the teacher
 12:51:17 **20** to provide information if it was still an ongoing
 12:51:21 **21** problem?
 12:51:21 **22** A. I wouldn't say it was the responsibility

12:51:27 **1** of the teacher. That's just how it happened.

12:51:27 **2** We've never gotten any complaints

12:51:28 **3** about reoccurring once we've dealt with

12:51:33 **4** misgendering. The example that I gave you with the

12:51:37 **5** young lady, it didn't happen anymore.

12:51:42 **6** Q. In that you never got a complaint about

12:51:44 **7** that particular individual?

12:51:46 **8** A. From Ms. Eller or anyone else.

12:51:49 **9** Q. Okay. Is any information about PS-74s

12:52:02 **10** provided to anyone above you?

12:52:08 **11** A. Not PS-74s in general, but I'm trying to

12:52:14 **12** think, do we have to do a report on how many PS-74s

12:52:18 **13** were written and what they were written for, no.

12:52:21 **14** Q. No reporting on PS-74s?

12:52:24 **15** A. Not specifically. It was more like a

12:52:29 **16** self-reporting. I'm trying to think because the

12:52:33 **17** County has gone through a few data inquiries as far

12:52:40 **18** as what we report, and I'm trying to remember

12:52:43 **19** whether PS-74s were up there. Like the number of

12:52:48 **20** PS-74s, what the infraction was, what was the race

12:52:52 **21** of the alleged culprit.

12:52:58 **22** I don't remember anything like that.

12:54:00 **1** called.

12:54:00 **2** Q. Okay. And when are security services

12:54:09 **3** called?

12:54:10 **4** A. It depends. It's no -- I don't have a

12:54:12 **5** list to say, okay, now you call security.

12:54:18 **6** Q. Do you make a judgment about calling

12:54:19 **7** security?

12:54:19 **8** A. I go by the Code and the seriousness of

12:54:23 **9** the incident.

12:54:25 **10** Q. When does the Code instruct to call

12:54:28 **11** security?

12:54:28 **12** A. I don't know what -- where it is

12:54:32 **13** exactly, but -- I don't know where it is exactly.

12:54:33 **14** So for instance, if somebody

12:54:43 **15** called -- if a white student called another student

12:54:43 **16** a nigger, I wouldn't report that to anybody outside

12:54:47 **17** the building. I would report that to the principal,

12:54:52 **18** and you know -- but I would not call security about

12:54:57 **19** that.

12:55:09 **20** Q. So what is it about a swastika being

12:55:09 **21** painted on a wall that makes you think you should

12:55:08 **22** call security?

12:53:06 **1** Q. So you provided no information about

12:53:04 **2** complaints within the school environment to people

12:53:09 **3** above you?

12:53:11 **4** A. I do not recall.

12:53:12 **5** Q. Okay. No data?

12:53:15 **6** A. I don't recall.

12:53:16 **7** Q. Would an incident be -- let me restate

12:53:25 **8** that.

12:53:28 **9** Would you ever notify folks in your

12:53:29 **10** chain -- in your supervisory chain if you thought an

12:53:33 **11** incident was particularly egregious?

12:53:36 **12** A. My principal.

12:53:40 **13** Q. Okay. So as --

12:53:41 **14** A. Outside of him, no.

12:53:42 **15** Q. Now that you are principal, if something

12:53:45 **16** happened at your school that you thought was

12:53:47 **17** particularly egregious, would you notify anyone

12:53:50 **18** above you?

12:53:51 **19** A. Depending on what it was.

12:53:52 **20** Q. For example, if someone graffitied a

12:54:02 **21** swastika on a school wall?

12:54:04 **22** A. Yes, because security services would be

12:55:07 **1** A. Anything that is tagged, that's when we

12:55:10 **2** get security called. If students tag a wall that

12:55:13 **3** says, "MS-13," or any gang sign, then they're

12:55:17 **4** called.

12:55:17 **5** Q. Okay.

12:55:18 **6** A. But if a student called another student

12:55:20 **7** a nigger, no.

12:55:22 **8** Q. What does security do?

12:55:29 **9** A. They investigate it, and then they

12:55:33 **10** decide on, you know, whatever the next step is.

12:55:35 **11** Q. Is the difference in seriousness between

12:55:37 **12** the student that you mentioned calling a racial

12:55:43 **13** slur --

12:55:43 **14** A. She didn't call her -- oh, the nigger?

12:55:46 **15** Q. Right.

12:55:47 **16** A. Mm-hmm.

12:55:48 **17** Q. The -- is it in seriousness or in the

12:55:54 **18** fact that it's sort of documented?

12:55:57 **19** A. What do you mean?

12:55:58 **20** Q. Like a graffiti, a tag.

12:56:09 **21** A. So if a student tagged the wall and

12:56:09 **22** said, "Nigger," is that what you're asking?

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12:56:06 **1** Q. What is the difference in security for
 12:56:07 **2** why you would call security for a tag, but not the
 12:56:10 **3** verbal slur?
 12:56:11 **4** A. Because a tag as far as a -- it's like a
 12:56:15 **5** group or a gang. So...so if somebody was walking
 12:56:26 **6** down the hall and said, "White power," that would be
 12:56:29 **7** investigated.
 12:56:29 **8** Q. Okay. If it's associated with a group?
 12:56:32 **9** A. Right.
 12:56:32 **10** Q. Okay. What's the process for making a
 12:56:36 **11** complaint about staff conduct?
 12:56:37 **12** A. As far as -- what do you mean?
 12:56:42 **13** Q. How would a person document a complaint
 12:56:43 **14** about staff conduct?
 12:56:45 **15** A. So if a staff member did what? Depends
 12:56:48 **16** on what the staff member did.
 12:56:50 **17** Q. Violation of policy.
 12:56:52 **18** A. The -- it's progressive discipline, so
 12:56:55 **19** the staff person would get, depending on the
 12:56:59 **20** seriousness, a verbal warning, a -- the -- or
 12:57:03 **21** written warning.
 12:57:04 **22** Q. So for student conduct, a teacher would

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12:58:13 **1** A. It -- depending on what it is. It could
 12:58:15 **2** be the principal, it could be security. I think it
 12:58:17 **3** depends on what it is.
 12:58:18 **4** Q. When would the principal evaluate versus
 12:58:22 **5** security?
 12:58:22 **6** A. It just depends on what the infraction
 12:58:25 **7** is.
 12:58:26 **8** Q. For what types of infractions would
 12:58:28 **9** security be required to be involved?
 12:58:29 **10** A. Maybe teachers fighting or -- I don't
 12:58:34 **11** know.
 12:58:35 **12** Q. Okay. For a complaint where the
 12:58:42 **13** principal evaluates it on their own, how would the
 12:58:44 **14** response be decided?
 12:58:46 **15** A. I don't know.
 12:58:46 **16** Q. Have you ever received a complaint as
 12:58:50 **17** principal about another staff member?
 12:58:52 **18** A. No.
 12:58:53 **19** Q. Okay. If you were to receive a
 12:58:58 **20** complaint, do you know what -- how you would
 12:58:59 **21** respond?
 12:58:59 **22** A. I really don't know, and it would depend

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12:57:06 **1** document what happened on a PS-74. How would a
 12:57:11 **2** teacher document the complaint for a staff
 12:57:14 **3** complaint?
 12:57:14 **4** A. For staff, from staff?
 12:57:17 **5** Q. Mm-hmm.
 12:57:18 **6** A. They would write a statement and give it
 12:57:19 **7** to the principal.
 12:57:20 **8** Q. Where would that be maintained?
 12:57:32 **9** A. That would be maintained in the -- the
 12:57:37 **10** alleged's file.
 12:57:39 **11** Q. Of the person --
 12:57:41 **12** A. I believe, because I don't -- yeah. I
 12:57:44 **13** believe. So I'm not sure.
 12:57:46 **14** Q. Of the person who filed the complaint or
 12:57:48 **15** against whom the complaint was filed?
 12:57:49 **16** A. I believe it's both, but I'm really not
 12:57:52 **17** sure, because those files are kept -- they don't go
 12:57:56 **18** outside the building, unless it's a letter of
 12:58:03 **19** reprimand.
 12:58:07 **20** Q. And you mentioned that it would be
 12:58:08 **21** provided to the principal. Would the principal be
 12:58:16 **22** the person who evaluates it?

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12:58:01 **1** on what the complaint is.
 12:58:03 **2** Q. Yep.
 12:58:03 **3** A. The nature of the relationship between
 12:58:05 **4** the two people, and it's so many variables to take
 12:58:08 **5** into consideration.
 12:58:10 **6** Q. Yeah.
 12:58:15 **7** You mentioned that you don't provide
 12:58:17 **8** information to the Board of Education about PS-74s
 12:58:20 **9** that are filed in the school?
 12:58:22 **10** A. I don't remember any system itself, yes.
 12:58:25 **11** Q. Okay. As -- while you were vice
 12:58:33 **12** principal, do you know if information about
 12:58:35 **13** complaints about staff were ever provided to the
 12:58:38 **14** Board of Education?
 12:58:38 **15** A. I don't know.
 12:58:39 **16** Q. And as principal, you haven't provided
 12:58:42 **17** anything to the Board of Education about staff?
 12:58:44 **18** A. No.
 01:00:21 **19** Q. What's the high school performance
 01:00:24 **20** office?
 01:00:24 **21** A. Well, it's not that anymore. They
 01:00:26 **22** change so often.

01:00:28 **1** So the high school performance
 01:00:30 **2** office is the office where the instructional
 01:00:35 **3** directors, which are the principal supervisors, are
 01:00:37 **4** located, it probably would have been the associate
 01:00:42 **5** superintendent over high schools at that time, and
 01:00:47 **6** different content level supervisors for high school.
 01:00:50 **7** Q. Who reports to the instructional
 01:00:57 **8** director?
 01:00:57 **9** A. The principal.
 01:00:58 **10** Q. What do you report to them about?
 01:01:00 **11** A. What do --
 01:01:02 **12** Q. What do you report to them about?
 01:01:04 **13** A. Everything. They're our first-line
 01:01:06 **14** supervisor.
 01:01:06 **15** Q. When you say "everything," so you
 01:01:08 **16** mentioned that you don't report about PS-74s. So
 01:01:11 **17** it -- could you just provide a little bit more
 01:01:13 **18** detail about what you do provide information to them
 01:01:15 **19** about.
 01:01:16 **20** A. Anything they ask for, at any given
 01:01:19 **21** time.
 01:01:25 **22** Q. How often do you meet with them?

01:02:35 **1** A. It changes so often.
 01:02:38 **2** ^ PARAGRAPHING there are eight
 01:02:45 **3** components to our evaluation. School climate,
 01:02:49 **4** curriculum, monitoring instruction, community
 01:02:54 **5** engagement.
 01:02:58 **6** They track the data as it relates to
 01:03:04 **7** formal assessment, formal state assessments.
 01:03:09 **8** They look at our discipline numbers.
 01:03:12 **9** They -- which mean our suspension numbers and the
 01:03:16 **10** number of students in ISS. They break -- we have to
 01:03:20 **11** break down the numbers as far as whether they're
 01:03:23 **12** special education students, whether they're general
 01:03:25 **13** education students.
 01:03:32 **14** Building services.
 01:03:35 **15** We're evaluated on parent
 01:03:41 **16** complaints.
 01:03:41 **17** School safety.
 01:03:47 **18** Q. When you mentioned school climate, what
 01:03:49 **19** does that involve?
 01:03:51 **20** A. There's a survey that's done by the
 01:03:55 **21** teachers and the students. At that time, it was
 01:04:00 **22** called -- I think it was called VAL-ED, V-A-L-E-D,

01:01:21 **1** A. There's no set time when -- you know,
 01:01:27 **2** it's not like every Friday or every week or anything
 01:01:31 **3** like that. There's no set time. They kind of come
 01:01:34 **4** in and do drive-bys. If it's an observation, then
 01:01:38 **5** we know they're coming.
 01:01:41 **6** But we talk several times a week.
 01:01:46 **7** Q. Within a school year, how often would
 01:01:52 **8** you meet with them in person?
 01:01:58 **9** A. In person, too many to count. So it's
 01:01:59 **10** very often.
 01:02:06 **11** Q. Okay.
 01:02:06 **12** A. But it's just not on a regular basis.
 01:02:09 **13** There's no scheduled --
 01:02:09 **14** Q. Okay.
 01:02:14 **15** A. -- time.
 01:02:16 **16** Q. How many approximately in a month?
 01:02:18 **17** A. Maybe -- maybe eight or so, give or
 01:02:18 **18** take.
 01:02:18 **19** Q. Is the instructional director the person
 01:02:31 **20** who evaluates the principals?
 01:02:33 **21** A. Yes.
 01:02:33 **22** Q. And what are you evaluated on?

01:04:06 **1** and they took a survey, and the results were
 01:04:10 **2** normally distributed toward the end of the year, say
 01:04:16 **3** around March, April-ish, I think.
 01:04:23 **4** Q. How often is that survey provided?
 01:04:25 **5** A. Once a year.
 01:04:26 **6** Q. And has it been -- was it done every
 01:04:28 **7** year between 2012 and 2016?
 01:04:30 **8** A. Yes.
 01:04:30 **9** Q. Were all students required to take that?
 01:04:33 **10** A. There was -- the students were selected
 01:04:35 **11** by the organization that -- it came from -- I don't
 01:04:39 **12** remember the name of the company who was in charge
 01:04:39 **13** of the survey, but the survey was done by them.
 01:05:01 **14** Also, I think there was another
 01:05:05 **15** state survey. I'm not quite sure. And I really
 01:05:09 **16** don't remember whether it was, you know, back during
 01:05:13 **17** the 2012-2016 time. But the state also does
 01:05:18 **18** surveys, climate surveys on the schools. They send
 01:05:22 **19** it out, and teachers and students have to -- are
 01:05:25 **20** asked to answer.
 01:05:28 **21** Q. So how many students are required to
 01:05:34 **22** take the climate surveys?

01:05:30 **1** A. I don't know. I don't know, but I know
 01:05:40 **2** that they did them during -- I think it was the --
 01:05:47 **3** I'm not sure. I would have to ask our testing
 01:05:49 **4** coordinator, but it was more than a class or two.
 01:05:51 **5** Q. Would it have been in every grade?
 01:05:54 **6** A. I think it -- I think so. I'm not quite
 01:05:58 **7** sure, but I think it was every grade.
 01:05:59 **8** Q. But you don't remember the company that
 01:06:02 **9** distributed the survey?
 01:06:04 **10** A. No. I don't know whether the company's
 01:06:07 **11** name is VAL-ED or not, and how the students were
 01:06:11 **12** selected, but the school nor the County had anything
 01:06:15 **13** to do with how the students or teachers are
 01:06:18 **14** selected.
 01:06:19 **15** Q. There are video cameras at Friendly High
 01:06:28 **16** School, correct?
 01:06:29 **17** A. Yes.
 01:06:29 **18** Q. Are they always recording?
 01:06:32 **19** A. Yes.
 01:06:32 **20** Q. Where are the recordings maintained?
 01:06:36 **21** A. I'm not quite sure, but if something
 01:06:43 **22** happens in the building -- because I know that after

01:08:12 **1** matter. So if we know that, say, for instance, if
 01:08:20 **2** there was a group fight or something like that, then
 01:08:23 **3** it would be saved.
 01:08:34 **4** Q. So when you mentioned if it involved
 01:08:35 **5** expulsion, it would be saved, are all expulsions
 01:08:40 **6** security matters?
 01:08:41 **7** A. All the ones that I have dealt with have
 01:08:52 **8** been security matters, because all of the ones that
 01:08:56 **9** I have ever dealt with have been crimes of violence.
 01:09:01 **10** Q. Okay. If there are -- other than
 01:09:07 **11** expulsions or security matters, are there any other
 01:09:10 **12** instances in which a complaint is filed and footage
 01:09:12 **13** would be saved?
 01:09:13 **14** A. Not saved.
 01:09:23 **15** Q. When did you meet Jennifer Eller?
 01:09:26 **16** A. When I came to Friendly in 2012.
 01:09:28 **17** Q. Did you know that she was transgender
 01:09:35 **18** when you met her?
 01:09:38 **19** A. I didn't know -- actually, no. I didn't
 01:09:45 **20** know that she was transgender, no.
 01:09:48 **21** Q. How did you come to know that she was
 01:09:51 **22** transgender?

01:06:45 **1** a certain number of days, I think it used to be 20
 01:06:48 **2** or 25, it's gone.
 01:06:50 **3** So if something needs to be
 01:06:54 **4** extracted, we have to do so within a certain time
 01:06:56 **5** frame.
 01:07:04 **6** Q. If there was a complaint that was
 01:07:08 **7** documented on a PS-74, would footage generally be
 01:07:10 **8** pulled from the video cameras?
 01:07:12 **9** A. Yes. So -- yeah. And our cameras
 01:07:19 **10** aren't the best, but our security, they know our
 01:07:24 **11** kids. They sometimes can tell by the body shape if
 01:07:28 **12** they can't get a real good look at the face.
 01:07:31 **13** Q. If footage was pulled related to a
 01:07:37 **14** complaint, would it be saved?
 01:07:38 **15** A. Only if it was for an expulsion.
 01:07:40 **16** Q. So if there was footage related to a
 01:07:50 **17** complaint that led to a suspension, that would not
 01:07:52 **18** be saved?
 01:07:54 **19** A. No.
 01:07:55 **20** Q. Is there a policy documenting the
 01:08:04 **21** process for when to save footage?
 01:08:08 **22** A. No. We only save it if it is a security

01:09:52 **1** A. I think she told me.
 01:09:53 **2** Q. What do you understand transgender to
 01:09:56 **3** mean?
 01:09:58 **4** A. What I understand it to mean is a person
 01:10:03 **5** born one way, male or female, and feel that they are
 01:10:13 **6** mislabeled or misgendered, and want to live as the
 01:10:18 **7** gender that they feel that they are, that they feel
 01:10:22 **8** like, that they identify with.
 01:10:31 **9** Q. Did Ms. Eller talk with you about why
 01:10:37 **10** she transferred to Friendly High School?
 01:10:48 **11** A. Trying to remember, did she talk to me
 01:10:47 **12** or -- we may have had a conversation about where she
 01:10:54 **13** was before Friendly.
 01:10:54 **14** Q. Did you know that she had transferred to
 01:10:57 **15** Friendly High School?
 01:10:57 **16** A. Yes. Yes.
 01:10:58 **17** Q. Did you know why she transferred to
 01:11:03 **18** Friendly High School?
 01:11:07 **19** A. Yes.
 01:11:01 **20** Q. What is your understanding of why she
 01:11:03 **21** transferred to Friendly High School?
 01:11:05 **22** A. I believe, if I'm remembering correctly,

01:11:07 **1** she was at a middle school, I think, and she was
 01:11:10 **2** labeled as a male, and she actually was going
 01:11:20 **3** through transition, and I guess when she returned --
 01:11:27 **4** I don't really know the exact story, whether it was
 01:11:31 **5** her decision or whether it was someone else's
 01:11:33 **6** decision for her to come -- or be transferred to
 01:11:36 **7** Friendly.
 01:11:39 **8** So when I got there, she was already
 01:11:41 **9** there.
 01:11:41 **10** Q. Okay. Did you have any understanding
 01:11:45 **11** about her experiences at the prior school?
 01:11:48 **12** A. We have had a lot of conversations. And
 01:11:52 **13** I'm trying -- I don't think that we have ever
 01:11:54 **14** specifically talked about things at her previous
 01:11:58 **15** school.
 01:12:07 **16** Q. Other than Ms. Eller, during your
 01:12:09 **17** time -- other than Ms. Eller, were there any other
 01:12:13 **18** transgender teachers who were openly transgender at
 01:12:17 **19** Friendly High School?
 01:12:18 **20** A. No, not that I know of.
 01:12:19 **21** Q. Were there openly transgender students?
 01:12:21 **22** A. Yes.

01:14:00 **1** A. My memory is kind of vague on that, but
 01:14:09 **2** I do vaguely think it might have been between that
 01:14:11 **3** time. I don't know whether it was between that time
 01:14:14 **4** or after 2016 when there was -- hmm. I remember a
 01:14:25 **5** teacher. Her name was Ms. -- her name is
 01:14:28 **6** Ms. Claggett, but I don't remember the
 01:14:35 **7** circumstances. I don't know whether it was between
 01:14:37 **8** '12 and '16 or not.
 01:14:39 **9** But she didn't -- for religious
 01:14:44 **10** reasons, didn't think that she needed to or she
 01:14:47 **11** should call the student by the student's gender
 01:14:52 **12** identity.
 01:14:54 **13** Q. And how did you come to learn about
 01:14:55 **14** that?
 01:14:58 **15** A. I don't remember. I want to say the
 01:15:03 **16** student may have come to me, but I don't remember
 01:15:02 **17** whether it was the student or the teacher. I do
 01:15:05 **18** remember talking to the teacher and letting her know
 01:15:08 **19** that she had to communicate with the student as what
 01:15:13 **20** the student identified as.
 01:15:15 **21** Q. Do you know if that instruction was
 01:15:18 **22** followed?

01:12:23 **1** Q. How many?
 01:12:25 **2** A. And still are.
 01:12:26 **3** Q. How many between 2012 and 2016?
 01:12:28 **4** A. 2012 and 2016 -- Ooh. That's hard.
 01:12:29 **5** That's hard.
 01:12:30 **6** Q. If you could approximate.
 01:12:32 **7** A. I don't really remember, because I don't
 01:12:39 **8** remember out of my Caring Colors babies who was
 01:12:46 **9** transgender, who was gay, or their labels. I don't
 01:12:54 **10** remember everybody. I don't remember.
 01:12:58 **11** Q. But you know for sure that there was at
 01:13:00 **12** least one transgender student?
 01:13:02 **13** A. Probably. I'm saying probably because I
 01:13:04 **14** just don't remember.
 01:13:05 **15** Q. So you don't remember any specific
 01:13:08 **16** transgender students during that time period?
 01:13:10 **17** A. No. Hm-hmm.
 01:13:11 **18** Q. Were you aware of any teachers refusing
 01:13:26 **19** to respect transgender students' pronouns?
 01:13:32 **20** A. No -- yes. Let me think one minute -- a
 01:13:42 **21** second. Between '12 and '16, right?
 01:13:58 **22** Q. Mm-hmm.

01:15:20 **1** A. Yes.
 01:15:20 **2** Q. So to your understanding, it was
 01:15:23 **3** followed?
 01:15:23 **4** A. As far as I knew, yes. My
 01:15:25 **5** understanding, it was.
 01:15:26 **6** Q. Do you know if that student remained at
 01:15:29 **7** Friendly High School?
 01:15:33 **8** A. I don't remember whether the student
 01:15:31 **9** remained or transferred or graduated.
 01:15:33 **10** Q. Okay. Other than that incident or that
 01:15:41 **11** teacher, do you remember any other teachers refusing
 01:15:44 **12** to respect trans' students' pronouns?
 01:15:49 **13** A. No.
 01:15:49 **14** Q. Were you aware of any students acting in
 01:15:55 **15** a transphobic manner towards other students.
 01:16:01 **16** A. I am not aware.
 01:16:18 **17** Q. Did you ever overhear staff talking
 01:16:21 **18** about Ms. Eller?
 01:16:22 **19** A. No. Not as far as her gender.
 01:16:27 **20** Q. Did you ever hear staff refer to
 01:16:40 **21** Ms. Eller by incorrect pronouns?
 01:16:41 **22** A. I did hear one of our previous assistant

01:16:46 **1** principals. She referred to Ms. Eller as he when
 01:16:54 **2** she was talking to Ms. Eller about something, I
 01:16:57 **3** believe. And she profusely apologized and tried to
 01:17:04 **4** make it right, but to no avail.
 01:17:07 **5** Q. Did you ever hear staff intentionally
 01:17:13 **6** referring to Ms. Eller by the wrong pronouns?
 01:17:16 **7** A. (Witness shakes head back and forth.)
 01:17:17 **8** Nope.
 01:17:17 **9** Q. Okay. Did you overhear students talking
 01:17:34 **10** about Ms. Eller?
 01:17:35 **11** A. In the beginning of the school year when
 01:17:38 **12** the ninth graders will come in, if they would walk
 01:17:43 **13** past her classroom, they would, like, giggle and,
 01:17:48 **14** oh, what's going on over there, or things like that.
 01:17:51 **15** So what we did when we heard that is
 01:17:55 **16** speak with the students about, you know, transgender
 01:18:00 **17** and what was going on with Ms. Eller.
 01:18:02 **18** Q. How did you speak to students about
 01:18:04 **19** that?
 01:18:05 **20** A. I mean -- I don't understand how,
 01:18:07 **21** like --
 01:18:09 **22** Q. So you mentioned you would speak to

01:18:07 **1** to be identified as what she wanted to be. And
 01:19:01 **2** explain to them for those who did not know what
 01:19:04 **3** transgender was, because some students did not know
 01:19:08 **4** what it actually meant, they had a warped sense of
 01:19:13 **5** what it actually is.
 01:19:14 **6** But most students -- like I said,
 01:19:17 **7** those were anomalies. It didn't happen, that I know
 01:19:22 **8** of, often, because she was well-liked by the school,
 01:19:28 **9** the students and the teachers.
 01:19:30 **10** Q. In the conversations that you had with
 01:19:33 **11** students, how did the students react?
 01:19:35 **12** A. They reacted positively. Like I said
 01:19:39 **13** earlier, it was just a few very defiant kids that
 01:19:44 **14** just didn't want to let it go.
 01:19:49 **15** Q. How many defiant kids?
 01:19:51 **16** A. I know of one, that I dealt with. There
 01:19:55 **17** were, I think, maybe a couple more guys. I didn't
 01:19:58 **18** deal with them, but I understand that -- excuse
 01:20:05 **19** me -- that they had said some things to Ms. Eller.
 01:20:09 **20** They wound up being put out of school because that's
 01:20:14 **21** how defiant they were.
 01:20:15 **22** Q. Were they put out of school -- for what

01:18:16 **1** students?
 01:18:11 **2** A. Yeah. But what do you mean how?
 01:18:12 **3** Q. As the entire classroom, the entire
 01:18:16 **4** grade?
 01:18:16 **5** A. No, the students that were actually
 01:18:18 **6** doing it.
 01:18:18 **7** Q. Specific students?
 01:18:20 **8** A. Right, because my office was very close
 01:18:21 **9** to her classroom.
 01:18:22 **10** Q. Okay.
 01:18:22 **11** A. So when there was transition, I was
 01:18:26 **12** there by her classroom.
 01:18:28 **13** Q. Okay. So if you overheard students,
 01:18:30 **14** would you walk out and have a conversation with
 01:18:32 **15** them?
 01:18:32 **16** A. Right, or if Ms. Eller brought anything
 01:18:34 **17** to my attention.
 01:18:35 **18** Q. Okay. In your conversation with the
 01:18:43 **19** students, what would you say?
 01:18:44 **20** A. I don't remember exactly, but again,
 01:18:46 **21** explaining to students that everyone is human and
 01:18:53 **22** how to treat humans, and you know, she has a right

01:20:19 **1** reason were they put out of school?
 01:20:21 **2** A. I don't remember. It wasn't because of
 01:20:22 **3** what they said to Ms. Eller, just being defiant.
 01:20:25 **4** Q. Okay. When you say "put out of school,"
 01:20:27 **5** does that mean expelled?
 01:20:28 **6** A. Well, Prince George's County doesn't
 01:20:33 **7** have a real expulsion. You will go to an
 01:20:35 **8** alternative school or you will go to an alternative
 01:20:38 **9** program. So it could be Job Corps, it could be any
 01:20:44 **10** program, a GED program.
 01:20:46 **11** Q. But they were shifted to a different
 01:20:48 **12** school outside of Friendly?
 01:20:49 **13** A. Depend -- I don't remember each student,
 01:20:52 **14** what their decision was as far as what they were
 01:20:57 **15** going to do to finish up. I mean, I knew at that
 01:20:59 **16** time, but I don't remember exactly who left to get
 01:21:02 **17** their GED, exactly who went to go to Job Corps or
 01:21:08 **18** Free State Academy. I don't remember that.
 01:21:09 **19** Q. And you mentioned that you knew of one
 01:21:11 **20** that was defiant. Is that in addition to the
 01:21:14 **21** young --
 01:21:14 **22** A. No, I'm talking about the young lady.

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01:21:16 **1** Q. The young lady that we had discussed?

01:21:18 **2** A. Yes.

01:21:18 **3** Q. You mentioned that your office was right

01:21:53 **4** outside Ms. Eller's office, and that at the

01:21:55 **5** beginning of the year, you might hear ninth graders

01:21:58 **6** making comments. Outside of the beginning of the

01:22:01 **7** year and comments by new students, were there other

01:22:05 **8** times when you heard students misgendering

01:22:10 **9** Ms. Eller?

01:22:16 **10** A. No.

01:22:16 **11** Q. Did you always address the students if

01:22:23 **12** you overheard them making comments?

01:22:24 **13** A. Definitely.

01:22:25 **14** Q. Were there situations where you saw any

01:22:27 **15** other teachers attempt to address misgendering?

01:22:31 **16** A. I hadn't seen those, and that's

01:22:34 **17** because -- I'm trying to think. During transition,

01:22:39 **18** Ms. Eller and I usually kind of stood there in the

01:22:44 **19** area together. I'm trying to think of the other

01:22:48 **20** teachers that were around. I can't remember.

01:22:55 **21** I can't remember whether they heard

01:22:56 **22** it, or whether they did or didn't do it.

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01:24:19 **1** Friendly High School in 2012?

01:24:21 **2** A. Yes.

01:24:21 **3** Q. From 2012 to 2016, what were the

01:24:25 **4** assignments that you had as vice principal?

01:24:28 **5** A. I cannot tell you all of the assignments

01:24:30 **6** I had. I really don't remember.

01:24:32 **7** Q. Do you recall in which years you were a

01:24:35 **8** supervisor for Ms. Eller, by either grade level or

01:24:41 **9** subject matter?

01:24:42 **10** A. So I do remember, because I came in

01:24:44 **11** 2012, and I was a freshman administrator and they

01:24:48 **12** graduated 2016.

01:24:49 **13** She had -- I was the senior

01:24:52 **14** administrator. So she had my seniors. She was the

01:24:54 **15** teacher for my seniors.

01:24:58 **16** Q. In 2012?

01:24:59 **17** A. In 2016.

01:25:09 **18** Q. Oh, in 2016.

01:25:01 **19** Do you remember in 2015 --

01:25:08 **20** A. No.

01:25:08 **21** Q. -- whether you supervised Ms. Eller?

01:25:10 **22** A. I don't remember. I remember 2016

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01:22:59 **1** Q. You mentioned this morning that there

01:23:08 **2** was a time when Ms. Eller requested training?

01:23:11 **3** A. Yes.

01:23:11 **4** Q. How often did Ms. Eller request training

01:23:14 **5** for staff?

01:23:15 **6** A. To me? I do not -- I don't remember.

01:23:21 **7** Q. Okay. Do you recall an attempt to have

01:23:28 **8** as Prince George's County police major named Irene

01:23:35 **9** Burks do a presentation to staff during a staff

01:23:37 **10** meeting?

01:23:38 **11** A. I don't recall it. I can't say it

01:23:41 **12** didn't happen. I just don't recall it.

01:23:43 **13** Q. Do you remember any staff meeting in

01:23:46 **14** which an outside presenter was brought in to talk

01:23:49 **15** about gender identity?

01:23:51 **16** A. No. Was there?

01:23:59 **17** I don't remember.

01:23:59 **18** Q. So you don't remember hearing about a

01:24:06 **19** staff meeting in which an outside presenter was

01:24:10 **20** called in?

01:24:10 **21** A. I really don't remember.

01:24:12 **22** Q. Okay. You mentioned that you got to

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01:25:13 **1** specifically because we worked together on those

01:25:17 **2** students who needed some extra tutoring in order to

01:25:20 **3** graduate. And that's why I remember that

01:25:24 **4** specifically.

01:25:24 **5** Q. Okay. So prior to 2016, you don't have

01:25:27 **6** any memories specifically of supervising Ms. Eller?

01:25:30 **7** A. Not specifically, as far as dates. I

01:25:37 **8** probably have. I really don't really remember

01:25:42 **9** specifically.

01:25:46 **10** Q. Okay. We're handing you a one-page

01:26:26 **11** document with the number Eller 000145 at the bottom

01:26:30 **12** and PGCPs at the top left, which we're marking as

01:26:34 **13** Exhibit 34.

01:26:35 **14** (Plaintiff's Exhibit 34, e-mail, 10.14.2013, Eller,

01:27:01 **15** ELLER000145, was marked for identification.)

01:27:01 **16** Q. Is that your name in the To line?

01:27:04 **17** A. Yes.

01:27:04 **18** Q. And is that your correct e-mail address?

01:27:08 **19** MR. SHARMA: I have a question. Is

01:27:08 **20** this produced in redacted format, or have you

01:27:11 **21** redacted it for purposes of today's deposition?

01:27:14 **22** MR. RODRIGUEZ: I believe it was

01:27:15 **1** produced in redacted format, but I can double-check
 01:27:19 **2** that.
 01:27:20 **3** MR. SHARMA: Okay.
 01:27:32 **4** Q. I'm sorry. Did you say that was your
 01:27:34 **5** correct e-mail address?
 01:27:35 **6** A. Yes. That's my e-mail address.
 01:27:36 **7** Q. Okay. When did you receive this?
 01:27:38 **8** A. The date on it says, October 14th. I
 01:27:44 **9** can't tell you when I received it. I'm sure I
 01:27:47 **10** received it the day that she sent it.
 01:27:51 **11** Q. Have you had a chance to read it?
 01:28:07 **12** A. Yes.
 01:28:07 **13** Q. In the last full paragraph, about
 01:28:11 **14** halfway in the middle of the page, it says, "G. has
 01:28:14 **15** caused trouble for me since last year, beginning
 01:28:16 **16** with repeated purposeful misgenderings."
 01:28:23 **17** Do you recall the student that
 01:28:26 **18** Ms. Eller is referring to?
 01:28:29 **19** A. I do. I do recall him. He was one of
 01:28:31 **20** the students that was put out of Friendly, one of
 01:28:35 **21** those OED students.
 01:28:37 **22** Q. So you had -- you had been aware of the

01:29:41 **1** A. If they weren't filed, I don't know
 01:29:43 **2** where they would be.
 01:29:45 **3** Q. So you mentioned that PS-74s should be
 01:29:51 **4** provided -- a copy should be provided to the
 01:29:54 **5** teacher, to the parent, one kept in the student's
 01:29:57 **6** file.
 01:30:09 **7** Now, when would they not be provided
 01:30:02 **8** in the student's file?
 01:30:03 **9** A. If the person did not file them.
 01:30:06 **10** Q. Which person are you referring to?
 01:30:08 **11** A. So any PS-74 that I receive, because you
 01:30:12 **12** see that myself and Ms. Cowan, who was actually the
 01:30:20 **13** administrator for those students, she gives them to
 01:30:24 **14** the secretary to disperse.
 01:30:27 **15** Q. Is it the secretary's responsibility to
 01:30:28 **16** put the PS-74 in the student's file?
 01:30:32 **17** A. The secretary's responsible for making
 01:30:35 **18** the copies and giving them to whoever is supposed to
 01:30:38 **19** do -- like, so she would mail the parent copy;
 01:30:42 **20** sometimes, sometimes not. She would pass on the
 01:30:45 **21** PS-74 to the guidance secretary; sometimes,
 01:30:52 **22** sometimes not.

01:28:43 **1** purposeful misgendering that Ms. Eller is speaking
 01:28:46 **2** about?
 01:28:46 **3** A. I can't say that I was aware before
 01:28:50 **4** then, but I can say I do remember this e-mail.
 01:28:54 **5** Q. Okay.
 01:28:55 **6** A. And I remember the student.
 01:28:58 **7** Q. Okay. Do you remember whether you had
 01:29:00 **8** had conversations with Ms. Eller prior to this
 01:29:03 **9** e-mail about that student?
 01:29:04 **10** A. I can't remember.
 01:29:06 **11** Q. Okay.
 01:29:08 **12** A. I can't remember.
 01:29:08 **13** Q. Ms. Eller mentions at the bottom of her
 01:29:22 **14** e-mail that she has filed a PS-74 on each of the
 01:29:26 **15** boys and discussed the situation with Mr. G.
 01:29:31 **16** Do you remember what came about as a
 01:29:32 **17** result of those PS-74s?
 01:29:33 **18** A. I do not remember.
 01:29:33 **19** Q. But the PS-74s should be in the files of
 01:29:36 **20** the students?
 01:29:37 **21** A. Not necessarily.
 01:29:39 **22** Q. Where else would they be?

01:30:52 **1** Q. Whose responsibility is it to put the
 01:30:55 **2** copy of the PS-74 in the student's file?
 01:30:58 **3** A. The guidance secretary.
 01:31:01 **4** Q. The guidance secretary?
 01:31:02 **5** A. Yes.
 01:31:02 **6** And during that time, there may not
 01:31:04 **7** or may have been one. Or if it was, that person
 01:31:07 **8** was -- that person was in and out, meaning we have
 01:31:15 **9** had some intermittent staff there in that position.
 01:31:16 **10** Q. And if there was not a guidance
 01:31:20 **11** secretary in place, whose responsibility was it to
 01:31:23 **12** put the PS-74s in the student's file?
 01:31:25 **13** A. It would have just kind of stayed there.
 01:31:27 **14** Q. It was no one's responsibility to file
 01:31:29 **15** the PS-74s?
 01:31:30 **16** A. Right, until we got a guidance
 01:31:33 **17** secretary.
 01:31:33 **18** Q. So any PS-74s that were created, if
 01:31:37 **19** there was not a guidance secretary, would have been
 01:31:39 **20** lost?
 01:31:39 **21** A. They -- not -- well, maybe, maybe not.
 01:31:42 **22** But they would have stayed there until we got a

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01:31:48 **1** guidance secretary.

01:31:48 **2** Q. Where would they have stayed?

01:31:47 **3** A. Maybe on the desk of the -- that the

01:31:50 **4** guidance secretary was supposed to, you know,

01:31:52 **5** inhabit. But there was no clear one-to-one, meaning

01:32:03 **6** this is PS-74-1, so this is here, this is PS-74-2,

01:32:08 **7** this is here. So it wasn't a straight lineage to

01:32:17 **8** what happened to that document or those documents.

01:32:22 **9** Q. You said maybe they would have stayed on

01:32:25 **10** the secretary. Were there any instructions on what

01:32:27 **11** should happen to PS-74s?

01:32:28 **12** A. Not necessarily. Well, what we did was

01:32:31 **13** act on the PS-74s. We knew from the bottom of the

01:32:34 **14** PS-74 where it should go.

01:32:36 **15** Q. In terms of other people to send a copy

01:32:46 **16** to?

01:32:48 **17** A. Right.

01:32:48 **18** Q. But as far as maintaining the document

01:32:48 **19** for the school system?

01:32:49 **20** A. Basically, the school system -- I can't

01:32:51 **21** say the school system.

01:32:53 **22** Basically, Friendly concentrated on

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01:32:55 **1** A. We been through a few.

01:34:01 **2** Probably 20 -- I don't remember. I

01:34:09 **3** do not remember. And don't want to say and be

01:34:19 **4** wrong. But since we -- since we've had a guidance

01:34:13 **5** secretary, a full-time guidance secretary dedicated

01:34:20 **6** to take care of all of the guidance business.

01:34:47 **7** Q. You mentioned it was the responsibility

01:34:50 **8** of the secretary to provide copies to everyone who

01:34:52 **9** was indicated at the bottom of the PS-74, right?

01:34:55 **10** A. Yes.

01:34:55 **11** Q. Was the secretary effective at making

01:35:01 **12** sure that everyone got copies of the PS-74s?

01:35:04 **13** A. Not necessarily, no.

01:35:08 **14** Q. Okay. How often, if you know, did that

01:35:15 **15** fall through the cracks?

01:35:16 **16** A. I wouldn't.

01:35:19 **17** Q. Okay.

01:35:19 **18** A. Yeah. I wouldn't know.

01:35:29 **19** Q. Was that considered not important to

01:35:29 **20** make sure that --

01:35:29 **21** A. You mean the PS-74s?

01:35:31 **22** Q. To provide the copies to everyone who

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01:32:56 **1** making sure that the suspensions were in there.

01:32:58 **2** Q. The suspension -- so you would have made

01:33:04 **3** an effort to make sure that any suspension was

01:33:07 **4** documented in the student's file?

01:33:08 **5** A. Was -- yes.

01:33:08 **6** Q. But if anything was less than a

01:33:11 **7** suspension, it could have been --

01:33:16 **8** A. Yes. If there's no guidance secretary.

01:33:17 **9** Q. It would not necessarily have been

01:33:19 **10** placed in the student's file?

01:33:20 **11** A. Right.

01:33:29 **12** Q. Okay.

01:33:29 **13** A. Because the suspensions are reported to

01:33:26 **14** the state, not the PS-74s.

01:33:38 **15** Q. So there's no process for tracking

01:33:42 **16** discipline that is less than a suspension --

01:33:44 **17** A. No.

01:33:45 **18** Q. -- in place?

01:33:48 **19** A. Not then. It is now.

01:33:47 **20** Q. Okay. Since when?

01:33:48 **21** A. Since we got a guidance secretary.

01:33:52 **22** Q. When was that?

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01:35:33 **1** was cc'ed?

01:35:35 **2** A. I will say this: The parents never

01:35:37 **3** requested them, and the teachers wanted their copies

01:35:44 **4** back. So they got their copies back.

01:35:47 **5** As far as guidance, I said that we

01:35:50 **6** report suspensions to the state, so we made sure the

01:35:54 **7** suspensions were there.

01:35:55 **8** I wouldn't say it wasn't important.

01:35:57 **9** I think it's important, but when you're dealing with

01:36:01 **10** a deficit as far as staff, you have to prioritize.

01:36:08 **11** Q. We're handing you a two-page document

01:36:10 **12** with the Bates Number on the bottom right of Eller

01:36:14 **13** 000115 with the title of Students Who Have Harassed

01:36:18 **14** Me, which we are marking at Exhibit 35.

01:36:42 **15** (Plaintiff's Exhibit 35, e-mail, 11.21.2013, Eller,

01:37:04 **16** ELLER000115-115, was marked for identification.)

01:37:06 **17** Q. In the first e-mail in this chain --

01:37:08 **18** A. Is this page --

01:38:01 **19** Q. I'm sorry. Actually, in the last --

01:38:03 **20** well, the first e-mail in the top of the front page,

01:38:11 **21** Ms. Eller writes, "Each" -- she's discussing four

01:38:14 **22** students, and she says, "Each has had a PS-74

01:20:11 1 written on them, and I know that Ms. Pope-Brown has
 01:20:22 2 spoken briefly with the two tenth grade boys."
 01:20:26 3 Q. Do you remember which tenth grade
 01:20:29 4 boys Ms. Eller is referring to?
 01:20:30 5 A. No, because the names are the out, and I
 01:20:37 6 wouldn't actually know during the year of 2013 what
 01:20:47 7 grade they were in.
 01:20:51 8 (Clarification requested by the Court Reporter.)
 01:20:52 9 A. I wouldn't know in the year 2013 what
 01:20:54 10 grade they were in.
 01:20:56 11 Q. Do you remember PS-74s from Ms. Eller
 01:20:57 12 about students --
 01:20:51 13 MR. SHARMA: Objection.
 01:20:52 14 Q. -- who were harassing her?
 01:20:53 15 MR. SHARMA: You can answer.
 01:20:54 16 A. Not specifically, no, I do remember
 01:20:57 17 Ms. Eller and I having conversations, yes.
 01:20:58 18 Q. Do you remember having conversations
 01:20:59 19 with Ms. Eller about students who were harassing
 01:21:01 20 her?
 01:21:02 21 A. Yes.
 01:21:04 22 Q. Okay. Do you remember what came about

01:41:02 1 [REDACTED]
 01:41:03 2 A. That he was ODD.
 01:41:03 3 Q. Okay.
 01:41:05 4 A. It was very similar to the young lady
 01:41:06 5 that I dealt with, that he was one who actually
 01:41:09 6 wound up being withdrawn from Friendly.
 01:41:13 7 Q. Okay. And did Ms. Eller inform you
 01:41:17 8 about his refusal to call her by -- what was his
 01:41:21 9 behavior with Ms. Eller, do you remember?
 01:41:23 10 A. I really don't really remember his
 01:41:26 11 behavior with Ms. Eller. I remember the type of
 01:41:31 12 student he was.
 01:41:37 13 I don't believe that Ms. Eller would
 01:41:49 14 put his name down as someone who harassed him --
 01:41:44 15 her, if he didn't.
 01:41:48 16 So can I believe that Gerrick did
 01:41:52 17 say something to Ms. Eller, yes. But do I remember
 01:41:57 18 exactly what it was, no.
 01:42:03 19 Q. [REDACTED]
 01:42:07 20 A. [REDACTED]
 01:42:08 21 Q. [REDACTED] thank you
 01:42:11 22 A. I do remember him, but I don't remember

01:38:28 1 as a result of those conversations?
 01:38:29 2 A. As far as what was the behavior of the
 01:38:32 3 boys afterwards?
 01:38:34 4 Q. What -- was there a consequence that
 01:38:37 5 came about?
 01:38:38 6 A. I don't remember, because I don't
 01:38:42 7 remember what -- at that particular time where I
 01:38:46 8 dealt with it what exactly happened.
 01:38:52 9 Q. So you don't remember the consequence
 01:38:54 10 that you provided or --
 01:38:56 11 A. Right. I don't remember the
 01:38:57 12 consequence.
 01:38:57 13 Q. Okay. If I provide -- I'm going to
 01:40:44 14 provide names to you to see if it helps to refresh
 01:40:51 15 your memory.
 01:40:52 16 A. Okay.
 01:40:52 17 Q. [REDACTED] Do you remember anything
 01:40:56 18 involving [REDACTED]
 01:40:58 19 A. No.
 01:40:58 20 Q. Okay. [REDACTED]
 01:41:00 21 A. Yes.
 01:41:01 22 Q. What do you remember about [REDACTED]

01:42:13 1 any issue with he and Ms. Eller. But again, because
 01:42:21 2 I know Ms. Eller, I don't think that she would have
 01:42:23 3 listed him as someone if she didn't think that he
 01:42:26 4 actually did harass her.
 01:42:31 5 Q. And [REDACTED]
 01:42:34 6 A. I don't remember that name.
 01:42:37 7 Q. I want to just circle back for a moment
 01:42:41 8 to your evaluation.
 01:42:47 9 You mentioned that part of the
 01:42:50 10 evaluation or part of your evaluation is the
 01:42:51 11 discipline numbers?
 01:42:53 12 A. Yes.
 01:42:53 13 Q. What -- of the discipline numbers, what
 01:43:03 14 was conveyed to your supervisors that you were
 01:43:07 15 evaluated on?
 01:43:08 16 A. So the state actually keeps the
 01:43:10 17 numbers -- the number of suspensions. The state
 01:43:12 18 does not track the number of PS-74s.
 01:43:20 19 Q. So were you only evaluated on the number
 01:43:24 20 of suspensions, then?
 01:43:26 21 A. Yes.
 01:43:28 22 Q. Okay. And how would those play a part

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01:43:27 **1** in your evaluation?

01:43:29 **2** A. Are you asking will it affect it

01:43:39 **3** greatly, will we be marked down for it?

01:43:41 **4** Q. Or if there was a higher number of

01:43:43 **5** suspensions, how will that reflect in your

01:43:45 **6** evaluation?

01:43:45 **7** A. If there was a high number of

01:43:48 **8** suspensions, we would just have to give our --

01:43:52 **9** what's the plan? What's the plan for, you know,

01:43:55 **10** assisting the students?

01:43:57 **11** But the number of suspensions

01:43:59 **12** weren't frowned on because we went by the Code. But

01:44:06 **13** it was more important to see what you were going to

01:44:09 **14** do with that.

01:44:10 **15** Q. Okay. On the four students that we just

01:44:44 **16** discussed, if you had spoken with two of the tenth

01:44:46 **17** grade boys as Jenny indicates in her e-mail, would

01:44:52 **18** that conversation be documented somewhere?

01:44:55 **19** A. No.

01:44:56 **20** Q. Okay. Would the fact that you had a

01:44:58 **21** conversation be documented somewhere?

01:45:00 **22** A. No.

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01:45:01 **1** Q. It wouldn't have been in the PS-74s?

01:45:04 **2** A. I don't -- again, I don't remember her

01:45:06 **3** giving me a PS-74 on those two students. I don't

01:45:13 **4** know whether it's a PS-74 and a conversation that

01:45:16 **5** she and I had, and then I pulled the other two boys

01:45:18 **6** up. I just don't remember that.

01:45:20 **7** Q. Okay.

01:45:30 **8** A. It's just like I don't remember a PS-74

01:45:32 **9** for the first young lady, and she went to in-school,

01:45:35 **10** but I don't know whether there were any paperwork on

01:45:38 **11** that.

01:45:50 **12** Q. We are going to hand you a two-page

01:45:54 **13** document Bates Numbered Eller 000174 in the bottom

01:46:04 **14** right, titled PS-74s on three redacted names, which

01:46:09 **15** we're marking as Exhibit 36.

01:46:12 **16** (Plaintiff's Exhibit 36, e-mail, 11.21.2013, Eller,

01:46:20 **17** ELLER000174-175, was marked for identification.)

01:46:20 **18** Q. I'll give you a moment to read it.

01:47:33 **19** A. Are these -- okay.

01:47:52 **20** Q. Have you ever seen this before?

01:47:57 **21** A. I -- of course I have, but I really

01:48:00 **22** don't remember it specifically.

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01:48:03 **1** Q. Okay. Is that your name at the top in

01:48:07 **2** the To line?

01:48:09 **3** A. Yes.

01:48:10 **4** Q. And that's your correct e-mail address?

01:48:12 **5** A. Yes.

01:48:12 **6** Q. Okay. Do you remember what you did when

01:48:19 **7** you received this?

01:48:21 **8** A. Knowing the relationship I had with

01:48:30 **9** Ms. Eller, she and I probably talked about it, and I

01:48:33 **10** told her. She would -- I was like her go-to person,

01:48:37 **11** even if I wasn't her administrator. You notice even

01:48:39 **12** on the back page, she's e-mailing me -- I'm

01:48:43 **13** e-mailing her telling her, "I'm out of the building.

01:48:44 **14** I'll ask Mr. Adams to process the students."

01:48:49 **15** Q. What does that mean, "to process the

01:48:50 **16** students"?

01:48:51 **17** A. So they were -- whenever we suspend,

01:48:55 **18** that means process.

01:48:59 **19** Q. Okay. So a suspension is -- process

01:49:00 **20** means suspension always?

01:49:01 **21** A. Yes. Yes.

01:49:01 **22** Q. So the -- did you -- would you have

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01:49:15 **1** decided that based on this e-mail?

01:49:16 **2** A. Mr. -- because I wasn't in the building.

01:49:26 **3** I did not decide this. I asked Mr. Adams to handle

01:49:31 **4** it.

01:49:31 **5** Q. Okay. But you were asking Mr. Adams to

01:49:37 **6** suspend the students based on --

01:49:39 **7** A. I said -- I said, "Process," so it's

01:49:41 **8** still up to him whether he's going to suspend or

01:49:44 **9** not, but I'm sure they were suspended. And

01:49:53 **10** they were suspended -- I'm thinking about what they

01:50:02 **11** did, I would have to go back to the Code and say --

01:50:08 **12** see what the Code says that is. I probably knew off

01:50:12 **13** the top of my head then, because now, this would not

01:50:15 **14** constitute a suspension.

01:50:19 **15** Q. Okay. But at the time, you think it

01:50:19 **16** did?

01:50:29 **17** A. At the time, I think that it did.

01:50:22 **18** Q. So I just want to clarify, because I

01:50:26 **19** heard a little bit of difference in the meaning of

01:50:31 **20** process.

01:50:33 **21** So were you asking Mr. Adams to

01:50:36 **22** evaluate independently what the students had done?

01:50:39 **1** A. So I --

01:50:40 **2** Q. Or what does it mean to process?

01:50:41 **3** A. I don't -- actually, I can't tell you

01:50:45 **4** where my thinking was back in 2014. I can speak to

01:50:48 **5** you as to where I may think it was, but I, you know,

01:50:52 **6** don't have a concrete answer as to what I was really

01:50:55 **7** asking during that time.

01:50:57 **8** Q. I'm just trying to understand what the

01:50:59 **9** meaning is of "processing the students."

01:51:02 **10** A. So --

01:51:03 **11** MR. SHARMA: Objection.

01:51:03 **12** A. -- I had already answered it.

01:51:05 **13** But anything else right now would be

01:51:07 **14** me speculating on what I thought it meant back then.

01:51:12 **15** Q. I'm just trying to understand whether

01:51:15 **16** your e-mail is saying that Mr. Adams will evaluate

01:51:20 **17** the complaint or whether you think Mr. Adams is

01:51:23 **18** going -- whether you think a suspension -- you're

01:51:24 **19** recommending a suspension for this?

01:51:28 **20** A. I really don't remember what it was at

01:51:29 **21** that particular time.

01:51:31 **22** Q. Your understanding is that the Code has

01:52:01 **1** So in this e-mail, and again, I'm

01:52:10 **2** just skimming it, I don't see anything about -- I

01:52:15 **3** don't see anything about sexual harassment. I do

01:52:15 **4** see the profanity as far as the word "fuck." And do

01:52:24 **5** you? Maybe I just didn't see it. "She's ugly as

01:52:28 **6** shit and she's blowing me."

01:52:35 **7** What do you see that as?

01:52:36 **8** Q. I'm the one asking the questions.

01:52:37 **9** A. I mean...

01:52:59 **10** Q. We're going to hand you a document --

01:52:58 **11** one-page document, which in the subject line says,

01:54:03 **12** "Continued Misgendering," which we're marking as

01:54:06 **13** Exhibit 37.

01:54:08 **14** (Plaintiff's Exhibit 37, e-mail, 3.16.2015, Adams,

01:54:29 **15** [No Bates], was marked for identification.)

01:54:56 **16** A. Okay.

01:54:57 **17** Q. It looks like you're cc'ed on this

01:54:59 **18** e-mail, correct?

01:55:01 **19** A. Mr. Adams sent me the e-mail. Ms. Eller

01:55:05 **20** did not.

01:55:05 **21** Q. So it looks like you're cc'ed in at

01:55:12 **22** least the last e-mail in the chain; is that right?

01:51:53 **1** changed, though, since 2014?

01:51:54 **2** A. Yes.

01:51:55 **3** Q. And that this would no longer be

01:51:58 **4** considered eligible for suspension?

01:52:01 **5** A. Right.

01:52:01 **6** Q. Could you explain that a little bit?

01:52:03 **7** A. Yes. So for verbal sexual harassment,

01:52:06 **8** it would have to be a continuation, not them saying

01:52:13 **9** it more than one time in the class on that

01:52:16 **10** particular day. It would have to be something

01:52:19 **11** repeated.

01:52:21 **12** From what I'm reading, it sounds

01:52:23 **13** like the young men were very disruptive. They were

01:52:27 **14** disrespectful, using the profanity. And the fuck,

01:52:35 **15** shit, Goddamn, I don't know if I read it more

01:52:40 **16** carefully whether they were talking about, like,

01:52:43 **17** fuck as in fucking, or fuck as in fuck.

01:52:46 **18** So you know, is that sexual

01:52:50 **19** harassment, we would have to actually speak with

01:52:53 **20** someone with the students as far as what they meant

01:52:56 **21** by fuck, shit, multiple times in a conversation to

01:52:59 **22** each other, and not to Ms. Eller.

01:55:14 **1** A. No.

01:55:22 **2** MR. SHARMA: I think we're looking

01:55:23 **3** at something else, because the subject line is not

01:55:26 **4** what you said it was.

01:55:27 **5** Q. Could we give you -- now that we have

01:55:29 **6** marked that as 37, we will -- that's okay.

01:56:02 **7** All right. So this is an e-mail

01:56:03 **8** which Principal Adams forwarded to you.

01:56:10 **9** In Ms. Eller's e-mail to Principal

01:56:20 **10** Adams, she mentions that a student poked his head

01:56:25 **11** into her classroom and referred to her as, "He," and

01:56:31 **12** then, "That man" and "he." And she asked for the

01:56:36 **13** security cameras to be checked. She also mentions

01:56:40 **14** that she spoke with Ms. Naldo.

01:56:45 **15** A. Mm-hmm.

01:56:46 **16** Q. Who is Ms. Naldo?

01:56:49 **17** A. She is another teacher at Friendly High

01:56:51 **18** School.

01:56:51 **19** Q. Do you remember what was done in this

01:56:53 **20** incident?

01:56:53 **21** A. No.

01:56:54 **22** Q. Okay. Can you talk to us about now, in

01:57:02 **1** your position as principal, what you think should
 01:57:04 **2** have been done in response to an incident like this?
 01:57:07 **3** MR. SHARMA: Objection.
 01:57:08 **4** You can answer.
 01:57:09 **5** A. I don't know. I really don't.
 01:57:18 **6** Q. If this happened today, what would
 01:57:20 **7** you --
 01:57:26 **8** A. I probably really would have asked
 01:57:24 **9** security to check out who the students were to
 01:57:26 **10** identify them.
 01:57:31 **11** Q. And once they were identified, what
 01:57:33 **12** would you -- what would be the next --
 01:57:36 **13** A. I would still have to go through the
 01:57:37 **14** investigation process. So you know, we have to
 01:57:40 **15** give -- we have to do an investigation, and you have
 01:57:43 **16** due-process.
 01:57:43 **17** Q. Absolutely. Absolutely.
 01:57:44 **18** And if the cameras showed that the
 01:57:47 **19** students had referred to Ms. Jenny, Ms. Eller as
 01:57:53 **20** "he" and "that man," what do you think the
 01:57:55 **21** consequence should be?
 01:57:56 **22** MR. SHARMA: Objection.

01:59:02 **1** should be handled?
 01:59:03 **2** A. I don't know.
 01:59:03 **3** Q. Okay. If the investigation found that
 01:59:35 **4** the student had said those words in that e-mail to
 01:59:40 **5** Ms. Eller, what would you recommend?
 01:59:44 **6** MR. SHARMA: Objection.
 01:59:45 **7** A. I would go to the Code to figure out
 01:59:46 **8** what I'm supposed to do.
 01:59:47 **9** Q. Okay. Would you like to take a moment
 01:59:50 **10** and look at the Code?
 01:59:51 **11** A. What the Code says?
 01:59:52 **12** MR. SHARMA: That's not the Code for
 01:59:54 **13** today.
 01:59:55 **14** A. That's right. That's not the Code for
 01:59:57 **15** today.
 01:59:57 **16** MR. SHARMA: So objection.
 02:00:00 **17** MS. CHEEMA: Could we take a
 02:00:02 **18** five-minute break?
 02:00:03 **19** (RECESS, 2:00 p.m. - 2:10 p.m.)
 02:10:27 **20** BY MS. CHEEMA:
 02:10:28 **21** Q. So the exhibit that we were just looking
 02:10:29 **22** at, it's dated -- the e-mail is dated March 16,

01:57:58 **1** A. I do not know. It depends on was it the
 01:58:03 **2** first time. You know, I -- it's so many different
 01:58:08 **3** things that go into it once you look at the Code.
 01:58:12 **4** Q. Could we go through it step by step. If
 01:58:16 **5** this were the first time, what --
 01:58:17 **6** A. I don't know. I really don't know.
 01:58:20 **7** Q. So as principal today, how would you
 01:58:25 **8** advise --
 01:58:28 **9** A. I would pull the cameras and investigate
 01:58:28 **10** it, but I can't say what I would come up with
 01:58:31 **11** because I don't know.
 01:58:37 **12** Q. If the cameras showed a student
 01:58:41 **13** misgendering a teacher?
 01:58:42 **14** A. The camera wouldn't show that. The
 01:58:44 **15** camera would show the student poking his head in.
 01:58:47 **16** Q. Is there no sound?
 01:58:48 **17** A. There is no sound, so we would have to
 01:58:50 **18** go through due-process.
 01:58:51 **19** Q. If another teacher had overheard?
 01:58:53 **20** MR. SHARMA: Objection.
 01:58:54 **21** A. I don't know.
 01:58:55 **22** Q. You don't have an opinion on how that

02:10:34 **1** 2015, right?
 02:10:35 **2** A. Yes.
 02:10:35 **3** Q. Okay. The Students Rights &
 02:10:38 **4** Responsibilities Handbook that we handed you this
 02:10:40 **5** morning, that's also the handbook for the 2014 to
 02:10:49 **6** 2015 school year?
 02:10:50 **7** A. Mm-hmm.
 02:10:50 **8** Q. So could you evaluate how you would --
 02:10:50 **9** A. Sure.
 02:10:54 **10** Q. Assuming this is a first-time incident,
 02:10:56 **11** how you would evaluate the consequences for this if
 02:10:58 **12** the investigation found it to be true?
 02:11:01 **13** A. Whatever the Code says. Let's see.
 02:11:12 **14** MR. SHARMA: I think it's page 15 is
 02:11:13 **15** where it starts, the chart.
 02:11:18 **16** A. So I would go with bullies, but this is
 02:11:57 **17** the one where the -- so it's a level 3 and 4, and
 02:12:32 **18** it's first time, I would have done a level 3, which
 02:12:38 **19** is one to three days suspension.
 02:12:45 **20** Q. Okay. Thank you.
 02:12:46 **21** If Ms. Eller had asked Mr. Adams to
 02:13:05 **22** have the security cameras checked, do you know

02:13:06 **1** whether that would have happened?
 02:13:10 **2** A. Yes.
 02:13:16 **3** Q. It would have happened. Okay.
 02:13:12 **4** We're now going to hand you a
 02:13:20 **5** document marked as Exhibit 38 titled Continued
 02:13:32 **6** Misgendering.
 02:13:41 **7** (Plaintiff's Exhibit 38, e-mail, 5.2.2016, Adams,
 02:14:16 **8** [No Bates], was marked for identification.)
 02:14:18 **9** Q. Do you remember this incident?
 02:14:26 **10** A. No.
 02:14:20 **11** Q. Okay. And you're cc'ed in the e-mail,
 02:14:28 **12** correct?
 02:14:26 **13** A. Yes.
 02:14:28 **14** Q. And Ms. Eller mentions that a student
 02:14:34 **15** referred to her as "he" twice, and she correct the
 02:14:40 **16** student, to which the student replied, "sorry, but
 02:14:43 **17** you know."
 02:14:48 **18** How would you evaluate this under
 02:14:50 **19** the Student Code from the 2014-2015 handbook?
 02:14:55 **20** A. I do not know. I -- I really do not
 02:14:58 **21** know.
 02:15:17 **22** MR. SHARMA: Is there a question?

02:16:25 **1** MR. SHARMA: Are you done?
 02:16:28 **2** MS. CHEEMA: I'm done for now.
 02:16:29 **3** MR. SHARMA: Okay.
 02:16:27 **4** MS. CHEEMA: Depending on whether
 02:16:28 **5** you have questions, and --
 02:16:30 **6** MR. SHARMA: You may follow up after
 02:16:31 **7** my questions.
 02:16:32 **8** MS. CHEEMA: Yes.
 02:16:32 **9** MR. SHARMA: I do have a few
 02:16:33 **10** questions.
 02:16:34 **11** EXAMINATION
 02:16:34 **12** BY MR. SHARMA:
 02:16:35 **13** Q. Ms. Pope-Brown.
 02:16:36 **14** A. Yes.
 02:16:36 **15** Q. We spent the vast majority of the
 02:16:36 **16** morning talking about training. So I just wanted to
 02:16:41 **17** make sure I understood what you said correctly.
 02:16:43 **18** A. Yes.
 02:16:44 **19** Q. With regard to students, the students
 02:16:46 **20** were given training via the Student Code?
 02:16:52 **21** A. Yes, sir.
 02:16:53 **22** Q. And that was done four times a year?

02:15:26 **1** MS. CHEEMA: I can take my time.
 02:15:26 **2** BY MS. CHEEMA:
 02:15:27 **3** Q. Can we go through the same process that
 02:15:30 **4** we used for the last e-mail?
 02:15:32 **5** A. No.
 02:15:34 **6** Q. Can you take a look?
 02:15:36 **7** A. I don't think so.
 02:15:37 **8** Q. So if someone submitted a complaint to
 02:15:39 **9** you, would you not address it?
 02:15:41 **10** A. I would address it, but again, I would
 02:15:44 **11** still have to speak with everybody involved.
 02:15:49 **12** In this complaint, it also says, the
 02:15:51 **13** students tried to let her know that it's a lady and
 02:15:55 **14** her disagreeing with that.
 02:15:56 **15** I mean, it's a lot of aspects to it,
 02:16:00 **16** so I don't want to go back and mis -- how do I want
 02:16:06 **17** to say it?
 02:16:07 **18** I don't know what Mr. Adams did with
 02:16:10 **19** this young lady, and I don't want to go back and
 02:16:13 **20** second-guess him.
 02:16:24 **21** MS. CHEEMA: Do you have any
 02:16:26 **22** questions?

02:16:54 **1** A. Yes.
 02:16:55 **2** Q. In general assemblies that would last
 02:16:58 **3** between one to two hours?
 02:17:00 **4** A. Yes.
 02:17:09 **5** Q. And within those general assemblies,
 02:17:02 **6** topics such as sex-based discrimination and
 02:17:06 **7** harassment was covered?
 02:17:18 **8** (Clarification requested by the Court Reporter.)
 02:17:19 **9** A. Yes.
 02:17:18 **10** Q. Were topics of gender-based
 02:17:22 **11** discrimination or harassment covered?
 02:17:23 **12** A. Yes.
 02:17:23 **13** Q. And sexual orientation discrimination or
 02:17:28 **14** harassment, were those covered as well?
 02:17:28 **15** A. Yes.
 02:17:28 **16** Q. Okay. With regard to training as to
 02:17:31 **17** staff members at Friendly High School, I believe you
 02:17:35 **18** indicated that all staff were required to take
 02:17:36 **19** online training modules; is that correct?
 02:17:40 **20** A. Yes, Yes.
 02:17:41 **21** Q. And that was done at the beginning of
 02:17:42 **22** each year?

02:17:40 **1** A. Yes.

02:17:44 **2** Q. And in addition to a vast variety of

02:17:48 **3** topics, one of the topics that were covered was the

02:17:50 **4** anti-discrimination and harassment policy of the

02:17:55 **5** school system?

02:17:53 **6** A. Yes.

02:17:53 **7** Q. Do you recall any complaints made by

02:17:58 **8** Ms. Eller regarding parents and her transgender

02:18:02 **9** status?

02:18:05 **10** A. None.

02:18:04 **11** Q. Do you recall any complaints made by

02:18:06 **12** Ms. Eller about other staff and her transgender

02:18:11 **13** status, other than the incident with regard to

02:18:14 **14** Ms. Robinson?

02:18:15 **15** A. No.

02:18:16 **16** Q. And the Ms. Robinson incident is what we

02:18:18 **17** discussed earlier today, was it not?

02:18:20 **18** A. Yes.

02:18:20 **19** Q. Okay. Do you recall any complaints made

02:18:23 **20** by Ms. Eller with regard to being physically

02:18:26 **21** assaulted as a result of her transgender status?

02:18:30 **22** A. No.

02:18:31 **1** Q. How about the threat of being physically

02:18:33 **2** assaulted?

02:18:34 **3** A. No.

02:18:35 **4** Q. I wrote this down because you said it

02:18:38 **5** earlier. You said, anomaly -- it would -- student

02:18:42 **6** issues were an anomaly at Friendly High School with

02:18:45 **7** regard to Ms. Eller?

02:18:48 **8** A. Yes.

02:18:48 **9** Q. What did you mean by that?

02:18:48 **10** A. That the majority of the students,

02:18:52 **11** outlying the ones that she identified in the

02:18:54 **12** correspondence, they loved Ms. Eller. She was a

02:18:56 **13** significant part of Friendly. She was an AP

02:19:01 **14** teacher. She is a great English teacher. She was

02:19:06 **15** friendly -- she's friendly. And she's gotten

02:19:14 **16** accolades from parents, from her students who are

02:19:17 **17** very protective of her, because she has

02:19:21 **18** conversations -- well, she had conversations with

02:19:23 **19** her students about, you know, her transition in her

02:19:30 **20** different classes.

02:19:31 **21** So, yeah, it -- yeah. They were

02:19:39 **22** anomalies.

02:19:40 **1** Q. And were these anomalies by students,

02:19:43 **2** these incidents -- these anomalies as you refer to

02:19:45 **3** them, were they regularly addressed when they were

02:19:47 **4** made known to you and her administrators?

02:19:49 **5** A. Every time.

02:19:50 **6** Q. Every single time?

02:19:51 **7** A. Every single time.

02:19:52 **8** Q. So then you would agree that there was

02:19:54 **9** no deliberate indifference as to Ms. Eller's

02:20:01 **10** concerns?

02:20:01 **11** A. Not at all. Not at all.

02:20:03 **12** Q. You also mentioned that the PS-74

02:20:05 **13** reports were given back to the teachers?

02:20:07 **14** A. Yes.

02:20:08 **15** Q. So was that also done by the guidance

02:20:10 **16** counselor, or was that done by someone else?

02:20:12 **17** A. That should have been done by the

02:20:13 **18** secretary.

02:20:13 **19** Q. Of the main office?

02:20:14 **20** A. Yes.

02:20:15 **21** Q. And so if Ms. Eller filed a PS-74,

02:20:20 **22** either in person or by e-mail, and it was

02:20:23 **1** investigated and there was some action taken.

02:20:27 **2** ideally, she would have gotten that PS-74 back at

02:20:30 **3** some point in time?

02:20:31 **4** A. Yes.

02:20:31 **5** Q. So she should have a copy?

02:20:33 **6** A. Yes.

02:20:35 **7** MS. CHEEMA: Objection.

02:20:37 **8** MR. SHARMA: She already answered.

02:20:39 **9** I'm done.

02:20:41 **10** THE WITNESS: You're welcome.

02:20:42 **11** RE-EXAMINATION

02:20:42 **12** BY MS. CHEEMA:

02:20:43 **13** Q. I have follow-up questions.

02:20:45 **14** On the general assemblies that

02:20:46 **15** Mr. Sharma was talking about, you mentioned this

02:20:48 **16** morning that you didn't remember specifically how

02:20:53 **17** many times gender identity was discussed at all in

02:20:55 **18** those quarterly assemblies, correct?

02:20:57 **19** A. Right.

02:20:57 **20** Q. Do you remember how many minutes of a

02:21:00 **21** general assembly gender identity would have been

02:21:02 **22** discussed?

02:21:02 1 A. No, no.

02:21:03 2 Q. Would it have been a substantial

02:21:05 3 portion?

02:21:05 4 A. I can't say. I don't know.

02:21:06 5 Q. But you don't remember how many times at

02:21:08 6 all it was discussed?

02:21:09 7 A. I'm sorry.

02:21:09 8 Q. You don't remember how many times it was

02:21:11 9 discussed?

02:21:12 10 A. No.

02:21:12 11 Q. And you mentioned that the PS-74s were

02:21:15 12 frequently not provided to teachers?

02:21:17 13 A. Yes.

02:21:20 14 And when the teachers did not get

02:21:22 15 their PS-74s back, they raised the roof.

02:21:26 16 Q. And once they raised the roof, were

02:21:28 17 they --

02:21:28 18 A. They would receive a copy from the

02:21:29 19 secretary.

02:21:30 20 Q. Did that always happen?

02:21:31 21 A. I can't say whether it did or didn't. I

02:21:33 22 would only know if the teacher reported it. And

02:22:33 1 A. I believe that Ms. Eller reported

02:22:37 2 everything that she felt happened to her.

02:22:53 3 MS. CHEEMA: Okay. Okay.

02:22:53 4 MR. SHARMA: Okay. Thank you.

02:22:55 5 We'll read.

02:22:57 6 THE WITNESS: That's it?

02:22:59 7 MR. SHARMA: That's it.

8 (Signature not waived.)

9 (CONCLUDED, 2:22 p.m.)

02:21:06 1 Ms. Eller has never reported it to me.

02:21:06 2 Q. And you mentioned that those files are

02:21:44 3 supposed to be maintained by the school as well, in

02:21:47 4 the students' files?

02:21:48 5 A. Yes.

02:21:48 6 Q. And that that frequently did not happen

02:21:50 7 when the secretary was not available?

02:21:52 8 A. Yes.

02:21:52 9 Q. And especially if the consequence was

02:21:56 10 less than a suspension, it generally did not happen?

02:21:58 11 A. Well, even if it was a suspension, the

02:22:00 12 PS-74 may not have reached the CUM file, but the

02:22:04 13 suspension would have.

02:22:04 14 Q. You mentioned earlier that if Ms. Eller

02:22:20 15 had reported students harassing her, that knowing

02:22:22 16 her, she wouldn't have said it if it weren't true,

02:22:26 17 correct?

02:22:26 18 MR. SHARMA: Objection.

02:22:26 19 A. Say that again.

02:22:27 20 Q. You mentioned that Ms. Eller had

02:22:28 21 reported students making comments, and that knowing

02:22:31 22 her, she wouldn't have said it if it weren't true?

1 ACKNOWLEDGMENT OF DEPONENT

2

3 I, ROBIN POPE-BROWN, do hereby acknowledge

4 that I have read and examined the foregoing

5 testimony, and the same is a true, correct and

6 complete transcription of the testimony given by me

7 and any corrections appear on the attached Errata

8 sheet signed by me

9

10

11 _____

12 (DATE) (SIGNATURE)

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1 CERTIFICATE OF COURT REPORTER
 2 I, Marjorie Peters, Registered Merit
 3 Reporter, Certified Realtime Reporter, and Notary
 4 Public in the District of Columbia, before whom the
 5 foregoing deposition was taken, do hereby certify
 6 that the witness was placed under oath according to
 7 the law; that the foregoing transcript is a true and
 8 correct record of the testimony given; that said
 9 testimony was taken by me stenographically and
 10 thereafter reduced to typewriting under my
 11 direction, and that I am neither counsel for,
 12 related to, nor employed by any of the parties to
 13 this case and have no interest, financial or
 14 otherwise, in its outcome.

15 I further certify that signature was
 16 not waived by the witness.

17 IN WITNESS WHEREOF, I have hereunto set my
 18 hand this ___ day of _____, 2019.

19
 20
 21

Marjorie Peters, RMR, CRR
 My commission expires October 31, 2024.

1 ERRATA SHEET
 2 IN RE:
 3 DEPONENT:
 4 RETURN BY: _____

5 = = = = =

6 PAGE/LINE CORRECTION AND REASON

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18 _____
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 20 NOTARY PUBLIC:
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 22