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

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

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DATE: March 4, 2009

TIME: 10:35 a.m. to 11:15 a.m.  
11:20 a.m. to 11:35 a.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 - 3-4-2009  
 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 Walls  
 Betsy Combier  
 12  
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1 Natalie Williams - 3-4-2009  
 2 INDEX OF PROCEEDINGS  
 3 Opening Statement by Ms. John-Stull 37  
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1 Natalie Williams - 3-4-2009  
 2 EXHIBIT INDEX  
 3 Marked as Description  
 4 Department  
 Three 05 - 21  
 5 February 26th, 2009 e-mail from Ms.  
 John-Stull  
 6 Respondent  
 7 Four 05 - 17  
 E-mail dated February 26th of 2009 from  
 Ms. Williams  
 8  
 9 Five 06 - 03  
 E-mail from Ms. Williams dated March  
 3rd  
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1 Natalie Williams - 3-4-2009  
 2 (The hearing commenced at  
 3 10:35 a.m.)  
 4 THE HEARING OFFICER: Very  
 5 good, we're on the record at ten thirty-five on  
 6 March 4th, 2009 in the matter of the charges  
 7 preferred against Natalie Williams by the  
 8 Department of Education.  
 9 This hearing was to being at  
 10 ten a.m. and there was a delay in beginning  
 11 occasioned by some transportation delay that  
 12 Ms. Williams had experienced. I want to mark  
 13 some additional documents and then we can  
 14 conclude some of the discovery issues that were  
 15 begun at our last hearing.  
 16 I'm marking as Respondent  
 17 Exhibit number Four, an e-mail dated February  
 18 26th of 2009. This is a -- an additional list  
 19 of witnesses that Ms. Williams would like to  
 20 have called.  
 21 I also have a February 26th,  
 22 2009 e-mail from Ms. John-Stull dealing with  
 23 the discovery requests. We're going to mark  
 24 that as Department Three.

1 Natalie Williams - 3-4-2009  
 2 Additionally there is an  
 3 e-mail from Ms. Williams dated March 3rd, in  
 4 which Ms. Williams has raised some questions as  
 5 to the timing for her to provide a witness list  
 6 and the document list. Can I ask you if you  
 7 could move your jacket please? Thank you.  
 8 MS. JOHN-STULL: Mr. Riegel?  
 9 Mr. Riegel?  
 10 THE HEARING OFFICER: Yes?  
 11 MS. JOHN-STULL: Is that  
 12 March 3rd, e-mail?  
 13 THE HEARING OFFICER: This  
 14 will be Respondent Exhibit number Five. I  
 15 will -- just to deal with the simple ones  
 16 first. I responded to Ms. Williams's e-mail  
 17 which is Respondent Five by indicating that we  
 18 would be discussing this matter this morning.  
 19 Ms. Williams does not need to  
 20 provide a witness list or the documents that  
 21 she would like to introduce into evidence until  
 22 the end of the Department's case in chief.  
 23 There's a reason for that and  
 24 the reason being that I don't -- the statue,

1 Natalie Williams - 3-4-2009  
 2 3020-a statue, it seems to me precludes the  
 3 Respondent testifying against herself. And if  
 4 she would provide the documents that she's  
 5 going to be using in advance then those  
 6 documents could be used against her and that's  
 7 not what the -- that's not what the law  
 8 provides. So, therefore, at the conclusion of  
 9 the Department's n chief the witness will be  
 10 provided as well as well as the other documents  
 11 that will be put into evidence.  
 12 Then we need to go back to  
 13 the issue of the discovery materials that were  
 14 requested and -- there was an e-mail of, I'm  
 15 sorry -- I --.  
 16 MS. JOHN-STULL: D.O.E.  
 17 THE HEARING OFFICER: I -- I  
 18 I'm sorry, what I marked as Department Three  
 19 should have been a Respondent's Ex -- no I'm  
 20 sorry -- it is from you to -- Ms. William's.  
 21 That is Department Three.  
 22 Can we -- the -- it was a --  
 23 it was an earlier e-mail from Ms. Williams and  
 24 your earlier e-mail reads quote attached all

1 Natalie Williams - 3-4-2009  
 2 letters to Mr. Riegel of my requests to the  
 3 Hearing Officer and my demands, new York City  
 4 Department of Education will reserve the right  
 5 to add more detail to the Exhibits described as  
 6 A through D. Then, Ms. John-Stull responded on  
 7 February 26th at ten sixteen a.m. so can we  
 8 just get a record made as to the status of the  
 9 discovery materials --  
 10 MS. JOHN-STULL: Yeah.  
 11 THE HEARING OFFICER: -- and  
 12 how we can proceed from here.  
 13 MS. JOHN-STULL: Okay. My  
 14 e-mail in -- well, the day that we had the  
 15 prehearing I agreed to turn over to Ms. -- Ms.  
 16 William's a copy of her personnel file. My  
 17 e-mail stated that -- and this was I think the  
 18 hearing was Wednesday and I have to do this by  
 19 Friday, and I had to do the -- discovery apart  
 20 from her personnel file.  
 21 So my e-mail stated that I  
 22 would not be able to have a copy of her  
 23 personnel file by Friday at twelve thirty which  
 24 was the time she was supposed to come and get

1 Natalie Williams - 3-4-2009  
 2 the documents. But, I will have to ask today  
 3 Ms. William's never showed on Friday, she never  
 4 showed up on Monday, she never showed up on  
 5 Tuesday. She's here today.  
 6 I do have the documents here.  
 7 And I am -- I've gone through these documents  
 8 so I can see for sure there -- there are  
 9 duplicates. The first set of documents refer  
 10 to the specifications and these are documents  
 11 that the Department intends to put into  
 12 evidence regarding each specific specification.  
 13 Keep in mind that they --  
 14 there might be some documents here that I may  
 15 not use and there might some other documents  
 16 that I will use but they would still be  
 17 documented -- being turned over to the  
 18 Respondent.  
 19 So, if you are too, you know,  
 20 just bear with us, and under the circumstances,  
 21 you know, I want to be specific. The first  
 22 set, that's Specification one and two actually  
 23 one, two and three, the other one is four the  
 24 other one is specification five and the other

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1 Natalie Williams - 3-4-2009  
 2 one is specification six. One, two and three,  
 3 so these are the documents and the  
 4 specification. Actually I'll give it to you in  
 5 a folder.  
 6 And then these are  
 7 documents -- this is a complete copy of her  
 8 personnel file. And they are in different  
 9 stacks for different reasons, actually I did  
 10 have -- anyway -- again, I am positive that  
 11 some of these are duplicates because I went  
 12 through the documents. In my cover letter that  
 13 I turned over to Ms. William's. It says that  
 14 if personal information is turned over it would  
 15 be inadvertent and we're not waiving anybody's  
 16 rights to privacy so I would ask that you just  
 17 give me back that information. And one of the  
 18 things that I want to say also, Mr. Riegel, is  
 19 Ms. William's has a website where she puts,  
 20 just about every piece of paper on her website  
 21 including, you know, people's names and phones  
 22 and I.D. numbers. And I would just ask -- I --  
 23 I've gotten copies, I would just ask that if --  
 24 if, I mean some of the stuff is redacted. But

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1 Natalie Williams - 3-4-2009  
 2 the issue of respecting the privacy of others  
 3 as something that you would respect. And that  
 4 posting private material on a website, if that  
 5 is the case, is something that should not  
 6 happen and I think that while I'm not making a  
 7 legal argument one way or the other. I think  
 8 that you could expose yourself to some  
 9 consequences from people whose privacy was --  
 10 having said that I -- you wanted to say  
 11 something, so feel free.  
 12 MS. WILLIAMS: Okay.  
 13 Regarding my website I do -- I have posted a  
 14 number of letters, mostly it's to and from the  
 15 John F. Kennedy High School administration --  
 16 administrators. I understand that under the  
 17 Fifth Amendment I have every right to, under  
 18 the Fifth Amendment any documents that are sent  
 19 to me are my property in essence and I have the  
 20 right to share them with whoever I like. I  
 21 have blurred and blocked certain personal  
 22 information, including signatures and dates of  
 23 birth and I.D. numbers and Social Security  
 24 numbers and such information that I might

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1 Natalie Williams - 3-4-2009  
 2 if by chance I miss, you know, I kept  
 3 somebody's information like right now I'm  
 4 looking and I see somebody's date of birth. I  
 5 need to redact that. If information that, you  
 6 know, to be private is turned over, you're not  
 7 sure then you should let us know.  
 8 You know Mr. Riegel have  
 9 worked together and we've had other attorneys  
 10 we've worked together and it's usually a fair  
 11 process. And I'm expecting that here.  
 12 Anyway, I do see that  
 13 something needs to be redacted but again I have  
 14 a stack of documents from Ms. Williams  
 15 including her personnel file and documents that  
 16 we intend to introduce. I'm going to give this  
 17 to her in a folder and I need to go through  
 18 that, get a marker.  
 19 THE HEARING OFFICER: Okay.  
 20 Let me just --  
 21 MS. JOHN-STULL: I'm sorry.  
 22 Did you have a comment?  
 23 THE HEARING OFFICER: -- let  
 24 me just comment that the -- I would expect that

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1 Natalie Williams - 3-4-2009  
 2 acquire along those lines, so that those bits  
 3 of information are not up on the website. The  
 4 only information that -- so, anyway, I don't  
 5 believe that I have any personal information up  
 6 on the website. But if you want to inform me  
 7 particularly of a -- particular document that  
 8 you feel uncomfortable with, I'll be happy to  
 9 blur, you know, a birth date or an I.D. number  
 10 but I don't believe that there are any I.D.  
 11 numbers or specific personal identification on  
 12 the website right now. Yes, people's names are  
 13 up there, they gave me their names --  
 14 THE HEARING OFFICER: Well --  
 15 what --  
 16 MS. WILLIAMS: -- and as far  
 17 as students are concerned that information is  
 18 blocked.  
 19 THE HEARING OFFICER: -- well  
 20 I have to tell you though what -- what -- you  
 21 do when you do that is that you, in a sense,  
 22 take the argument away that you have from the  
 23 protection of any privacy that you might want  
 24 by posting these.

4 (Pages 10 to 13)

1 Natalie Williams - 3-4-2009  
 2 So that you can't claim  
 3 afterwards that your privacy has been violated  
 4 when you -- when basically you helped decide --  
 5 and that's your choice. But, you can't claim  
 6 afterwards that -- that's been a breach of  
 7 confidentially because you basically breached  
 8 your own confidentially but that's a decision  
 9 that you need to make. Okay.  
 10 I believe that my position is  
 11 clear. The documents are to be provided. Now  
 12 I have a number of questions. First, one of  
 13 the -- Respondent's Five let -- yes?  
 14 MS. JOHN-STULL: I noticed,  
 15 that -- well, when Mr. Rubenstein was  
 16 representing Ms. Williams he did request a  
 17 public hearing. I notice that there are two  
 18 people in this room right now and I don't know  
 19 who they are and what their roles are.  
 20 THE HEARING OFFICER: Okay  
 21 and I was just getting to that because the last  
 22 sentence on Respondent's Five reads quote, I  
 23 shall continue to be my own counsel however I  
 24 have a friend who is willing to ask questions

1 Natalie Williams - 3-4-2009  
 2 to the witnesses. And I -- I infer that you  
 3 are that person?  
 4 MS. WALLS: How do you do?  
 5 My name is, spelled  
 6 W-A-L-L-S.  
 7 THE HEARING OFFICER: Okay.  
 8 First is your request for a  
 9 public hearing still a matter of record  
 10 MS. WILLIAMS: Yes.  
 11 THE HEARING OFFICER: Okay.  
 12 Then this shall be open to  
 13 the public, it is provided for in the statute.  
 14 It is your right and therefore there's no  
 15 reason to challenge that decision.  
 16 Second, Ms. Walls, I just --  
 17 I just kind of a -- what is your -- what is  
 18 your training because we're going to come back  
 19 to what your role will be. Ordinarily members  
 20 of the public who wish to attend have a right  
 21 to do so with the understanding that they are  
 22 observers and will not play a role. This  
 23 e-mail is suggesting that you are going to be  
 24 asking questions.

1 Natalie Williams - 3-4-2009  
 2 MS. WALLS: Well I'm a  
 3 constitutional scholar. I have a law degree  
 4 and I used to be the executive director of the  
 5 A.C.L.U. of South Carolina --  
 6 THE HEARING OFFICER: Oh.  
 7 Okay.  
 8 MS. WALLS: -- so I'm a First  
 9 Amendment expert.  
 10 THE HEARING OFFICER: Okay.  
 11 MS. WALLS: The Education  
 12 Law, I'll be learning it as we go along.  
 13 THE HEARING OFFICER: My --  
 14 is the Department going to object to Ms. Walls  
 15 participation in the hearing?  
 16 MS. JOHN-STULL: Yes. From  
 17 what I understand is that she has -- Ms. Walls  
 18 has a law degree and she worked the A.C.L.U. in  
 19 the North Carolina. I would like to know if  
 20 one, Ms. Walls is an attorney. If she's  
 21 admitted to the Bar and if she's -- she's  
 22 authorized to practice law in the State of New  
 23 York.  
 24 THE HEARING OFFICER: Are you

1 Natalie Williams - 3-4-2009  
 2 admitted to the Bar in New York State?  
 3 MS. WALLS: No.  
 4 THE HEARING OFFICER: Were  
 5 you admitted to the Bar in South Carolina?  
 6 MS. WALLS: No. I'm admitted  
 7 to the Bar in Missouri.  
 8 THE HEARING OFFICER:  
 9 Missouri.  
 10 MS. WALLS: Okay. But I'm  
 11 not here as a lawyer. I'm here as an advocate  
 12 and as -- to advise Ms. Williams on  
 13 Constitutional issues.  
 14 THE HEARING OFFICER: Okay.  
 15 First, let's deal with the matter of advice.  
 16 You are free to advise Ms.  
 17 Williams at any point that you wish that --  
 18 generally advise is done privately. Advising  
 19 is done privately. And when you are present  
 20 you are free to -- Ms. Williams is free to ask  
 21 for a brief recess so she can consult with you.  
 22 Question of asking questions,  
 23 I am not, as this is a new experience for you,  
 24 it's a new one to me as well, because I am

1 Natalie Williams - 3-4-2009  
 2 not -- I'm not clear as to whether someone  
 3 representing a teacher up on these charges  
 4 needs to be an attorney or not. And, I can get  
 5 an answer on that.  
 6 However, let's assume for a  
 7 moment that there is no preclusion from doing  
 8 that. It can't be both of you. It can only be  
 9 one of you at a time, if you're going to be  
 10 doing the cross examination -- examination of a  
 11 witness, that's fine. But, it can't be, you're  
 12 going to ask some questions, Ms. William's will  
 13 ask some questions. It's one or the other. If  
 14 you begin, you finish, if she begins, she  
 15 finishes.  
 16 Just as a matter of -- as a  
 17 matter of being practical Ms. Williams began  
 18 the e-mail in which you are referenced by  
 19 saying that she will be her own councils. She  
 20 is appearing pro se. That being the case and  
 21 she is -- she is her own counsel.  
 22 On the assumption that there  
 23 is a -- on the assumption that there is no bar  
 24 to your asking some questions, I'd -- just as a

1 Natalie Williams - 3-4-2009  
 2 matter of procedure -- we're not going to have  
 3 both of you asking questions of the same person  
 4 going back and fourth. Just it becomes a  
 5 little --.  
 6 MS. WALLS: I think that's  
 7 the way it is in trials too.  
 8 THE HEARING OFFICER: Okay.  
 9 Yes?  
 10 MS. JOHN-STULL: Just so that  
 11 it's clear to me. If Ms. Walls is allowed to  
 12 ask questions, to participate in the hearing,  
 13 let's put it that way, then Ms. Williams will  
 14 no longer be pro se then she would be -- then  
 15 it's -- she -- it would have to be co-counsel  
 16 because if she -- if she's pro se then she can  
 17 only get advise. Ms. Walls cannot ask  
 18 questions and then if Ms. Walls is representing  
 19 her then Ms. Williams cannot ask questions,  
 20 they can only, you know, conference with each  
 21 other and then one person does the entire  
 22 trial.  
 23 THE HEARING OFFICER: It  
 24 seems to me -- it seems to me that what you're

1 Natalie Williams - 3-4-2009  
 2 saying has merit. For the -- there will be  
 3 periods of time when Ms. Walls will be acting  
 4 as co-counsel because otherwise you have no  
 5 standing.  
 6 MS. JOHN-STULL: Right.  
 7 THE HEARING OFFICER: Members  
 8 of the public can't participate so that -- in  
 9 order for you to have standing there would have  
 10 to be some official declaration for the record  
 11 that you will be acting as co-counsel under  
 12 those circumstances.  
 13 MS. WALLS: Would she have to  
 14 make a motion to that effect?  
 15 THE HEARING OFFICER: It  
 16 would be put into the record, yes.  
 17 We don't have to do it right  
 18 now but it will be at some point so that your  
 19 role is clarified. The application is made for  
 20 you to serve as co-counsel and then -- I just  
 21 again it is of no moment to me because you are  
 22 welcome to be here. But, do you intend to be  
 23 here at each of the sessions or will you be  
 24 here independently?

1 Natalie Williams - 3-4-2009  
 2 MS. WALLS: Ms. Williams  
 3 asked me to be here for every -- all the  
 4 sessions.  
 5 THE HEARING OFFICER: And you  
 6 will be --  
 7 MS. WALLS: And I will be.  
 8 THE HEARING OFFICER: -- for  
 9 all the sessions? Okay. Anything further?  
 10 Okay I have -- yes. There's  
 11 another person sitting in the room who I  
 12 recognize but she should identify herself for  
 13 the record in the event --  
 14 MS. COMBIER: My name is  
 15 Betsy, B-E-T-S-Y, Combiel, C-O-M-B-I-E-R.  
 16 THE HEARING OFFICER: And  
 17 your organization or affiliation?  
 18 MS. COMBIER: I'm just an  
 19 observer.  
 20 THE HEARING OFFICER: Okay.  
 21 And you are -- you are attending because this  
 22 is a public hearing --  
 23 MS. COMBIER: Yes.  
 24 THE HEARING OFFICER: -- and

1 Natalie Williams - 3-4-2009  
 2 you will be playing no role other than to  
 3 observe?  
 4 MS. COMBIER: That's correct.  
 5 THE HEARING OFFICER: Okay.  
 6 Yes?  
 7 MS. JOHN-STULL: I'm not  
 8 familiar with Ms. Combiere so I just have -- I  
 9 would just like to know who she is other than  
 10 just a member of the public. Is she a teacher?  
 11 Is she from the newspaper? Is she a friend of  
 12 the Respondent? I would just like to know.  
 13 MS. COMBIER: I am --  
 14 MS. JOHN-STULL: Were you --  
 15 with --  
 16 MS. COMBIER: -- I am just  
 17 observing --  
 18 MS. JOHN-STULL: Okay. But  
 19 that's not what I -- I asked. I asked a  
 20 specific question which is, I first started by  
 21 saying I'm not familiar with you and I wanted  
 22 to know if you were a friend of Ms. Williams,  
 23 if you were a teacher, a former teacher, if  
 24 you're a writer, what are you?

1 Natalie Williams - 3-4-2009  
 2 MS. COMBIER: I was asked to  
 3 observe the hearing.  
 4 MS. JOHN-STULL: So, you're a  
 5 friend of Ms. Williams?  
 6 MS. COMBIER: Yes. I guess  
 7 you could say that.  
 8 MS. JOHN-STULL: Were you a  
 9 teacher?  
 10 MS. COMBIER: Mr. Riegel?  
 11 THE HEARING OFFICER: I don't  
 12 see -- I don't see it as being particularly  
 13 invasive to answer that question.  
 14 MS. COMBIER: I'm not a  
 15 teacher, no.  
 16 MS. JOHN-STULL: No, I said  
 17 were you a teacher?  
 18 MS. COMBIER: No, I'm not a  
 19 teacher and I haven't been a teacher.  
 20 THE HEARING OFFICER: At our  
 21 prehearing conference there was some discussion  
 22 about witnesses that Ms. Williams wanted called  
 23 and I refer specifically to Respondent Exhibit  
 24 number two, item C. And there's a list of

1 Natalie Williams - 3-4-2009  
 2 eight or nine names, and there was some  
 3 discussion about that.  
 4 Respondent Exhibit number  
 5 Four is an amended list with many more names.  
 6 It would seem to me that this is probably in  
 7 the neighborhood of twenty names, some of whom  
 8 are not even employees of the school system.  
 9 What is the Department's response to this --  
 10 this document?  
 11 MS. JOHN-STULL: The same  
 12 response, in substance that I gave at the  
 13 prehearing, which is to the extent that  
 14 witnesses are currently D.O.E. employees. I  
 15 will reach out to the school, well, Ms.  
 16 Williams is going to have to give me permission  
 17 to give them her phone number.  
 18 I will reach out to the  
 19 school and say basically Ms. Williams -- the  
 20 trial has started, and she wants to -- these  
 21 are people she intends to call as witnesses or  
 22 whatever it is and for them to contact her.  
 23 And, that's not even my  
 24 obligation, it's not my obligation to secure

1 Natalie Williams - 3-4-2009  
 2 witnesses. I don't know if there are students  
 3 there on that list to the extent that I'm --  
 4 I'm repeating myself. To the extent that they  
 5 might be students on the list, if they are  
 6 current student -- students -- Ms. Williams has  
 7 to write a letter that I get to see that is  
 8 sent out to these students. You give me the  
 9 letters and envelopes, do not seal the  
 10 envelopes, and then I'll obtain their current  
 11 information -- not current, but the information  
 12 that we have the most recent information and  
 13 have those letters mailed out to the students.  
 14 THE HEARING OFFICER: Okay.  
 15 I'm looking at Respondent's  
 16 Four. There do not appear to be the name of  
 17 any students listed. They appear to be -- they  
 18 appear, unless I'm missing something, they  
 19 appear to be adults, teachers, administrators,  
 20 lawyers, superintendents, U.F.T. personnel --.  
 21 MS. JOHN-STULL: Mr. Riegel,  
 22 as -- actually to the people who are still  
 23 D.O.E. employees, Ms. Williams is still a  
 24 D.O.E. employee even though she is reassigned

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 2 and she has access, she can actually get the  
 3 phone numbers for these people because I  
 4 wouldn't be giving her their private  
 5 information.  
 6 THE HEARING OFFICER: No, I  
 7 don't expect you would. I would -- well, first  
 8 let me just clarify something on about  
 9 seven-eighths on the way down to the bottom of  
 10 page one of Respondents Four, it says I'm  
 11 unclear as whether I was granted subpoenas for  
 12 these people. The answer is no. I don't issue  
 13 subpoenas on behalf of -- of parties. They can  
 14 subpoenas witnesses if they choose to do so.  
 15 But, I believe I indicated  
 16 that the -- at the last hearing that -- just  
 17 modify that.  
 18 Ms. John-Stull indicated at  
 19 the last hearing that she would be willing to  
 20 notify the school that Ms. Williams wishes to  
 21 be in contact with these people, to the extent  
 22 that they are at J.F.K. High School. I would  
 23 think that an e-mail to the school indicating  
 24 the personnel that is to receive the e-mail,

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1 Natalie Williams - 3-4-2009  
 2 prepared for those two individuals, if that's  
 3 what you choose to do. The other people will  
 4 be advised that, you would like to have them  
 5 contact you and after that, if they choose to  
 6 do so, then they will. I can only say that  
 7 this is an administrative tribunal, and even if  
 8 there are subpoenas I don't have any  
 9 enforcement power.  
 10 And, I'm just being as candid  
 11 as I can be. If I were a sitting judge and  
 12 someone violated the subpoena I have the  
 13 ability to declare people with contempt. I  
 14 don't have that ability and therefore I don't  
 15 want to mislead you into believing that if  
 16 you -- if you issue subpoenas and they don't  
 17 appear, that I have the power to in some way  
 18 discipline them for their failure to respond to  
 19 the subpoena.  
 20 I see Ms. Walls shaking her  
 21 head so I guess she understands what I'm saying  
 22 is -- is reality. That I just -- I don't want  
 23 you to be mislead into believing that -- that I  
 24 can in some way do something about the fact

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1 Natalie Williams - 3-4-2009  
 2 with contact information from Ms. Williams will  
 3 provide the opportunity for these people to get  
 4 back to you if you -- if they choose to do so.  
 5 And, so that -- in order to  
 6 bring some structure to this if for the next  
 7 hearing if you would produce either an e-mail  
 8 or a document that you have sent to the school  
 9 for the school to copy each of the individuals  
 10 listed since they are all -- not all, all but  
 11 two, are employees of the Department of  
 12 Education. With a means of their contacting  
 13 Ms. Williams, I believe that that will satisfy  
 14 this need. There are two police officers  
 15 there. The Department of Education has no more  
 16 access to members of the police department than  
 17 does Ms. Williams. I'm speaking about police  
 18 officer Mario Badea and Sargeant Niglovich  
 19 (phonetic spellings) --  
 20 They have no more access than  
 21 you do and if you want to -- if you want to  
 22 secure their appearance, you can do so. And  
 23 there is -- there are, and Ms. Walls can advise  
 24 you. There are subpoena forms that can be

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 2 that people who may be subpoenaed don't appear.  
 3 Okay. Is there anything  
 4 further that we need to talk about  
 5 administratively before we proceed?  
 6 MS. JOHN-STULL: There was  
 7 the issue of the videotape from 2003.  
 8 I did make the request and I  
 9 was told that they didn't have the videotape.  
 10 But then between the -- that day, I think it  
 11 was Wednesday, to now since I've been reviewing  
 12 the documents and I saw that there were letters  
 13 referenced to it. I gave them a specific date  
 14 as to when they should have -- when the  
 15 videotape was turned over to them, so there  
 16 going to look more carefully for that.  
 17 THE HEARING OFFICER: May  
 18 I -- may I ask that in the event that this tape  
 19 no longer exists, that the school produce  
 20 something in a way of a document to indicate  
 21 that they've -- that they have made a search  
 22 for the tape and not located it so that the  
 23 issue is a matter of record. And, if it exists  
 24 then it's to be turned over, if it doesn't

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 2 exist then we need to basically address it by  
 3 indicating that the tape no longer exists.  
 4 MS. JOHN-STULL: Okay.  
 5 THE HEARING OFFICER: But we  
 6 can -- if we can do that --  
 7 MS. WALLS: What video tape  
 8 are we speaking about?  
 9 THE HEARING OFFICER: The  
 10 videotape that Ms. Williams referenced at  
 11 the -- at the last hearing, I'm sure she can  
 12 tell you about it. But, there was -- there is  
 13 a videotape that she claims exists and I have  
 14 ruled that if it exists it should be turned  
 15 over. And Ms. John-Stull has inquired about it  
 16 they and been told that the tape does not  
 17 exist.  
 18 But, there will be a further  
 19 search initiated and if it exists it will be  
 20 turned over and if not I want something in  
 21 writing to indicate that the search was  
 22 conducted and it does not exist.  
 23 MS. WILLIAMS: Okay.  
 24 THE HEARING OFFICER:

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 2 Anything further?  
 3 MS. JOHN-STULL: No. But,  
 4 it's -- I would just like to make it clear, I  
 5 said this before and I don't know if it was  
 6 clear.  
 7 That my understanding is Ms.  
 8 Williams still has access to the D.O.E. website  
 9 and, you know, in the future going forward if  
 10 Ms. Williams has a witness list, which she  
 11 should -- what I would suggest that she do is  
 12 go on the D.O.E. website and see if these  
 13 people are still D.O.E. employees and have  
 14 their information there and not -- no longer  
 15 submit lists to me.  
 16 Because if -- if they're on  
 17 the D.O.E. website I would be giving her the  
 18 information that's on Outlook that she has  
 19 access to. And if they're not on Outlook, then  
 20 I wouldn't have any access to them to being  
 21 with. So, just do not submit anymore witnesses  
 22 to me.  
 23 THE HEARING OFFICER: I  
 24 have -- I have an additional -- I have an

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 2 additional feeling about that. And, that is  
 3 from -- from the perspective of the Respondent,  
 4 I don't think it is helpful since I've already  
 5 ruled that you don't have to turn over a  
 6 witness list until the end of the Department's  
 7 case-in-chief, why would you do that in advance  
 8 by say notify these people, I want to speak  
 9 with them?  
 10 It is undermining -- it is  
 11 undermining yourself and, you know, again I  
 12 feel -- frankly an additional obligation  
 13 because you are appearing pro se to point out  
 14 to you that I'm saying you don't have to turn  
 15 over this information until the case -- until  
 16 the Department has made its case. And now what  
 17 you're doing is you're turning over information  
 18 before the Department completes its case. That  
 19 frankly to me makes no sense.  
 20 So, I think that, a) Ms.  
 21 John-Stull is correct. It is not the  
 22 Department's responsibility to summon witnesses  
 23 for the Respondent. Second, if I were the  
 24 Respondent I wouldn't want them summoning

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 2 witnesses because while I have absolutely every  
 3 reason to believe that Ms. John-Stull as and  
 4 officer of the court is honorable and ethical.  
 5 I wouldn't -- I think that  
 6 there is a danger in doing that. And I think  
 7 that under those circumstances, I would  
 8 discourage your requesting any involvement by  
 9 the Department with the people who you might be  
 10 interested in calling.  
 11 You do have the information  
 12 that as to how you can get -- as to how you can  
 13 locate these people. And, frankly, if it were  
 14 me and we've already made the arrangement but  
 15 nothing has been done yet. If it were me, I  
 16 would seriously consider withdrawing a request  
 17 to have the Department contact all those  
 18 people, to have them contact you. I think  
 19 that -- I think that it is a, I think it's  
 20 fraught with danger and I wouldn't do it. But,  
 21 a commitment is a commitment. Ms. John-Stull  
 22 has indicated what she's willing to do. I'm  
 23 not sure that I want her to do it.  
 24 Yes, ma'am?

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 2 MS. WILLIAMS: Basically  
 3 although Ms. John-Stull believes that I have  
 4 contact to D.O.E. database, I believe that  
 5 that's untrue. There was a part of my  
 6 experience in which I looked myself up on the  
 7 D.O.E. database and I don't know if they're  
 8 doing it legally or ethically but I was  
 9 basically wiped out of the database. And I did  
 10 have a D.O.E. issued e-mail, and they changed  
 11 it. It was another change at the end -- and  
 12 then they changed it.  
 13 THE HEARING OFFICER: New  
 14 York City.gov  
 15 MS. WILLIAMS: NYC.school.gov  
 16 something like that --  
 17 THE HEARING OFFICER:  
 18 School.ny --  
 19 MS. WILLIAMS: I will try it,  
 20 but I believe that I was wiped out of the  
 21 database.  
 22 THE HEARING OFFICER: Okay.  
 23 Why don't we do this --  
 24 MS. WILLIAMS: Okay.

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 2 THE HEARING OFFICER: --  
 3 rather than belabor the point now, make a  
 4 determination as to whether or not you can  
 5 access Outlook.  
 6 There must be -- you're in  
 7 the reassignment center, there must be  
 8 computers there as well. So, that --  
 9 MS. WILLIAMS: No, there are  
 10 not, sir.  
 11 THE HEARING OFFICER: Okay.  
 12 Never having been there I speak not as  
 13 experience, but be that as it may. Make a  
 14 determination as whether or not you can access  
 15 Outlook and if you can't, you can't. Okay?  
 16 MS. WILLIAMS: May I make a  
 17 request of Ms. John-Stull since she's working  
 18 for the D.O.E. to find out the situation?  
 19 There was something regarding  
 20 me being put on an ineligibility list, then I  
 21 was taken off of the ineligibility list and I  
 22 actually found that my information was wiped  
 23 out from the New York State database as a  
 24 teacher as well. And, then it mysteriously

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 2 popped back up. So I really don't know what  
 3 was going on --  
 4 THE HEARING OFFICER: My --  
 5 my -- there is, the U.F.T. is a bargaining  
 6 agent that is the organization that needs to be  
 7 contacted and that it is not the attorney --  
 8 the administrative trials unit who has the  
 9 responsibility of doing that moreover  
 10 against --  
 11 (The connection was dropped)  
 12 (Off the record)  
 13 THE HEARING OFFICER: Okay. I  
 14 was in the midst of indicating to Ms. Williams  
 15 when the phone system went down, I asked her to  
 16 verify that she either does or does not have  
 17 access to Outlook. And based upon that we will  
 18 consider our next moves.  
 19 Is there anything further  
 20 that we need to talk about before we go to the  
 21 Department's opening statements? Okay.  
 22 Then that being the case, we  
 23 have agreed that the Department would make its  
 24 opening argument today. Again, by way of -- by

1 Natalie Williams - 3-4-2009  
 2 way of comment to Ms. Williams, while the  
 3 Department is obligated to make an opening  
 4 argument now, the Respondent is not.  
 5 You can reserve your right to  
 6 make an opening statement after the Department  
 7 has put on its case. And typically the  
 8 attorneys who practice this law tend to do  
 9 that. They want to see what the case is before  
 10 they make an opening argument.  
 11 But you're free to make an  
 12 opening argument now or to make an argument --  
 13 opening argument then. But I can without  
 14 advising you legally I can tell you commonly  
 15 attorneys who do this tend not to make opening  
 16 arguments at the very outset but wait until the  
 17 case-in-chief is presented. Okay.  
 18 Ms. John-Stull I am eager to  
 19 hear what you have to say.  
 20 OPENING STATEMENT  
 21 MS. JOHN-STULL: Good  
 22 morning, everyone. The Department will prove  
 23 that Natalie Williams, hereinafter referred to  
 24 as the Respondent, is a tenured teacher,

1 Opening - John-Stull  
 2 formally assigned to the John F. Kennedy High  
 3 School in the Bronx. Department will prove  
 4 that during the 2005-2006 school year the  
 5 Respondent was insubordinant, engaged in  
 6 professionally -- in unprofessional conduct,  
 7 was arrested and charged with trespassing on  
 8 school grounds and failed to report the arrest.

9 The Department will prove  
 10 that Respondent videotaped students despite  
 11 prior warning by the school administrators not  
 12 to videotape statements.

13 The Department will further  
 14 prove that at the time when students were being  
 15 videotaped the Respondent had not obtained  
 16 consent from parents. And, at the time of the  
 17 videotaping, students -- some of the student  
 18 were scheduled to be in a particular class. So  
 19 the Respondent, in other words, forced these  
 20 students to cut classes.

21 The Department will further  
 22 prove that the Respondent, given numerous oral  
 23 and written warnings, that she was reassigned  
 24 and she was not to report --- return to the

1 Opening - John-Stull  
 2 school grounds,  
 3 And, despite these warnings  
 4 the Respondent went to the school on more than  
 5 one occasion and in that regard was  
 6 insubordinant and trespassed. And, as a result  
 7 was arrested and charged with criminal  
 8 trespass. The Department will further prove  
 9 that again despite prior warnings of not to  
 10 have any contact -- contact with students and  
 11 staff and not to come to the school grounds the  
 12 Respondent showed up at the school grounds,  
 13 urged students to attend an Apple Soho  
 14 (phonetic spelling) school night and met with  
 15 students and delivered T-shirts and flyers to  
 16 students encouraging them to protest and take  
 17 part in rally's during school hours.

18 And, as a matter of fact the  
 19 Department -- some of the documents that the  
 20 Department will put into evidence include  
 21 permits that this Respondent obtained to have  
 22 these rallies. The Department will -- and  
 23 again there were times when Respondent showed  
 24 up at the school, committed trespass, in

1 Opening - John-Stull  
 2 violation of warnings that were given by the  
 3 principal and school superintendent.

4 At the conclusion of all of  
 5 the evidence in this case the Department will  
 6 come back and ask that you, Mr. Riegel,  
 7 administer the only -- the appropriate penalty  
 8 in this case, which would be termination of the  
 9 Respondent's services with the Department of  
 10 Education.

11 Thank you.  
 12 THE HEARING OFFICER: Thank  
 13 you.

14 Ms. Williams are you going to  
 15 be making an opening statement or are you going  
 16 to wait until the Department completes its  
 17 case?

18 MS. WILLIAMS: Wait. I'll  
 19 wait.

20 THE HEARING OFFICER: Thank  
 21 you very much. The -- it's now eleven  
 22 twenty-eight.

23 We have concluded our  
 24 business here today, just for the record I want

1 Natalie Williams - 3-4-2009  
 2 to review the calendar going forward so that we  
 3 are all aware of when we will next convene.

4 Today is the 4th, we will  
 5 have a hearing on the 11th.

6 We will begin that at ten  
 7 a.m. We will have another hearing on the 18th,  
 8 which will begin at one p.m., and we will have  
 9 another hearing on March 25th --

10 MS. JOHN-STULL: 23rd?  
 11 THE HEARING OFFICER: 25th.

12 Okay.  
 13 Which will begin at ten a.m.

14 MS. WILLIAMS: Is that a  
 15 change?

16 THE HEARING OFFICER: I beg  
 17 your pardon?

18 MS. WILLIAMS: Is that a  
 19 change? I believe it was suppose to be at 1  
 20 p.m. I've written --

21 THE HEARING OFFICER: I have  
 22 it down for ten.

23 Then --.

24 MS. WILLIAMS: Can we -- I'm

1 Natalie Williams - 3-4-2009  
 2 sorry, can we check March 11th? There were two  
 3 one o'clocks, that I recall.  
 4 THE HEARING OFFICER: Yes.  
 5 March 11th was originally set for one o'clock,  
 6 the matter that I had before me in the morning  
 7 has been adjourned, so there's no reason that  
 8 everyone wait around until one o'clock we can  
 9 begin at ten. You're quit correct.  
 10 So, we have the 10th --- the  
 11 11th at ten, we have the 18th at one o'clock,  
 12 we have the 25th at ten o'clock, and just to --  
 13 to alert what we will be doing prior to the  
 14 spring recess, we will have hearing at -- on  
 15 April 1st, which will begin at one o'clock, and  
 16 we have another one on April 6th, which will  
 17 also begin at one o'clock, and then we will  
 18 have some -- we have other -- we have a  
 19 schedule going beyond that, but, that's six  
 20 weeks away and we can review that calendar as  
 21 we get closer to it. But, needless to say  
 22 there will be three other hearing dates in  
 23 April. I don't know if we will need them, but  
 24 we have that calendar ---.

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 2 MS. JOHN-STULL: Can we go  
 3 off the record for a second?  
 4 THE HEARING OFFICER: Yes, we  
 5 can. Off the record.  
 6 (The hearing adjourned)  
 7  
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1 Natalie Williams - 3-4-2009  
 2 I, Amy Pike, 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 1  
 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 1 to  
 11 43, inclusive, is a true record prepared by me  
 12 and completed by Associated Reporters Int'l.,  
 13 Inc. from materials provided by me.  
 14  
 15  
 16 \_\_\_\_\_  
 17 Amy Pike, Reporter  
 18  
 19 \_\_\_\_\_ Date  
 20  
 21  
 22  
 23  
 24

1 Natalie Williams - 3-4-2009  
 2 E R R A T A S H E E T  
 3 Case: Natalie Williams, File #8,253  
 4 Date: March 4, 2009  
 5 CORRECTIONS:  
 6 Page\_ \_line\_  
 7 \_\_\_\_\_  
 8  
 9 \_\_\_\_\_ Word or phrase: \_\_\_\_\_  
 10 Corrected to: \_\_\_\_\_  
 11 \_\_\_\_\_ Word or phrase: \_\_\_\_\_  
 12 Corrected to: \_\_\_\_\_  
 13 \_\_\_\_\_ Word or phrase: \_\_\_\_\_  
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 23 \_\_\_\_\_ Word or phrase: \_\_\_\_\_  
 24 Corrected to: \_\_\_\_\_

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Laura Delacruz Lr. Dc.
- 4 Joelle Delasantos Jl. Ds.  
Sherella Drakes Sh. Dk.
- 5 Crystlay Duran Cy. Dn.  
Christian Haley Cs. Hl.
- 6 Fanta Kaba Ft. Kb. (Fantasia)  
Fantasia (ph) Kaba Fn. Kb. (Fanta)
- 7 Natalie Puntier Nt. Pt.
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