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THE STATE EDUCATION DEPARTMENT
THE UNIVERSITY OF THE STATE OF NEW YORK

In the Matter of
NEW YORK CITY DEPARTMENT OF EDUCATION
v.
NATALIE WILLIAMS
Section 3020-a Education Law Proceeding (File #8,253)

DATE: April 6, 2009
TIME: 1:15 p.m. to 3:25 p.m.
LOCATION: NYC Department of Education
Office of Legal Services
49-51 Chambers Street
New York, New York 10007
BEFORE: ARTHUR RIEGEL, ESQ.
Hearing Officer
One Willow Lane
Hewlett Harbor, NY 11557

1 Natalie Williams - 4-6-2009
 2 APPEARANCES:
 3 FOR THE COMPLAINANT:
 4 MINERVA JOHN-STULL, ESQ., of Counsel
 MICHAEL BEST, ESQ.
 5 NYC Department of Education
 Office of Legal Services
 6 49-51 Chambers Street
 New York, New York 10007
 7 Telephone: (212) 374-6741
 8 FOR THE RESPONDENT:
 9 Pro se
 10 ALSO PRESENT:
 11 Denise Welles
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1 Natalie Williams - 4-6-2009
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 24

1 Natalie Williams - 4-6-2009
 2 THE HEARING OFFICER: Okay.
 3 We're on the record as of one p.m. on April
 4 6th. The Department will continue its case in
 5 chief in the matter of the charges preferred
 6 against Natalie Williams. The witness who will
 7 be testifying today, as I understand it, is the
 8 principal of the school, Mr. Rotunno.
 9 Prior to going on the record,
 10 I -- we had a preliminary discussion about some
 11 photographs, which may be introduced for -- for
 12 purposes of cross-examination. I've indicated
 13 to Ms. Welles that, based upon the direct
 14 examination, there may be a need to provide an
 15 offer of proof as to what it is -- what it is
 16 that is the subject of the direct examination
 17 that is being challenged through these
 18 photographs. And second, Ms. John-Stull
 19 indicated that, since she hasn't seen them,
 20 there may be some question of authenticating
 21 the -- the photographs to begin with. Ms.
 22 Welles has indicated that there were some
 23 documents that Ms. -- Ms. Williams claims were
 24 in her file -- should have been in her file

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1 Natalie Williams - 4-6-2009
 2 that were not. My -- my indication was that we
 3 will proceed with the -- with the direct
 4 examination, and once we have the direct
 5 examination, we will then determine what --
 6 what will happen subsequently.
 7 Is there anything else that
 8 we need to talk about before I administer the
 9 oath to Mr. Rotunno?
 10 MS. JOHN-STULL: Yes, if we
 11 can do a roll call of the people that are in
 12 the room.
 13 THE HEARING OFFICER: Okay.
 14 Sure. Ma'am, can you give us your name,
 15 please?
 16 MS. WILLIAMS: Hi, Mr.
 17 Rotunno. I'm Ms. Patricia Williams.
 18 THE HEARING OFFICER:
 19 Patricia Williams -- okay. Sir?
 20 MR. AUGUSTIN: Pierre
 21 Augustin.
 22 THE HEARING OFFICER: How do
 23 you spell that?
 24 MR. AUGUSTIN: P-I-E-R-R-E,

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1 Natalie Williams - 4-6-2009
 2 THE HEARING OFFICER: Okay.
 3 Okay. Welcome all. And we are -- I will
 4 administer the oath to Mr. Rotunno, and we'll
 5 take his testimony. So raise your right hand,
 6 please.
 7 Do you swear the testimony
 8 you're about to give is the truth, the whole
 9 truth, and nothing but the truth?
 10 MR. ROTUNNO: Yes, I do.
 11 ANTHONY ROTUNNO; Sworn
 12 THE HEARING OFFICER: Okay.
 13 By the way, it's -- it's a little warm in here.
 14 Feel free to take your jackets off if you
 15 choose to do so.
 16 Go ahead.
 17 DIRECT EXAMINATION
 18 BY MS. JOHN-STULL:
 19 Q. Thank you.
 20 Good afternoon, Mr. Rotunno.
 21 **A. Good afternoon.**
 22 Q. Can you give us your full
 23 name, please?
 24 **A. Sure. My name is Anthony**

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1 Natalie Williams - 4-6-2009
 2 Augustin, A-U-G-U-S-T-I-N.
 3 THE HEARING OFFICER: Okay.
 4 Thank you. And --.
 5 MR. CHRISTIAN: James T.
 6 Christian.
 7 THE HEARING OFFICER: Okay.
 8 And Mr. Christian has -- has been here before,
 9 and I have been advised that today is -- is his
 10 birthday, so we wish him a happy birthday.
 11 Okay.
 12 THE COURT REPORTER: Sir?
 13 THE HEARING OFFICER: Yes.
 14 THE COURT REPORTER: The
 15 second -- the second observer was a little too
 16 far away from the microphone. I didn't --.
 17 THE HEARING OFFICER: Okay.
 18 Can you raise your voice a little bit?
 19 MR. AUGUSTIN: Pierre,
 20 P-I-E-R-R-E, Augustin, A-U-G-U-S-T-I-N.
 21 THE HEARING OFFICER: Did you
 22 get it that time?
 23 THE COURT REPORTER: Yes, I
 24 did. Thank you very much.

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1 **Rotunno - Direct - Stull**
 2 **Rotunno -- R-O-T-U-N-N-O.**
 3 Q. Mr. Rotunno, who are you
 4 employed by at the moment?
 5 **A. I'm employed by the New York**
 6 **City Department of Education.**
 7 Q. And how long have you been
 8 employed by the New York City Department of
 9 Education?
 10 **A. This is my twenty-fifth year**
 11 **in the New York City Department of Education.**
 12 Q. Thank you. What is your
 13 current position?
 14 **A. I'm currently the principal**
 15 **at John F. Kennedy High School located in the**
 16 **Bronx.**
 17 Q. And how long you've been the
 18 principal at John F. Kennedy High School?
 19 **A. I became the principal**
 20 **February 1st, 2003, so going on six and a half**
 21 **years.**
 22 Q. Okay. Did you hold any other
 23 positions at John F. Kennedy High School?
 24 **A. Prior to becoming principal?**

3 (Pages 805 to 808)

1 **Rotunno - Direct - Stull**
 2 **No.**
 3 Q. Yes.
 4 **A. I -- I worked for the**
 5 **Department of Education. I was -- well, in**
 6 **1984, I was a teacher at -- at Herbert H.**
 7 **Lehman High School in the Bronx. I was an**
 8 **assistant principal there until the year 2000.**
 9 **Then I was recruited by the Bronx High School**
 10 **superintendent, Dr. Norman Wechsler. I worked**
 11 **for him until 2003, and Dr. Wechsler placed me**
 12 **at John F. Kennedy High School in February of**
 13 **2003.**
 14 Q. Thank you. Now, how --
 15 approximately how long were you an assistant
 16 principal for at Lehman High School?
 17 **A. I became an assistant**
 18 **principal in 1992.**
 19 Q. Okay. Are you familiar with
 20 Natalie Williams?
 21 **A. Yes, I am.**
 22 Q. To what extent that --
 23 withdrawn.
 24 Is your familiarity based on the fact that she

1 Rotunno - Direct - Stull
 2 was a teacher at John F. Kennedy High School?
 3 MS. WELLES: Objection --
 4 leading.
 5 THE HEARING OFFICER: Well,
 6 it's -- it's really background. You can answer
 7 the question.
 8 **A. Yes. She was a teacher at**
 9 **John F. Kennedy High School. Yes.**
 10 **BY MS. JOHN-STULL: (Cont'g.)**
 11 Q. Now, when you arrived at John
 12 F. Kennedy High School in February of 2003, was
 13 Ms. Williams already at that school?
 14 **A. Yes. Ms. Williams was a**
 15 **science teacher.**
 16 Q. Okay. Now, do you know how
 17 long -- or approximately how long Ms. Williams
 18 was -- was at John F. Kennedy High School prior
 19 to your arrival?
 20 **A. Offhand, no, but I believe**
 21 **she was there a couple of years before I got**
 22 **there.**
 23 Q. Okay. And when you arrived
 24 at John F. Kennedy High School, approximately

1 Rotunno - Direct - Stull
 2 how many students were enrolled at the school?
 3 **A. There were about fifty-one**
 4 **hundred kids when I first became the principal.**
 5 Q. And how many teachers,
 6 approximately?
 7 **A. There were probably between**
 8 **three hundred and fifty to three hundred and**
 9 **ninety teachers.**
 10 Q. Okay. And can you tell us
 11 about the climate in terms of the students and
 12 the student population and their reputation of
 13 John F. Kennedy High School?
 14 **A. Sure. The school was cited**
 15 **as one of the most dangerous and lowest**
 16 **performing schools in New York City. The**
 17 **reason that I was placed there was because the**
 18 **superintendent at the time felt the school was**
 19 **out of control. I was working for him -- the**
 20 **Bronx High School superintendent, Dr. Norman**
 21 **Wechsler. And he felt that the school was so**
 22 **dangerous that there was -- that bad things**
 23 **would happen. Unfortunately, a kid was killed**
 24 **outside of the building in August prior to my**

1 **Rotunno - Direct - Stull**
 2 **assignment there as the principal. So -- it**
 3 **was part of the summer school. And -- and**
 4 **in -- he let a term go by, and in February, he**
 5 **told me, "I'm placing you there." The school**
 6 **was known for violence. There were a lot of**
 7 **felony arrests. There were a lot of vandalism.**
 8 **And -- and -- and unfortunately, the -- the**
 9 **students were not graduating, and they were --**
 10 **they were not performing well.**
 11 Q. Okay. And to the best of
 12 your recollection, when you entered the school
 13 as principal in 2003, were the teachers -- of
 14 the three hundred-plus teachers, were there
 15 senior teachers? Were there less experienced
 16 teachers -- approximately how many years of
 17 experience, to your knowledge?
 18 **A. To the best of my knowledge,**
 19 **the staff was mostly senior teachers, people**
 20 **who had been there a very long time.**
 21 Q. Okay. And how many --
 22 approximately how many students are in the
 23 school right now?
 24 **A. There are approximately**

Page 813

1 **Rotunno - Direct - Stull**
 2 **fourteen hundred and fifty students there as of**
 3 **today.**
 4 Q. And approximately how many
 5 teachers on staff?
 6 **A. Right now, I have about a**
 7 **hundred and ten, hundred and fifteen teachers.**
 8 **I'm -- I'm sorry. When I say teachers, also,**
 9 **it's guidance counselors, teachers, staff.**
 10 **THE HEARING OFFICER:**
 11 **Pedagogical staff?**
 12 THE WITNESS: Yes.
 13 BY MS. JOHN-STULL: (Cont'g.)
 14 Q. And going back to your -- the
 15 time of your arrival in 2003, was there --
 16 withdrawn.
 17 And I'm going to -- going to
 18 now direct your attention to the year -- the
 19 2003-2004 school year. Withdrawn.
 20 Was there ever an issue of
 21 Regents testing and grades at John F. Kennedy
 22 High School shortly after you arrived there?
 23 **A. There was accusations made --**
 24 **yes -- shortly -- I would say it was probably**

Page 815

1 Rotunno - Direct - Stull
 2 **A. -- Regents.**
 3 Q. Thank you. Continue.
 4 **A. And what I did was, the**
 5 **assistant principals came back to me and said**
 6 **that they felt that the -- the exams in**
 7 **question were not being graded according to the**
 8 **scoring rubric that was set up by the state.**
 9 **The teachers had to read an anchor paper. They**
 10 **had to look at the anchor paper. Then they had**
 11 **to read the student's essay, and then two**
 12 **teachers individually had to look at it, and**
 13 **then they had to grade it. And then, if there**
 14 **was any problem or issue, they would talk about**
 15 **it. And maybe a third person would come in.**
 16 **So I convened the teachers -- the English**
 17 **teachers. And the English teachers said, "we**
 18 **don't follow the scoring rubric. We feel that**
 19 **our -- we -- we've been teaching for such a**
 20 **long time that our reputation and experience**
 21 **supercedes the scoring rubric." And at that**
 22 **point, I said, "okay. Now we are going to**
 23 **re-score these papers." And the teachers**
 24 **refused. So I had asked the assistant**

Page 814

1 **Rotunno - Direct - Stull**
 2 **2004-2005. Yes.**
 3 Q. School year -- okay.
 4 **A. Yes.**
 5 Q. Tell us about that.
 6 **A. Sure. The accusations were**
 7 **that the -- there were Regents scores that were**
 8 **changed from passing to failing of certain**
 9 **students. There was an investigation by -- by**
 10 **the Office of Special Investigations, along**
 11 **with the Chancellor's Office. And the**
 12 **accusations were -- were found false. What the**
 13 **situation really was, students were complaining**
 14 **that they felt their grades should be higher**
 15 **than they were. I -- I asked a couple of**
 16 **assistant principals who were also certified**
 17 **English teachers to look at the situation.**
 18 Q. Let me ask you this, because
 19 you mentioned English teachers. What subject
 20 area was the -- the -- the issue with -- that
 21 you're referring to?
 22 **A. The issue was the English**
 23 **Regents -- the E.L.A. --**
 24 Q. Okay.

Page 816

1 **Rotunno - Direct - Stull**
 2 **principals, take a look at them; re-score them;**
 3 **and let me know if there's any change. And**
 4 **there was. The allegation that was false was**
 5 **that the papers went from failing to passing.**
 6 **They didn't. Passing was fifty-five or higher.**
 7 **These students received grades between**
 8 **fifty-five and sixty-four, and some of the**
 9 **students wanted and had the right to want a**
 10 **Regents diploma because they got sixty-five or**
 11 **better on their other Regents exams, and they**
 12 **wanted a -- a sixty-five or better on this**
 13 **exam.**
 14 **We showed all the information**
 15 **to Special Investigations, to representatives**
 16 **of the Chancellor's Office and New York State.**
 17 **And they said, "you're absolutely correct in**
 18 **what you did, and there is no violation."**
 19 **And -- and the --**
 20 MS. WELLES: Mr. Riegel, --
 21 **A. (Cont'g.) -- issue was**
 22 **dropped.**
 23 MS. WELLES: -- I'd like to
 24 object because I don't see where this is going

5 (Pages 813 to 816)

Page 817

1 Rotunno - Direct - Stull
 2 in terms of what the specifications are.
 3 THE HEARING OFFICER: Subject
 4 to connection -- what -- what is --?
 5 MS. JOHN-STULL: It is
 6 because -- I can get into it, but like Mr.
 7 Riegel said, it's subject to connection. Thank
 8 you.
 9 MS. WELLES: I mean, Ms.
 10 Williams is a science teacher, and we're
 11 talking about an incident that took place, and
 12 you say in -- it had to do with what -- what
 13 was going on with English. I don't -- I
 14 don't --.
 15 THE HEARING OFFICER: I --
 16 I -- I recall -- I recall Ms. Williams making a
 17 comment about -- earlier in the proceeding that
 18 was not specific, but there was a -- but I -- I
 19 recall Ms. Williams, prior to you beginning --
 20 doing a -- the cross-examination, asking a
 21 question that dealt with some alleged
 22 misconduct with respect to Regents scoring.
 23 MS. JOHN-STULL: And she
 24 referred to the name Maria Colon, also.

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1 Rotunno - Direct - Stull
 2 did -- to your knowledge, did Ms. Williams
 3 grade any of those English exams that were in
 4 question?
 5 **A. No, she did not.**
 6 Q. Okay. Thank you.
 7 I am now going to direct your
 8 attention to the year 2003, specifically
 9 October of 2003. Do you recall an incident
 10 involving Ms. Williams and the videotaping of
 11 students?
 12 **A. Yes, I do.**
 13 Q. Tell us about that.
 14 **A. Around October of 2003, Ms.**
 15 **Williams became involved in a -- an ongoing**
 16 **argument with an assistant principal who was**
 17 **the assistant principal in -- in charge of the**
 18 **English department at that time. At that time,**
 19 **we were in departments -- Marshall Gasser --**
 20 **Dr. Marshall Gasser, as well as Charlie Gallo,**
 21 **who was in charge of computers and -- and**
 22 **business and technology. He was the**
 23 **coordinator of -- of that at the time.**
 24 **It seemed that there were some I-Mac computers**

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1 Rotunno - Direct - Stull
 2 THE HEARING OFFICER: So I
 3 think that -- I think that there is -- while
 4 there wasn't a -- a direct accusation about
 5 anything in particular, there was a reference
 6 made to some impropriety or alleged impropriety
 7 in the -- in the -- in scoring the Regents
 8 exams. But this is still going to be subject
 9 to connection in any event.
 10 MS. JOHN-STULL: Yes.
 11 THE HEARING OFFICER: Go
 12 ahead.
 13 BY MS. JOHN-STULL: (Cont'g.)
 14 Q. Thank you. Thank you, Mr.
 15 Rotunno.
 16 And just so that it's clear,
 17 you, as a principal, did not grade those --
 18 that particular Regents exam, correct?
 19 **A. That's correct.**
 20 Q. And just so that it's clear
 21 for the record, Ms. Williams was the science
 22 teacher, correct?
 23 **A. That's correct.**
 24 Q. And did she -- did she --

Page 820

1 **Rotunno - Direct - Stull**
 2 **that the school had stored in the library. And**
 3 **Ms. Williams wanted those computers. The**
 4 **argument was -- I think the assistant**
 5 **principal, if I recall, had said they were**
 6 **either broken or obsolete, and then he deferred**
 7 **to the person in charge of computers, and he**
 8 **said, "no, these -- you know, we -- we can try**
 9 **to fix them or we can try to maybe cannibalize**
 10 **and get two working or whatever." And then Ms.**
 11 **Williams wrote me a letter stating, you know,**
 12 **"I want these computers. I used them for my**
 13 **class." And -- and to my best recollection, I**
 14 **think we did fix a couple, and -- and I did**
 15 **bring them to her classroom. I think she also**
 16 **even wrote me a letter thanking me -- you know,**
 17 **thanking me for bringing the two computers or**
 18 **fixing the computers. What happened was, the**
 19 **argument got -- got -- got very, very nasty,**
 20 **and -- and -- and -- and the assistant**
 21 **principal complained to my assistant principal**
 22 **in charge of organization, Craig Shapiro.**
 23 **So Craig Shapiro then summoned Ms. Williams**
 24 **with union representation to come down to his**

6 (Pages 817 to 820)

Page 821

1 Rotunno - Direct - Stull
 2 office. She did come down to his office, but
 3 she came down with a video camera. And she came
 4 down with a bunch of students who had protest
 5 signs. And the students were standing in front
 6 of his office actually reading -- it looked
 7 like something that happened to be written
 8 beforehand about protesting, about the I-Mac
 9 computers, et cetera, et cetera. So the
 10 assistant principal, Craig Shapiro, said,
 11 "stop. This is not happening in my office."
 12 He called for security. Then he called me.
 13 I then summoned Ms. Williams with union
 14 representation and asked her what happened.
 15 She said that she was protesting Mr. Shapiro's
 16 involvement in this whole situation. I said to
 17 her, "well, the students that were with you --
 18 did you get their parents' okay on the
 19 Department of Education form that you were
 20 videotaping them?" She said "yes." I said,
 21 "show me." She didn't -- she didn't have
 22 anything. She just had a couple of names
 23 written down. I said to them, "were these
 24 students supposed to be in class at that time?"

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1 Rotunno - Direct - Stull
 2 She said, "no, they were all supposed to be at
 3 lunch." I checked, and they were cutting
 4 class. They were supposed to be in class. So
 5 I wrote her a letter for her file, telling her
 6 or instructing her that her actions were
 7 unbecoming a professional, that she was
 8 insubordinate, and when Mr. Shapiro said
 9 "stop," she continued, and not to do it
 10 anymore.
 11 Q. Okay. What, if anything, did
 12 you tell Ms. Williams concerning future
 13 videotaping?
 14 A. I told Ms. Williams at that
 15 time that she did not have the right to
 16 videotape students without the express
 17 permission from their parents on a Department
 18 of Education form, but even prior to that, she
 19 needed to ask me, the principal, or her direct
 20 supervisor if she could do that, not to just do
 21 it on her own.
 22 Q. At this time, did Ms.
 23 Williams mention anything about videotaping for
 24 the purpose of certification? Or was that at a

Page 823

1 Rotunno - Direct - Stull
 2 later date?
 3 A. No. That was at a later
 4 date.
 5 MS. JOHN-STULL: This is
 6 Department's Fourteen, I think. I am showing
 7 the witness a stack of documents that I would
 8 like to have be deemed marked Department's
 9 Number Fifteen.
 10 THE HEARING OFFICER:
 11 Sixteen.
 12 MS. JOHN-STULL: Sixteen for
 13 purpose of identification.
 14 THE HEARING OFFICER: 'D'
 15 Sixteen --
 16 MS. JOHN-STULL: Mr.
 17 Rotunno --
 18 THE HEARING OFFICER: -- for
 19 identification --
 20 MS. JOHN-STULL: --
 21 without --.
 22 THE HEARING OFFICER: -- let
 23 me -- before we --
 24 MS. JOHN-STULL: Sorry.

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1 Rotunno - Direct - Stull
 2 THE HEARING OFFICER: -- this
 3 is one letter dated November 6th of 2003,
 4 another one -- the letter from Ms. Williams
 5 dated November 6th of 2003. There is a
 6 handwritten note dated October 6th of 2003 --
 7 Christina Vee (phonetic spelling). And there's
 8 another statement from a Samuel Garcia. And
 9 there is a statement on a -- statement written
 10 by -- it appears to be Cy.Dn.
 11 THE COURT REPORTER: Excuse
 12 me.
 13 THE HEARING OFFICER: Yes.
 14 THE COURT REPORTER: With the
 15 paper shuffling, I can't hear you describing
 16 the exhibits very well.
 17 THE HEARING OFFICER: What is
 18 it -- what is it that you didn't get?
 19 THE COURT REPORTER: Well,
 20 the -- the whole description is a little shaky,
 21 but --.
 22 THE HEARING OFFICER: All
 23 right. Let me -- let me start from the
 24 beginning. 'D' Sixteen for identification is a

7 (Pages 821 to 824)

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1 Rotunno - Direct - Stull
 2 letter to Ms. Williams from the principal dated
 3 November 6th of 2003. Then there is a letter
 4 from Ms. Williams to the principal dated
 5 October 6th. Then there is a handwritten
 6 statement from Christina Vee. There is another
 7 handwritten statement from Samuel Garcia.
 8 There's another handwritten statement from
 9 Crystal Maragrone or Maragrone --
 10 M-A-R-A-G-R-O-N-E. There's another handwritten
 11 statement from Yvonne Rivera. There is another
 12 handwritten statement from Ricardo Rosas --
 13 R-O-S-A-S. There is a -- another multi-page
 14 response dated November 12th, 2003, from Ms.
 15 Williams entitled "response to Mr. Rotunno's
 16 November 6th, 2003 letter." And finally, there
 17 is a -- a note on a -- from a memo pad dated
 18 October 28th of 2003 from the principal to Ms.
 19 Williams and apparently photocopied, and
 20 produced alongside of the memo is -- are the
 21 names of the five students whose statements
 22 were previously identified. And that comprises
 23 Department Exhibit Sixteen.
 24 BY MS. JOHN-STULL: (Cont'g.)

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1 **Rotunno - Direct - Stull**
 2 **Sixteen to be entered into evidence as 'D'**
 3 **Sixteen.**
 4 MS. WELLES: To the extent
 5 that the parts of the document are documents
 6 written by Mr. Rotunno or written by Ms.
 7 Williams, I do not object. I do object to the
 8 documents that the authors are not present.
 9 THE HEARING OFFICER: Point
 10 taken. I have not read any of these. And just
 11 by way of introduction, I don't -- 'A', you
 12 know I don't take documents in advance for
 13 obvious reasons. Secondly, I don't read
 14 documents before they're moved into evidence,
 15 again for obvious reasons. I will read through
 16 the documents, and to the extent that the --
 17 there are references internally within the
 18 documents which are not objectionable to you, I
 19 will make some determination. If -- if they
 20 are not -- that is not the case, then we -- we
 21 will revisit the admissibility of the
 22 handwritten statements of apparently the
 23 students.
 24 MS. JOHN-STULL: I can do

Page 826

1 Rotunno - Direct - Stull
 2 Q. Thank you, Mr. Riegel.
 3 Mr. Rotunno, prior to coming here to testify
 4 today, have you had the opportunity to review
 5 the file of Natalie Williams?
 6 **A. Yeah. Yes, I did.**
 7 Q. Okay. And did you review
 8 that file today? Was today the last time that
 9 you reviewed Natalie Williams' file?
 10 **A. Yes, it was.**
 11 Q. Okay. And now, this document
 12 that's been identified as 'D' Number Sixteen --
 13 you had the opportunity to go through those
 14 documents page by page as Mr. Riegel was just
 15 describing the document, correct?
 16 **A. Yes.**
 17 Q. And now, does this document
 18 fairly and accurately represent what you
 19 reviewed from Natalie Williams' file pertaining
 20 to the 2003 -- October 2003 videotaping
 21 incident?
 22 **A. Yes, it is.**
 23 **MS. JOHN-STULL: I will now**
 24 **ask what's been identified as 'D' Number**

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1 Rotunno - Direct - Stull
 2 some more follow-up questions because I think
 3 the objection should be overruled.
 4 THE HEARING OFFICER: Go
 5 ahead. Well, do it.
 6 BY MS. JOHN-STULL: (Cont'g.)
 7 Q. Okay. Mr. Rotunno, the --
 8 starting with a statement that's written on --
 9 it's a handwritten page, and it says "October
 10 29th, 2003, Dear Mr. Rotunno," and it's --
 11 where -- whose statement is that? Is that a
 12 student statement?
 13 **A. Yes, it is.**
 14 Q. Okay. And how is it that you
 15 obtained these student -- these statements --
 16 these handwritten statements that are part of
 17 this document -- these five statements?
 18 **A. The -- the statements were**
 19 **given to my assistant principal, who then gave**
 20 **them to me.**
 21 Q. Okay. And who -- which
 22 assistant principal are you referring to?
 23 **A. That was Craig Shapiro.**
 24 Q. Okay. And if -- now, these

8 (Pages 825 to 828)

Page 829

1 Rotunno - Direct - Stull
 2 statements -- was it part of this October 2003
 3 videotaping incident investigation?
 4 **A. Yes, it is.**
 5 Q. And now, these documents --
 6 these statements -- they were a part of Natalie
 7 Williams' file, correct?
 8 **A. That's correct.**
 9 Q. And is her file kept in the
 10 normal course of business at your school?
 11 **A. Yes, it is.**
 12 Q. Now, at your school, can
 13 anybody not -- who is not your -- yourself or
 14 the Respondent -- can they just go -- go
 15 through other people's files?
 16 **A. No, they cannot.**
 17 Q. Can they put documents in
 18 other people's file or take documents out of
 19 people's files?
 20 **A. No, they cannot.**
 21 **MS. JOHN-STULL: I am going**
 22 **to again repeat -- I will once again move in**
 23 **this entire document, 'D' Number Sixteen, into**
 24 **evidence, as 'D' Sixteen.**

Page 831

1 Rotunno - Direct - Stull
 2 rights." Either the -- we're not going to
 3 stop. We're not doing that. No. We're not
 4 doing that. This is not a show. If people
 5 are -- are to come, they are to be here on
 6 time. I'm -- I'm not running -- we're not
 7 running a hearing for people to walk in and out
 8 and then disturb what's going on. I'm going
 9 to -- I'm going to take it under advisement. I
 10 am -- I am inclined -- I am inclined to -- to
 11 take a critical view of the student statements.
 12 But I'll reserve on it. I think that there may
 13 be merit to the objection. Let's move on.
 14 MS. JOHN-STULL: Thank you.
 15 THE HEARING OFFICER: Can we
 16 turn it off, please?
 17 MS. WELLES: I'm trying to
 18 get it.
 19 THE HEARING OFFICER: Okay.
 20 I'm sure you are.
 21 MS. WELLES: I'm trying to.
 22 THE HEARING OFFICER: Okay.
 23 BY MS. JOHN-STULL: (Cont'g.)
 24 Q. Mr. Rotunno, I am now going

Page 830

1 **Rotunno - Direct - Stull**
 2 MS. WELLES: I -- my
 3 objection is the same. Without the authors to
 4 identify that they actually wrote these and
 5 what their intentions were when they wrote
 6 these, I'm -- I'm objecting to them. And I
 7 think that -- and -- and in addition to that,
 8 they don't relate to any of the six
 9 specifications charged in this case. We're
 10 talking about 2003, and what I see is incidents
 11 that began in 2005.
 12 THE HEARING OFFICER: It
 13 seems to me that if this -- if this is being
 14 introduced for purposes of showing that Ms.
 15 Williams was on notice concerning the -- the --
 16 MS. JOHN-STULL: 2005.
 17 THE HEARING OFFICER: -- the
 18 issue of videotaping subsequently, then I'm not
 19 sure how important the statements of the
 20 students are. There is a letter in which, as
 21 you were talking about it, bottom of the page
 22 two, going on through page three, there are --
 23 there are three numbered items. "Videotaping
 24 without permission is a violation of a person's

Page 832

1 Rotunno - Direct - Stull
 2 to direct your attention to the school year
 3 2005-2006. Late September 2005, early
 4 October -- no. Withdrawn.
 5 Yes. Late September 2005,
 6 early October 2005 -- and this is in regards to
 7 a videotaping again involving the Respondent as
 8 the person who's conducting the videotape --
 9 videotaping. Actually, withdrawn. Let me
 10 rephrase.
 11 I want to direct your
 12 attention to the school year 2005-2006. Are
 13 you familiar with a teacher by the name of
 14 Kevin Kent?
 15 **A. Yes, I am.**
 16 Q. And during the 2005-2006
 17 school year, to your knowledge, were Ms.
 18 Williams and Ms. Kent paired up as teachers?
 19 **A. Yes, they were.**
 20 Q. Can you tell us, to the best
 21 of your knowledge, why was that done?
 22 **A. Yes. They were in a team**
 23 **teaching class to try to help struggling**
 24 **students become more successful in -- in**

9 (Pages 829 to 832)

Page 833

1 **Rotunno - Direct - Stull**
 2 **science.**
 3 Q. Okay. Now I'm going to
 4 direct your attention to late September, early
 5 October 2005. Do you recall an incident
 6 involving videotaping of students involving Ms.
 7 Williams?
 8 **A. Yes, I do.**
 9 Q. Can you tell us about that,
 10 please?
 11 **A. Sure. Mr. Kent had**
 12 **originally started off by complaining that Ms.**
 13 **Williams was videotaping students in the**
 14 **classroom and outside of the classroom. He**
 15 **felt very uncomfortable with the videotaping.**
 16 **Once again, he brought it to the assistant**
 17 **principal's attention, and then the assistant**
 18 **principal brought it to my attention. It seems**
 19 **that, at the time, Ms. -- Ms. Williams was**
 20 **stating that she was videotaping children in**
 21 **the classroom as part of her certification.**
 22 **What happened was, if you're -- part of your**
 23 **certification, you're not videotaping the kids.**
 24 **Somebody is videotaping you, the teacher,**

Page 835

1 Rotunno - Direct - Stull
 2 **A. That's correct.**
 3 Q. And you did meet with Ms.
 4 Williams to discuss the findings of the
 5 investigation, correct?
 6 **A. That is correct.**
 7 Q. Now, did you memorialize your
 8 meeting in any way?
 9 **A. Yes. I believe I wrote her a**
 10 **letter for her file.**
 11 **MS. JOHN-STULL: Okay. I am**
 12 **now going to show you a document that I will**
 13 **like to have be deemed marked 'D' Number**
 14 **Seventeen for purpose of identification.**
 15 **THE HEARING OFFICER: 'D'**
 16 **Seventeen is a letter dated October 6th of 2005**
 17 **from Mr. Rotunno to Respondent.**
 18 **BY MS. JOHN-STULL: (Cont'g.)**
 19 Q. Okay. Mr. Rotunno, take a
 20 look at that three-page document, and tell us.
 21 Do you recognize it?
 22 **A. Yes, I do.**
 23 Q. And what -- and Mr. Riegel
 24 would be correct in saying that it's a letter

Page 834

1 **Rotunno - Direct - Stull**
 2 **teaching. And maybe some of the kids would get**
 3 **videotaped. But she was actually, you know,**
 4 **with a camera, videotaping the kids. He was**
 5 **very uncomfortable. He brought it to our**
 6 **attention. Once again, she was summoned with**
 7 **union representation. We told her that she**
 8 **cannot videotape students in the classroom.**
 9 **And then what happened was, Mr. Kent, along**
 10 **with another -- Mr. Colon -- Rob Colon, who was**
 11 **an intern at the time -- he was one of my**
 12 **supervisory interns -- kids were complaining**
 13 **that she was videotaping them in the back of**
 14 **sort of a -- a -- a science lab with adjoining**
 15 **room, and she was videotaping kids there**
 16 **privately. So, you know, again, it was brought**
 17 **to our attention, and we once again told her**
 18 **that she cannot do that.**
 19 Q. Okay. Now, you conducted --
 20 no. No. Withdrawn.
 21 Your assistant principal
 22 conducted an investigation of the -- the
 23 videotaping in late September and October of
 24 2005, correct?

Page 836

1 Rotunno - Direct - Stull
 2 written by you, and it's dated October 6th,
 3 2005?
 4 **A. That is correct.**
 5 Q. And now this letter pertains
 6 to a meeting you had with Ms. Williams
 7 concerning videotaping in 2005, correct?
 8 **A. That is correct.**
 9 Q. Now, does this document here
 10 fairly and accurately represent the document
 11 that you prepared?
 12 **A. Yes, it does.**
 13 Q. Now, at the bottom of page
 14 three, third page, there is some handwritten
 15 notes, correct?
 16 **A. Yes. That is correct.**
 17 Q. That's not your handwritten
 18 notes, correct?
 19 **A. That is not my handwriting.**
 20 **No.**
 21 Q. Okay. And apart from that,
 22 this entire document was prepared by you.
 23 **A. That is correct.**
 24 Q. And now, was this -- was this

10 (Pages 833 to 836)

Page 837

1 Rotunno - Direct - Stull
 2 document kept in the normal course of business
 3 in Ms. Williams' file?
 4 **A. Yes, it is.**
 5 **MS. JOHN-STULL: I am now**
 6 **going to ask that what's been identified as 'D'**
 7 **Number Seventeen to be entered into evidence as**
 8 **'D' Seventeen.**
 9 MS. WELLES: I don't object.
 10 THE HEARING OFFICER: Okay.
 11 'D' Seventeen is in evidence.
 12 MS. JOHN-STULL: Mr. Rotunno,
 13 I am now going to show you a document that's --
 14 I would like to have identified as 'D' Number
 15 Eighteen. It's a one-page document.
 16 THE HEARING OFFICER: 'D'
 17 Eighteen is a memo to Ms. Williams from the
 18 principal dated January 4th, 2006.
 19 BY MS. JOHN-STULL: (Cont'g.)
 20 Q. Tell us. Do you recognize
 21 this document?
 22 **A. Yes, I do.**
 23 Q. And this is another letter
 24 that was written by you, correct?

Page 839

1 **Rotunno - Direct - Stull**
 2 **Number Eighteen to be entered into evidence as**
 3 **'D' Eighteen.**
 4 MS. WELLES: I don't object.
 5 THE HEARING OFFICER: 'D'
 6 Eighteen is in. Thank you.
 7 BY MS. JOHN-STULL: (Cont'g.)
 8 Q. I am now going to show the
 9 witness a document that's already been
 10 identified as 'D' Number Nine.
 11 Mr. Rotunno, would you take a
 12 look at this document, please? It's been
 13 identified already.
 14 Now, this document
 15 pertains -- withdrawn.
 16 You had an opportunity to
 17 review this document prior to testifying here
 18 today, correct?
 19 **A. Yes.**
 20 Q. And this document pertains to
 21 the 2005 videotaping of students by Ms.
 22 Williams, correct?
 23 **A. Correct.**
 24 Q. And this document is within

Page 838

1 Rotunno - Direct - Stull
 2 **A. That is correct.**
 3 Q. And it -- it relates to the
 4 videotaping investigation of September-October
 5 2005, correct?
 6 **A. Yes. Correct.**
 7 Q. I am now going to ask
 8 what's -- withdrawn.
 9 Now, there is some
 10 handwriting on the right-hand side of that
 11 document. Is -- is that your handwriting?
 12 **A. No, it is not.**
 13 Q. Okay. Apart from that, the
 14 entire document was prepared by you?
 15 **A. Yes, it was.**
 16 Q. Now, that -- withdrawn.
 17 Is this document kept in the normal course of
 18 business at your school?
 19 **A. Yes.**
 20 Q. And now, this document is
 21 part of Ms. Williams' personal file, correct?
 22 **A. Yes, it is.**
 23 **MS. JOHN-STULL: I am now**
 24 **going to ask what's been identified as 'D'**

Page 840

1 Rotunno - Direct - Stull
 2 the Respondent's personal file, correct?
 3 **A. That is correct.**
 4 Q. And her personal file is kept
 5 in the normal course of business at John F.
 6 Kennedy High School, correct?
 7 **A. Correct.**
 8 **MS. JOHN-STULL: I am now**
 9 **going to ask that what's been identified as 'D'**
 10 **Number Nine to now be entered into evidence as**
 11 **'D' Nine.**
 12 **THE HEARING OFFICER: I**
 13 **believe I do not have a copy of that. I**
 14 **thought I did, but 'D' Nine was not moved into**
 15 **evidence.**
 16 **MS. JOHN-STULL: Evidence --.**
 17 THE HEARING OFFICER: This is
 18 a packet dated November 30th of '05.
 19 MS. JOHN-STULL: Right.
 20 THE HEARING OFFICER: Let me
 21 just -- let me just take another quick look.
 22 MS. JOHN-STULL: Okay.
 23 That's not it?
 24 THE HEARING OFFICER: No.

11 (Pages 837 to 840)

Page 841

1 Rotunno - Direct - Stull
 2 This is Twelve.
 3 MS. JOHN-STULL: Okay.
 4 THE HEARING OFFICER: Let me
 5 take a look and see if -- it may have not been
 6 mixed up with the Respondent's documents.
 7 No, it's not. Can I have another copy of this?
 8 If you don't -- if you don't have it, then
 9 you -- I can get it from you later.
 10 Okay. Is there any objection to moving 'D'
 11 Nine now that it's been authenticated?
 12 MS. WELLES: Subject to
 13 authentication --
 14 THE HEARING OFFICER: Yeah.
 15 MS. WELLES: -- you said it
 16 has been authenticated.
 17 THE HEARING OFFICER: No. I
 18 believe -- I believe the testimony was that he
 19 authenticated the document. That is, it was --
 20 the question was, is this maintained in the
 21 ordinary course of business?
 22 MS. WELLES: Yes.
 23 THE HEARING OFFICER: It's --
 24 it is on an actual letterhead form. So it's

Page 843

1 Rotunno - Direct - Stull
 2 objection in order to create a record, and I
 3 understand that.
 4 MS. WELLES: Yes.
 5 THE HEARING OFFICER: But it
 6 is an official business record. It is a
 7 hearsay exception. The weight will be
 8 determined at an appropriate moment. But it --
 9 it is -- it meets the standards of
 10 admissibility.
 11 Okay. Let's move on, please.
 12 BY MS. JOHN-STULL: (Cont'g.)
 13 Q. Thank you.
 14 Mr. Rotunno, I am going to
 15 ask you, sitting here today, do you recall the
 16 date that Ms. -- withdrawn.
 17 Did there come a time that
 18 Ms. Williams was removed from your school?
 19 **A. Yes.**
 20 Q. Okay. Do you recall the date
 21 that she was removed from your school?
 22 **A. October 26th.**
 23 Q. Okay. And --.
 24 THE HEARING OFFICER: Of what

Page 842

1 Rotunno - Direct - Stull
 2 the official business record. So it's --.
 3 MS. WELLES: These -- these
 4 are handwritten statements by whom?
 5 THE HEARING OFFICER: I don't
 6 have it in front of me. Who is the --?
 7 MS. JOHN-STULL: Two of the
 8 documents were already testified to: the first
 9 one that's by Kevin Kent, and the last one by
 10 Ch.Sm.
 11 MS. WELLES: Well, there was
 12 no objection to the statement that Mr. Kent --
 13 when -- when he did that. But to the extent
 14 that they are being -- seeking to be admitted
 15 for the truth of what they say, I object on
 16 hearsay.
 17 THE HEARING OFFICER: Okay.
 18 It's an official business record. It's a
 19 hearsay exception. However, that's not to
 20 say --
 21 MS. WELLES: I -- I
 22 understand. By the --.
 23 THE HEARING OFFICER: Wait.
 24 You have to make -- but you have to make the

Page 844

1 Rotunno - Direct - Stull
 2 year?
 3 THE WITNESS: Of 2005 --
 4 2005.
 5 BY MS. JOHN-STULL: (Cont'g.)
 6 Q. Okay. How was she notified
 7 of her reassignment?
 8 **A. There was a letter sent by**
 9 **Kathleen Pollina, who was the local**
 10 **instructional superintendent.**
 11 Q. The letter --.
 12 THE HEARING OFFICER: Pollina
 13 is P-O-L-L-I-N-A, I believe.
 14 THE WITNESS: Yes. Correct.
 15 MS. JOHN-STULL: Okay.
 16 THE HEARING OFFICER: If you
 17 need --.
 18 BY MS. JOHN-STULL: (Cont'g.)
 19 Q. Who was the letter sent to?
 20 **A. The letter was sent to me in**
 21 **my office, and I was to hand-deliver it to Ms.**
 22 **Williams.**
 23 Q. Okay. And did you attempt to
 24 hand-deliver the letter to Ms. Williams on

12 (Pages 841 to 844)

Page 845

1 Rotunno - Direct - Stull
 2 October 26th, 2005?
 3 **A. Yes, I did.**
 4 Q. Tell us about that.
 5 **A. Okay. When the -- the letter**
 6 **faxed to my office, and I looked at the**
 7 **teaching schedule and saw that Ms. Williams was**
 8 **assigned in class at that period and -- and --**
 9 **coincidentally, it was the class with Mr. Kent.**
 10 **I sent Peter Volkert, one of my assistant**
 11 **principals, to the room. He said she wasn't**
 12 **there. Mr. Kent said she wasn't there. So I**
 13 **told Mr. Volkert to find her -- to look around**
 14 **the building and to look for her. Mr. Volkert,**
 15 **I guess, had called something on the radio.**
 16 **"If anyone sees Ms. Williams" -- one of the**
 17 **school safety agents said, "yes, I do see Ms.**
 18 **Williams. She's outside of the building right**
 19 **now." As a -- and they said she was hanging**
 20 **up -- it looked like different colored letters**
 21 **or something that -- that were all different**
 22 **colors. So I instructed them, "please escort**
 23 **her to my office."**
 24 **Ms. Williams then was**

Page 847

1 **Rotunno - Direct - Stull**
 2 **side of the eye right there. I didn't have**
 3 **glasses on; I had contacts on. The door**
 4 **bounced. I put my hand up, went back that way.**
 5 **I said "stop." I said "stop."**
 6 **The -- standing right outside**
 7 **the door was not only Peter Volkert, my**
 8 **assistant principal, but Andre Giglovic who is**
 9 **the sergeant of the Fiftieth Precinct. I --**
 10 **Sergeant Giglovic actually came over to me and**
 11 **said, you know, "do you -- do you want to press**
 12 **charges?" I said, "no. Just get her out of**
 13 **the building." They walked her out of the**
 14 **building, and she was officially reassigned to**
 15 **Cortland Avenue.**
 16 Q. Thank you.
 17 I'm going to direct your attention to the next
 18 date, parent-teachers conference. Were you in
 19 the building that evening for the
 20 parent-teachers conference?
 21 **A. Yes, I was.**
 22 Q. And do you recall Ms.
 23 Williams attempting to or actually entering the
 24 building on that date?

Page 846

1 **Rotunno - Direct - Stull**
 2 **escorted to my office. I was standing by my**
 3 **office door. And she had in her hands, to my**
 4 **best knowledge -- it was like four shopping**
 5 **bags filled with papers, and then she had**
 6 **around her shoulder a big satchel, sort of like**
 7 **you'd put your -- your laptop computer and**
 8 **stuff in, but it was pretty big. She had a lot**
 9 **of stuff with her. The agents walked her right**
 10 **to my door. My office door was half open. She**
 11 **was standing on one side; I was standing on the**
 12 **other side of the door. I said, "stop. Don't**
 13 **come in." I said, "I have a -- a -- a letter**
 14 **from you from the superintendent directing you**
 15 **immediately to report to Cortland Avenue for**
 16 **reassignment." Ms. Williams put all of her**
 17 **stuff down onto the floor. She became a little**
 18 **agitated. She got up and said, "I'm not taking**
 19 **the letter." So I said to her, "you don't have**
 20 **to take the letter. I'd like you to have it,**
 21 **but you don't -- this is -- I'm -- I'm telling**
 22 **you you are to be reassigned with that." And**
 23 **she got up, and she kind of pushed the door,**
 24 **which actually struck me in the side -- in the**

Page 848

1 Rotunno - Direct - Stull
 2 **A. Yes.**
 3 Q. Tell us about that.
 4 **A. Okay. There are two**
 5 **different ways you can get into Kennedy High**
 6 **School. It's a -- it's an eight-story**
 7 **building. The first entrance is the first**
 8 **floor. The second entrance is on the fourth**
 9 **floor, which is probably, if you would have to**
 10 **walk around, about a half a mile away from**
 11 **where the other entrance is. We received a**
 12 **call from the school safety agents, which was**
 13 **initiated by Sergeant Giglovic, who was the**
 14 **sergeant from the Fiftieth Precinct, that Ms.**
 15 **Williams was standing outside the first floor**
 16 **entrance, handing out paraphernalia. The agent**
 17 **said, "we're going to tell her to leave." And**
 18 **they told her to leave. And she did leave.**
 19 **What Ms. Williams did, then, was to walk around**
 20 **to the fourth-floor entrance. Once again, I**
 21 **was in the gymnasium at that time handing out**
 22 **program cards, report cards, and greeting**
 23 **parents coming in. So I did not have my radio.**
 24 **But one of my assistant principals came in and**

13 (Pages 845 to 848)

Page 849

1 **Rotunno - Direct - Stull**
 2 **said, "well, Ms. Williams is in the building.**
 3 **They're -- they're -- she's being chased around**
 4 **the building."**
 5 **By the time I grabbed the**
 6 **radio, Ms. Williams was already apprehended,**
 7 **and I came up to the fourth floor as the police**
 8 **officers were walking Ms. Williams to the**
 9 **police car.**
 10 Q. Thank you.
 11 As a result of this arrest in
 12 October, were you issued any documents by the
 13 court in your -- in your -- in your favor?
 14 I'm -- I'm -- he's not that familiar with it.
 15 I'm trying not to lead him. That's why I'm
 16 stating it this way.
 17 Were you issued any official
 18 documents from the court?
 19 **A. Prior to that?**
 20 Q. No -- as a result of the
 21 arrest.
 22 **A. Yes.**
 23 Q. And do you know what it's
 24 called?

Page 851

1 **Rotunno - Direct - Stull**
 2 **custodial -- my -- my -- my foreman -- my day**
 3 **foreman, would bring me bags of papers, all**
 4 **different colors, stating "walk out of school"**
 5 **or "protest against the administration."**
 6 **Students came to me saying, you know,**
 7 **they're -- and a lot of them didn't even know**
 8 **who she was. "Some lady gave me this." Some**
 9 **of the teachers came in and -- and said, you**
 10 **know, that Ms. Williams was outside, handing**
 11 **stuff out. I reported it to the**
 12 **superintendent. And the superintendent, in**
 13 **fact, wrote Ms. -- Ms. Williams. And I believe**
 14 **she summoned her also with union**
 15 **representation, saying, "you have been given a**
 16 **directive by me. First of all, you're supposed**
 17 **to be at 501 Cortland Avenue. Why are you in**
 18 **front of the school?"**
 19 **THE HEARING OFFICER: The**
 20 **"me," then, is the superintendent? Or the "me"**
 21 **is you?**
 22 **THE WITNESS: The**
 23 **superintendent --.**
 24 **THE HEARING OFFICER: Who's**

Page 850

1 **Rotunno - Direct - Stull**
 2 **A. A document came to me --**
 3 **either a -- a -- order of protection,**
 4 **restraining order, something like that.**
 5 Q. Okay. Thank you.
 6 Now I am going to direct your attention to on
 7 or about and between November 1st, 2005, and
 8 December 19th of 2005. Do you recall incidents
 9 or an incident involving Ms. Williams handing
 10 out fliers to students, and now she's been
 11 removed from the school?
 12 **A. Yes.**
 13 Q. Tell us about that.
 14 **A. Shortly after she was removed**
 15 **from the school, a number of people came to me,**
 16 **saying that Ms. Williams was either handing out**
 17 **stuff right in front of the building or right**
 18 **by the door on the first floor, because that's**
 19 **where the kids come in. They're not allowed to**
 20 **come in through the fourth floor. They have to**
 21 **walk around to the first-floor entrance -- that**
 22 **she was handing stuff to them, and not only**
 23 **handing stuff; she was also giving T-shirts to**
 24 **the kids. Mike Bellotti, who is my**

Page 852

1 **Rotunno - Direct - Stull**
 2 the pronoun "me"? You just said "been given
 3 the directive by me." And I'm just --.
 4 **THE WITNESS: Oh, by "me" --**
 5 **the superintendent. I'm sorry. Yes -- stating**
 6 **to Ms. Williams that she wasn't supposed to be**
 7 **at Kennedy. She was supposed to be at 501**
 8 **Cortland Avenue. And I believe Ms. Pollina**
 9 **then summoned her again to meet with her,**
 10 **saying that "you failed to follow my directive**
 11 **not to go back to Kennedy High School."**
 12 **BY MS. JOHN-STULL: (Cont'g.)**
 13 Q. Did you ever observe any of
 14 the fliers that you testified to just now?
 15 **A. Oh, sure.**
 16 Q. Okay.
 17 **A. Sure. There were plenty of**
 18 **them.**
 19 Q. Okay. Now, I am going to
 20 show you a document that I would like to have
 21 marked 'D' Number -- and I don't --.
 22 **THE HEARING OFFICER: We're**
 23 **up to 'D' Nineteen.**
 24 **MS. JOHN-STULL: 'D' Nineteen**

14 (Pages 849 to 852)

Page 853

1 Rotunno - Direct - Stull
 2 for purpose of identification --.
 3 THE HEARING OFFICER: 'D'
 4 Nineteen is a -- is a flier entitled "Kennedy
 5 High School student strike."
 6 BY MS. JOHN-STULL: (Cont'g.)
 7 Q. This is the original, Mr.
 8 Riegel. It's just a copy. I'm going to show
 9 him.
 10 Mr. Rotunno, looking at this
 11 blue sheet of paper -- this legal sheet of
 12 paper, tell us. Do you recognize this
 13 document?
 14 **A. Yes, I do.**
 15 Q. And how do you recognize it?
 16 Where have you seen it before? Why are you
 17 familiar with it?
 18 **A. Well, I'm familiar with it**
 19 **because these are documents that Ms. Williams**
 20 **used to hang up around the outside of the**
 21 **building and give to kids to bring into the**
 22 **building.**
 23 Q. Okay. And now, when you --
 24 at this time that Ms. Williams is hanging up

Page 855

1 Rotunno - Direct - Stull
 2 saw her, no.
 3 THE HEARING OFFICER: Okay.
 4 MS. WELLES: I'm going to
 5 object.
 6 THE HEARING OFFICER: Well,
 7 hold on one second. What's the basis of your
 8 knowledge as to -- as to the nexus between this
 9 piece of paper and -- and Natalie Williams?
 10 THE WITNESS: The -- my
 11 custodian, the students, some teachers all came
 12 to me on -- on different occasions stating that
 13 Ms. Williams was handing this either to kids or
 14 to them or putting it outside of the building.
 15 THE HEARING OFFICER: Okay.
 16 Mr. Bellotti has testified. I have -- do not
 17 have the transcript. I will review the
 18 transcript. I don't know whether he --.
 19 MS. WELLES: It's my
 20 recollection he said -- he -- he testified that
 21 he saw many white papers. And that's what he
 22 collected. He never saw it come from Ms.
 23 Williams' hand to any other --.
 24 THE HEARING OFFICER: Okay.

Page 854

1 Rotunno - Direct - Stull
 2 this document, she -- withdrawn.
 3 Was she already removed from
 4 the school?
 5 **A. Yes. I believe so.**
 6 Q. Okay. And what's been
 7 identified as 'D' Number Nineteen -- is it a
 8 fair and accurate copy of this blue sheet of
 9 paper -- the legal sheet of paper that you
 10 observed? Look at this on top.
 11 **A. Yes.**
 12 Q. Is it a fair and -- okay.
 13 **A. Yes.**
 14 Q. Thank you.
 15 I am now -- now going to ask
 16 what's been identified as 'D' Number Nineteen
 17 to be entered into evidence as 'D' Nineteen.
 18 MS. WELLES: It's Mr.
 19 Rotunno's testimony that he actually saw the
 20 Respondent hand this to a teacher or student at
 21 the school?
 22 THE HEARING OFFICER: Is that
 23 what you're saying, sir?
 24 THE WITNESS: That I actually

Page 856

1 Rotunno - Direct - Stull
 2 I -- you may be right. We -- we don't have the
 3 benefit of the transcript.
 4 MS. WELLES: Right.
 5 THE HEARING OFFICER: That's
 6 what stimulated the question as to finding the
 7 connection between this piece of paper and
 8 Natalie Williams, and I -- I haven't seen it.
 9 I want to read Bellotti's testimony as well as
 10 whoever else may have testified. Kent
 11 testified to this, as well. I don't know who
 12 else may be testifying. I'm going to -- we're
 13 going to hold this. And we'll mark it for
 14 identification subject to further review to see
 15 if there is some way of connecting or not
 16 connecting this -- this -- this flier to Ms.
 17 Williams. But it's marked for I.D. It is not
 18 in evidence as of this time.
 19 MS. JOHN-STULL: I -- you
 20 know, I'll wait for Mr. Riegel's decision on
 21 this document coming into evidence. But I want
 22 to make it clear that Mr. Bellotti and Mr. Kent
 23 and other witnesses did testify that there were
 24 numerous fliers, and actually Mr. Bellotti and

15 (Pages 853 to 856)

1 Rotunno - Direct - Stull
 2 even Mr. Rotunno said that there were lots of
 3 fliers that were being brought to him, and
 4 these fliers were either posted. Mr. Bellotti
 5 testified at length about picking up, cleaning
 6 up these fliers. So, you know --.
 7 THE HEARING OFFICER: That
 8 may -- that may be. The question is not
 9 whether he testified to there being fliers.
 10 The question is whether this flier was --
 11 was -- was referenced in prior testimony. And
 12 we don't know --.
 13 MS. JOHN-STULL: You know
 14 what, Mr. Riegel? I'm going to withdraw 'D'
 15 Nineteen, for the simple fact is it's already
 16 in evidence as 'D' Ten.
 17 THE HEARING OFFICER: Okay.
 18 MS. JOHN-STULL: So I'm going
 19 to withdraw 'D' Nineteen.
 20 THE HEARING OFFICER: Can we
 21 just take a quick look at --?
 22 MS. JOHN-STULL: It's the
 23 second page of 'D' Ten.
 24 THE HEARING OFFICER:

1 Rotunno - Direct - Stull
 2 Correct. 'D' -- if you look at 'D' Ten, it's
 3 already in evidence. It's just it was -- it
 4 was reduced to eight and a half by eleven.
 5 Okay. So 'D' --.
 6 MS. WELLES: And -- and
 7 again, when that came in, it came in when Mr.
 8 Kent said he saw it on Ms. Williams' website.
 9 THE HEARING OFFICER: I --
 10 I'm going to have to -- I'm --
 11 MS. WELLES: Okay.
 12 THE HEARING OFFICER: --
 13 we're going to have to review it. I can't -- I
 14 don't know, you know, the circumstances under
 15 which it came in. But -- and as to whether
 16 there was an objection to it or not. But
 17 nevertheless, it is in evidence, and we will
 18 see where we go from there.
 19 MS. JOHN-STULL: You know
 20 what, Mr. Riegel? I'm going to ask some more
 21 questions, and the --
 22 THE HEARING OFFICER: Go
 23 ahead.
 24 BY MS. JOHN-STULL: (Cont'g.)

1 Rotunno - Direct - Stull
 2 Q. -- reason being, this --
 3 okay. Let me -- Mr. Rotunno, prior to coming
 4 here today, you saw this document that was --
 5 this blue sheet of paper on -- it's a two-sided
 6 copy. You saw this prior to coming here today,
 7 correct?
 8 **A. That's correct.**
 9 Q. And where did you see this
 10 document?
 11 **A. Well, this was the documents**
 12 **that were brought to me that were in the school**
 13 **building or being handed out to kids. But**
 14 **these different colored papers were -- the day**
 15 **when I had asked for Ms. Williams to be**
 16 **escorted to my office when she had all the bags**
 17 **in her hand -- these were the papers that were**
 18 **in the bags --**
 19 Q. Thank you.
 20 **A. -- all the different colored**
 21 **papers.**
 22 Q. Thank you.
 23 THE HEARING OFFICER: Did you
 24 see specifically that -- it's just -- I don't

1 Rotunno - Direct - Stull
 2 mean to nit pick. Did you specifically see
 3 this -- this paper as part of --?
 4 THE WITNESS: Yes, sir. I
 5 did. Yes.
 6 THE HEARING OFFICER: Okay.
 7 Let's move on.
 8 MS. JOHN-STULL: I just want
 9 to make sure that -- it's also on her website,
 10 and I don't want it to not come in later --
 11 THE HEARING OFFICER: Okay.
 12 MS. JOHN-STULL: -- or if
 13 there's going to be an issue. It's already in
 14 evidence. All right. Thank you.
 15 Can I just have a moment, please?
 16 THE HEARING OFFICER: Go
 17 ahead. Sure.
 18 MS. JOHN-STULL: Mr. Rotunno,
 19 just a few minutes ago, you testified about
 20 Ms. -- letters being written to Ms. Williams by
 21 the superintendent. You -- I'm going to -- I
 22 want to show you a one-page document that I
 23 would like to have be deemed marked 'D' Number
 24 Nineteen for purpose of identification.

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1 Rotunno - Direct - Stull
 2 THE HEARING OFFICER: 'D'
 3 Nineteen is a letter on Department letterhead
 4 addressed to Ms. Williams dated October 26th,
 5 2005, signed by the local instructional
 6 superintendent, reassigning Ms. Williams to
 7 the -- reassigning Ms. Williams to the
 8 reassigning center.
 9 BY MS. JOHN-STULL: (Cont'g.)
 10 Q. Thank you.
 11 Mr. Rotunno, the -- prior,
 12 when you testified about a letter dated October
 13 26th, and Ms. Williams being reassigned on
 14 October 26th, is this the -- the letter that
 15 you're referring to?
 16 **A. Yes, it is.**
 17 Q. Now, is this letter part of
 18 Ms. Williams' personal file at your school?
 19 **A. Yes, it is.**
 20 Q. And now, is her file kept in
 21 the normal course of business?
 22 **A. Yes.**
 23 Q. And prior to coming here
 24 today, did you have an opportunity to review

Page 863

1 Rotunno - Direct - Stull
 2 principals, not just to me, stating that we had
 3 until the end of September to lock into our
 4 budget -- the excessing -- you know, if you
 5 wanted to excess. What happened was, the
 6 Department of Education had already made a
 7 decision that they were going to reorganize
 8 Kennedy and make it smaller. As a matter of
 9 fact, at that point in time, I believe there
 10 were three other schools located in my
 11 building: Marble Hill, Bronx Law and Finance.
 12 I'm sorry. There were four schools: Marble
 13 Hill, Bronx Law and Finance, Beta, and then
 14 Kennedy. So there were four schools in the
 15 building. Two more schools, Bronx Theater and
 16 Ellis, came right after that. So what was
 17 happening was, Kennedy was being downsized. At
 18 that point in time, as -- as -- a year ago, I
 19 had about fifty one hundred students. I was
 20 down to about thirty-eight hundred. I looked
 21 at the budget, and I said, "oh my goodness.
 22 With all of these teachers, there's no way I'm
 23 going to be -- be able to do things like
 24 tutoring and after-school stuff that we had."

Page 862

1 Rotunno - Direct - Stull
 2 this letter in reviewing Ms. Williams' file?
 3 **A. Yes.**
 4 **MS. JOHN-STULL: I am now**
 5 **going to ask that what's been identified as 'D'**
 6 **Number Nineteen to be entered into evidence as**
 7 **'D' Nineteen.**
 8 MS. WELLES: No objection.
 9 THE HEARING OFFICER: 'D'
 10 Nineteen is in evidence. Thank you.
 11 BY MS. JOHN-STULL: (Cont'g.)
 12 Q. Mr. Rotunno, I'm going to go
 13 back to fliers that were given out by Ms.
 14 Williams encouraging the students to protest.
 15 Do you recall that?
 16 **A. Yes.**
 17 Q. Can you tell us, was there,
 18 in fact, a protest?
 19 **A. Yes, there was.**
 20 Q. Tell us what happened.
 21 **A. Sure.**
 22 Q. What happened was, in -- in
 23 probably mid to late September, the
 24 Chancellor's Office put out an email to all

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1 Rotunno - Direct - Stull
 2 So I called Zardoya, who was my superintendent
 3 at the time. She called Kathleen Pollina and
 4 a -- a gentleman named Bob Cohen, who was in
 5 charge of budgeting. And -- and -- and we all,
 6 on a telephone conference, talked about what I
 7 can do. So they said, "look. You really don't
 8 want to excess teachers. Where else do you
 9 think you can excess?" I said, "well, I have
 10 too many guidance counselors." So they said,
 11 "fine. You know, it would be our
 12 recommendation. How many could you excess?" I
 13 think I -- I said, "I think I can excess four.
 14 I think it was four or five. I'm not sure."
 15 And they said, "you know, that's probably
 16 the -- the best way to go because then you're
 17 not -- excessing teachers, and it's not firing
 18 them." It was just, you know, excessing for
 19 reassignment. You still have the same amount
 20 of teachers. You could still then have money
 21 to run your programs.
 22 So what I did was, I met with
 23 the teachers or the guidance counselors, and I
 24 believe it was also two bilingual math

17 (Pages 861 to 864)

Page 865

1 Rotunno - Direct - Stull
 2 teachers. And I met with all of them, and I
 3 said, "this is what I'm going to do." They
 4 said, "fine. No problem." We went through
 5 what they do, where they go. They were
 6 assigned then as absent teacher reserve. They
 7 weren't even removed from the building. They
 8 were still in the building at the time.
 9 And what started happening after that was,
 10 fliers starting going around saying, "teachers
 11 are being fired." There was a date on one of
 12 the fliers that said, "we need to protest
 13 this." Unfortunately, a couple of students who
 14 took this as an opportunity to cause chaos
 15 started running around the building. You know,
 16 "they're firing teachers, firing teachers."
 17 And it's -- and of course, school safety agents
 18 responded. Some of the students then ran
 19 outside the building. They were throwing rocks
 20 and stuff at the -- at the school safety
 21 agents' cars. And it ended up that nine
 22 students were arrested.
 23 Unfortunately, the people who
 24 put up these signs, once this happened, they

Page 867

1 Rotunno - Direct - Stull
 2 investigation, the two supervisors that you had
 3 conducted the investigation -- the two
 4 assistant principals -- what are their names?
 5 **A. There -- well, actually,**
 6 **there are three. One was on -- one was**
 7 **becoming a principal at the time and did not**
 8 **want to get involved because she was leaving**
 9 **the school.**
 10 Q. What is that person's name?
 11 **A. Terri Bellard, who's a black**
 12 **female, Rashid Davis, who's a black male, and**
 13 **Rockesha Ford, who is a black female.**
 14 **MS. JOHN-STULL: Thank you.**
 15 **Now going to show you a document that I would**
 16 **like to have be deemed marked 'D' Number Twenty**
 17 **for purpose of identification. It's a one-page**
 18 **document.**
 19 **THE HEARING OFFICER: 'D'**
 20 **Twenty is a letter dated November 1st,**
 21 **2005.**
 22 **MS. JOHN-STULL: Mr.**
 23 **Rotunno --,**
 24 **THE HEARING OFFICER: This is**

Page 866

1 Rotunno - Direct - Stull
 2 really didn't care. I then wrote letters in
 3 favor of the kids. I went down to testify on
 4 behalf of one of the kids, who was a monitor in
 5 my office, and said I do -- I did not want to
 6 prosecute. I felt these kids were pawns in --
 7 in -- in something that had nothing to do with
 8 them. And the kids were given a principal's
 9 suspension and returned back to school.
 10 Q. Thank you. Now, of the --
 11 the bilingual teachers and the guidance
 12 counselors that were excessed -- were these --
 13 can you tell us what was, to the best of your
 14 recollection, the racial breakdown of the --
 15 the -- these guidance counselors and teachers?
 16 **A. Sure. I believe two or**
 17 **three -- maybe two of the teachers were white**
 18 **women. Two of them were Hispanic women, I**
 19 **believe. Or two and three or three and two --**
 20 **it was either three white, two Hispanic, or the**
 21 **other way around. And the two bilingual math**
 22 **teachers were Hispanic males.**
 23 Q. And when you had mentioned
 24 the -- the -- the English Regents

Page 868

1 Rotunno - Direct - Stull
 2 from Superintendent Pollina to Ms. Williams.
 3 BY MS. JOHN-STULL: (Cont'g.)
 4 Q. Mr. Rotunno, do you recognize
 5 this letter?
 6 **A. Yes, I do.**
 7 Q. And in reviewing Ms.
 8 Williams' file, did you review this letter
 9 prior to coming here today to testify?
 10 **A. Yes, I did.**
 11 Q. Now, is this letter kept in
 12 the normal course of business at John F.
 13 Kennedy High School?
 14 **A. Yes, it is.**
 15 Q. And specifically in Ms.
 16 Williams' file?
 17 **A. That is correct.**
 18 Q. And when you had testified
 19 before about the Respondent receiving a second
 20 letter from the -- from the superintendent,
 21 it's this letter you're referring to?
 22 **A. Yes, it is.**
 23 **MS. JOHN-STULL: I am now**
 24 **going to ask what's been identified as 'D'**

18 (Pages 865 to 868)

Page 869

1 **Rotunno - Direct - Stull**
 2 **Number Twenty to be entered into evidence as**
 3 **'D' Twenty.**
 4 MS. WELLES: No objection.
 5 THE HEARING OFFICER: 'D'
 6 Twenty is in evidence.
 7 MS. JOHN-STULL: I would like
 8 to show the witness what's already in evidence
 9 as 'D' Number Six.
 10 THE HEARING OFFICER: 'D' Six
 11 is a series of photocopies of T-shirts that had
 12 been previously placed into evidence.
 13 BY MS. JOHN-STULL: (Cont'g.)
 14 Q. Mr. Rotunno, please take a
 15 look at that document, and tell us if you
 16 recognize any of those items.
 17 **A. Yes, I do. I recognize --.**
 18 Q. Tell us which ones you
 19 recognize.
 20 **A. I recognize all of them --**
 21 **all six of them.**
 22 Q. And where did this --
 23 where -- what are these -- these -- this is a
 24 photocopy of what?

Page 871

1 Rotunno - Direct - Stull
 2 **A. It is a letter stating that**
 3 **Ms. Williams was basically ignoring the**
 4 **directives given to her by the local**
 5 **instructional superintendent, not to have any**
 6 **contact with any students in any way.**
 7 Q. And now, does this -- this
 8 letter was prepared by you?
 9 **A. Yes, it was.**
 10 Q. And there is a -- there is
 11 some handwriting on the right-hand side of the
 12 document. Was that prepared by you?
 13 **A. No, it was not.**
 14 Q. Okay. But this letter was --
 15 withdrawn.
 16 This letter is a part of Ms.
 17 Williams' personal file at John F. Kennedy High
 18 School?
 19 **A. Yes, it is.**
 20 Q. And is her file kept in the
 21 normal course of business?
 22 **A. Yes, it is.**
 23 Q. And with respect to the
 24 November -- withdrawn.

Page 870

1 Rotunno - Direct - Stull
 2 **A. These were T-shirts that were**
 3 **brought in by students on -- on several**
 4 **different occasions. On one occasion, students**
 5 **came to me right in the beginning of the day,**
 6 **saying, "there's a lady standing outside,**
 7 **handing out T-shirts." And they said, "I don't**
 8 **know what they are." So they brought them to**
 9 **me. Some were given to school safety agents or**
 10 **assistant principals. And some kids said that**
 11 **they were purchasing these -- these T-shirts.**
 12 **MS. JOHN-STULL: I am now**
 13 **going to show the witness a document that I**
 14 **would like to have be deemed marked 'D' Number**
 15 **Twenty-one for purpose of identification. It's**
 16 **a one-page document.**
 17 **THE HEARING OFFICER: 'D'**
 18 **Twenty-one is a letter from the principal to**
 19 **Ms. Williams dated January 11th of '06.**
 20 **BY MS. JOHN-STULL: (Cont'g.)**
 21 Q. Mr. Rotunno, tell us. Do you
 22 recognize this document?
 23 **A. Yes, I do.**
 24 Q. And what is it?

Page 872

1 Rotunno - Direct - Stull
 2 Is this -- does this document
 3 fairly and accurately represent the document
 4 prepared by you?
 5 **A. Yes.**
 6 **MS. JOHN-STULL: I am now**
 7 **going to ask what's been identified as 'D'**
 8 **Number Twenty-one to be entered into evidence**
 9 **as 'D' Twenty-one.**
 10 **THE HEARING OFFICER: Any**
 11 **objection?**
 12 MS. WELLES: No objection.
 13 THE HEARING OFFICER: 'D'
 14 Twenty-one is admitted into evidence.
 15 MS. JOHN-STULL: Thank you.
 16 I'm going to show the witness a one-page
 17 document that I would like to have be deemed
 18 marked 'D' Number Twenty-two for purpose of
 19 identification.
 20 **THE HEARING OFFICER: 'D'**
 21 **Twenty-two --.**
 22 **BY MS. JOHN-STULL: (Cont'g.)**
 23 Q. Mr. Rotunno, tell us. Do you
 24 recognize this document?

19 (Pages 869 to 872)

Page 873

1 Rotunno - Direct - Stull
 2 THE HEARING OFFICER: First,
 3 let us identify it. 'D' Twenty-two is a letter
 4 dated January -- second letter dated
 5 January --.
 6 MS. JOHN-STULL: 11th.
 7 THE HEARING OFFICER: Okay --
 8 is a second letter dated -- second letter dated
 9 January 11th, 2006, from the principal to
 10 Respondent.
 11 BY MS. JOHN-STULL: (Cont'g.)
 12 Q. Thank you. Mr. Rotunno, was
 13 this letter prepared by you?
 14 **A. Yes, it was.**
 15 Q. Now, does this letter -- the
 16 typed portion of the letter -- does it fairly
 17 and accurately represent the letter that was
 18 prepared by you?
 19 **A. Yes.**
 20 Q. And is this letter kept in
 21 the normal course of business at -- in the
 22 Respondent's personnel file at John F. Kennedy
 23 High School?
 24 **A. Yes.**

Page 875

1 **Rotunno - Direct - Stull**
 2 **And she had said she was coming into the**
 3 **building to pick stuff up. I said, "no.**
 4 **You're not. You're not allowed to come into**
 5 **the building unless you are given express**
 6 **permission by the superintendent." They turned**
 7 **her away, and she left.**
 8 Q. Thank you.
 9 I am going to direct your attention to a second
 10 time in December, December 13th of 2005. Do
 11 you recall Ms. Williams once again trying to
 12 enter the building or did, in fact, enter the
 13 building?
 14 **A. Yes. At that time, she did**
 15 **enter the building. Yes.**
 16 Q. Tell us about that.
 17 **A. At that time, she entered the**
 18 **building. And school security was chasing her**
 19 **around the building. I -- I was not in the**
 20 **building at that time. I was at a principal's**
 21 **meeting. And once again, my superintendent --**
 22 Q. Okay. One second. Since you
 23 were not there, I'm not going to have you go
 24 on.

Page 874

1 **Rotunno - Direct - Stull**
 2 **MS. JOHN-STULL: I am now**
 3 **going to ask what's been identified as 'D'**
 4 **Number Twenty-two to now be entered into**
 5 **evidence as 'D' Twenty-two.**
 6 THE HEARING OFFICER: Well --
 7 go ahead.
 8 MS. WELLES: No objection.
 9 THE HEARING OFFICER: 'D'
 10 Twenty-two is in evidence.
 11 BY MS. JOHN-STULL: (Cont'g.)
 12 Q. Mr. Rotunno, I'm now going to
 13 direct your attention to the -- on or about
 14 December 8th, 2005. Do you recall an
 15 incident -- withdrawn.
 16 Do you recall at that time
 17 Ms. Williams once again showing up at your
 18 school, John F. Kennedy High School?
 19 **A. Yes, I do.**
 20 Q. Can you tell us about that,
 21 please?
 22 **A. Yes. She entered the -- she**
 23 **came to the school and attempted to enter the**
 24 **building. The school safety agents called me.**

Page 876

1 Rotunno - Direct - Stull
 2 **A. Okay.**
 3 Q. But I'm just -- just so the
 4 record is clear, you were aware that, on
 5 December 13th, 2005, Ms. Williams did once
 6 again attempt -- did, in fact, enter the
 7 building, correct?
 8 **A. Correct.**
 9 **MS. JOHN-STULL: Okay. Thank**
 10 **you.**
 11 **Mr. Riegel, may I have a**
 12 **moment?**
 13 **THE HEARING OFFICER: Go**
 14 **ahead. Sure.**
 15 **MS. JOHN-STULL: I have no**
 16 **further questions, Mr. -- withdrawn.**
 17 **Withdrawn.**
 18 **Just -- can I just have --**
 19 **THE HEARING OFFICER: Go**
 20 **ahead. Sure.**
 21 **BY MS. JOHN-STULL: (Cont'g.)**
 22 Q. -- just a few more questions?
 23 Mr. Rotunno, it is now approximately six years
 24 since you've been the principal at John F.

20 (Pages 873 to 876)

Page 877

1 Rotunno - Direct - Stull
 2 Kennedy High School, correct?
 3 **A. That is correct.**
 4 Q. How is John F. Kennedy High
 5 School -- the climate different?
 6 MS. WELLES: Objection. This
 7 has no relevance whatsoever to the six
 8 specifications against the Respondent.
 9 MS. JOHN-STULL: Mr. Riegel,
 10 I'm in a position where this Respondent has not
 11 yet given an opening statement, but at the same
 12 time, she has a lot of documents that she's
 13 tried to -- she's attempted to put into
 14 evidence, showing that there is all these
 15 problems in the school, and she's encouraging
 16 the students to speak up on her behalf and
 17 protest. And the administration is so against
 18 her, and in anticipation of what she would --
 19 might be saying, because I am at a
 20 disadvantage, you know, I'm asking these
 21 questions. And I think it does go to the
 22 specifications because it talks about giving
 23 out T-shirts. It talks about giving out
 24 fliers. And there's been lots of testimony

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1 Rotunno - Direct - Stull
 2 no -- I can rephrase the question, which I'm
 3 willing to do, but we should not put this, on
 4 the whole, in -- you know, because the
 5 Department will have an opportunity to put on a
 6 rebuttal case. And then what if I have nothing
 7 else to ask Mr. Rotunno? Then I bring him back
 8 here just to ask this question?
 9 THE HEARING OFFICER: Well,
 10 I -- I -- part -- part of the litigation is
 11 just that. That's -- that's what -- that's
 12 what rebuttal is about. On the other hand, I
 13 believe that I have made any number of rulings
 14 dealing with relevancy, and in the same way
 15 that -- that I respect Ms. Welles' comment
 16 that -- that whatever Mr. Rotunno is being
 17 asked to testify now is not related to the
 18 charges, I will probably apply the same
 19 standard in terms of questions that will be
 20 asked or the testimony that Ms. Williams will
 21 give. It is not relevant to the charges.
 22 It's -- the issue before me is not the quality
 23 of J.F.K. High School. The question is, is --
 24 is this Respondent guilty of these charges or

Page 878

1 Rotunno - Direct - Stull
 2 about telling students not to come in. As a
 3 matter of fact, the last student witness we had
 4 here, she offered a statement saying that --
 5 how this principal is not a good person, and
 6 this -- the administration doesn't care about
 7 the students, and they're trying to silence
 8 her. This is very relevant.
 9 THE HEARING OFFICER: All
 10 right. I am -- I'm going to sustain the
 11 objection -- however, with the understanding
 12 that if there is testimony that comes in
 13 through Ms. Williams with respect to that which
 14 the Department is trying to elicit at this
 15 point, I will -- I will rule favorably, 'A',
 16 either to dismiss any testimony with respect to
 17 that on the grounds of irrelevancy or, if it is
 18 relevant, I will rule favorably in terms of
 19 having Mr. Rotunno return as a rebuttal
 20 witness.
 21 MS. JOHN-STULL: You know, I
 22 understand that, Mr. Riegel, but at the same
 23 time, you know, Mr. Rotunno is the principal of
 24 the school, and he's here today, and there is

Page 880

1 Rotunno - Direct - Stull
 2 not? And so that I will, in all likelihood,
 3 apply the same exacting standard.
 4 MS. JOHN-STULL: And just so
 5 that it's clear to me, you sustained the
 6 objection, but you're saying it's -- and when
 7 Ms. Williams either -- if she decides to
 8 testify or if she -- when she puts on a case
 9 through any other witnesses and she tries to
 10 enter evidence of the climate of John F. --
 11 John F. Kennedy High School, that it will be
 12 sustained?
 13 THE HEARING OFFICER: The
 14 objection will be -- I can't -- first, I can't
 15 speculate on what -- on what the testimony will
 16 be. On the other hand, if there is testimony
 17 elicited which doesn't go to the charges, in
 18 all likelihood, an objection will be sustained
 19 as being not relevant to the charges.
 20 MS. WELLES: I expect to
 21 confine my questions specifically to the
 22 charges. And to the extent that the answer
 23 gets beyond that, I'll listen to your ruling.
 24 THE HEARING OFFICER: Sure.

21 (Pages 877 to 880)

1 Rotunno - Direct - Stull
 2 I -- I -- I -- I fully expect that the charges
 3 will affect the -- the testimony will address
 4 the charges, and any -- anything that is
 5 superfluous to it will be -- will probably be
 6 objected to, and if -- if it had -- if it
 7 doesn't deal with the charges, those objections
 8 will probably be sustained. So -- but that
 9 does not preclude the Department in any event
 10 from putting on a rebuttal case. It stands for
 11 litigation. I've -- I -- I mean no disrespect
 12 to you, and I understand that you would not --
 13 all things being equal, you would prefer not to
 14 have to leave your building again. But --
 15 but --
 16 MS. JOHN-STULL: It may be
 17 we'll --
 18 THE HEARING OFFICER: --
 19 fair --
 20 MS. JOHN-STULL: -- bring him
 21 back.
 22 THE HEARING OFFICER: -- fair
 23 is fair.
 24 MS. JOHN-STULL: It's

1 Rotunno - Direct - Stull
 2 important.
 3 THE HEARING OFFICER: And I
 4 think -- I think it's a question of -- of
 5 basically following the rules of fairness, and
 6 I think that that's what we would do, and
 7 that's what we will do.
 8 BY MS. JOHN-STULL: (Cont'g.)
 9 Q. Thank you.
 10 I will now like to show the witness a document
 11 that I would like to have be deemed marked 'D'
 12 Number Twenty-two for purpose of
 13 identification. Mr. Rotunno, do you recognize
 14 this document?
 15 THE HEARING OFFICER: This is
 16 'D' Twenty-three.
 17 MS. JOHN-STULL: 'D'
 18 Twenty-three.
 19 THE WITNESS: Thank you.
 20 BY MS. JOHN-STULL: (Cont'g.)
 21 Q. Mr. Rotunno, do you recognize
 22 that document?
 23 **A. Yes, I do.**
 24 Q. What is it?

1 Rotunno - Direct - Stull
 2 **A. This is a letter again from**
 3 **Kathleen Pollina, the local instructional**
 4 **superintendent, to Ms. Williams, asking her to**
 5 **meet -- asking Ms. Williams to meet with Ms.**
 6 **Pollina regarding failure to follow directives.**
 7 Q. Okay. And now, does this --
 8 this letter that was -- a copy of this letter
 9 was sent to you, correct?
 10 **A. That is correct.**
 11 Q. And a copy of this letter was
 12 placed and is actually in Ms. Williams'
 13 personal file at John F. Kennedy High School,
 14 correct?
 15 **A. Correct.**
 16 Q. And Ms. Williams' file is
 17 kept in the normal course of business at John
 18 F. Kennedy High School, correct?
 19 **A. Correct.**
 20 **MS. JOHN-STULL: I am now**
 21 **going to ask what's been identified as 'D'**
 22 **Number Twenty-three to now be entered into**
 23 **evidence as 'D' Twenty-three.**
 24 MS. WELLES: No objection.

1 Rotunno - Direct - Stull
 2 THE HEARING OFFICER: 'D'
 3 Twenty-two is in evidence. Thank you.
 4 MS. JOHN-STULL: At this
 5 time, no further questions.
 6 THE HEARING OFFICER: Okay.
 7 Do you need a few minutes to prepare for cross?
 8 MS. WELLES: Yeah. I'd like
 9 to have --.
 10 THE HEARING OFFICER: Okay.
 11 Before we do that, we now have heard the direct
 12 testimony of Mr. Rotunno. Can we get an offer
 13 of proof as to what those photographs -- how
 14 those photographs would -- would relate to the
 15 cross-examination based upon his direct
 16 testimony? We'll get to your issue in --.
 17 MS. WELLES: Okay. Can we go
 18 off the record and let him --?
 19 THE HEARING OFFICER: Yeah.
 20 Sure.
 21 (Off-the-record discussion)
 22 THE HEARING OFFICER: While
 23 off the record, Ms. Welles has had an
 24 opportunity to confer with Ms. Williams. And

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1 Rotunno - Direct - Stull
 2 she has advised me that she does not plan on
 3 using the photographs that Ms. Williams had
 4 brought today. Therefore, that issue has been
 5 resolved.
 6 Second, I had previously
 7 indicated to Ms. Welles, if there were
 8 documents that she planned to introduce through
 9 Mr. Rotunno, that I have previously held that
 10 there is reciprocal discovery. Ordinarily, it
 11 applies to documents that would -- would be
 12 introduced through the defense. And those
 13 documents need not be provided until the
 14 Department has rested its case. However, I
 15 also advise Ms. Welles that if there are
 16 documents that she wishes to introduce through
 17 Mr. Rotunno that she should provide them to Ms.
 18 John-Stull, and she -- there is a single
 19 document that she has provided. And Ms.
 20 John-Stull has received it so that we have
 21 taken care of all of the other business, and we
 22 can now turn to the cross-examination of Mr.
 23 Rotunno.
 24 Mr. Rotunno, let me just

Page 887

1 Rotunno - Direct - Stull
 2 MS. JOHN-STULL: -- also
 3 acting as co-counsel.
 4 THE HEARING OFFICER:
 5 However -- however we describe Ms. Welles'
 6 role, she has -- I have -- I have indicated
 7 that it would be appropriate for Ms. Welles to
 8 conduct the cross-examination of witnesses on
 9 behalf of Ms. Williams. She has done so, and
 10 she will continue to do so.
 11 MS. JOHN-STULL: Can I add
 12 something else? And I just want to make sure
 13 that it's clear that this is with Ms. Williams'
 14 permission.
 15 THE HEARING OFFICER: Well,
 16 yes. Ms. Williams has agreed. Can we just get
 17 that on the record that --?
 18 MS. WILLIAMS: I think I
 19 stated on the record that Ms. Welles would do
 20 my cross-examinations.
 21 THE HEARING OFFICER: Okay.
 22 That's fine. Then let us -- let us proceed,
 23 then. I've introduced Mr. Rotunno to Ms.
 24 Welles. And we are now prepared to go to the

Page 886

1 Rotunno - Direct - Stull
 2 introduce you. Ms. Welles is advising Ms.
 3 Williams. And I have previously held that Ms.
 4 Welles, who is an attorney but is not admitted
 5 to the bar in New York State, is competent to
 6 conduct the cross-examination, and she will do
 7 so in this instance. So --.
 8 MS. JOHN-STULL: Mr.
 9 Riegel, --
 10 THE HEARING OFFICER: Yes.
 11 MS. JOHN-STULL: -- before
 12 Ms. Welles commences the cross-examination, I
 13 know we went through this before about Ms.
 14 Welles being an advisor. And I also wanted it
 15 to be made clear on the record that even though
 16 she's an advisor, she was advising Ms. Williams
 17 when Ms. Williams was conducting the
 18 cross-examination, that Ms. Welles is now
 19 acting in -- in the capacity as co-counsel
 20 because she is in -- actively involved in this
 21 proceeding, because I've researched this, and
 22 as an advisor, you're not allowed to speak on
 23 the record. So she's --
 24 THE HEARING OFFICER: Okay.

Page 888

1 Rotunno - Cross - Welles
 2 cross-examination. So you're free to -- free
 3 to inquire.
 4 CROSS-EXAMINATION
 5 BY MS. WELLES:
 6 Q. Mr. Rotunno, you spoke
 7 extensively about some videotaping that was
 8 going on in the school at Ms. Williams' behest;
 9 is that true?
 10 A. Yes.
 11 Q. And you know for a fact that
 12 this videotaping did take place?
 13 A. Yes.
 14 MS. JOHN-STULL: **Objection.**
 15 **Which videotaping are you referring to?**
 16 THE HEARING OFFICER: Yeah.
 17 Well, there were -- there were two sets of
 18 them.
 19 BY MS. WELLES: (Cont'g.)
 20 Q. Exactly. Yes.
 21 Okay. You discussed some videotaping that took
 22 place in October of 2005 -- specifically
 23 October of 2005.
 24 A. **I thought it was October**

23 (Pages 885 to 888)

1 **Rotunno - Cross - Welles**
 2 **2003.**
 3 THE HEARING OFFICER: There
 4 were two --.
 5 BY MS. WELLES: (Cont'g.)
 6 Q. You said -- yeah. You --
 7 **A. Yes.**
 8 Q. -- you discussed --.
 9 **A. In October 2005 -- yes.**
 10 Q. Okay. And -- and you know
 11 for a fact that this videotaping actually took
 12 place in -- in October of 2005.
 13 MS. JOHN-STULL: Objection as
 14 to the form of the question.
 15 THE HEARING OFFICER: What's
 16 the -- what is the objection to the --?
 17 MS. WELLES: He knows for a
 18 fact because he had asked this question of, I
 19 think, the Assistant Principal Volkert. And he
 20 testified that, yes, based on my investigation,
 21 I concluded that the videotaping did occur. So
 22 here it is. I don't know what it is she's
 23 asking -- if he saw the videotaping or if he
 24 knows of the videotaping because of the

1 Rotunno - Cross - Welles
 2 investigation.
 3 THE HEARING OFFICER: Okay.
 4 Can we -- can we just get clarification?
 5 MS. WELLES: Okay. Do --
 6 okay.
 7 THE HEARING OFFICER: He's
 8 answered the question, but the follow-up
 9 question would be, if the answer is yes, how do
 10 you know?
 11 MS. WELLES: Okay. Yes.
 12 THE HEARING OFFICER: Okay.
 13 MS. WELLES: Exactly.
 14 THE WITNESS: Can you repeat
 15 the question?
 16 BY MS. WELLES: (Cont'g.)
 17 Q. Do you know for a fact that
 18 this videotaping in October of 2005 did occur?
 19 **A. Yes.**
 20 Q. And would that be because you
 21 saw the videotaping take place?
 22 **A. No.**
 23 Q. Would that be because you
 24 subsequently saw the videotape itself?

1 Rotunno - Cross - Welles
 2 **A. No.**
 3 Q. Would that be because someone
 4 else told you that this took place?
 5 **A. No.**
 6 Q. What is the basis of this
 7 knowledge?
 8 **A. Ms. Williams wrote a letter**
 9 **requesting the videotape. She -- she wrote the**
 10 **letter to the assistant principal, Craig**
 11 **Shapiro, stating, "I want my videotape back."**
 12 **Craig Shapiro gave it to me and said, you know,**
 13 **"do we have to give her the videotape back?" I**
 14 **called up legal. And they were discussing**
 15 **whether we should give her the videotape back**
 16 **or not.**
 17 THE HEARING OFFICER: Okay.
 18 BY MS. WELLES: (Cont'g.)
 19 Q. And was she -- was the
 20 videotape given back to her?
 21 **A. I -- I believe it wasn't.**
 22 **No.**
 23 Q. Does such a videotape exist?
 24 **A. Which one?**

1 **Rotunno - Cross - Welles**
 2 THE HEARING OFFICER: October
 3 of '05.
 4 MS. WELLES: Yeah -- this one
 5 that was requested to be given back. I
 6 mean --.
 7 **A. (Cont'g.) That I don't know.**
 8 BY MS. WELLES: (Cont'g.)
 9 Q. So it's your testimony, you
 10 don't know that if there was, in fact, a
 11 videotape from October of 2005; isn't that
 12 true?
 13 **A. No. I didn't say I don't**
 14 **know. I never saw the videotape.**
 15 Q. Do you know of anyone who did
 16 see the videotape?
 17 **A. Not to my knowledge.**
 18 Q. Okay. Now, I -- I want to
 19 talk about your testimony about October 26th,
 20 2005. That was the date that you handed her a
 21 letter. You testified that Ms. Williams was
 22 carrying several bags. Did you, in fact,
 23 search these bags?
 24 **A. No, I did not.**

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1 **Rotunno - Cross - Welles**
 2 Q. You testified that you know
 3 what the contents were. How can that be if you
 4 didn't search the bags?
 5 **A. Because the bags were full of**
 6 **multi-colored paper.**
 7 Q. And did you read the
 8 multi-colored papers?
 9 **A. The ones inside of the bag?**
 10 Q. Yes --
 11 **A. No, I did not.**
 12 Q. -- inside the bag.
 13 Then what do you call -- you
 14 testified that this paper was among those
 15 papers. If you didn't search the bag and read
 16 the papers, how can you testify that this was
 17 what the paper was?
 18 **A. Oh, because with the blue and**
 19 **the pink papers, there were headlines on the**
 20 **top, and they were sticking out of the bag. So**
 21 **you could see the headlines.**
 22 Q. Now, there came a time that
 23 the parent -- there was a parent-teacher
 24 conference. When they have parent --

Page 895

1 Rotunno - Cross - Welles
 2 at the building at the night of the
 3 parent-teacher conferences or did she, in
 4 fact, --
 5 MS. WELLES: Participate --.
 6 THE HEARING OFFICER: -- meet
 7 with parents as part --
 8 MS. WELLES: Okay.
 9 THE HEARING OFFICER: -- of
 10 parent-teacher conferences.
 11 BY MS. WELLES: (Cont'g.)
 12 Q. Okay. It's your testimony
 13 she appeared at the building at the night of
 14 the parent-teacher conference, correct?
 15 **A. That is correct.**
 16 Q. And it's your testimony that
 17 she was, in fact, arrested for appearing at the
 18 building on the night of the teacher --
 19 parent-teacher conference?
 20 **A. Correct.**
 21 Q. Okay. And can you tell me
 22 when you knew about this arrest?
 23 **A. I knew about the arrest when**
 24 **the police were walking her back to the car,**

Page 894

1 Rotunno - Cross - Welles
 2 parent-teacher conferences, do they list the
 3 teachers that will be present?
 4 **A. No. We list the teachers who**
 5 **are absent.**
 6 Q. And on that -- and the
 7 teachers that were absent -- was Ms. Williams'
 8 name listed as an absent teacher?
 9 **A. That I don't know.**
 10 Q. But Ms. Williams did appear
 11 at the parent-teacher conference; isn't that
 12 true?
 13 **A. No, she did not.**
 14 Q. It's your testimony that she
 15 did appear at the -- on the -- and was
 16 arrested, isn't --?
 17 **A. Yes.**
 18 **MS. JOHN-STULL: Objection.**
 19 THE HEARING OFFICER: Well,
 20 one second.
 21 MS. JOHN-STULL: The question
 22 is not clear.
 23 THE HEARING OFFICER: Yeah.
 24 I think there's a distinction. Did she appear

Page 896

1 **Rotunno - Cross - Welles**
 2 **saying she was arrested.**
 3 Q. So your testimony is that,
 4 almost contemporaneously with the arrest, you
 5 knew about it. Is that true?
 6 **A. Yes.**
 7 MS. WELLES: Okay. With
 8 respect to this letter, which has been
 9 identified as --
 10 MS. JOHN-STULL: Which is in
 11 evidence?
 12 MS. WELLES: -- Department's
 13 Twenty, this is a letter from Katherine
 14 Pollina.
 15 MS. JOHN-STULL: Can you just
 16 give me a moment?
 17 THE HEARING OFFICER: 'D'
 18 Twenty is -- let me show the witness the
 19 letter, 'D' Twenty in evidence.
 20 BY MS. WELLES: (Cont'g.)
 21 Q. This letter states that it --
 22 it -- it's advising Ms. Williams not to have
 23 contact with students in person or email. Is
 24 that true?

25 (Pages 893 to 896)

Page 897

1 Rotunno - Cross - Welles
 2 **A. Yes.**
 3 Q. This letter does not state
 4 that Ms. Williams is not to telephone them; is
 5 that true?
 6 **A. It doesn't say telephone.**
 7 **No.**
 8 Q. Okay. This letter does --
 9 does not state that Ms. Williams is not to use
 10 the U.S. Postal Service and send things to
 11 students; isn't that true?
 12 **A. Yes.**
 13 Q. And you have no personal
 14 knowledge that Ms. Williams had contact with
 15 students via in person or email; isn't that
 16 true?
 17 **A. True.**
 18 Q. And with respect to -- your
 19 testimony was that some lady was handing out
 20 fliers; isn't that true?
 21 **A. Yes.**
 22 Q. And you did not see Ms.
 23 Williams hand fliers to students; isn't that
 24 true?

Page 899

1 Rotunno - Cross - Welles
 2 to come to the school?
 3 **A. Not offhand -- I'm sure that**
 4 **was a document that was signed and -- and sent**
 5 **out by the superintendent, specifying the dates**
 6 **and times she was to come to the school.**
 7 Q. But there did come a time
 8 when Ms. Williams was arrested at the school a
 9 second time; isn't that true?
 10 **A. That is correct.**
 11 Q. Okay. And to your knowledge,
 12 was it in conjunction of an attempt to retrieve
 13 her belongings from the school?
 14 **A. I believe not. No.**
 15 Q. To your knowledge, you say --
 16 you have no knowledge that she was attempting
 17 to retrieve her belongings; is --?
 18 MS. JOHN-STULL: Objection --
 19 asked and answered. He's answered it.
 20 THE HEARING OFFICER: All
 21 right. Wait.
 22 MS. JOHN-STULL: He just
 23 answered it. It's not like --
 24 THE HEARING OFFICER: Yeah.

Page 898

1 Rotunno - Cross - Welles
 2 **A. That's correct.**
 3 Q. Now, did there come a time
 4 that Ms. Williams asked for permission to come
 5 to the school to retrieve her belongings at the
 6 school?
 7 **A. Yes, she did.**
 8 Q. And did you give permission
 9 for her to retrieve her belongings at the
 10 school?
 11 **A. Well, if -- she was given**
 12 **permission by the superintendent. Correct.**
 13 Q. And was Ms. Williams allowed
 14 to come to the school to retrieve her
 15 belongings in accordance with that?
 16 **A. Yes, she was.**
 17 Q. And did she, in fact,
 18 retrieve her belongings from the school?
 19 **A. I imagine so. Yes. I was**
 20 **not there when she collected her stuff, but she**
 21 **did come to pick up whatever she had to pick**
 22 **up.**
 23 Q. And do you know what the
 24 dates that she was -- she was given permission

Page 900

1 Rotunno - Cross - Welles
 2 MS. JOHN-STULL: -- it was
 3 five questions ago.
 4 THE HEARING OFFICER: Okay.
 5 You -- you can -- you can answer it if you --
 6 was the -- was the second arrest in conjunction
 7 with -- with Ms. Williams trying to retrieve
 8 her belongings from the school?
 9 THE WITNESS: No, it was not.
 10 THE HEARING OFFICER: Okay.
 11 Go ahead.
 12 BY MS. WELLES: (Cont'g.)
 13 Q. Do you know what it was in
 14 conjunction to?
 15 **A. She was trying to sneak into**
 16 **the building.**
 17 Q. And you know this because --?
 18 **A. I received a phone call. I**
 19 **was -- I was not in the building at the time.**
 20 **I received a phone call. I was at a**
 21 **principal's meeting. My superintendent said,**
 22 **"you'd better come to the phone. It's**
 23 **important." And I was told on the phone she**
 24 **was being arrested for sneaking into the**

26 (Pages 897 to 900)

Page 901

1 **Rotunno - Cross - Welles**
 2 **building.**
 3 Q. Are you -- are you aware that
 4 when -- that Ms. Williams called the school and
 5 indicated that she wanted to come to the school
 6 to pick up her belongings?
 7 **A. No, I was not.**
 8 Q. Are you aware that Ms.
 9 Williams called the police department and told
 10 them that she wanted to come to the school to
 11 pick up her belongings?
 12 **A. No, I was not.**
 13 Q. With respect to the T-shirts
 14 that you identified in one of the exhibits, did
 15 you see Ms. Williams give these T-shirts to
 16 anyone?
 17 **A. No, I did not.**
 18 MS. WELLES: I'll have no
 19 further questions.
 20 THE HEARING OFFICER:
 21 Anything -- anything on redirect?
 22 MS. JOHN-STULL: No.
 23 THE HEARING OFFICER: Okay.
 24 Mr. Rotunno, thank you very much.

Page 903

1 Natalie Williams - 4-6-2009
 2 the -- the number of sessions for April.
 3 Is the -- from the -- just to provide a sense
 4 as to what happens at our next session, does
 5 the Department going to be resting at this
 6 point?
 7 MS. JOHN-STULL: No. We're
 8 going to rest on the 20th.
 9 THE HEARING OFFICER: Very
 10 good. Then we can anticipate that we will
 11 begin the defense on April 22nd.
 12 MS. JOHN-STULL: No. I'm
 13 just going to be resting. I'm not -- I'm
 14 reserving.
 15 THE HEARING OFFICER: Oh.
 16 Oh.
 17 MS. JOHN-STULL: I'm -- yeah.
 18 THE HEARING OFFICER: I
 19 misunderstood. I --
 20 MS. JOHN-STULL: Yes.
 21 THE HEARING OFFICER: --
 22 thought you're producing a witness.
 23 MS. JOHN-STULL: No, I'm not.
 24 THE HEARING OFFICER: Okay.

Page 902

1 Natalie Williams - 4-6-2009
 2 MR. ROTUNNO: Okay.
 3 THE HEARING OFFICER: Why
 4 don't you -- you can excuse Mr. --
 5 MS. JOHN-STULL: Yes.
 6 THE HEARING OFFICER: --
 7 Rotunno, and --
 8 MS. JOHN-STULL: Can I
 9 just --
 10 THE HEARING OFFICER: -- then
 11 we can --.
 12 MS. JOHN-STULL: -- have a
 13 moment, please? Okay. It was received -- 'D'
 14 Twenty.
 15 (Off-the-record discussion)
 16 THE HEARING OFFICER: Ms.
 17 John-Stull will be back shortly. Then we will
 18 review the calendar.
 19 (Off-the-record discussion)
 20 THE HEARING OFFICER: Thanks.
 21 Our calendar for the balance of April is as
 22 follows. Our next session is April 20th at one
 23 p.m., then April 22nd at ten a.m., and finally
 24 April 29th at one p.m. That will conclude

Page 904

1 Natalie Williams - 4-6-2009
 2 Then you need to be prepared to commence the
 3 defense on the 20th.
 4 MS. WELLES: Okay.
 5 Absolutely.
 6 THE HEARING OFFICER: Okay.
 7 That -- that's two weeks from today so that
 8 there's ample time to finalize your claims.
 9 MS. JOHN-STULL:
 10 Documents --.
 11 THE HEARING OFFICER: If
 12 there are documents -- if there are documents
 13 that you plan to introduce, I would ask that
 14 they be provided to Ms. John-Stull a week in
 15 advance so she has the opportunity to review
 16 them, and then a witness list, as well.
 17 MS. WELLES: Okay.
 18 THE HEARING OFFICER: Okay?
 19 All right. Anything -- is there anything
 20 further that we need to talk about today?
 21 MS. WILLIAMS: Yes.
 22 THE HEARING OFFICER: Yes,
 23 ma'am.
 24 MS. WILLIAMS: There were

27 (Pages 901 to 904)

Page 905

1 Natalie Williams - 4-6-2009
 2 some documents that I requested from Ms. Stull
 3 and have not received -- something about a --
 4 scans -- scans of the student grade sheets that
 5 Mr. Kent claimed were crumpled. And they have
 6 not been supplied.

7 MS. JOHN-STULL: Mr. Riegel,
 8 I -- my recollection is that I was not supposed
 9 to turn that document over. What I have been
 10 working on, and I did receive, is the rosters.
 11 But -- I mean, I'll have it for the next date
 12 where -- for instance, the -- a copy of the
 13 format that Ms. Williams tried to put into
 14 evidence, that's no longer available. You just
 15 have a list of all the names of the students,
 16 and I have emails saying, you know, "I need the
 17 documents; I need the documents." Then it was
 18 provided to me, and I said, "this doesn't --
 19 doesn't specify." Actually, I don't have it
 20 here. And it's just a list of names that -- I
 21 think their student I.D. number and their
 22 grades. It doesn't say September of '05, you
 23 know, they -- it shows the changes in the
 24 different classroom. They said because it's so

Page 907

1 Natalie Williams - 4-6-2009
 2 THE HEARING OFFICER: -- I
 3 need a -- I need a copy. The --.
 4 MS. WILLIAMS: Do you accept
 5 digital copies? I can give you a thing on a
 6 Flash drive.
 7 THE HEARING OFFICER: The
 8 answer is -- the answer is probably yes. I
 9 would say provide it in advance to Ms.
 10 John-Stull because it's a question of -- she
 11 needs to look at this before I do for purposes
 12 of making objections, and I tend to be very
 13 careful about -- about my being prejudiced by
 14 seeing material that doesn't go into evidence.
 15 I really want her to see it first. If -- if
 16 she's going to object, I'd rather deal with the
 17 objections as a procedural matter rather than a
 18 substantive matter.
 19 MS. WELLES: Okay.
 20 THE HEARING OFFICER: I mean,
 21 if you want to -- so if you would provide a
 22 copy of that to Ms. John-Stull in advance,
 23 then -- as it's not going to be the source of
 24 objection, then I would take it on as a Flash

Page 906

1 Natalie Williams - 4-6-2009
 2 far back, the only thing they were able to do
 3 is enter Mrs. -- Ms. Williams' name and Mr.
 4 Kent's name during that school year, and
 5 everything that came out, that's how it's
 6 formatted. That's the only thing that I was
 7 working on.

8 With respect to the videotape
 9 from 2003, they've been searching for it. They
 10 haven't found it. Those were the only two
 11 outstanding documents.

12 THE HEARING OFFICER: Can you
 13 provide the -- the roster with redactions that
 14 you have done?

15 MS. JOHN-STULL: Yes.

16 MS. WELLES: Let me ask a
 17 question. We -- we -- we're going to be
 18 seeking admission of the videotape that she
 19 made for certification. Do we need more than
 20 one copy?

21 THE HEARING OFFICER: I -- I
 22 need a --

23 MS. JOHN-STULL: I need to
 24 see it.

Page 908

1 Natalie Williams - 4-6-2009
 2 drive. I want a Flash drive where I can -- I
 3 can --.

4 MS. WELLES: Yeah. We're --
 5 we're -- we're -- we're going to -- going to be
 6 submitting the final product that was submitted
 7 that actually grants the certification and a
 8 couple of others that were messed up in the
 9 process because Mr. Kent jumped up and that
 10 kind of thing.

11 THE HEARING OFFICER: Okay.
 12 The -- the issue -- truthfully, the issue may
 13 not be whether or not the -- the issue may not
 14 be whether or not the videotape was made but
 15 whether or not that videotape was what was
 16 anticipated under the State Education
 17 Department and under the Chancellor's
 18 Regulations. And I have no reason to doubt
 19 that the videotape was made.

20 MS. WELLES: Yeah. Okay.
 21 But the -- you know, there was -- tapes were
 22 made in order to get the -- the requirements
 23 are very particular that there be forty minutes
 24 of sustained instruction. And there were tapes

28 (Pages 905 to 908)

1 Natalie Williams - 4-6-2009
 2 attempted to be made that couldn't be -- you
 3 know, could never be completed because it
 4 couldn't -- okay.
 5 THE HEARING OFFICER: I'm not
 6 quarreling with --.
 7 MS. WELLES: Okay. You
 8 know --.
 9 THE HEARING OFFICER: All I'm
 10 saying -- the only issue that I'm raising,
 11 having -- not having seen them, is not whether
 12 or not there were tapes submitted. What I'm --
 13 where I'm -- the question that I don't know the
 14 answer to because there's been no record -- I
 15 mean, whether or not those tapes were
 16 appropriate under the circumstances in this
 17 case -- that's all.
 18 MS. WELLES: Okay.
 19 THE HEARING OFFICER: But we
 20 can -- but you can -- you can admit them at the
 21 time, but first I -- I would like the
 22 Department to have the opportunity to view
 23 them.
 24 MS. WELLES: Okay.

1 Natalie Williams - 4-6-2009
 2 THE HEARING OFFICER:
 3 Anything else?
 4 MS. WELLES: That's all.
 5 THE HEARING OFFICER: Okay.
 6 Thank you very much. We're adjourned at three
 7 twenty-five. And we are off the record.
 8 (Off-the-record discussion)

1 Natalie Williams - 4-6-2009
 2 I, Lora Martin, do hereby certify that the
 3 foregoing was taken by me, in the cause, at the
 4 time and place, and in the presence of counsel,
 5 as stated in the caption hereto, at Page 800
 6 hereof; that before giving testimony said
 7 witness(es) was (were) duly sworn to testify
 8 the truth, the whole truth and nothing but the
 9 truth; that the foregoing typewritten
 10 transcription, consisting of pages number 800
 11 to 910, inclusive, is a true record prepared by
 12 me and completed by Associated Reporters
 13 Int'l., Inc. from materials provided by me.
 14
 15
 16 _____
 17 Lora Martin, Reporter
 18
 19 _____ Date
 20
 21
 22
 23
 24

1 Natalie Williams - 4-6-2009
 2 ERRATA SHEET
 3 Case: Natalie Williams, File #8,253
 4 Date: April 6, 2009
 5 CORRECTIONS:
 6 Page _ _ line _
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____
 24 _____

- 1 Natalie Williams - 4-6-2009
- 2 NAME INITIAL INDEX
- 3 Ryan Chase Rn. Ca.
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