

## SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS

This Settlement Agreement and Release of All Claims (hereinafter "Agreement") is by and between the Central Valley School District No. 356, ("District") and Mr. Anthony Cucinotti, an individual ("Cucinotti") employed by the District.

In return for the following agreements and other valuable considerations between the parties, the parties agree as follows:

1. Cucinotti shall tender his resignation from all employment with the District upon the signing of this agreement. The District shall accept said resignation. Cucinotti's resignation is EXHIBIT A, attached to this Agreement.
2. Upon receipt of Cucinotti's written resignation, the Superintendent shall contemporaneously execute this Agreement;
3. The District shall thereupon issue Cucinotti a verification of employment in the form of EXHIBIT B, attached to this Agreement.
4. Jay Rowell, Executive Director of Operations/Human Resources shall be the District contact for all inquiries regarding the employment tenure of Cucinotti. Rowell will confine any response to the contents of the verification of employment set forth in EXHIBIT B.
5. With any public records request regarding Cucinotti, an attempt will be made to provide notice to Cucinotti at his last known address a reasonable amount of time prior to release of records. Nothing in this Agreement shall be intended or interpreted to preclude the School District from complying with the laws governing release of public records, including Chapter 42.17 RCW.
6. All parties acknowledge that it serves little purpose to make public comment about each other pertaining to Cucinotti's employment (and separation from employment) and thus the parties (along with speaking agents) agree to make no disparaging comments regarding another party (as it pertains to Cucinotti) except as required or compelled by law.
7. Cucinotti hereby waives any right or claim of reinstatement to his former employment with the District and agrees to make no claim or application for any employment in the future unless encouraged by District representatives to do so.
8. In accordance with the Age Discrimination in Employment Act, 29 U.S.C. section 621, et seq., Cucinotti shall have twenty-one (21) days from the receipt of this document within which to consider whether to sign this Agreement and accept the consideration contained in the above paragraphs in exchange for signing this Agreement.
9. Cucinotti shall have seven (7) days following Cucinotti's signing of this Agreement in which to revoke this Agreement. This Agreement shall not become effective or enforceable until the seven (7) day period following Cucinotti's signing this Agreement has expired. In order to revoke this Agreement, Cucinotti must provide written notice to Superintendent Ben Small prior to midnight on the seventh day after Cucinotti's signature to validly rescind acceptance of this Agreement. Such notice shall be sent via first class mail to:

Superintendent Ben Small  
Central Valley School District  
19307 E Cataldo Ave  
Spokane Valley, WA 99016-9489

10. Except as provided in the last paragraph of this section, the Parties hereby mutually release, remise, acquit and forever discharge each other, including all of the parties' officers, directors, shareholders, owners, trustees, administrators, agents, attorneys, accountants, insurers, representatives, employees, successors, heirs, marital community, subsidiaries, and assigns, from any and all past, present, and future claims, demands, liabilities, actions, suits, grievances, damages, loss and expenses, known or unknown, fixed or contingent, of any nature or concern whatsoever pertaining to Cucinotti, Cucinotti's employment, Cucinotti's separation from employment, including, but not limited to, any and all claims arising under common law, the collective bargaining agreement between the CVEA and District, the Age Discrimination in Employment Act, 29 U.S.C. section 621, et seq.; the Revised Code of Washington, other state and federal laws, the Equal Pay Act of 1963, 29 U.S.C. section 201-206; Rehabilitation Act of 1973 and amendments, 29 U.S.C. section 701, et seq.; Civil Rights Act of 1964 (Title VII), 42 U.S.C. section 2000(e) to 2000(e-17); Title IX of the Education Amendments of 1972, 20 U.S.C. section 1681, 1682; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000D, et seq.; Americans with Disabilities Act, 42 U.S.C. Section 1201, et seq.; Chapter 49.46 RCW; Washington Law Against Discrimination, Chapter 49.60 RCW; Washington Human Rights Commission Regulations, Title 162 WAC; Washington Wage and Hours Act, Chapters 49.48 and 49.52 RCW, and the Local Government Whistleblower Protection Act, RCW Chapter 42.41.


Despite any language in the previous paragraph of this Section, the parties agree that Cucinotti still retains his right to bring a claim under the Age Discrimination in Employment Act, solely for the purpose of alleging that this Agreement was not knowingly and voluntarily signed. This Agreement in no way affects the right of the EEOC to bring a claim on his behalf.

11. In consideration of the promises contained herein, the District shall continue Anthony Cucinotti in paid status through October 31<sup>st</sup>, 2009, and shall continue health insurance benefits through the end of October 31<sup>st</sup>, 2009. In addition, the District agrees to provide Cucinotti a one-time payment equal to a one for four day sick-leave cash out for 114 days of accumulated leave at his daily per diem rate of \$XX.
12. By signing this Agreement, Anthony Cucinotti agrees that he has had the right to consult with an attorney of his choosing in this matter and that he signs this Agreement with full knowledge and acceptance of the consequences of said action, and that he enters into this settlement voluntarily and without coercion by any Party.
13. This Settlement Agreement and Release of All Claims may not be altered or modified in any way except in writing and with the written agreement of all Parties.
14. This Agreement shall be deemed to have been executed and delivered within the State of Washington. The rights and obligations of the parties shall be construed and enforced in accordance with and governed by the laws of the State of Washington. Venue for any action arising out of this Agreement shall be in Spokane, Washington, either in federal or state

court, exclusively. The parties expressly consent to the jurisdiction of such courts.


15. This Agreement contains the entire agreement between the Parties with respect to the subject matter of this Agreement and supersedes any and all other agreements either oral or written between the Parties relating to the subject matter of this Agreement.
16. The invalidity or unenforceability of any provision of this Agreement will not affect the validity or enforceability of any other provisions of the Agreement, and this Agreement must be enforced in all respects as if the invalid or unenforceable provisions were omitted, subject to the following provision. If any particular provision of this Agreement is held by an arbitrator or court of competent jurisdiction to be unreasonable, unlawful, or otherwise unenforceable, such provision will be modified to the extent necessary for such provision to be legally enforceable to the fullest extent permitted by applicable law.
17. The purpose of this Agreement does not impute liability, culpability, or any decision on the merits on any related matter, except as otherwise stated herein, and shall have no value or effect as precedent in any unrelated matter between the parties that is not directly subject to these terms.
18. Any waiver of the terms of this Agreement shall be in writing, executed by both parties or their authorized representatives. This Agreement confers no right to compel waiver or amendment except by mutual agreement.

IN WITNESS WHEREOF, Anthony Cucinotti has executed this Agreement of three (3) pages with attached Exhibits A & B.

  
\_\_\_\_\_  
Anthony Cucinotti

IN WITNESS WHEREOF, Mr. Ben Small has executed this Agreement on behalf of the Board of Directors of Central Valley School District No. 356.

June 9, 2009  
Date

  
\_\_\_\_\_  
Mr. Ben Small  
Superintendent

**Notice and Opportunity Meeting N – Anthony Cucinotti**

**Present: Anthony Cucinotti, teacher; Dick O'Brien, CVEA President; Jean Marczynski, Executive Director of Learning and Teaching; Jay Rowell Executive Director of Human Resources; Neva Ringwald; Director of Human Resources**

**Date: 04/20/2009**

Notes prepared by Neva Ringwald

Jay described the agenda for the meeting.

Jay gave Anthony notice of the specific allegations:

1. You snapped a girl's bra or cami strap then rubbed over the area
2. A female student saw you looking down a female student's shirt
3. You treat boys and girls in a disparate fashion showing favoritism to girls
4. You verbally abused/intimidated a female student making statements about your anger over a situation such as, "I could kill a student who did that." And "I hate students who do this stuff." On Monday when you apologized to the class you singled out a student by name and said that she was a bad influence on others.

Jay then gave Anthony an opportunity to respond to the allegations.

In Mr. Cucinotti's response to the incident with the bra/cami strap he said that this happened Wednesday in between 5<sup>th</sup> and 6<sup>th</sup> period. I had 3 teachers in my room 5<sup>th</sup> period to observe for Gradual Release of Responsibility (GRR). About 30 seconds after the teachers left, I was leaning against the counter behind [redacted] group. [redacted] raised her hand; I walked up behind her and tapped her on her shoulder a couple of times. (He later said he tapped her three times and demonstrated the taps on Dick O'Brien). We moved on to 6<sup>th</sup> period, and everything seemed fine. At the end of 6<sup>th</sup> period [redacted] asked how she did during class because I give them points for behavior. I said do you really want to know in front of the class? This is not the time. She was off task -- overly critical of the boys in her group etc. I looked up again a couple of minutes later, and she had tears in her eyes. After class I went to office for something and she was in Mrs. Wiesbeck's office with another student.

Jay asked if he was sure it was Wednesday. He said that he knew it was Wednesday.

Jay asked if there were three taps as he had demonstrated. Anthony said it was three taps.

Jay asked if he touched her shoulder after that. He said no.

Jay asked if he rubbed her shoulder at all. He said no.

Jay asked Anthony if he had any idea why [redacted] would say that he touched her inappropriately. Mr. Cucinotti responded that if he were to speculate -- it's possible she really thought that it happened. He said they hadn't gotten along for two months or so. At the beginning of the year she impressed me. Then she went down the tubes. He said

he moved [REDACTED] seat at the request of [REDACTED] and some of the other girls. Later there were four girls he had to split up in class because they were talking too much. [REDACTED] was one of them. The other girls were [REDACTED] and [REDACTED]. After a time the four girls asked to sit together again. He put [REDACTED] and [REDACTED] together and told [REDACTED] maybe soon.

He continued saying that he talked to his teammate [REDACTED] who said she was acting up in his class also. When progress reports came out several teachers reported that she was too social. There are 13 girls in the 6<sup>th</sup> grade that cause problems. [REDACTED] asked me if she was on the list. So I talked to her about the friction between us. I told her not at this time.

Responding to a question about the second allegation that he looked down girls shirts, he answered, "No." He said that teachers are always behind or beside students helping them. That's the way we do it.

Jay asked if he had any idea when that allegation may have come up and why he did not stand in front of the student (*or desk*). Mr. Cucinotti said that it was due to the seating arrangement in pods. (*Four student desks facing each other*)

Jay asked if he noticed girls giving signals to pull up the neckline and demonstrated pulling up the front of the shirt. Mr. Cucinotti said he had not noticed any signals.

Jay asked him to respond to the allegation that he treats boys differently than girls. He said that he knew teachers aren't supposed to have favorites, but I would be disappointed if boys would agree that I don't give them positives. We like boys better this year. There are 3 or 4 boys in my class who are my favorites. Anthony then described a resource student that he teased because he thought he needed that attention and the resource teacher about how to get him going. He said the boy seemed depressed, so he would tease him and pat him on the back. Boys need that. This year boys are better than our girls overall.

Jay asked Anthony about the comment regarding giving students a spanking. Anthony said he didn't recall it this year.

Jay asked if it would surprise him that students recall you talking about spanking several times this year. He said "I could have" but it would surprise me if students said I said it several times.

Jay asked if Anthony saw this topic as inappropriate. Mr. Cucinotti said apparently not in 2009, you can't say anything. He further responded that it depends on the relationship with the student and the context. If you are just joking, people/parents think it is funny. He described saying it to parents during student conferences.

Jay asked if he had been directed not to say that. He said he was told not to use it with older kids, he defined older as kids who are 14, eighth graders. "You just can't say anything anymore."

Jay asked if he had been directed not to make that comment again. Mr. Cucinotti said, "Yes."

Jay asked about the verbal intimidation. Mr. Cucinotti explained that Mrs. Weisbeck came in to his class; she was a little irate. [REDACTED] asked a question; she didn't know if Ms. Weisbeck was mad or happy. Mr. Cucinotti said he noticed two girls in the back, [REDACTED] and [REDACTED] laughing and not listening the whole time. He told the class he agreed with Ms. Weisbeck, then said he did a little rant, maybe about 2 minutes, but said he didn't name any names.

Jay asked if he talked about killing a kid. He responded, "Well, I go back to what I said earlier, you can't say anything." More than one of us have said that, but we don't mean it. He noticed a couple of kids looked up and he said something like, "Ah, come on; you know what I need." He added that he apologized on Monday. He continued saying that he guessed he shouldn't have brought it up. That is why I apologized. I sounded frustrated and intense.

Jay asked how the "little rant" looked and sounded. Mr. Cucinotti said he was frustrated and upset, and it sounded like he was, but he didn't yell. He his facial expressions are intense.

Jay asked if he was red faced. He agreed that he was and added that he gets red in the face easily.

Jay asked if he thought what he said was appropriate. He replied that looking back he shouldn't have said it.

When Jay asked about a comment that referred to war against parents, Mr. Cucinotti responded "I could have said something like that."

Asked how long the conversation lasted, he answered about 5 or 6 minutes. He said he wrapped up by saying he was sorry the week had to end on this note.

On Monday I apologized because we both got a little upset. I apologized to most of the class because they didn't need to hear it. He told them only one person is causing all the problems -- [REDACTED]. He gave specific examples of how -- a couple of days earlier he gave [REDACTED] detention because he was talking to other teachers and [REDACTED] was causing a disturbance. He told [REDACTED] to get into class and we'd deal with it later. He assigned a 30 minute detention to be served 2 days later. The next day [REDACTED] asked why she got a detention when this was her first tardy. He told her you know why. [REDACTED] went from him to Ms. Weisbeck. He told [REDACTED] this was an example of her being manipulative because she didn't accept what he said then went behind his back. He added that he told [REDACTED]

When you don't get your own way, your claws come out." This statement was made in front of the class.

Jay asked if he felt what he said was appropriate. Mr. Cucinotti said it was true but not appropriate in front of the class.

Jay asked why he directed everything he said on Monday to [REDACTED] only and did not include [REDACTED]. He said he thought about [REDACTED] too, but decided not to mention her even as bad as what she said about him was. [REDACTED] is the instigator; she is the manipulator.

When Jay referred back to the multiple disciplinary actions throughout his teaching career in Central Valley School District including November 1993, September 1994, July 1995, May 2000, April 2004, February 2006, and May 2006. Mr. Cucinotti explained that people made him promises that didn't happen when he moved from the elementary to the middle school; he said the promises never came to fruition and the principal micro-managed him to the point of being ridiculous. He felt the relationship was strained and he was picked on by the former Bowdish principal. When he talked to Lise Iouer and the principal, the principal brought up stuff reported by other teachers and twisted everything. He said he became angry, but he repressed those feelings and then became depressed. He added that the current principal has been good for him. He now realizes that he was depressed and had a chemical imbalance that he is being treated for. He said when school was out last year he just started shutting everyone out and didn't start trying to open up again until December. He is now in counseling. He never forgave the intentional damage the other principal did.

Jay asked about boundary issues. Mr. Cucinotti talked about team teaching with [REDACTED]. [REDACTED] They eat lunch together almost everyday. Some 6<sup>th</sup> grade girls and a few boys come down to have lunch with Mr. Cucinotti. He told the students that they needed to stay in the cafeteria and he told Ms. Weisbeck and Mr. Bouge about it. He said that as long as he was eating with [REDACTED] that it was okay. One morning Mr. Bouge came to the room and there were about five girls around him. He said when he was in trouble before no one mentioned the Moms that stepped up to say, "We know he is okay. We have him to dinner."

Jay explained that it is concerning that there have been a number of specific instances of displays of anger and inappropriate behavior with students and we are not seeing changes in these behaviors. Jay asked Mr. Cucinotti if he had any comments on these concerns.

He said in some respects I agree (referring to his behavior being inappropriate). I'm on medication for a chemical thing and getting counseling so I want to see how this works. If it doesn't, I need to walk away.

Neva asked how he'll know if it worked. He said he would know it worked by the way he treated people, and not just while I'm working; I've kind of gotten a beat down. I've only talked to a couple parents who called me. He asked if anyone stuck up for him.

Jean asked why when there were issues in 2003 he had not sought counseling until now. He replied that he's a guy, and he doesn't like to admit that he can't solve things on his own.

He asked Jay if he had received any support. Jay told him that there had been some support. One or two parents have called him, and that is not uncommon. However, we're looking at specific allegations, and he doesn't take that into consideration.

Jay asked if there were any other questions. Mr. Cucinotti said there were none at this time. Jay said that if he had questions later to call him or Dick.



## **Interview related to alleged unprofessional conduct by a middle school teacher**

Interview date: February 13, 2006 (2:00 p.m.)

Interviewee: Anthony Cucinotti, Middle School Science Teacher

Interviewer: Lise Louer, Assistant Superintendent

Also present: Kent Richardson, CVEA President, as Mr. Cucinotti's union representative; Dave Bouge, Bowdish Middle School Principal

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I explained to Mr. Cucinotti the District was investigating allegations that he had engaged in behaviors that showed disregard for generally recognized professional standards related to instructional materials and interactions with students. The specific allegations were that he had:

1. Read to middle school students from inappropriate materials referencing sexual conduct, sex organs, sex change, pregnancy, alcohol, etc.
2. Displayed a girl troll doll in his room with its pants pulled down.
3. Asked girls coming into a classroom if they had been naughty and should he spank them.
4. Engaged in name-calling like "scarf boy" suggesting that a student might be gay and that this had occurred on more than one occasion.
5. Positioned himself behind girls to look over their shoulders at their work, creating the impression that he was attempting to look down their shirts.

In reference to the first allegation, Mr. Cucinotti was handed a copy of the story he allegedly had read in his eighth grade science classes and was asked if he had read this material to his students:

- Mr. Cucinotti acknowledged that he had read the story, *All You Zombies*, to his eighth grade science students.
- He thought it was after winter break.
- He said he had read it to four 8<sup>th</sup> grade science classes.
- He admitted that he was aware it wasn't approved supplemental science material. "I guess I did not think it through."
- When asked where the material had come from, he said that it had been published by Koinonia House, a Christian evangelist publisher, in Coeur D'Alene.
- He explained that they were talking about time travel in class and conflicts related to time travel, that human kind tends to ruin things.
- He said he had introduced the story by saying to the students that he did not condone pregnancy and drinking.
- Later he had noticed one of the boys reacting and realized that he shouldn't have read the story.

February 13 and 17, 2006

Regarding the second allegation related to the troll doll, Mr. Cucinotti responded:

- That it was a joke in class and the doll was no longer in his classroom.

Related to the third allegation that he had asked some girls if they had been naughty and should he spank them:

- Mr. Cucinotti indicated that he did recall making the comment when some of his former 6<sup>th</sup> grade students, who were now in 7<sup>th</sup> grade, had stopped by his fourth period math class during their lunch.
- He explained that this was reverse humor, that these girls were so well behaved that they would never deserve a spanking; that he had used this same type of humor with the parents of these students.

Regarding the fourth allegation that he had used the name "scarf boy" about a student:

- Mr. Cucinotti admitted to using the term to poke fun at this student who was very well dressed.
- He explained that this had happened a couple of times back in October and after talking to the dad he had not used the term again.

In reference to the fifth allegation that female students were uncomfortable in his room and felt he was positioning himself to look down their shirts:

- Mr. Cucinotti stated that girls who dress provocatively think provocatively; that this was all in their minds, not in his.
- He said that if it made them uncomfortable when he stood behind them, he was willing to make an adjustment.

When asked if he had anything else he would like to add:

- Mr. Cucinotti stated that in his opinion these kids are just piling it on to get him in trouble and that most of these things had already been addressed.

At the end of the meeting, I explained to Mr. Cucinotti that he would continue on paid administrative leave until we had completed the investigation and then we would meet with him and his union representative again.

We met again on February 17, 2006, at 10:00 a.m., and a written reprimand was issued which included the findings of the investigation and directions to Mr. Cucinotti regarding professional conduct expectations. Mr. Cucinotti was directed to return to the classroom effective February 20, 2006.

February 13 and 17, 2006

# Personnel Department MEMO

**TO:** Anthony Cucinotti, Teacher  
Bowdish Middle School

**FROM:** Lise Louer *Lise Louer*  
Director of Human Resources

**SUBJECT:** WRITTEN WARNING

**DATE:** February 12, 2004

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On December 9, 2003, we met regarding an issue brought forth by one of your colleagues, specifically that he had observed you at lunch time reclining in your chair with your feet up and a giggling girl halfway sitting on your left thigh and whispering something in your ear. You confirmed that three girls had spent time in your room during lunch on the day in question (December 5), but you denied that anyone had sat or leaned on you. At that time, I explained to you that I planned to interview the staff member and others who had expressed similar concerns regarding your interactions with students.

At today's meeting, I summarized for you the concerns we have heard from five of your colleagues and provided you with an opportunity to respond which you declined at the advice of Kent Richardson, your union representative. I also explained to you that several of your colleagues said they had talked to you personally about their concerns related to the way you interact specifically with female students, but that you did not take them seriously. Examples of the concerns include:

- Meeting alone in your room with small groups of girls during non-academic times, e.g., lunch, with the door closed.
- Using terms such as "my muffins" about a small group of girls.
- Hanging around lockers visiting with your "special" girls.
- Behavior that your colleagues described as "goofy, flirting, chummy" with female students.

We also reviewed a document from your personnel file signed by you on May 30, 1995, that set clear expectations for your future behavior with students. I asked if you recalled the document and you said you did. The District's concern is that your recent behavior does not indicate that you are following the expectations set for you.

This Written Warning is issued to make it clear to you that you must refrain from the behaviors outlined above. You are hereby directed to:

**Central Valley Schools**  **Schools**

Central Valley School District No. 356

Phone: (509) 228-5400

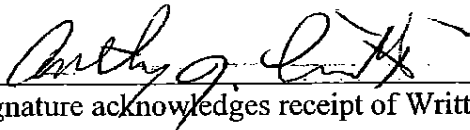
Fax: (509) 228-5449

Anthony Cucinotti  
Written Warning  
February 12, 2004

- Keep the teacher-to-student relationship on a professional level.
- Maintain appropriate teacher-to-student boundaries.
- Maintain a reasonable gender balance in your contact with students.
- Stop meeting at lunch and other non-academic times with small groups of girls.

Failure to adhere to above directives will lead to further disciplinary action.

C Personnel File  
Bob Johnson, Principal



Signature acknowledges receipt of Written Warning

2-17-04

Date

Date: 4-17-01

To: Mr Anthony Cucinotti

From: Jim Berry

RE: Verbal Warning

RECEIVED  
APR 17 2001  
PERSONNEL

On April 13, 2001, it was brought to my attention by one of your students, [REDACTED] that an incident occurred in which you reportedly became angry and verbally abusive to him as well as other members of the class. It was reported that as a part of the same incident you also flung his backpack across the room with little regard to its contents. The backpack did contain a CD player that belonged to the student and the student expressed concern for the potential for damage to the CD player. Sub sequentially, the student became fearful of your words and actions and came to the office for shelter.

After hearing the concerns of the student, I asked you to come to my office so that you could have the opportunity to respond to the incident from your perspective. Also present at that time was Mrs. Sandy Phillips, the Principal Designee. She had taken the original report from [REDACTED] and as I explained during the conference, it was my desire to get the facts sorted out quickly in fairness to everyone.

At this meeting, you responded that you had "blown up" at the class and specifically at [REDACTED] due in part to his lack of focus and the need for other students to "get going" as well. You confirmed that you had raised your voice to a loud level and that you did indeed fling the backpack, which was partially on the floor and partially suspended from the student's chair, across the floor. You reiterated that several other students probably became alarmed at this action, as they spontaneously got up from their seats and moved their own backpacks to the desired location for storage of backpacks. You further agreed that some of the students might have become alarmed as [REDACTED] did, while others probably knew that because they were meeting the classroom standards, they probably need not fear your actions. We discussed the concern that some students may have been unnecessarily fearful during this event.

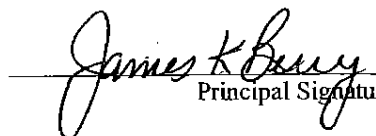
As a result of our first conversation you did in fact apologize to your class and to [REDACTED] individually for your actions.

Anthony, while I believe that you do possess excellent skills in teaching, I find this kind of behavior in the area of student management to be unacceptable. Although your desire to hold all of your students to high standards is admirable, this conduct cannot be tolerated. You must examine your practices and select methods of holding students accountable that preserve student self-esteem, and eliminate any fear that results from overly harsh tactics.

I must warn you at this time that even one more event similar to that which occurred in your classroom today will result in further disciplinary action. As your supervisor, I cannot allow you to use practices that may cause harm or unnecessary stress for the students.

During our conference on 4-16-01, which was attended by Jim Berry, Lisa Louer, Director of Personnel, Jeff Brown, CVEA President, and you, we agreed that you will seek anger management counseling through the EAP and keep Lisa Louer apprised of your progress.

 4-17-01  
Employee Signature Date

 4-17-01  
Principal Signature Date

Date : 5-2-00

To: Mr. Anthony Cucinotti

From: Jim Berry

Re: Verbal Warning

RECEIVED  
MAY 08 2000  
PERSONNEL DEPT.

As a result of your actions during a conversation I had with you in my office this morning, May 2, 2000, I must advise you that I consider your slamming your hand down on the table in protest of that conversation, to be insubordinate.

Anthony, I have advised you over the past two years, that I believe that as long as we serve the public in this school under my leadership as Principal, we will consider the opinions of that public to be important and critical to the short and long term success of the school. I have told our public that in an effort to become effective working partners in the education of the children, we will listen to their thoughts and concerns about the work we do.

Listening implies that upon receipt of feedback from parents, a reply of some sort is required. We need not always agree with the criticism that is given, however to not respond is to ignore, which does not fit into the philosophy that we will work in partnership with our community.

Although I do understand the offense you take to the way the parent letter pointedly criticizes your actions, the point I wanted to make this morning is that in an effort to be customer oriented, we must listen and respond in a professional manner. We hold ourselves to a higher standard.

In future conversations, I do not expect to have to deal with your physical display of temper over such matters. I consider such a display to be unbecoming of your status as a professional teacher and unacceptable in my relationship with you as your supervisor. Such actions only serve to intimidate. I cannot accept a working relationship with you based upon your attempt at intimidation.

I appreciate that at this time you have begun preparing a written response to the letter you have received from the parents. They too will appreciate your response.

Thank you for your attention to this matter. I will be happy to talk with you about it at any time.

Cc Personnel file

*James Berry*  
5/5/00

*Anthony Cucinotti*  
5/05/00

NAME \_\_\_\_\_ DATE \_\_\_\_\_ TIME 10:00

~~###~~ Conference Date:

Staff Member Signature Anthony J. [unclear]

5-30-95

Evaluator Signature Bernie [unclear]

### Game plan for future behavior with students

- Keep a student/teacher relationship (approp. profess rapport)
- a student to teacher boundary must be maintained
- equity of contact with boys and girls
- will take no phone calls from students
  - contact will be made teacher to parent or parent to teacher
- eliminate meeting with children in small (or individual) groups during non-~~academic~~ <sup>academic</sup> times.

# Greenacres Elementary School

CENTRAL VALLEY SCHOOL DISTRICT NO. 356

17915 East Fourth

Greenacres, Washington 99016-9740

Phone: (509) 922-6820 (FAX) 927-3758

RECEIVED

SEP 23 1994

Sandra Phillips

Building Designee

Benita Galland  
Principal

September 22, 1994

PERSONNEL DEPT.

Anthony Cucinotti  
Greenacres Elementary School

RE: Written Warning

Dear Anthony:

I am issuing this written warning to you to make sure you clearly understand what I said to you during our meeting on September 19, 1994.

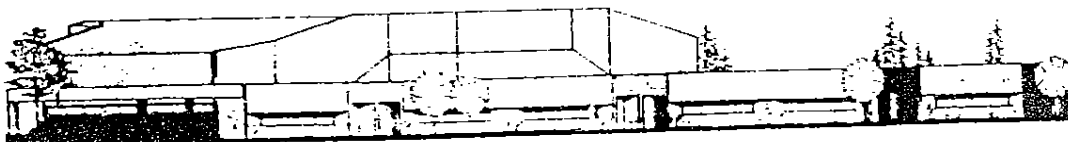
To review, on Friday, Sept. 16, a student from your classroom was being kept in at recess for talking in the hall. During this time, she argued with you about the fairness of this consequence. As this discussion continued, your voice level rose and you began to yell. The child stated that you were "screaming". You also slammed a desk with your hand and spilled your lunch contents.

Neighboring teachers were alarmed by the loudness and apparent anger of your voice and were concerned about your students. Other children reported being frightened by your behavior, stating that your face got red and you started to "bang and throw stuff". The child involved in the discussion with you was so shaken that she left school for the remainder of the day.

During our conference, I told you that the following conduct was inappropriate and unacceptable.

1. yelling at students causing them fear and upset
2. losing your temper and banging on a desk which further served to intimidate students to the point where a female student ran and hid in a restroom

This type of conduct adversely affects your ability to teach and work with students, parents and other staff members.





Anthony, during the prior school year, we have conversed on several occasions about my concern that you lose control of your temper while disciplining your students. I am sure you will recall that on Nov 13, 1993 I gave you a letter about similar conduct.

I want to reiterate that any type of conduct by you that might be defined as verbal or emotional abuse such as yelling at students, intimidation of students through physical gestures and actions, or any other actions which might be seen by students as creating an unsafe classroom condition is inappropriate and unacceptable.

I sincerely hope that this letter will bring to your attention the seriousness of this matter. Any further inappropriate conduct by you, either verbal or physical, will be cause for further discipline including your possible immediate discharge from employment with the Central Valley School District.

Yours truly,

A handwritten signature in cursive script that reads "Benita Galland". The signature is written in black ink and is positioned above the typed name and title.

Benita Galland  
Principal

cc Personnel File

✓ file

# Greenacres Elementary School

CENTRAL VALLEY SCHOOL DISTRICT NO. 356  
17915 East Fourth  
Greenacres, Washington 99016-9740

**BENITA GALLAND**, Principal  
Phone: (509) 922-6820

November 12, 1993

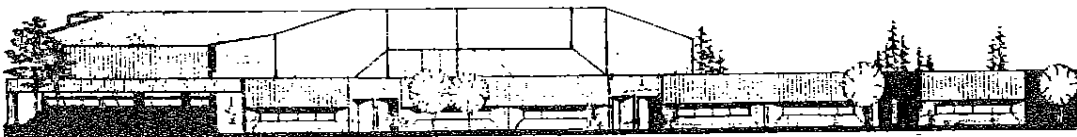
Anthony Cucinotti,

The purpose of this letter is to recapitulate the events of last Fri. Nov. 5th. [REDACTED] A 6th grade student from [REDACTED] room came to me. He was visibly shaken and reported that you had "hit" him. He was intimidated, frightened and humiliated by your actions and verbal reprimand.

I spoke with you. You acknowledged that you placed your forearm on [REDACTED] "guiding him away" while grabbing a swinging electrical cord with the other hand. After that action you verbally reprimanded him for swinging the cord causing a safety problem, and disruption to the classrooms.

My conclusion is that there was not a grave safety concern and that your actions and words were at best impulsive and not well thought out. This form of student discipline can not be tolerated. Your action on Nov. 5th were unsatisfactory in that you did not deal with the student in a controlled manner. Further, your use of physical contact with this student is counter to acceptable discipline strategies. Your verbal reprimand showed a lack of tactfulness and was not an effective interaction.

Anthony, please know that I am available to provide assistance to you so that improvement in these areas will be made. I will be observing your classroom during the next few weeks with emphasis upon your classroom management techniques.



I expect that changes will follow in these unsatisfactory areas. I will reiterate what I stated to you in a letter on Aug. 27<sup>th</sup> 1993, regarding a similar incidence. I expect you to conduct yourself in a controlled manner. In discipline matters, as well as other aspects of teaching, professionalism is important. You must think before reprimanding, choosing actions and words that will deescalate the situation and leave the child's dignity intact.

If you are in a situation and feel you are losing control seek administrative assistance immediately. I feel confident that you can achieve these standards.

  
Benita Galland

I have received a copy of this letter. Anthony J. Lucinetti

cc: Personnel file