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Sanborn Regional School District

Final Revised Investigation Report

I. <u>INTRODUCTION</u>

I am an attorney with Upton & Hatfield, LLP and I was hired by Attorney Jim O'Shaughnessy of Drummond Woodsum on behalf of Superintendent Thomas Ambrose to conduct an independent investigation into the conduct of a teacher at the Sanborn Regional School District (the "District"). I have experience conducting and providing legal advice regarding employment investigations in New Hampshire school districts; however, I have no prior connection or experience working with the employees of this District.

The District places younger students into one of two schools: the Kindergarten through Second Grade students attend the Bakie Elementary School (the "Bakie School"), and the Third through Fifth grade students attend the Memorial Elementary School (the "Memorial School"). This investigation involves alleged physical abuse of students by a teacher at the Bakie School. The Bakie School Principal is Dr. Elizabeth Childs and the Assistant Principal is Lorin Caffelle. The District's Director of Student Services is Dr. Troy Kennett. Director Kennett manages the District's special education program. During the 2023-2024 school year, Assistant Principal Caffelle served as the Bakie School's building-level special education coordinator and the Local Education Agency Representative ("LEA") for purposes of decision-making in special education matters. Starting in the 2024-2025 school year, this role was restructured and Meredith Davine, former Memorial School Assistant Principal, was hired as the Assistant Director of Student Services became the special education coordinator and the LEA at the Bakie School. The Human Resources director for the District is Kelli Killen, who took over this role from Diana Rooney in March of 2024. The District's Superintendent is Dr. Thomas Ambrose.

Within the Bakie School there are two classrooms designated solely for special education students. The In-step classroom is designed for students that have limited ability for verbal

10 Centre Street, Concord, NH 03301 Concord – Peterborough – Portsmouth communication. The "Basics" classroom is designed for students that have some additional communication ability. According to a Board-Certified Behavioral Analyst (BCBA) in the District, the In-step classroom is for children with high cognitive needs, and the Basics classroom is for more high-functioning children that had eligibility for emotionally and behaviorally disturbed ("EBD") supports. Ms. Ragonese is a certified BCBA and special education teacher who was hired to work as a teacher in the In-step classroom. In this role, Ms. Ragonese was tasked with implementing the Individualized Education Plans ("IEP"s) for the students in her room and the students assigned to her caseload. Ms. Ragonese also provided direct supervision and support to the Paraeducators ("Paras") in this classroom who assisted students with their daily activities.

During the week of October 21, 2024, the District received reports that Ms. Ragonese had engaged in physical mistreatment of students in the In-step classroom. I was tasked with determining two issues: (1) whether students were harmed by Ms. Ragonese prior to the October 2024 report; and (2) whether each employee reported prior instances of alleged harm as required. In conducting this investigation, I interviewed twenty-three witnesses, including many Paras and Registered Behavior Technicians ("RBT"s) from the In-step program, BCBAs that worked with students in the In-step program, a behavior analyst and consultant, a school counselor, and administrators at the Bakie School and at the District School Administrative Unit ("SAU") office.

II. EVIDENCE OUTLINE

In conducting this investigation, I reviewed the following documents (listed by Exhibit number):

- 1. List of employees that worked in the In-step special education classroom with Ms. Ragonese and/or worked with students that were serviced by Ms. Ragonese.
- 2. Email communications packet including other documents relevant to the investigation submitted by Andrea Wijsen.
- 3. Email communications and Investigation File submitted by Diana Rooney.
- 4. Email Communications regarding this investigation submitted by Kelli Killen.
- 5. The personnel file for Ms. Ragonese
- 6. Correspondence with Administration, Staff, and Parents submitted by Kelli Killen.
- 7. Documents pertaining to information received from behavior consultant at Bakie School, submitted by Kelli Killen.
- 8. Timeline for Initial Investigation, submitted by Kelli Killen.
- Notes from initial interviews completed by Kelli Killen, submitted by HR Director Killen.
- 10. August 2024 Staff Handbook, submitted by Superintendent Ambrose.
- 11. SRSD Crisis Procedures Manual, submitted by Superintendent Ambrose.
- 12. Text Messages submitted by Superintendent Ambrose.
- 13. Notice from the Department of Education to Ms. Ragonese of pending investigation.

15. Documents 16. Emails subr 17. Additional I 18. Kingston Po 19. Materials su 20. Additional I	Materials submitted by on January 16, 2025 plice Report dated November 13, 2024
	nis investigation, I consulted the following policies of the Sanborn et Board (listed by Exhibit number):
22. Board polic	y JICDA: Staff-Student Relations y JKA: Use of Restraints and Seclusion y JLF: Reporting Suspected Child Abuse or Neglect
In conducting the	nis investigation, I completed the following interviews with employees:
November 21,	2024:
1. 2. 3. 4. 5.	Board Certified Behavior Analyst Registered Behavior Technician ("RBT") Paraeducator* Paraeducator* Registered Behavior Technician ("RBT") Paraeducator* Paraeducator*
November 26,	2024:
6.	contracted Paraeducator Board Certified Behavior Analyst School Counselor* Paraeducator* Paraeducator* Paraeducator* Paraeducator*
December 4, 20)24:
13 14	Paraeducator** Paraeducator**

¹ Ms. Ragonese resigned her employment with the Sanborn Regional School District prior to the start of this investigation; via counsel she declined to be interviewed for this report. I called an additional former Para by phone and left a message, but did not return my call.

2 *NEA Attorneys Laura Chadwick and Callan Sullivan were present for these employee interviews.

³ **Bargaining Unit Representative was present for these interviews.

December 6, 2024

15. Occupational Therapist**

December 12, 2024:

- 16. Lorin Caffelle, Assistant Principal***4
- 17. Dr. Elizabeth Childs, Principal***
- 18. Meredith Davine, Assistant Director Student Services
- 19. Dr. Troy Kennett, District Student Services Director
- 20. Kelli Killen, Human Resources Director⁵

December 17, 2024:

21. Thomas Ambrose, Superintendent of Sanborn Regional School District

January 27, 2025:

22. Registered Behavior Technician and Behavior Consultant

January 28, 2025:

23. Follow Up Interview,

February 5, 2025:

- 24. Follow Up Interview, Troy Kennett
- 25. Follow Up Interview, Lorin Caffelle

March 3, 2025:

26. former Paraprofessional

April 11, 2025:

27. Follow Up Interview, Meredith Davine

April 24, 2025:

- 28. Follow Up Interview, Elizabeth Childs***
- 29. Follow Up Interview, Lorin Caffelle***

The evidence was reviewed, compared, and analyzed under a preponderance of the evidence standard to determine whether there were any policy violations of Board Policies JKAA: Restraint and Seclusion; JLF: Reporting Suspected Child Abuse or Neglect; and JICDA Staff-Student Relations. "Preponderance of the evidence," for purposes of this report, means that

⁴ *** Attorney Bill Cahall, Teamsters, Present for these interviews

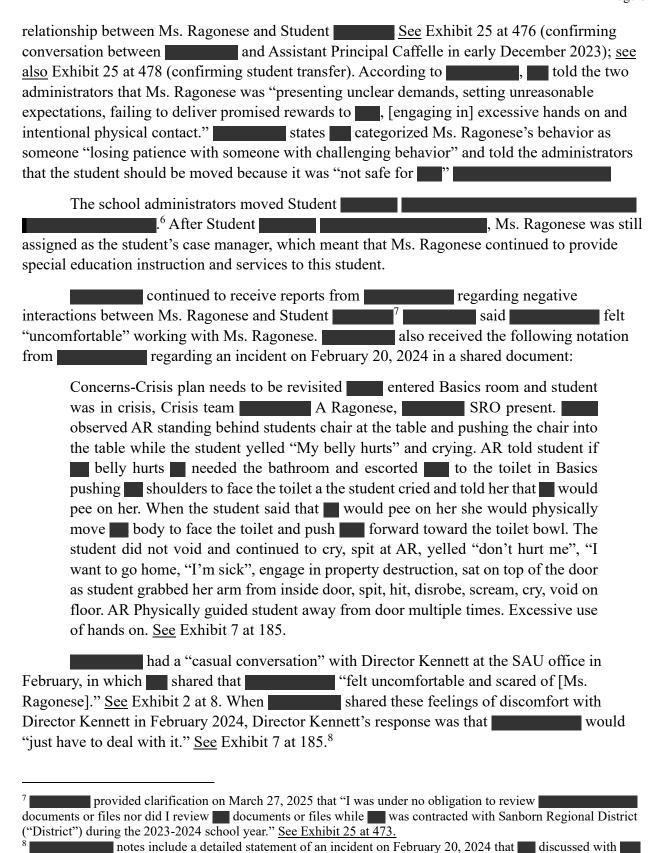
⁵ HR Director Killen coordinated the scheduling of all interviews; however, she was not present in the interviews and was not privy to the statements of any witnesses in this investigation prior to her own interview.

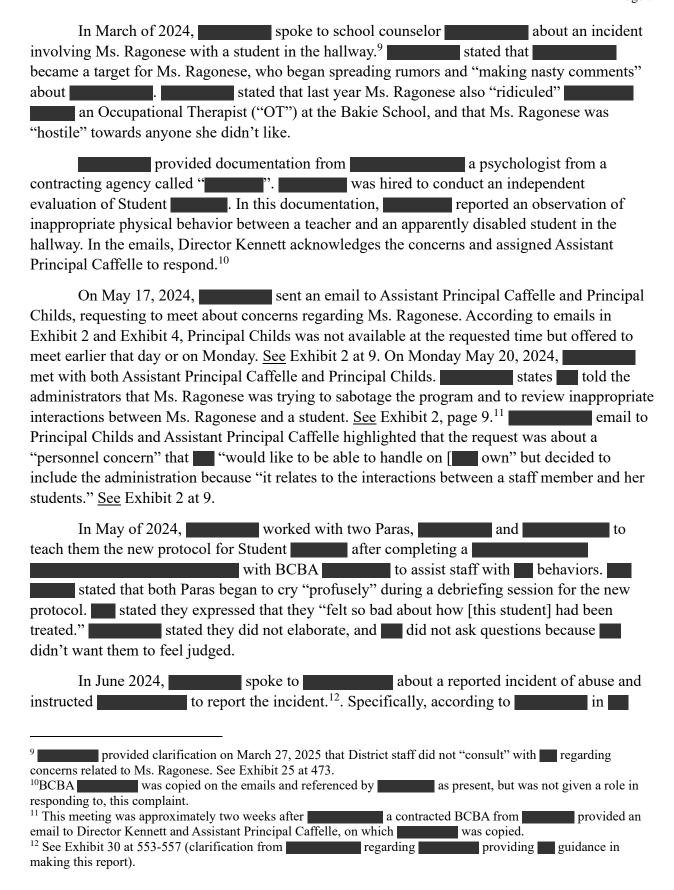
the evidence on one side outweighs, or is more than, the evidence on the other side. The conclusions in this report are drawn from the totality of the available evidence from current and former employees, and a thorough analysis of all the facts. Where necessary, credibility determinations were made.

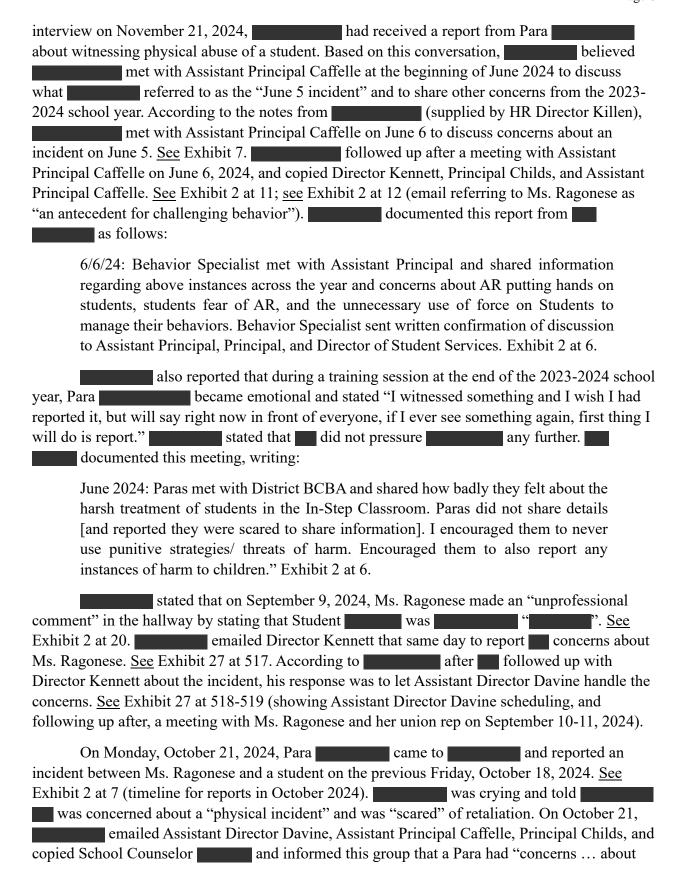
III. WITNESS INTERVIEWS

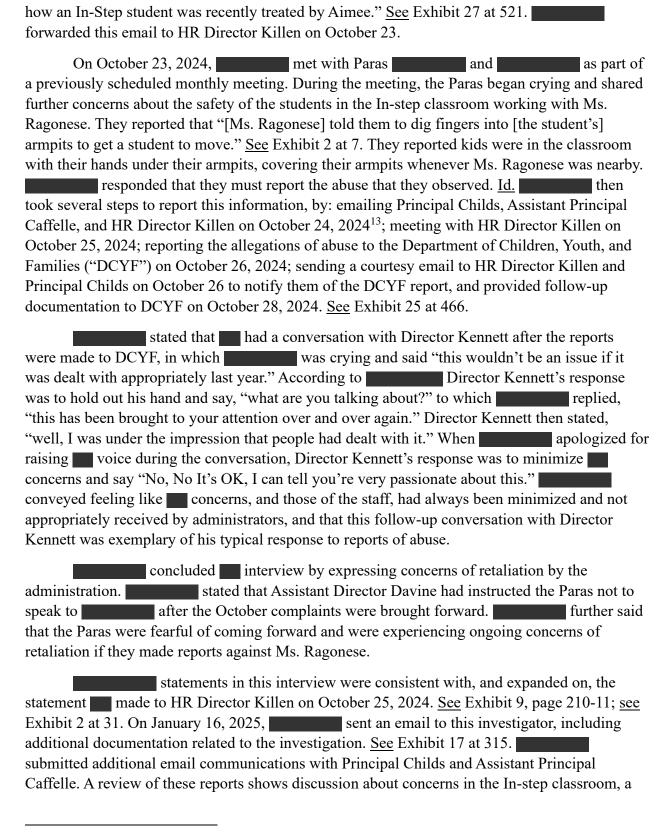
The following information was provided by each witness listed below. Where appropriate, specific information from the attached Exhibits is referenced below.

1. Board Certified Behavior Analyst stated that had been working in the District for two and a half years. stated Ms. Ragonese had a "very aggressive and off-putting" personality, with an abrasive tone of voice and volume of voice that was very loud, and she swore a lot in her classroom. avoided Ms. Ragonese in the In-step classroom for most of the 2022-2023 school year since another BCBA was assigned to that room. During the 2023-2024 school year, a new contracted behavior consultant, began supporting the In-step classroom. was working towards certification as a BCBA. collaborated with about specific students in the room and their behavior plans.⁶ spoke at length about Student who had challenging and unsafe behaviors in the In-step classroom at the start of the 2023-2024 school year. In October 2023, told that Ms. Ragonese was being "unnecessarily physical" with Student ; however, upon observing this Student, did not see any inappropriate physical behavior from Ms. Ragonese. told that Ms. Ragonese acted differently when was observing in the room. to start documenting observations going forward. During this same time, in October 2023, Ms. Ragonese emailed several behavior support personnel, including contractors and District employees, requesting assistance with managing student behavior. See Exhibit 25 at 464-466 (emails from Ms. Ragonese). In November 2023, walked into the In-step classroom to see Student having a "tantrum." Ms. Ragonese forcefully yanked this student's pants up very high and said "I am going to pull your pants up real high if you pull them down again." stated that the student was already in tears and characterized Ms. Ragonese's actions as "giving a wedgie" and stated the student continued to cry. stated she spoke to Assistant Principal Caffelle and Principal Childs in early December and expressed concerns about the ⁶ In a follow-up communication on March 27, 2025, BCBA clarified that did not supervise and that "was not assigned to the In-Step Program. For clarification, I conducted three observations of a single student in the In-Step classroom between September 18, 2023 and December 1, 2023." See Exhibit 25 at 472. provided further documentation of the division of responsibilities between and See Exhibit 25 at 462. also provided clarification in a written statement on April 4, 2025, that BCBA was not supervisor. See Exhibit 30 at 553 (stating was "superior and my first point of contact at Sanborn, and a colleague that I was told to take directives from").



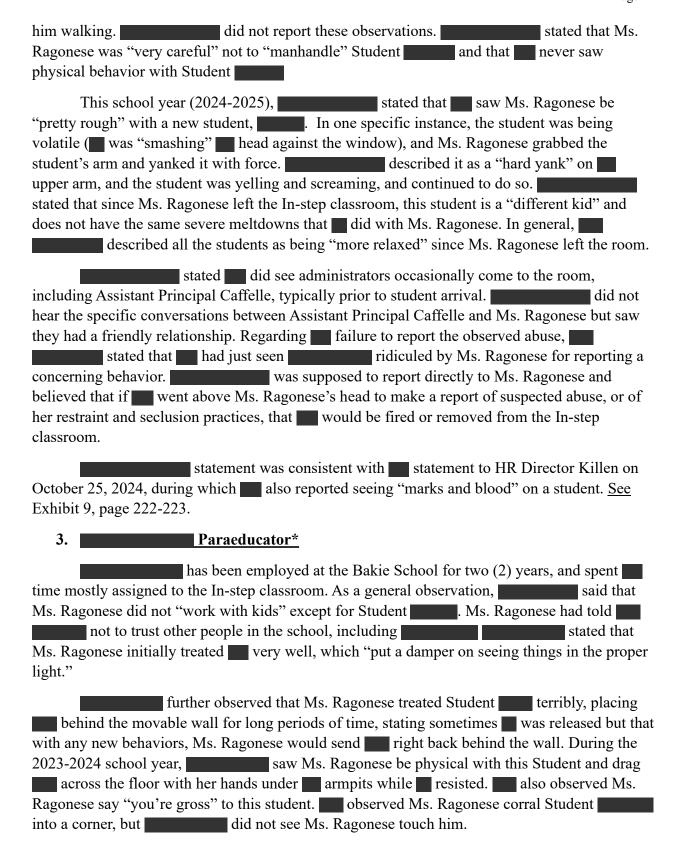


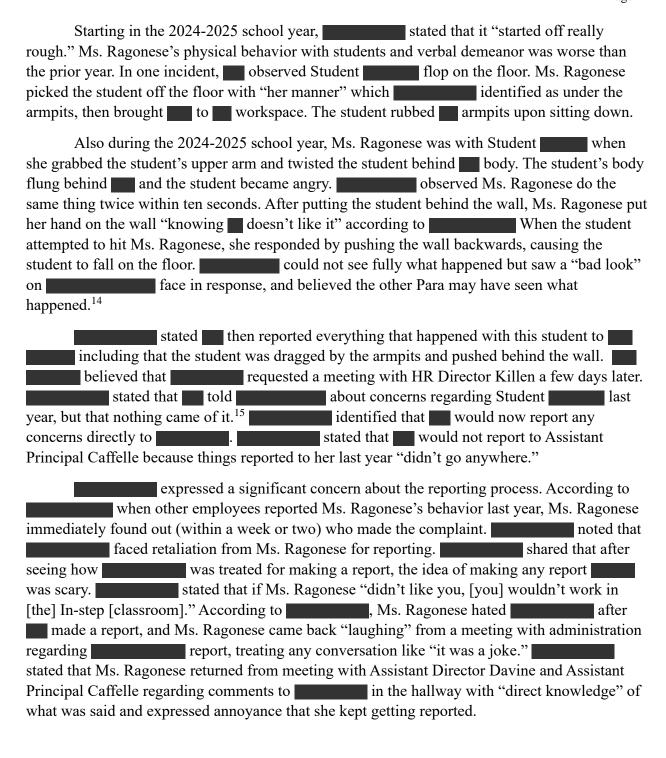




¹³ See Exhibit 2 at 28.

322. Registered Behavior Technician ("RBT") Paraeducator*9 has been employed at the Bakie School for nineteen years. During this time, was assigned to the In-step classroom, the Basics classroom, and rotations in general education classrooms. Regarding Ms. Ragonese, gave general observations that she was not available for supervision on a regular basis, that she rarely worked with the kids, and that she was loud in a way that was scary for the students. Ms. Ragonese used foul language, would slam the door open, knock kids down, and tell them it was their fault. When asked to provide a specific example, did not have a specific student in mind but stated that Ms. Ragonese was "verbally caustic," and that she "promoted fear" in her classroom. observed that Ms. Ragonese was initially easier to work with. some of Ms. Ragonese's statements each day. Ms. Ragonese started with another teacher in the classroom and initially directed her difficult behavior towards staff, not students. Observed Ms. Ragonese's behaviors escalate. saw Ms. Ragonese take students by the arm and pick them up to use the toilet. stated that when concerns were raised to Ms. Ragonese about her demeanor or treatment of students, that Ms. Ragonese would laugh in response. observed Ms. Ragonese return from meetings with administrators after getting a "slap on the wrist" and saw Ms. Ragonese laugh and put on a show for the other employees in the room. During the 2023-2024 school year, observed physically abusive behavior. Student eloped to the room next door (the OT room). Ms. Ragonese picked up and carried back to the classroom by armpits then dropped on the floor. Ms. Ragonese said, "you can go work now" and picked up again by the armpits and put in a chair. Although the student did not show any visible reaction to being picked up, Ms. Ragonese asked to check his armpits, and found bloody scratch marks. asked if should take the student to the nurse because of the bloody marks, and Ms. Ragonese said "no." then asked if should take pictures or email the student's and Ms. Ragonese said "no" to each, stating the student's "won't even described this student as having low verbal skills but notice." and could not easily communicate full sentences or relate a sequence of events. also observed an incident with Student Generally, Ms. Ragonese used a "mean tone" of voice with this student, who would try to spit, throw up, or pee on Ms. Ragonese. To de-escalate, Ms. Ragonese would use a yelling voice to say, "you can't do that" or "you sit down" or "don't you dare" or "you'll do as I say." Ragonese "manhandle" this student into the movable wall, which she used a lot with this student. also observed Ms. Ragonese escort this student to "Room 8" (which she identified as a place for this student to calm down) by grabbing under the armpits to keep



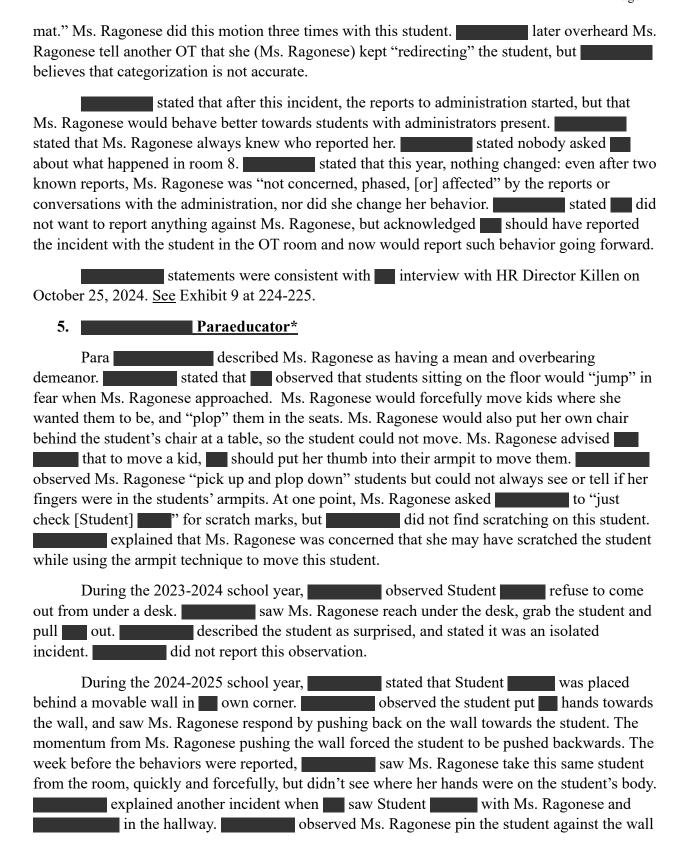


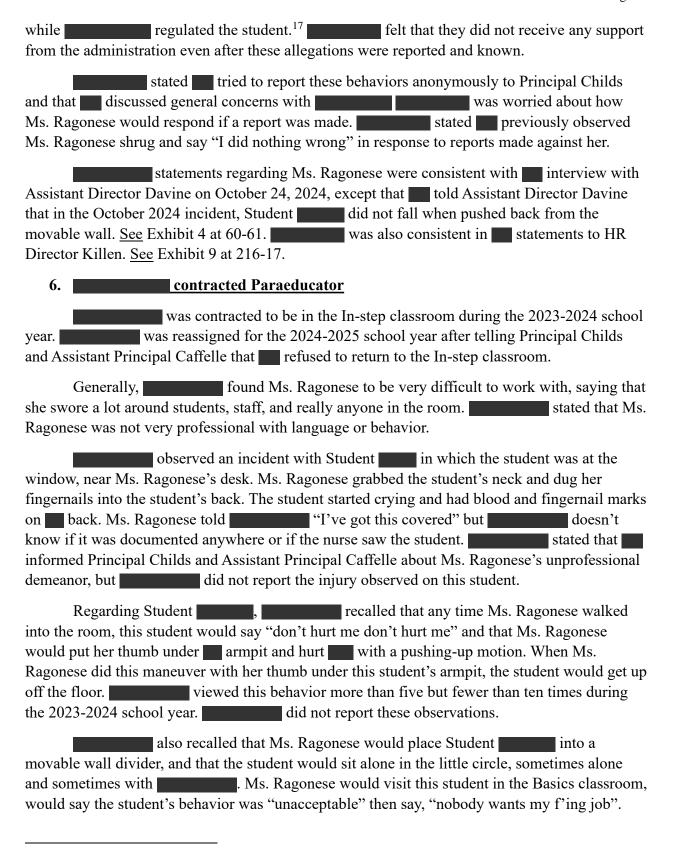
¹⁴ For reference, states in interview, outlined below, that also did not observe the direct physical interaction between Ms. Ragonese and this student.

¹⁵ See Exhibit 30 at 554 (clarification from that that did provide this report to Assistant Principal Caffelle in June 2024).

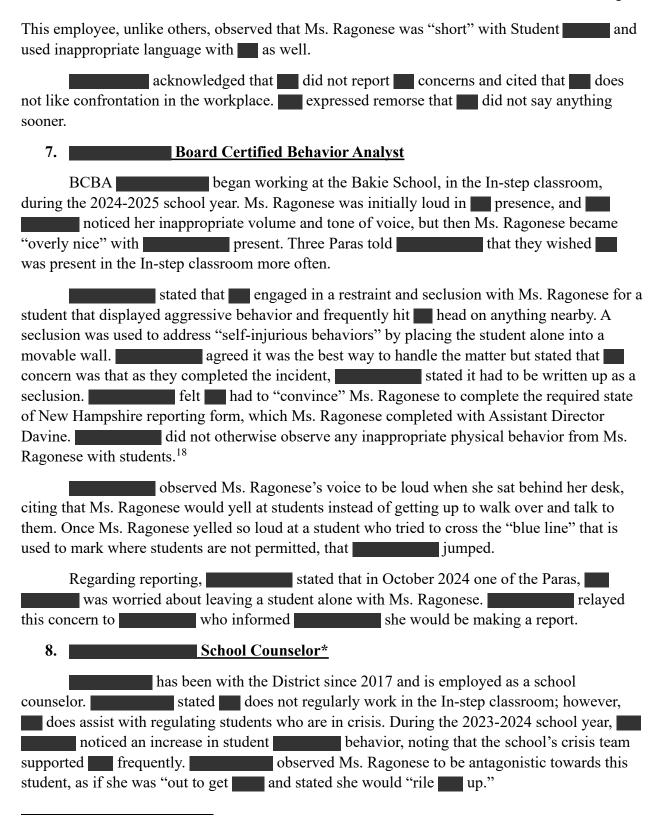
statements in this interview regarding Ms. Ragonese were consistent with interview with Assistant Director Davine on October 24, 2024. See Exhibit 4 at 60.
was also consistent in report to HR Director Killen. See Exhibit 9 at 218-219.
4. Registered Behavior Technician ("RBT") Paraeducator*
is an RBT and Para at the Bakie School and works in the In-step classroom. The 2024-2025 school year is fourth year working at the Bakie School. stated Ms. Ragonese was "loud" and "unprofessional." stated that Ms. Ragonese told that if was unable to get a kid to stand, should drive her thumbs into the student's armpit, and they won't like it, and they will get up. observed Ms. Ragonese yank students by the arms, grab them, and pull them by the hand to get them off the ground. did not have a specific student to identify for these behaviors, but indicated they were general observations in the classroom. Generally, also observed Ms. Ragonese "swoop in" and grab students, put them in chairs, and block the back of the chair so that the student could not get out of the chair. indicated it was a "restraint in a chair" but did not believe it was reported. 16
Specifically, in the 2023-2024 school year, observed Student under a table and saw Ms. Ragonese grab this student by the ankle and swiftly pull the student out from under the table in one motion. stated that Ms. Ragonese used so much force that she pulled the student's whole body off the floor and the student was "stunned" but not crying. With Student Ms. Ragonese was aggressive, often wrangling and getting the student into the bathroom or to the chair. Ms. Ragonese also pulled and grabbed the student off the floor. observed Ms. Ragonese come up, grab the student around the middle, push the student, place her thumbs in the student's armpit, and force to move.
did recall an incident with Student that was reported to the administration last year and stated that Ms. Ragonese "laughed it off." recalled that Ms. Ragonese entered the classroom and told the Paras in the room that she knew which employee made the report. stated that Ms. Ragonese "brushed" it off, and observed Ms. Ragonese say "who are they to challenge me?" also heard Ms. Ragonese say that parents would not complain if the students didn't have any marks on them. stated "would not want to be on [the] bad side of treatment from [Ms. Ragonese]."
At the start of the 2024-2025 school year, observed an incident with a new student in the program. Student was hitting head and was brought to the OT room. Ms. Ragonese went to the OT room and tried to coax the student into the swing, with present. The student went to hit Ms. Ragonese, but instead of blocking the student, Ms. Ragonese took both hands, put them on both of the student's upper arms, and "swooped down to the

¹⁶ A review of available restraint reports from the 2023-2024 school year does not include any reported incidences of Ms. Ragonese using a chair and table to restrain a student.

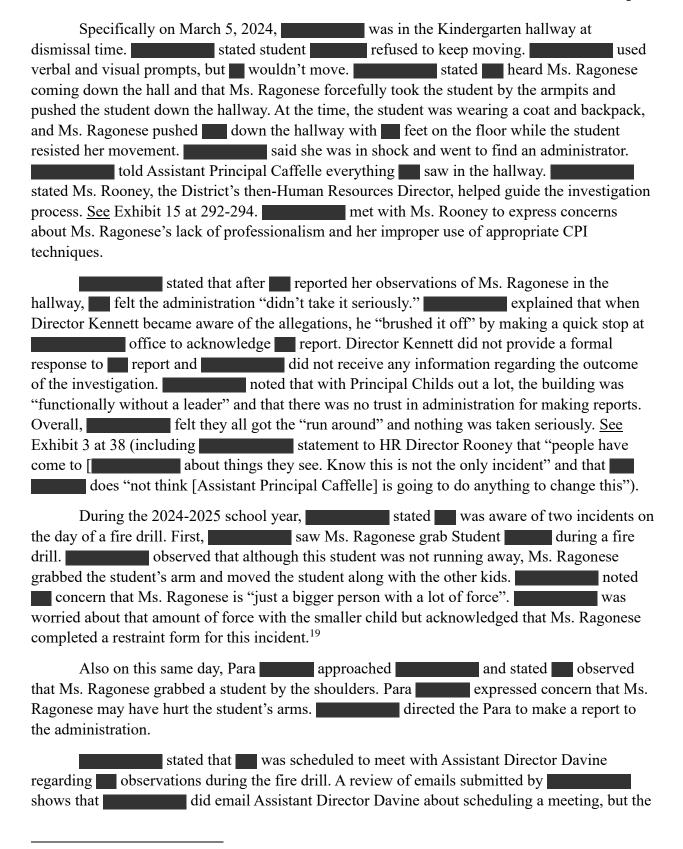




¹⁷ See ______ interview, below, in which this incident is explained, and a restraint report was made.

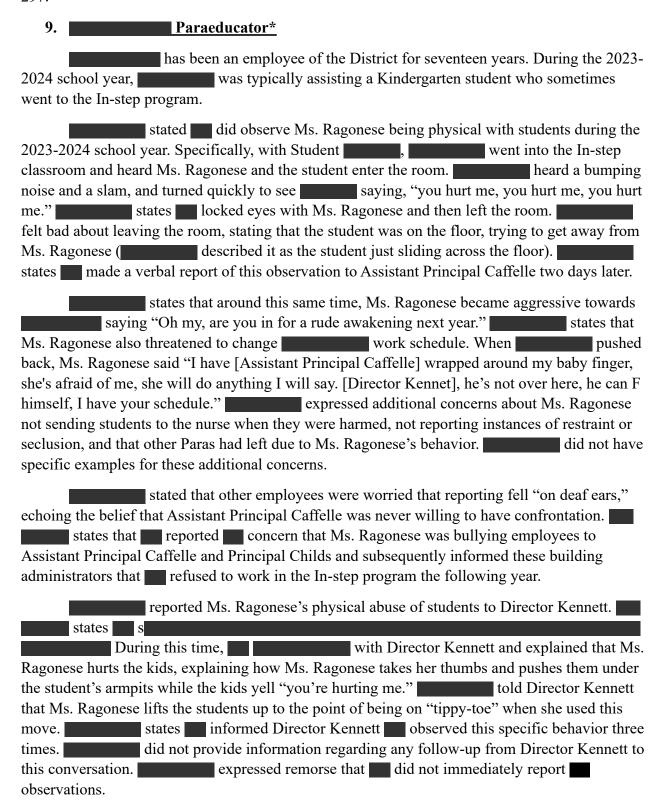


¹⁸ The seclusion report was not provided during this investigation.



¹⁹ This restraint report was not provided for review during this investigation.

emails do not provide information as to whether the meeting took place. <u>See</u> Exhibit 15 at 296-297.



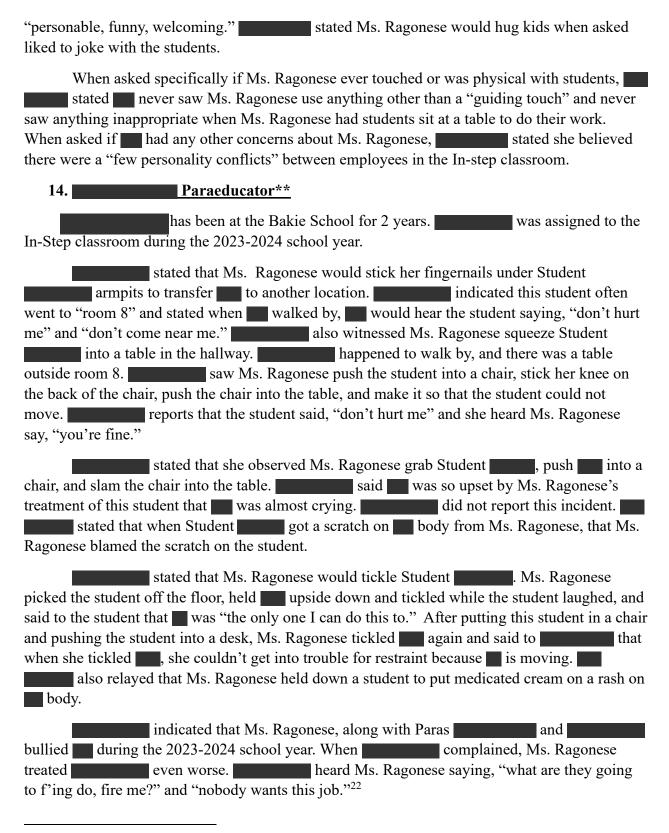
10. Paraeducator* started at the Bakie School in March 2024, and described the In-step classroom as "institutionalized" meaning that it had bare walls while Ms. Ragonese was in the room. Ms. Ragonese was "very loud" and "very brash" overall but was polite to when started. Ms. Ragonese would tell Student "you're disgusting" because would tend to have a runny nose, and heard Ms. Ragonese tell Student to "shut up." also saw Student on the other side of a wall, and when became agitated, heard him fall and believed heard head hit the ground. did not directly see Ms. Ragonese physically interacting with the student. did recall that in March 2024, someone reported the way Ms. Ragonese treated student during parent pick-up. Ms. Ragonese returned to the classroom the next day saying she knew who made the report. observed that Ms. Ragonese would get spoken to about language but would also be told who made the report. Ms. Ragonese physically harming or touching the students. statements in this interview were consistent with statements to HR Director Killen on October 25, 2024, in which cited the same "gruff" behavior from Ms. Ragonese. See Exhibit 9 at 220-221. 11. Paraeducator* is currently in third year at the Bakie School, and stated was only occasionally in the In-step classroom during the 2023-2024 school year but observed that Ms. Ragonese was a very loud person and swore in front of the students. concern that because the kids were nonverbal and could not report her behavior, Ms. Ragonese took advantage of their disabilities. did not have any concerns to report for the 2023-2024 school year. During the 2024-2025 school year, saw Student bolting towards the door, with hands flapping in front of body. Ms. Ragonese ran to the door, threw her body at the door, and slammed it with such force that jumped. stated that Assistant Director Davine was present, and she also jumped. also observed Ms. Ragonese yell at Student to stop not harmed. whimpering. stated Ms. Ragonese would use the wall to block kids, and she would also put a student in a chair and forcefully pushed the chair right up to the edge of the table so that the student was held in a position between the chair and the table. When asked about reporting to administration, stated was aware that school counselor tried to report Ms. Ragonese during the 2023-2024 school year. relayed that Ms. Ragonese's response to being reported was to say she just got "a slap on the wrist", saying it was "no big deal" and "I always get in trouble for my f'ing mouth." also observed tension between Ms. Ragonese and both BCBAs, and

the year.
stated that all the Paras got together in the In-Step classroom as the allegations were being reported. was told "was told "wa
Statements were consistent with statements to HR Director Killen on October 25, 2024; however, provided additional details in this interview about observing a student in a chair pushed up against the edge of the table. See Exhibit 9 at 212-213.
12. Paraeducator*
has been employed at the Bakie School for nineteen years. works in the In-step classroom and described the environment as "chaotic" and having "a lot of kids with significant needs, low verbal skills, toileting [needs]" and indicated they needed help with behavior skills. stated they were short-staffed last year for Paras, so it was tricky managing the schedule and the needed one-to-one Paras.
When working with Ms. Ragonese, stated that "she is very direct" and "abrasive" but stated "if she liked you, you were OK." also said Ms. Ragonese was short with the employees. When asked how Ms. Ragonese treated the students, stated that she was dismissive, unkind, and would make negative comments about students within the student's earshot.
When asked if Ms. Ragonese was ever physical with the students, stated it was "hard to say" because Ms. Ragonese was so abrasive and dismissive. said saw Ms. Ragonese try to move students by scooping them up and putting them into a chair during the 2023-2024 school year. stated that Ms. Ragonese would lift the students' feet off the ground with her armpit maneuver. observed Ms. Ragonese put her thumb under Student armpit, pick off the ground, and sit in a chair.
said Ms. Ragonese forced Student to sit at a table by putting her hands on the student's shoulders, pushing the student down into a chair, and holding the student in place while the student tried to get away. Said the student was "clearly upset" and was trying to push body up and out of the chair while Ms. Ragonese kept in place. When asked whether made a report, then said she thought the student could move arms and legs and was not pinned down. Said did not report the incident, saying was present and made a report.

 $^{^{20}}$ A restraint report for this incident was not provided during the investigation.

behind the wall divider. stated Ms. Ragonese was behind the divider with this student, who became very upset. did not see what happened, stating she believed another Para, observed the incident directly. ²¹
was asked about reports of Ms. Ragonese's behavior towards students. first stated was "not aware" of any reports being made; acknowledged, however, that school counselor made a report to the administration in March of 2024.
stated that Principal Childs and Assistant Principal Caffelle would sometimes observe the In-step classroom from the "outskirts" and noted that Ms. Ragonese was still fresh and "cheeky" around Assistant Principal Caffelle. described Assistant Principal Caffelle as quiet and reserved. felt that Assistant Principal Caffelle could not manage Ms. Ragonese. cited that Ms. Ragonese once met with Director Kennett, and that afterwards Ms. Ragonese said the meeting was no big deal. stated Principal Childs was out a lot last year and was not available to observe the Instep classroom. stated that Ms. Ragonese was on her best behavior during the 2024-2025 school year with Assistant Director Davine, since she was new to the building.
explained that this fall, met the other Paras in the In-step classroom, and they decided as a group that they needed to go to Human Resources. Throughout the interview, expressed that students were safe while working with Ms. Ragonese. repeatedly cited concerns over Ms. Ragonese's inappropriate language while refusing to expressly acknowledge any physical safety concerns for students.
Statements were consistent with statement to HR Director Killen on October 25, 2024 in that reported observing an interaction with Student and believed that Para observed physical abuse by Ms. Ragonese. statement was inconsistent, however, in that clearly stated in this interview that students were safe working with Ms. Ragonese, yet expressed to HR Director Killen that felt had to "insulate and protect" the students from Ms. Ragonese, who was "aggressive and harsh" when handing the students. See Exhibit 9 at 214-215.
13. Registered Behavior Technician (RBT)**10
denied observing Ms. Ragonese engage in any inappropriate physical behavior with students, denied having any issues with Ms. Ragonese, and did not report any concerning behaviors. only went to the In-step classroom occasionally with students. When asked about Ms. Ragonese, acknowledged she was loud, but described her as
²¹ As noted above, did not observe the incident but reported a similar belief that

observed the interaction.



subsequently left her employment at the District and expressed a similar sentiment to HR Director Killen in her exit interview in early 2025.

stated that Principal Childs was out of the building for much of the 2023- 2024 school year, and stated Director Kennett only came to the In-step classroom a few times that year. Stated that tried to meet with Principal Childs about concerns and was pushed off to Assistant Principal Caffelle. Told Assistant Principal Caffelle about wom mistreatment in the workplace, but did not report concerns about Ms. Ragonese's physical interactions with students. Submitted email communications regarding these reports. See Exhibit 16 at 303. When pressed further about reporting concerns of physical mistreatment of students, stated told Assistant Director Davine in September about Ms. Ragonese using her fingers in the students' armpits, and that also brought that same information to See Exhibit 26 at 500-501.
15. Occupational Therapist**
was interviewed
was
she was assigned to the Bakie School and worked with students in the In-step and Basics classrooms.
stated that she observed an incident that started with Student refusing to sit down. observed Ms. Ragonese pick up the student and "slam" body into the ground so would sit down. Ms. Ragonese lifted the student under their arms, picked body up off the ground, and positioned so that would stay seated.
said tried to report the incident to Principal Childs who stated she "couldn't listen and had to leave" but directed to the school counselor, stated also reported to Assistant Principal Caffelle, but did not have a clear timeline of when this incident or the reporting occurred. was not able to provide details regarding any of these conversations, when they took place, where, or what was said to each of the administrators.
stated that also observed student refusing to sit down in a chair at a table. said observed Ms. Ragonese pick up the student and physically put on the chair, with her hands under the student's armpits. stated reported this observation to Assistant Principal Caffelle, and that had multiple conversations with Assistant Principal Caffelle about ongoing issues and how difficult found working with Ms. Ragonese. stated that any reports to administrators would always get back to Ms. Ragonese. said that Ms. Ragonese created a "very hostile working environment." said felt targeted by Ms. Ragonese. was moved to an alternate placement for the 2024-2025 school year.

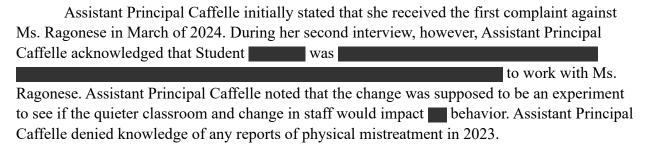
16. Lorin Caffelle, Assistant Principal, Bakie Elementary School

Assistant Principal Caffelle is the Assistant Principal at the Bakie School. Last year, Assistant Principal Caffelle was also the special education coordinator for the building. The building coordinator role was redesigned for the 2024-2025 school year. Assistant Principal Caffelle reports to Principal Childs, who refers any special education questions to Director Kennett.

Assistant Principal Caffelle identified that she has received training in reporting child abuse and neglect to DCYF and had personally made such reports in the past. Assistant Principal Caffelle previously helped other staff members make reports to DCYF as well. Assistant Principal Caffelle stated that she was not clear on the procedure for reporting educator misconduct to the Department of Education. Assistant Principal Caffelle has been CPI trained. Assistant Principal Caffelle identified Director Kennett as running all training related to special education, including Crisis Prevention Institute (CPI) training for restraint and seclusion.

Assistant Principal Caffelle was asked about supervision in the building and stated that she had increased responsibility during the 2023-2024 school year when Principal Childs was out, particularly in March of 2024. Assistant Principal Caffelle identified that she did not currently supervise Ms. Ragonese, who reported to Principal Childs, Assistant Director Davine, or Director Kennett. Assistant Principal Caffelle identified the positions above her as the Principal, Human Resources Director, or the Director of Student Services.

Assistant Principal Caffelle did not receive any complaints about Ms. Ragonese during the 2022-2023 school year. Assistant Principal Caffelle believed that Ms. Ragonese initially appeared to create a cohesive team in the In-step classroom. During the 2023-2024 school year, Assistant Principal Caffelle stated that she frequently visited the In-step classroom and observed Ms. Ragonese working appropriately with students. Assistant Principal Caffelle felt that Ms. Ragonese was doing well in that room and that the students were making progress. When asked specifically about Ms. Ragonese's demeanor, Assistant Principal Caffelle noted her loud volume and sarcastic tone of voice but stated that Ms. Ragonese only swore or used inappropriate language without the children in the classroom.



Assistant Principal Caffelle further denied receiving any complaints about Ms. Ragonese in February 2024; however, she acknowledged that some employees came forward in March of 2024 and questioned how Ms. Ragonese responded to students. Assistant Principal Caffelle did

not recall the specific person or people who brought forward the complaint in March of 2024. Assistant Principal Caffelle stated that she was tasked with investigating the complaint, and that she brought her notes to HR Director Rooney, who also provided guidance for written communications with Ms. Ragonese. ²³ See Exhibit 3 at 39; 43-46. HR Director Rooney recommended that Assistant Principal Caffelle meet with Ms. Ragonese. See Exhibit 3 at 45. Assistant Principal Caffelle and Director Kennett met with Ms. Ragonese to discuss the reported behavior and other employees' perceptions of Ms. Ragonese's treatment of students. ²⁴ See Exhibit 3 at 45 (including statements from HR Director Rooney suggests to AP Caffelle that the conversation with Ms. Ragonese "could lead to a discipline finding" and that "hopefully the discovery this afternoon will be that she is doing everything appropriately... but in the event that's not the outcome, it's time she realizes this is serious and she needs to follow the appropriate "hands-on" procedures").

When asked about the specifics of the investigation in March 2024, Assistant Principal Caffelle stated in her first interview that she "did not remember the exact complaint." Assistant Principal Caffelle explained that each In-step student has a "response plan" that identifies how staff should respond to each student's specific behaviors. Assistant Principal Caffelle believed that the complainant had simply misunderstood Ms. Ragonese's interaction with the student, but believed this interaction was based on the student's response plan, and therefore did not believe Ms. Ragonese engaged in any inappropriate conduct with this student.

Assistant Principal Caffelle was evasive in providing any more information about the nature of the complaint. When asked specifically if Ms. Ragonese was alleged to have pushed Student down the hallway, Assistant Principal Caffelle stated that she does not recall that complaint. When asked if she had any specific notes about this report and response, Assistant Principal Caffelle stated she did not have any additional documentation.²⁵ When asked if she wrote down the initial complaint, Assistant Principal Caffelle stated she only had a phone conversation with "HR" (identified as Ms. Rooney), and that HR directed Assistant Principal Caffelle about next steps.²⁶ When pressed as to whether the alleged misconduct including physical mistreatment of students, Assistant Principal Caffelle stated she did not know if it was a complaint regarding physical acts against students. Finally, when prompted regarding the specific complaint made by school counselor downward. Assistant Principal Caffelle stated that she did not recall speaking to school counselor about concerns regarding Ms. Ragonese last year.

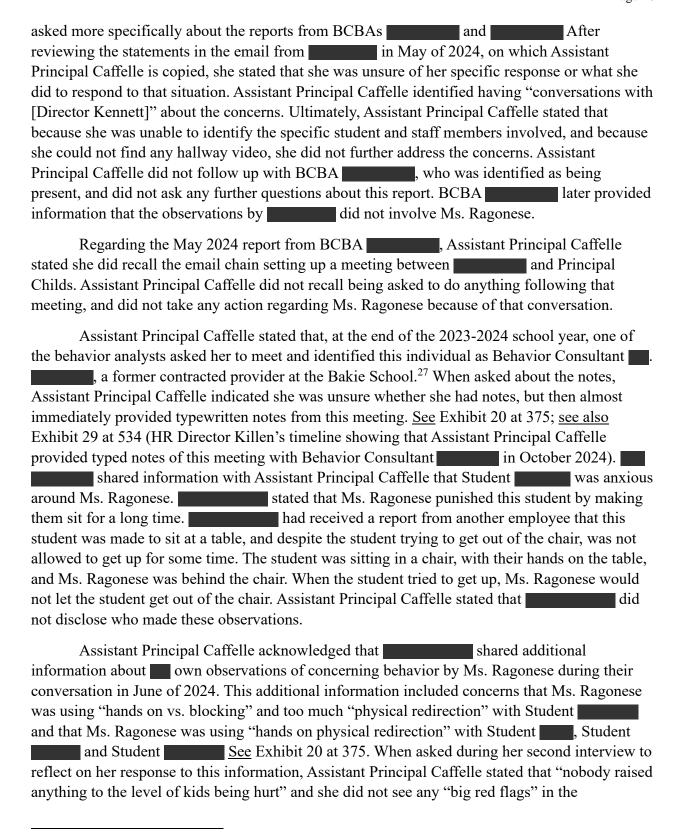
During her first interview, Assistant Principal Caffelle did not acknowledge that she received any complaints about Ms. Ragonese in May of 2024. During the second interview, I

²³ Ms. Rooney maintained notes regarding a conversation with AP Caffelle. See Exhibit 3 at 39.

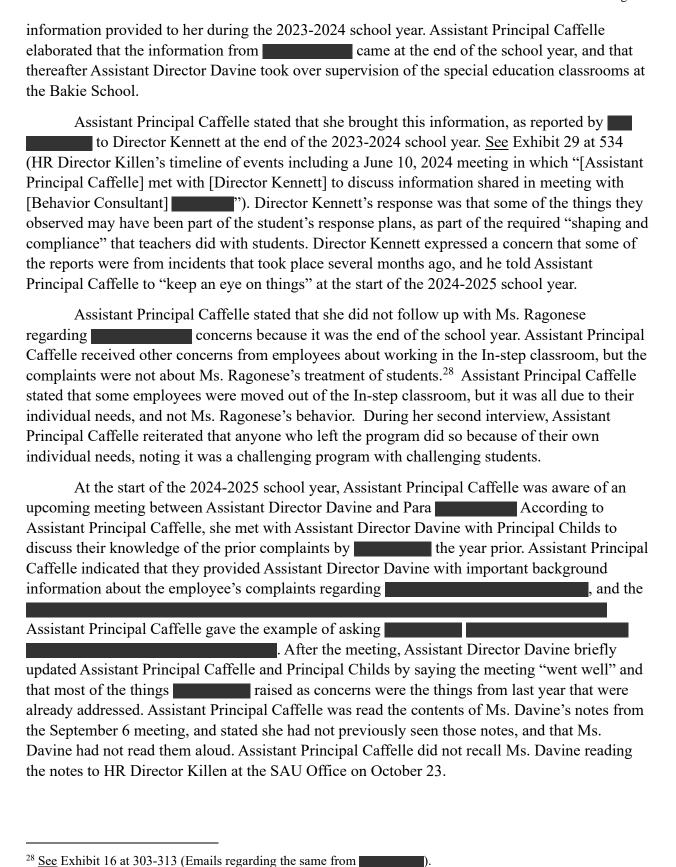
²⁴ Assistant Principal Caffelle denies telling Ms. Ragonese the identity of the complainant during this meeting. ²⁴

²⁵ See Exhibit 3 at 39 (Ms. Rooney's notes from her conversation with AP Caffelle).

²⁶ See Exhibit 3 at 37-38 (Ms. Rooney's notes based on a conversation with AP Caffelle). Ms. Rooney's emails with Assistant Principal Caffelle are also included, despite Assistant Principal Caffelle's statement that she did not have any follow up emails regarding this investigation.



²⁷ Although Behavior Consultant initially requested to meet on May 20, they were unable to schedule this meeting until June 6. See Exhibit 29 at 534.



On September 9, 2025, BCBA complained about Ms. Ragonese making an inappropriate comment made in the hallway. ²⁹ Assistant Principal Caffelle states that she met Ms. Ragonese with Assistant Director Davine and discussed using only acceptable language. Assistant Principal Caffelle stated that Ms. Ragonese was upset, said it was a hard job, and said sometimes she needed to make a joke of things. Assistant Principal Caffelle did not experience any retaliation from Ms. Ragonese after this meeting.

Assistant Principal Caffelle said that often Ms. Ragonese would go to Principal Childs as a confidante. Assistant Principal Caffelle felt "fine" when Principal Childs asked her to handle disciplinary matters with Ms. Ragonese.

When asked specifically about student safety, Assistant Principal Caffelle stated she was "never worried about student safety with [Ms. Ragonese] in the room." Assistant Principal Caffelle then stated that, regarding this ongoing investigation, the request to place Ms. Ragonese on administrative leave was due to employees feeling uncomfortable in the room and was not initially related to student safety. Assistant Principal Caffelle agreed to send the restraint and seclusion paperwork for the In-step and Basics classroom for the 2023-2024 school year. See Exhibit 20 at 376-434.

17. Dr. Elizabeth Childs, Principal, Bakie Elementary School

Dr. Elizabeth Childs the Principal at the Bakie School and started this role in January of 2023. Principal Childs said she has prior experience as a Principal and school administrator for ten years. Principal Childs supervises the Assistant Principal at the Bakie School.

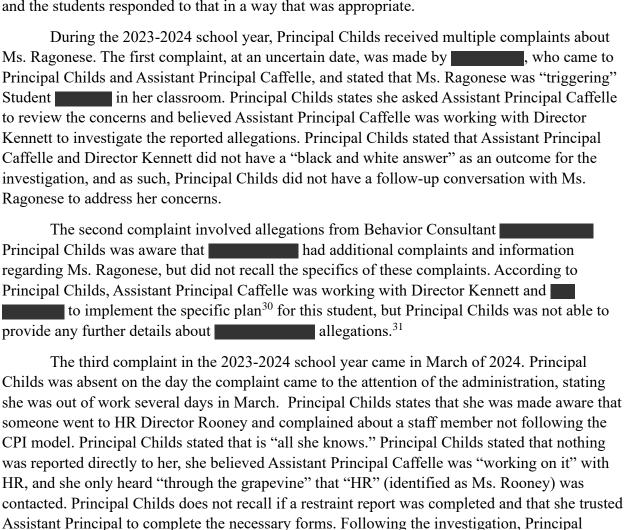
Principal Childs explained that the special education coordinator position currently falls under Assistant Director Davine but that last year, that was Assistant Principal Caffelle's responsibility. Principal Childs explained that the special education staff were supervised by the building administrator, but that Director Kennett also oversees all special education programming and described Director Kennett as "very involved." Principal Childs identified that if there was a concern with a special education teacher or Para, Director Kennett would oversee that concern. Principal Childs stated that Director Kennett is always "in the know" for special education concerns, and that she felt she may not always be informed of what was going on in her building.

Principal Childs stated she was aware of her obligation to report child abuse and neglect to DCYF and has reported incidents before. Principal Childs was not familiar with the reporting process of suspected educator misconduct to the Department of Education. Principal Childs stated she has attended several CPI courses but does not believe she is currently CPI certified. Principal Childs identified Director Kennett as the CPI trainer for the Bakie School staff. When

²⁹ Assistant Principal Caffelle denies telling Ms. Ragonese who brought forward the complaint because Principal Childs witnessed the incident and asked Assistant Principal Caffelle to respond.

asked about restraint and seclusion, Principal Childs stated that the staff were briefly trained by Director Kennett during the 2023-2024 school year regarding recent changes in the law.

Principal Childs stated that Ms. Ragonese "got some pushback from the Paras" in the Instep classroom related to working with challenging students, but that she did not receive any complaints about Ms. Ragonese when she started her role. Principal Childs said Ms. Ragonese had good relationships with some of the kids. Principal Childs stated Ms. Ragonese was good at redirecting student behaviors, and that the students responded to Ms. Ragonese but were not afraid of her. Principal Childs stated Ms. Ragonese's demeanor was appropriate, direct, and clear, and the students responded to that in a way that was appropriate.



³⁰ BCBA completed a detailed, unique FBA for this student, with from that resulted in a very specific behavior plan to address the student's challenges, and Principal Childs was referring to the outcome of this FBA when stating the employees were working on this student's "plan".

³¹ According to Behavior Consultant statement dated April 8, 2025, Director Kennett did not reach out to her directly regarding implementation of the plan, as created by BCBA and ee note 29,

above).

Childs called the CPI team together and they reviewed protocols, discussed strategies, and discussed how to manage a challenging situation.

A fourth complaint about Ms. Ragonese was received in May of 2024 and again came from Principal Childs states that asked to meet on a Friday. A review of emails in Exhibits 2 and Exhibit 4 confirms this request and that Principal Childs quickly replied See Exhibit 2 at 9-10; Exhibit 4 at 47. When Principal Childs met with on the following Monday, Assistant Principal Caffelle was present, and Principal Childs asked Assistant Principal Caffelle to respond to the concerns. According to Principal Childs, stated Ms. Ragonese was "triggering" students. Principal Childs stated that nothing further came of the meeting but that Assistant Principal Caffelle went to Director Kennett to complete the investigation. Principal Childs did not receive any further reports and believed Assistant Principal Caffelle and Director Kennett had nothing further to share. Principal Childs did not request any further information from Assistant Principal Caffelle or Director Kennett.
Principal Childs stated that she did not receive any further complaints at the end of the 2023-2024 school year or over the summer of 2024. Principal Childs attributed staff members leaving the In-step classroom to their own personal concerns about working in that room.
Principal Childs stated that at the start of the 2024-2025 school year, Ms. Ragonese made a hurtful comment to a Para in the In-step classroom about Principal Childs indicated that she was aware of a conversation that took place between Assistant Director Davine and Para on September 6, 2024. Principal Childs stated that she did receive information from Assistant Director Davine after that meeting but was adamant that Ms. Davine did not provide any information regarding mistreatment of students. Principal Childs recalled that Para shared concerns about with Assistant Director Davine. Principal Childs stated that if she had received information regarding physical abuse of students, she would have responded as she did in October. Principal Childs was shown the notes from the September 6 meeting and responded that she didn't recall details, but that if she had any knowledge of student abuse, she would have responded as she did in October. Principal Childs stated that she would follow up on any actionable items, and that specifically, if she was aware of anything actionable or aware of any student mistreatment, she would have been the first to respond.
A few days later, on September 9, 2024, Principal Childs witnessed Ms. Ragonese shout across the hallway to that her "did well during a fire drill, referring to Student Principal Childs stated that Assistant Director Davine and Assistant Principal Caffelle addressed the stated concerns with Ms. Ragonese in terms of professional communications and relationships. Principal Childs did not have further information about the outcome of that conversation.
In October of 2024, Principal Childs met with BCBA and Assistant Director Davine regarding complaints from two Paras about Ms. Ragonese. After communicating with

HR Director Killen and the Superintendent, and learning that HR Director Killen was assigned to

review the complaints, Principal Childs met with HR Director Killen. Principal Childs was not involved further in the response to the October complaint that led to this investigation. Upon reviewing text messages that she exchanged with Assistant Director Davine, Principal Childs indicated that she was no longer involved once the SAU Office and her superiors took over the investigation and response. See Exhibit 31 at 558-560.³²

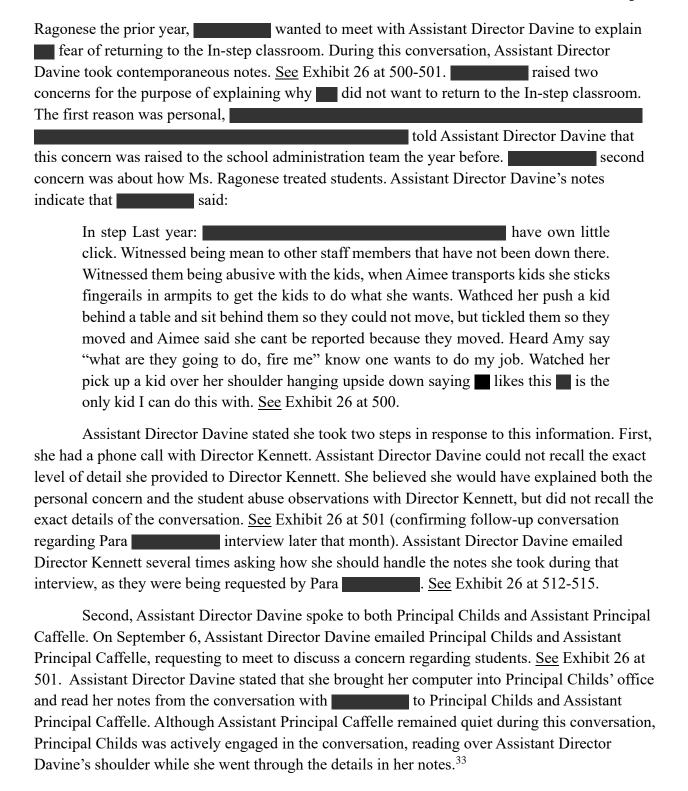
Principal Childs concluded that if she had thought Ms. Ragonese was "unsafe around kids, and had specific information regarding reasons to believe that, [she] would have put [Ms. Ragonese] on leave at an earlier point." Principal Childs stated she really didn't know what was going on, besides staff feeling unsafe and uncomfortable reporting. Principal Childs stated she didn't have any knowledge or information to tell her that the kids were unsafe.

18. Meredith Davine, Assistant Director of Student Services, SAU # 17

Memorial schools and started this role in July 2024. Her duties include supervising special education teachers, case managers, and Paras in the elementary special education programs. She previously served as the Assistant Principal and Special Education Coordinator at the Memorial School. Assistant Director Davine engaged in a second interview on April 11, 2025 with Attorney Ann Rice present. During this interview, Assistant Director Davine explained her transition in July, 2024 to her new role as the Assistant Director of Student Services. She identified her director supervisor as Director Kennett. She did not receive any additional training as she took on her new role, stating that she met with Director Kennett about the new action items and meetings she needed to attend. Prior to taking on this new role, Assistant Director Davine had no knowledge of Ms. Ragonese or her performance at the Bakie School.

	During her second interview, Assistant Director Davine stated that	upon starting the new
school	year at the end of August, 2024, she received a request from Para	to meet
about	placement for the 2024-2025 school year.	had been placed into
a secor	d-grade classroom for the new school year; however, due to a poor	experience with Ms.

³² Principal Childs was asked about these messages during her second interview on April 24, 2025.



³³ Assistant Director Davine stated that she has a prior working relationship with Assistant Principal Caffelle, and that it was her nature to be quiet, but that she was generally known for completing her work.

I asked Assistant Director Davine about her statement to me in December 2024, at which time she told me she was supposed to meet with Ms. Ragonese as a follow up, but it never happened. Assistant Director Davine stated that she could not recall that exact exchange, and that her recollection was that she did meet with Ms. Ragonese several days later to address professional boundaries. During this conversation, Assistant Director Davine did not discuss any concerns of physical abuse, only the allegations of unprofessional conduct made by Assistant Director Davine followed up this conversation with an email to Ms. Ragonese, thanking her for her "candor" and including a reminder about expectations for professionalism going forward. See Exhibit 27 at 519.

Assistant Director Davine expressed her belief that, after the meeting with Ms. Ragonese and Assistant Principal Caffelle, there were not any further concerns to be addressed. When asked why she reported, in her first interview, that she did not receive reports of abuse from , Ms. Davine clarified that the only reports of mistreatment were regarding prior observations that Ms. Davine believed had been handled by Assistant Principal Caffelle and Principal Childs the year prior, given that had been moved from the In-step prior to the end of the 2023-2024 school year, and had not returned at the start of the 2024-2025 school year. This conversation also took place fewer than 10 days into the start of a new school year. She had reported the allegations from to the Principal, Assistant Principal, and Director of Student Services, and was told that the allegations had been handled the prior year. She was directed to meet with Ms. Ragonese specifically regarding professionalism boundaries, and she followed that directive. See Exhibit 27 at 519.

Assistant Director Davine stated that throughout the beginning of the school year, she was building her relationship with Ms. Ragonese. She described Ms. Ragonese as "tough" but stated she did not see any specific concerning behavior and never witnessed any incidents of physical misconduct by Ms. Ragonese.

During her first interview, Assistant Director Davine explained that she became aware of reports of physical mistreatment of students in October 2024, when two Paras (identified as came to her to report concerns about Ms. Ragonese. Initially, Assistant Director Davine was told that Ms. Ragonese was "treating [Student] like shit" and was "almost bullying" and that her behavior was "ramped up." The Paras stated that they were concerned about retaliation from Ms. Ragonese. Eventually, during individual interviews with each of these Paras on October 24, Assistant Director Davine was told that Ms. Ragonese put her fingernails under the armpits of students to get them to move (citing students and one other). Assistant Director Davine stated that she then met with Principal Childs and one other person, identified as BCBA a few days later. After interviewing the two Paras on the 24th, Assistant Director Davine was not further involved in the response to this complaint.

During her second interview, Assistant Director Davine acknowledged that, in total, she received three first-hand accounts of Ms. Ragonese physically abusing students. The first was from Para on September 6, which she immediately related to Principal Childs and Assistant Principal Caffelle. The second and third were Paras on the interviewed on October 24, 2025 at the direction of HR Director Killen. See Exhibit 26 at 498-499. Assistant Director Davine did not make any personal observations of physical abuse of students by Ms. Ragonese, and did not receive any other reports of observations of specific incidents of physical abuse of students by Ms. Ragonese.

19. Dr. Troy Kennett, Director of Student Services, SAU # 17

Troy Kennett is the District's current Director of Student Services and was previously the Principal at the Bakie School. His direct reports include Assistant Director Davine, BCBA Ms. Wijsen, and BCBA Ms. Wooding, among others. He also oversees special education teachers, related service providers, and Paras including Speech and OT, among others. Director Kennett had specific training including certification in special education and certification as an administrator (Principal). When asked about his responsibility for overseeing the special education programs, Director Kennett stated, in both interviews, that the building administration is ultimately responsible for those classrooms.

Director Kennett instituted the "crisis response teams" in the District and has trained many employees in the District on crisis response.³⁴ Director Kennett provided copies of all recent restraint reports related to the In-step classroom.³⁵ Director Kennett stated that if Paras were engaged in an incident of intentional physical contact ("IPC"), they would make a report to the teacher in the classroom, which would then be reviewed by the administration.³⁶

Director Kennett interviewed and hired Ms. Ragonese for her position when he was the Bakie School Principal. Director Kennett stated that, initially, Ms. Ragonese "knew her stuff" and could "speak the language" as a BCBA. Director Kennett reflected that Ms. Ragonese was "rough around the edges" and that he had to correct her a few times for her language, but that she did not appear to be shaken by difficult student behaviors.

Director Kennett was involved in responding to a complaint against Ms. Ragonese during the 2023-2024 school year. Director Kennett sat in for Principal Childs at a meeting between Assistant Principal Caffelle and Ms. Ragonese.³⁷ Director Kennett stated Assistant Principal

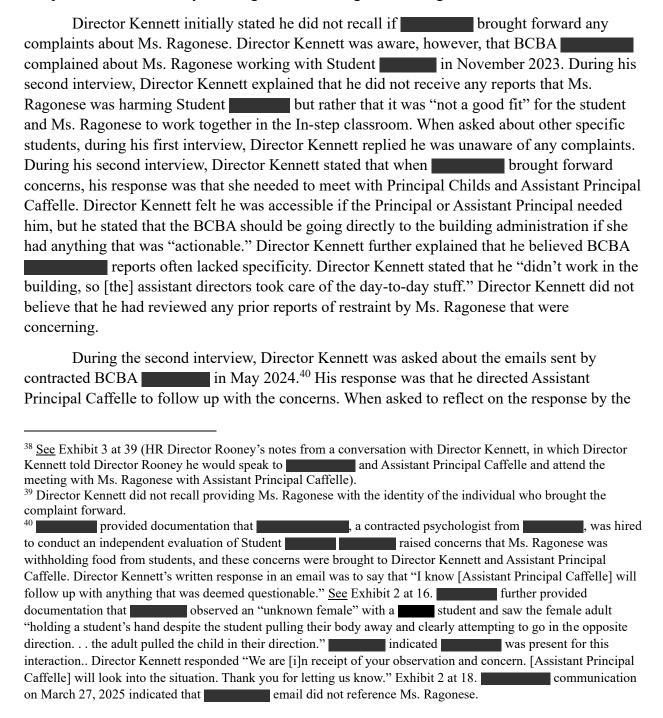
³⁴ Director Kennett provided the "SRSD Crisis Response Procedures, Processes, Protocols and Policies." <u>See</u> Exhibit 11.

³⁵ The reports provided by Director Kennett are contained in Exhibit 14. Notably, these documents do not include the report of seclusion allegedly completed by and Ms. Ragonese, as referenced in statement above; nor do they include a report of restraint referenced in statement above. <u>See</u> Exhibit 14

³⁶ Director Kennett did not provide any IPC incident reports when he gave me the recent restraint/ seclusion reports from the In-step classroom.

³⁷ (Note, Assistant Principal Caffelle stated that Director Kennett was included at his own request, not sitting in for Principal Childs.)

Caffelle investigated a complaint about Ms. Ragonese's treatment of a student in the hallway and determined that Ms. Ragonese was only prompting the student to move by placing her hand on the student's back. Director Kennett did not take an active role in this investigation.³⁸ During this meeting, Assistant Principal Caffelle and Director Kennett reviewed reported perceptions and appropriate use of tone of voice with Ms. Ragonese. Director Kennett was not aware of any complaints of retaliation by Ms. Ragonese following this meeting.³⁹



District, Director Kennett said he would have directed Assistant Principal Caffelle to "take action" if there were any "actionable item." Director Kennett did not have any further information regarding this complaint or the District's response.

Director Kennett was aware that Assistant Principal Caffelle and Principal Childs received employee complaints about the In-step classroom at the end of the 2023-2024 school year. Regarding the several employees that requested transfers out of the In-step classroom at the end of the 2023-2024 school year, Director Kennett stated that because the program is difficult, staff members often burn out, and he recalled that each employee requesting a transfer did so for their own reasons, unrelated to Ms. Ragonese's treatment of students.

When asked about his conversation with Assistant Principal Caffelle about the complaint from Behavior Consultant, Director Kennett did not recall hearing concerns. Director Kennett clarified that because he "deals with a lot of instances" that "nothing [is] jumping up." Director Kennett then questioned if HR was involved in this response, and stated he assumed it was investigated because that was the District's standard practice.

Director Kennett denied that anyone else came forward this summer with a complaint that Ms. Ragonese physically mistreated students. When asked during his first interview whether he spoke to Para this summer about Ms. Ragonese, Director Kennett stated it was "not standing out in [his] head." Director Kennett denied speaking to because the Extended School Year ("ESY") program was at the middle and high school this summer, and so he stated he did not go to the Bakie School during the summer of 2024. Director Kennett denied any knowledge that Ms. Ragonese used the fingernail technique under students' armpits.

Director Kennett was aware that Assistant Director Davine received some complaints at the start of the 2024-2025 school year, but he was not aware of the details of this complaint. Director Kennett stated that it was Assistant Director Davine's responsibility to bring the details forward to the administration and to him for any "actionable" complaint. Director Kennett thought that Ms. Ragonese did not require any performance or improvement plan at the start of the 2024-2025 school year. Director Kennett stated that the first time he learned of any physical behavior by Ms. Ragonese during the 2024-2025 school year was the allegation that led to this investigation.

20. Ms. Kelli Killen, current Human Resources Director, SAU # 17

Kelli Killen began her employment as the District's Director of Human Resources in March of 2024. When she first took over, the prior HR Director, Ms. Diana Rooney, was still working for the District and spent approximately one month transitioning the workload over to HR Director Killen.

HR Director Killen was not involved in the investigation regarding allegations that Ms. Ragonese pushed a student down the hallway in March of 2024. Former HR Director Rooney handled that matter. HR Director Killen was not aware of any additional complaints against Ms. Ragonese during the 2023-2024 school year or over the summer of 2024. HR Director Killen

received a complaint against Ms. Ragonese on October 23, 2024. The complaint, sent by via email, stated that a Para had approached her with concerns about how Ms. Ragonese was treating students and adults. Following initial interviews and consultation with outside legal counsel, Ms. Ragonese was placed on leave on October 28, 2024. See Exhibit 4 at 105; Exhibit 13; Exhibit 6 at 180.

HR Director Killen provided several Exhibits used in this investigation. HR Director Killen provided the personnel file of Ms. Ragonese, showing that Assistant Principal Caffelle and Principal Childs continued to rate Ms. Ragonese highly throughout the 2023-2024 school year. See Exhibit 5 at 63-82. HR Director Killen also provided notes from the former contracted behavior analyst that worked in the In-step classroom during the 2023-2024 school year. See Exhibit 7 at 183. HR Director Killen provided a timeline for the initial steps in response to the investigation. See Exhibit 8 at 206. Finally, she provided notes from the initial interviews of Paras completed at the Bakie School on October 28, 2024. See Exhibit 9 at 210. HR Director Killen also provided emails documenting the steps taken by the Administration in response to the allegations as they unfolded on or about October 23, 2024 through October 28, 2024 and included a timeline of events regarding the same. See Exhibit 29 at 531-552.

21. Dr. Thomas Ambrose, Superintendent, SAU # 17

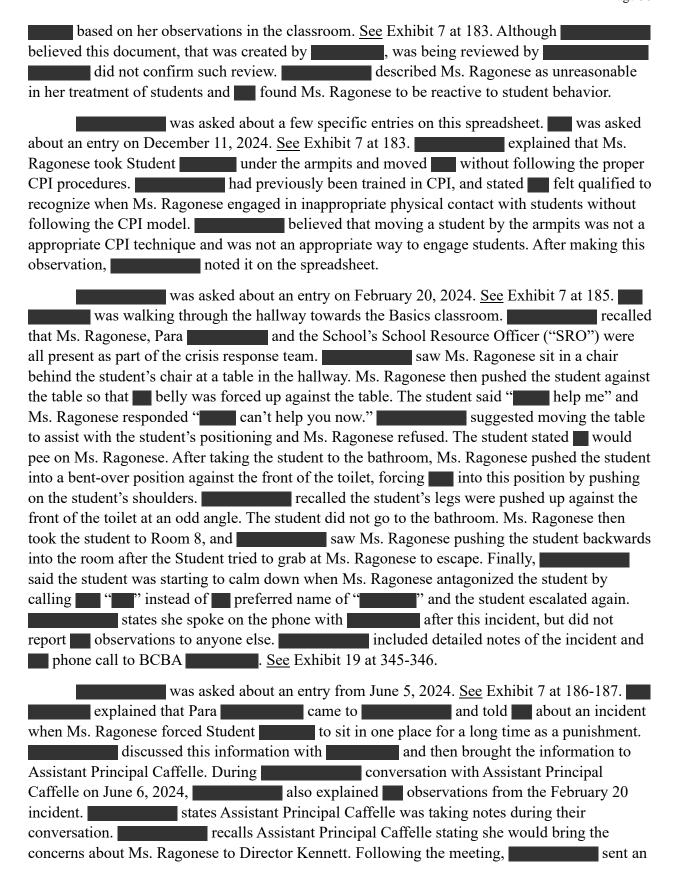
Dr. Thomas Ambrose was interviewed for the purpose of understanding when he first learned of complaints that Ms. Ragonese was harming students. Superintendent Ambrose did not receive, and was not aware of, any complaints during the 2023-2024 school year. Superintendent Ambrose learned that a complaint had been made against Ms. Ragonese in October of 2024.

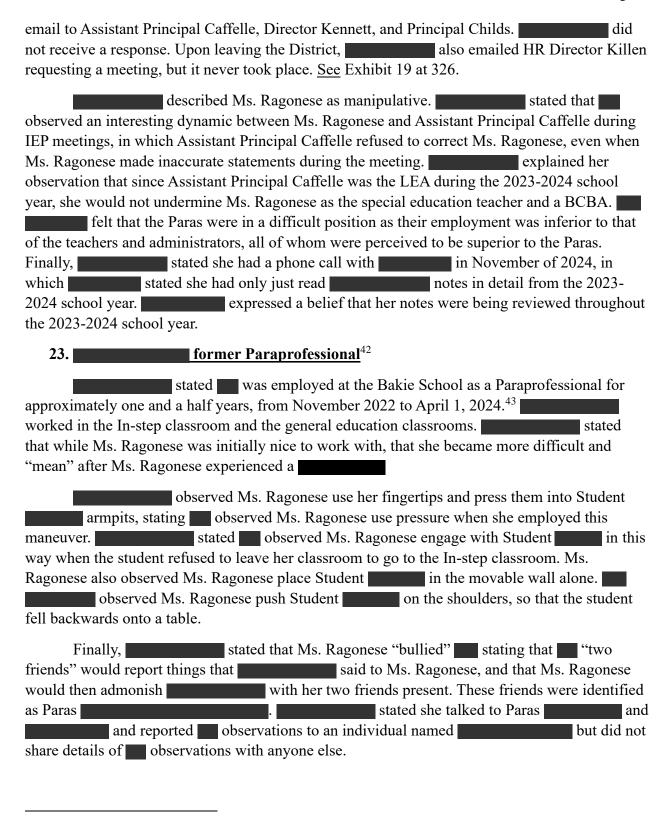
Superintendent Ambrose stated his response was to ask HR Director Killen to handle the initial review by the District. Superintendent Ambrose explained that, over the next several days, the District collected information, conducted initial interviews, and ultimately placed Ms. Ragonese on paid administrative leave on October 28, 2025. See Exhibit 28 at 529-530 (timeline for October investigation provided by Dr. Ambrose). Superintendent Ambrose accepted Ms. Ragonese's resignation while the investigation was pending.

worked at the Bakie School as an RBT and Para for thirteen years. During the 2023-2024 school year, returned to the Bakie School as a contracted Behavior Consultant but was not yet a board-certified behavior analyst. was supervised by contracting agency and received additional guidance and support from BCBA BCBA was "first point of contact and whom [was told to work under by Director Troy Kennet." See Exhibit 30 at 553. was regularly in the Instep classroom. stated created entries into a spreadsheet for review by and Bcba and Behavior Consultant emphasized in statements dated March 27, 2025

and April 8, 2025, respectively, that they did not have an official supervisor-supervisee relationship, as

was contracted through an agency.





was contacted for an interview in February and stated that had been unavailable but returned my phone call on March 3, 2025.

left for personal reasons in April 2024.

IV. FINDINGS OF FACT

Based on a detailed review of the witness statements and documents as outlined above, I make the following findings of fact by a preponderance of the evidence.

A. Treatment of Students

Ms. Ragonese was a very loud and vocal person and used an abrasive tone with students in the classroom. Ms. Ragonese told students they were gross, told them to stop whimpering when they were upset, and demanded that they shut up. Even witnesses who stated they did not observe Ms. Ragonese engage in any inappropriate physical mistreatment of students, such as Para acknowledged Ms. Ragonese's tendency to use rough and abrasive language. Ms. Ragonese continued or increased her aggressive tone and demeanor at the start of the 2024-2025 school year.

Ms. Ragonese repeatedly used two tactics to manipulate students in the classroom. The first was to place her thumb or fingers into a student's armpits to make the student stand up, move, sit, or relocate within the classroom or hallway. For example, Para observed this behavior and explained that Ms. Ragonese would make students walk on "tippy-toe" and that the students would say "you're hurting me" when Ms. Ragonese pushed her fingers under their armpits and made them move in the classroom or hallway.

Ms. Ragonese would use her fingertips as a "pressure point" underneath the student's armpits.

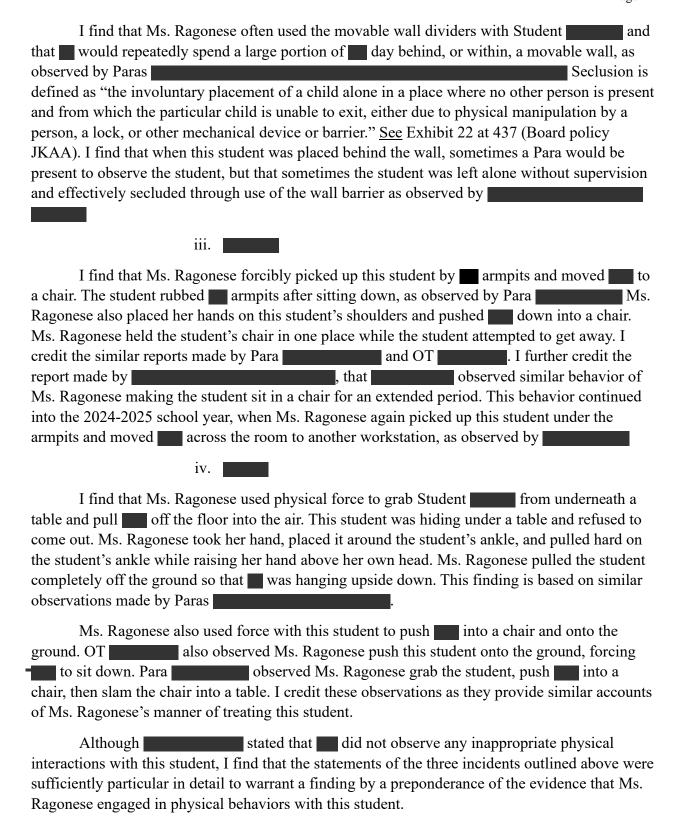
The second tactic used by Ms. Ragonese was to restrain students by pushing their chair firmly into a table. Restraint is defined as any action that "immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs." See Exhibit 22 at 437 (Board policy JKAA). Ms. Ragonese would pull her own chair behind the student and hold the student's chair in place, so that the student was stuck in the chair, with their stomach pressed against the table. In this position, students were unable to move their torso. For example, Para observed Ms. Ragonese put multiple students into a chair and push them right up to the edge of the table and hold them in place. Para indicated that sometimes Ms. Ragonese would combine these two tactics, by first using her thumbs to move a student to the chair before forcing the student's chair up against the table.

In addition to finding that these two tactics were regularly used by Ms. Ragonese on the students in the In-step classroom throughout the 2023-2024 school year, I also find that the following specific incidences occurred during the 2023-2024 and 2024-2025 school years regarding each student listed below.

i. 📗

I find that Ms. Ragonese grabbed Student by the neck while was seated at the classroom window and dug her fingernails into back. As a result, the student started bleeding. Para saw this incident take place, including the blood and fingernail marks on the student's skin. Ms. Ragonese showed concern that she may have scratched this same student on

another occasion and asked Para to check this student for scratch marks. report was sufficiently detailed to be credible, and is corroborated by the finding, above, that Ms. Ragonese regularly used this technique on students in the In-step classroom.
I find that Ms. Ragonese used force on multiple occasions to pick-up or push Student across the In-step classroom as observed by Para Ms. Ragonese picked up this student by using her fingernails under the student's armpits and left bloody scratch marks. also observed Ms. Ragonese use her whole hand to pick the student up under the
armpits to make move throughout the classroom. saw Ms. Ragonese grab the student around the middle and push across the room. Paras and also observed Ms. Ragonese, on separate occasions, use the thumb of her hand and place it into this student's armpit to force to move into a chair.
The above reports are not contradicted by the report of Para who stated that Ms. Ragonese only guided the student to a chair. was not regularly in the In-step classroom, and although may have observed Ms. Ragonese guide students appropriately across the room, I nevertheless credit the similar statements of as corroborated by the general observations of that Ms. Ragonese repeatedly used force to manipulate this student's body.
ii.
I find that Ms. Ragonese placed her hands under Student armpits and moved or dragged across the floor while the student resisted the movement, as observed by In another similar instance, I find that Ms. Ragonese used her thumb in this student's armpit to move off the floor while the student said, "don't hurt me" as was being moved, as observed by multiple times and as observed by These observations are corroborated by who indicated Ms. Ragonese was rough with this student.
In another similar incident, I find that Ms. Ragonese pushed the student down the hallway with arms under the armpits while feet were dragged along the floor. This observation was made by Although this allegation was allegedly reviewed or investigated by Assistant Principal Caffelle with assistance from HR Director Rooney, I do not credit the statement of Assistant Principal Caffelle that Ms. Ragonese was merely guiding the student down the hallway. Assistant Principal Caffelle was not credible in her recollection of this investigation, stating she no longer had any written documentation and refusing to acknowledge that she investigated any physical misconduct by Ms. Ragonese. The video of this incident was not provided. The observations of are sufficiently specific with detail regarding the way Ms. Ragonese physically manipulated this student. Furthermore, faced significant mistreatment by Ms. Ragonese in response to making this report but never changed her story about what she observed. Her report during this investigation was consistent with the notes of the investigation maintained by HR Director Rooney, which supports the credibility of report. I find by a preponderance of evidence that this student was pushed down the hallway by Ms. Ragonese.



v.
I find that Ms. Ragonese physically touched this student by tickling body, both while the student was in a chair and while Ms. Ragonese was holding the student. Both instances were observed by Para Ms. Ragonese reportedly stated that she uses tickling to show the students can move, so that she does not cause the student to be restrained.
vi.
This student This student was having a difficult time with controlling behavior within the In-step classroom, a observed by
I find that Ms. Ragonese saw this student bang head on the window, and that in response, she took the student by the arm and yanked hard to make the student stop. The student continued to yell and scream in response, as observed by
I find that Ms. Ragonese was in the OT room with this student and The student attempted to come towards Ms. Ragonese, and in response, Ms. Ragonese grabbed the student around both shoulders and pushed the student to the mat three times in a row. overheard Ms. Ragonese later say she was "redirecting" the student. I credit the statement of who observed Ms. Ragonese repeatedly pushing the student to the floor.
I find that Ms. Ragonese grabbed this student by the arm and quickly pulled the student behind her back twice, as observed by observation that witnessed Ms. Ragonese forcefully remove this student from the classroom corroborates the observations of who provided a similar account of Ms. Ragonese's treatment of this student.
On or about October 18, 2024, Ms. Ragonese was with this student in the In-step classroom. Ms. Ragonese placed the student behind a movable wall. Ms. Ragonese antagonized the student to approach the wall. I find that as the student reached the wall, Ms. Ragonese forcefully pushed against the wall, causing the student to fall backwards onto the floor, as observed by Paras

B. Staff Reporting

Many of the staff members described poor working conditions in the In-step classroom; some witnesses focused intently on the way they were mistreated by Ms. Ragonese. According to several reports, Ms. Ragonese only worked closely with Paras and repeatedly made unprofessional statements to other employees. reported feeling bullied by Ms. Ragonese.

Ms. Ragonese changed her demeanor when administrators or BCBAs visited the classroom. Many Paras observed a stark change in the way Ms. Ragonese treated students when she was being observed. Assistant Principal Caffelle's formal observations of Ms. Ragonese

confirm that Ms. Ragonese exhibited appropriate and professional demeanor when the administration was watching. See Exhibit 5 at 63.

Many employees feared retaliation from Ms. Ragonese if they reported her mistreatment of students or employees. Multiple Paras were aware that school counselor reported that Ms. Ragonese pushed a student down the hallway in March of 2024. Several Paras observed Ms. Ragonese return to the classroom after meeting with the administrators about the allegations. The Paras observed Ms. Ragonese laugh about receiving a reprimand, and heard Ms. Ragonese call the administration's response "a slap on the wrist". Ms. Ragonese made disparaging comments about after this report. The Paras that worked in the In-step classroom feared retaliation by Ms. Ragonese and the negative impact that reporting Ms. Ragonese would have on their ability to work with their students.

Even with the poor working conditions and fear of retaliation, several specific instances of Ms. Ragonese mistreating students were reported to administration, as outlined below.

i. November 2023

BCBA	reported concerns	of Ms. Ragonese physically abusing students to
Principal Childs, Assistant	Principal Caffelle	and Director Kennett in November of 2023. This
report was made based on	observations of	in October 2023 and observations by
in November 2	2023.	had observed Ms. Ragonese being unnecessarily
physical with Student	, and	had observed Ms. Ragonese give Student
a "wedgie" and t	hreaten further phy	sical harm if the student did not comply with her
commands. I credit	clarifying s	tatement that reported that Ms. Ragonese "was
struggling to manage Stud	ent beh	avior" and she was "losing patience during
tantrums and becoming to	o physically forcef	ul with" <u>See</u> Exhibit 25 at 455-456. The
report, made directly to Pr	rincipal Childs, incl	uded that Ms. Ragonese presented unclear demands
to students, set unreasonal	ole expectations, fa	iled to deliver promised rewards, and used excessive
hands-on with students. <u>Se</u>	ee Exhibit 2 at 5.	

I credit Principal Childs' statement that she knew a student was triggered by Ms. Ragonese and that she referred the matter to Assistant Principal Caffelle and Director Kennett for review, and I further credit her statement that Principal Childs did not follow up with either Assistant Principal Caffelle, Director Kennett, or BCBA for more information regarding the outcomes or ongoing plan for this student. Although the student was in a special education setting, as the building administrator, Principal Childs' lack of knowledge of the outcome of this report is the result of her own failure to request an update from her Assistant Principal. Assistant Principal Caffelle's knowledge of this report was limited to the information provide by Principal Childs, and I do not find evidence to support that Assistant Principal Caffelle was aware of any report of the use of "excessive hands on".

Based on his position as the Director of Student Services, Director Kennett knew or should have known about the

Kennett, however, was not included in the meeting in which directly expressed her concerns about "excessive hands on". The evidence supports a finding that Director Kennett was not knowledgeable about the allegation of Ms. Ragonese using "excessive hands on", as corroborated by the fact that he kept Ms. Ragonese in place as the student's case manager after the student.
ii. <u>February 2024</u>
Principal Childs and Director Kennett were aware that Behavior Consultant had additional complaints about Ms. Ragonese in February 2024. Behavior Consultant first reported Ms. Ragonese's physical abuse of Student BCBA cobserved Ms. Ragonese harming Student by pushing against the student's chair and forcing the student's body up against a table in the hallway. Ms. Ragonese also pushed this student away from her with force after taking the student to Room 8. captained the incident and her observations to cover the phone and that captained the incident and her observations to cover the phone and that captained the detailed notes in a document created by cover the phone and that captained the detailed notes in a document her observations, and cacknowledges that concerns about Ms. Ragonese's treatment of students in February of 2024. I therefore find sufficient evidence to establish that concerns timely reported her observations to consider the concerns about Ms. Ragonese's treatment of students in February of 2024. I therefore find sufficient evidence to establish that consider timely reported her observations to consider the constant of the constant constant captains and constant captains and constant captains are captains as a constant captains and captains are captains as a constant captains and captains are captains as a captain captains are captains as a captain captains are captains.
reported this incident to Director Kennett. Although states that she reported the incident to Director Kennett, he denies receiving the report in February. indicated that Director Kennett's response to this report was that "[will just have to deal with it." When asked if he received reports about Ms. Ragonese from Director Kennett stated he did not remember when he spoke with about her concerns. When asked about the District's response to reports of physical abuse, Director Kennett made several comments that when employees reported "actionable" items he would direct them to "take action." Director Kennett's attitude during his interview was dismissive of which corroborates her concern that Director Kennett continually "minimized" her concerns. Director Kennett I therefore credit statement that Director Kennett wanted to handle the response.
Principal Childs acknowledged that she was also aware of concerns in February of 2024, but she did not have any specific information about the specific details of this complaint. Assistant Principal Caffelle stated she became aware of this incident in June when reported other concerns.
44 The shared document was provided to me by both and and . See Exhibit 2; Exhibit 7; Exhibit 19.

iii. March 2024

Principal Childs, Assistant Principal Caffelle and Director Kennett all received the report that observing Ms. Ragonese push a student down the hallway in March of 2024. Assistant Principal Caffelle investigated the complaint with assistance from then-HR director Rooney. Assistant Principal Caffelle did not complete the investigation as directed. Although Principal Childs and Director Kennett believe that Assistant Principal Caffelle did not substantiate the allegations, Assistant Principal Caffelle never completed her findings.

On Friday, March 8, 2024, HR Director Rooney directed Assistant Principal Caffelle to meet with Ms. Ragonese. See Exhibit 3 at 45. The purpose of this meeting was investigatory: Assistant Principal Caffelle was to give Ms. Ragonese an opportunity to respond to the allegations against her, and then Assistant Principal Caffelle was directed to determine if a disciplinary finding was warranted. Id. When Assistant Principal Caffelle met with Ms. Ragonese with Director Kennett, however, the meeting involved a discussion of the perceptions of Ms. Ragonese's behavior and appeared to be based on a finding that the alleged conduct was unsubstantiated during the investigation. ⁴⁵ Assistant Principal Caffelle did not confront Ms. Ragonese with the allegations as she was requested to do. This finding is corroborated by the report from Behavior Consultant that Assistant Principal Caffelle never contradicted Ms. Ragonese. 46 The email from HR Director Rooney with instructions for the meeting with Ms. Ragonese, including HR Director Rooney's statement that "it's time she realizes this is serious and she needs to follow the appropriate "hands-on" procedures" was not copied to Director Kennett or Principal Childs. See Exhibit 3 at 45. Assistant Principal Caffelle's refusal to engage in the investigation process as directed by HR Director Rooney may have contributed to the ongoing physical abuse of students at the Bakie School.

None of the administrators followed up after this investigation was concluded. Director Kennett did not take any further action regarding the investigation because it was handled by Assistant Principal Caffelle. Principal Childs did not follow up further for additional information. In the words of Principal Childs, "[Assistant Principal Caffelle] was responsible to handle [the investigation] and bring it back to [Principal Childs] if it needs attention." Principal Childs' understanding that Assistant Principal Caffelle "went to [Director Kennett]" but had "nothing to share." HR Director Killen was recently hired and was not involved in the investigation because HR Director Rooney assisted with the investigation. Superintendent Ambrose was not aware of the investigation or outcome.

I credit Principal Childs' statement that she brought the crisis team together to review protocols and strategies for responding to students following the report from school counselor

The failure of any administrator to effectively complete an investigation into these

⁴⁵ See Director Kennett's interview, page 30, above.

⁴⁶ See interview, page 34, above.

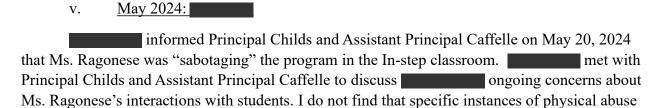
serious allegations of misconduct may have contributed to the ongoing abuse of students at the Bakie School.

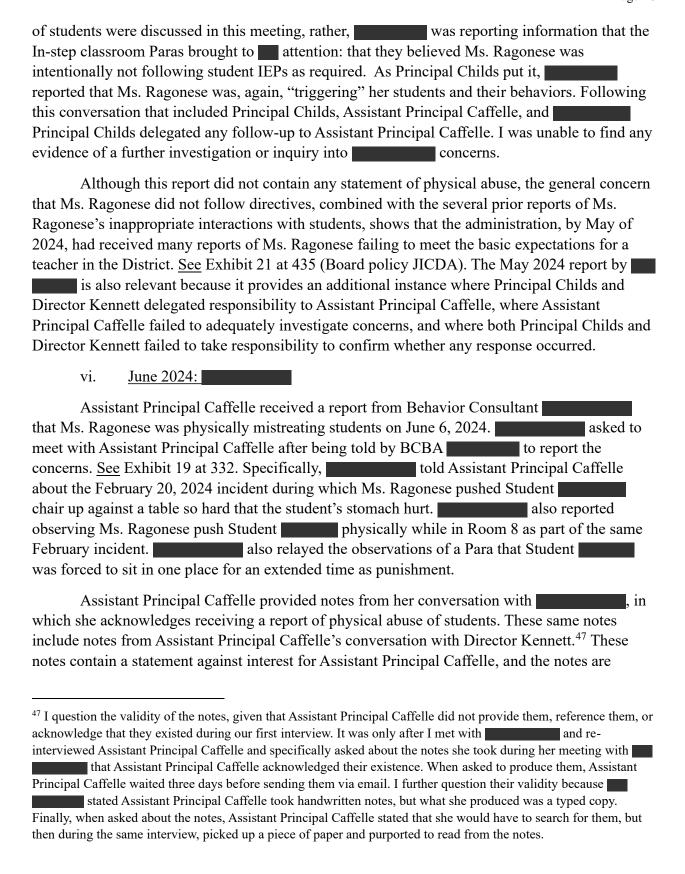
iv. May 2024: Contracted Provider

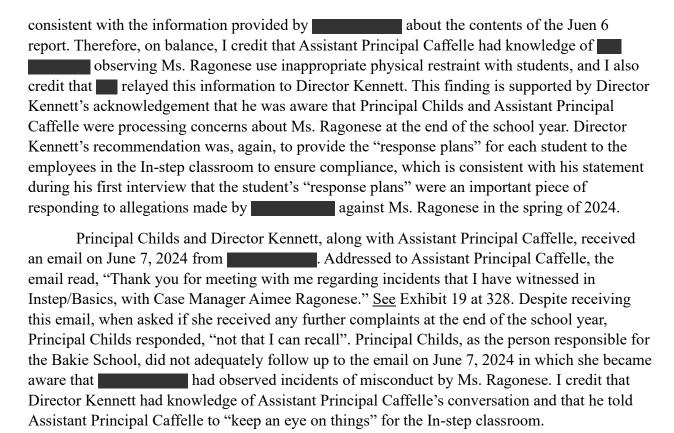
Director Kennett and Assistant Principal Caffelle received a report that a disabled, nonverbal student was physically mistreated by an unidentified teacher in May of 2024. A contracted provider, emailed Director Kennett and Assistant Principal Caffelle, informing him that observed a teacher pulling a student in the hallway while the student resisted, and stating that BCBA was present. See Exhibit 2 at 18. Specifically, this email stated she was unable to identify the teacher; however, mentioned that the student was possibly "disabled and non-speaking, although I am not certain." Id. This same provider reported via email that Ms. Ragonese withheld food from students. See Exhibit 2 at 16. Director Kennett's response, on which BCBA was copied, was to state that he trusted Assistant Principal Caffelle to investigate and respond to the allegations. Id. at 16-18. Director Kennet did not follow up on this investigation, nor did he report the allegations to HR Director Killen or Superintendent Ambrose. Principal Childs was aware that Assistant Principal Caffelle received a complaint; however, she did not follow up regarding the outcome of Assistant Principal Caffelle's investigation.

Assistant Principal Caffelle did not investigate or respond to the allegations. She was copied on the email sent directly to Director Kennett. In her first interview, Assistant Principal Caffelle did not acknowledge receiving this report. In her second interview, when confronted with the specific email on which she was copied, Assistant Principal Caffelle stated that she did not know the identity of the accused teacher and was unable to find a corresponding video of the alleged event. I do not credit this report, given that copied BCBA on the email. See Exhibit 2 at 18. Assistant Principal Caffelle did not take any further steps to address the report, and did not give any updates to Principal Childs or Director Kennett. Neither Principal Childs nor Director Kennett asked Assistant Principal Caffelle about her progress in investigating, or her response to, this report.

The report also included a statement that the provider believed "these interactions generally arise due to staff being uninformed, rather than any ill intent on the part of the staff." See Exhibit 2 at 18. Director Kennett, the administrator responsible for training staff on restraint and seclusion, did not appear, based on his email response, to provide further training regarding appropriate techniques based on this report. See Exhibit 2 at 16-18. Ultimately, the administration, collectively, did not take any action to respond to this report, which may have contributed to the ongoing abuse of students at the Bakie School.







Assistant Principal Caffelle, Principal Childs and Director Kennett did not take any further action regarding these instances of physical mistreatment of students, which may have contributed to the ongoing abuse of students by Ms. Ragonese.

vii. June 2024: 3 Employees

Director Kennett and Principal Childs had knowledge that three employees were transferred out of the In-step classroom at the end of the 2023-2024 school year. These employees were Paras and OT While I do not specifically find that any of these employees reported concerns about Ms. Ragonese harming children, I do place significance on the high number of employees refusing to return to work in that one classroom. During his second interview, Director Kennett reflected that, because of the difficult student behaviors exhibited in the In-step classroom, three people refusing to return to the program was not out of the ordinary. The Building Principal is responsible for managing assignments in their school and the Student Services Director is responsible to manage the special education program. The failure of these administrators to flag or notice the transfer of three employees out of one classroom contributed to the ongoing abuse of students at the start of the 20234-2025 school year.

viii. Summer 2024

Director Kennett received a report during the summ	ner of 2024 that Ms. Ragonese had
used pushed her fingers into student armpits to move the st	udents around the classroom.
provided a very detailed explanation of her summe	rtime conversation with Director
Kennett:	and spoke to
Director Kennett during A	lthough Director Kennett denied
receiving this report, when asked specifically about speaking	ng to while she was
, Dr. Kennet's response was that he "did not recal	ll" receiving a report like that, but he
did not completely deny that the conversation took place. C	Given the level of specificity that I
provided to Director Kennett during his first interview, his	response that the conversation was
"not standing out in his head" was not credible. The conver	rsation was unique. The allegation was
significant. Either he had that conversation, or he did not: b	out the fact that he could not
definitively state whether the conversation took place was a	not credible. Director Kennett later
denied spending time at the Bakie School at all during the	summer of 2024, contradicting his
earlier statement that he did not remember the conversation	
Extended School Year ("ESY") program was not held at the	-
any time there. That statement further calls into question hi	± ±
time at the Bakie School during the summer of 2024, he sh	ould have denied having that
conversation with altogether.	
Director Kennett's statement that he did not recall s	peaking to was evasive.
not credible, and self-serving. Although she did not initiall	
expressed remorse to in June 2024 abo	• • —
credit report and find that provide	<u>-</u>
about this conversation with Director Kennett that I find th	e conversation did occur.
Director Kennett did not take any further action in a	response to this report. Director
Kennett did not investigate or notify anyone else of the rep	_
Ragonese to continue in her role at the Bakie School and to	continue to work with students. His
knowledge and lack of response directly contributed to the	
the 2024-2025 school year.	
ix. <u>September 2024</u>	
Assistant Director Davine received information about	_
the start of the year Assistant Director Davine stated these	reports were focused on the way she

treated the Paras in the classroom.⁴⁸ The September 6 report by Para included allegations that Ms. Ragonese previously used her fingernails to dig into the students' armpits, and she used her own chair to prevent students sitting at tables from getting out of their seats.

⁴⁸ Assistant Director Davine met with Para on August 28, 2024, and Para on September 6, 2024. See Exhibit 2 at 25.

Assistant Director Davine met with Assistant Principal Caffelle and Principal Childs following this conversation.

Assistant Director Davine and Assistant Principal Caffelle also received a complaint from as relayed by Principal Childs, that Ms. Ragonese inappropriately called Student the "the "the principal Caffelle and Assistant Director Davine met Ms. Ragonese to discuss her inappropriate comments. Assistant Director Davine followed up this conversation with an email reminder that Ms. Ragonese was expected to "continue to be mindful of demonstrating a professional demeanor and obtaining appropriate boundaries." Exhibit 4 at 53.

This meeting did not address physical mistreatment of students and was not disciplinary in nature. See Exhibit 4 at 53. I do not find any evidence that Assistant Principal Caffelle provided Assistant Director Davine with any background information about the prior allegations against Ms. Ragonese. Assistant Principal Caffelle's failure to provide this information to Assistant Director Davine, as she assumed this critical role from Assistant Principal Caffelle, directly contributed to the ongoing abuse of students at the Bakie School.

V. POLICY ANALYSIS

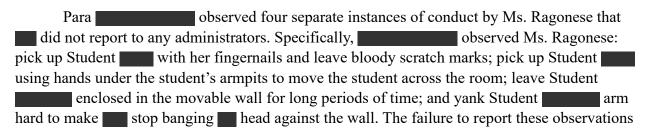
The duty of all educators to report suspected child abuse or neglect is covered by Board policy JLF. Pursuant to this policy, all staff members at the Bakie School are required to report suspected abuse of students. Staff Members appropriately reported their own observations, or relayed the reports from other staff members, and did not violate Board policies based on the information detailed in Section IV, B, above.

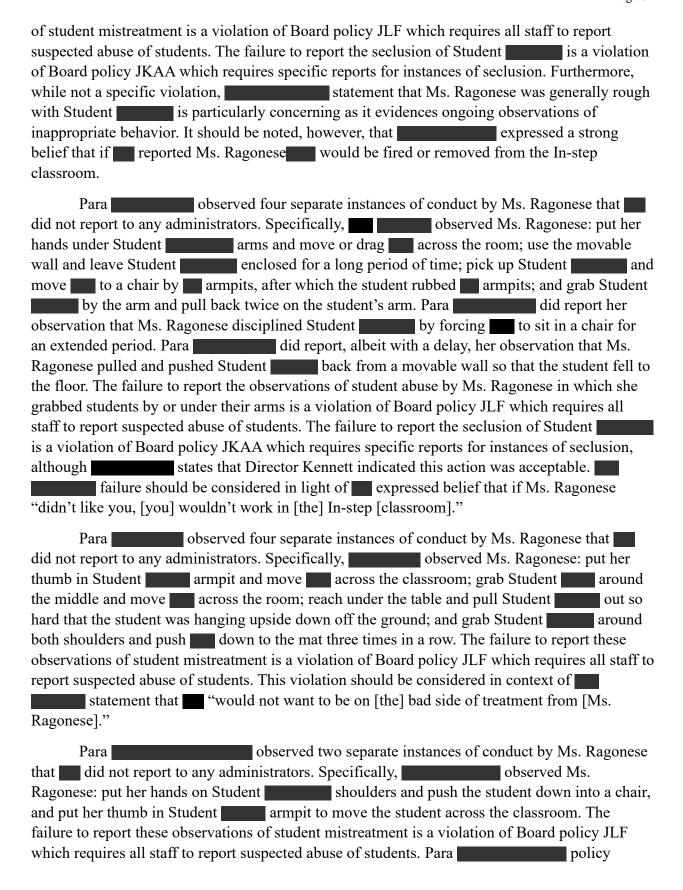
A. Staff Members Failure to Report

Several Paras in the In-step classroom observed behavior that should have been reported pursuant to this policy, at least to an administrator, if not directly to DCYF. See Exhibit 23 at 441 (stating "[e]ach school employee, designated volunteer or contracted service provider having reason to suspect that a child is being or has been abused or neglected must also immediately report his/her suspicions to the building Principal or other building supervisor"). Paras

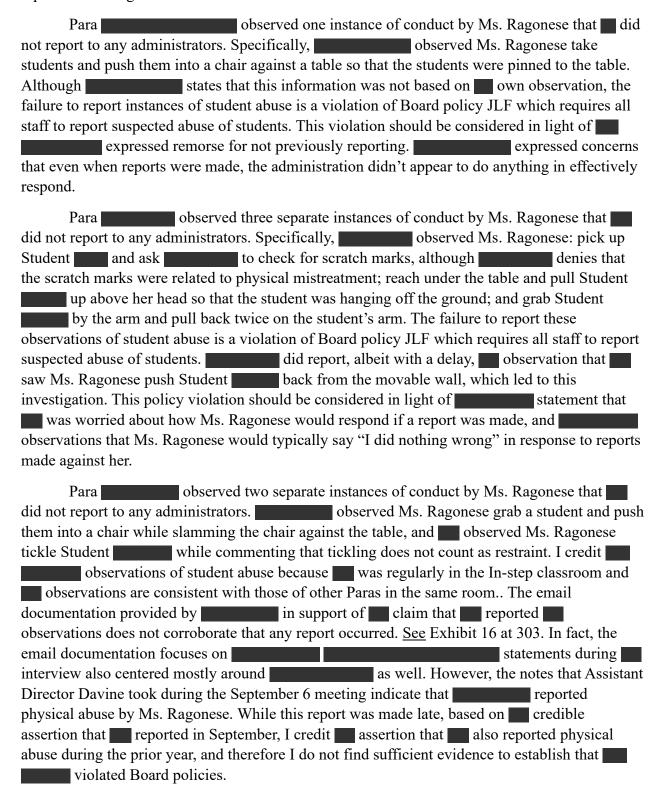
all observed instances of Ms. Ragonese physically abusing students, as outlined in Section III, A, above, and did not report these observations to the administration.

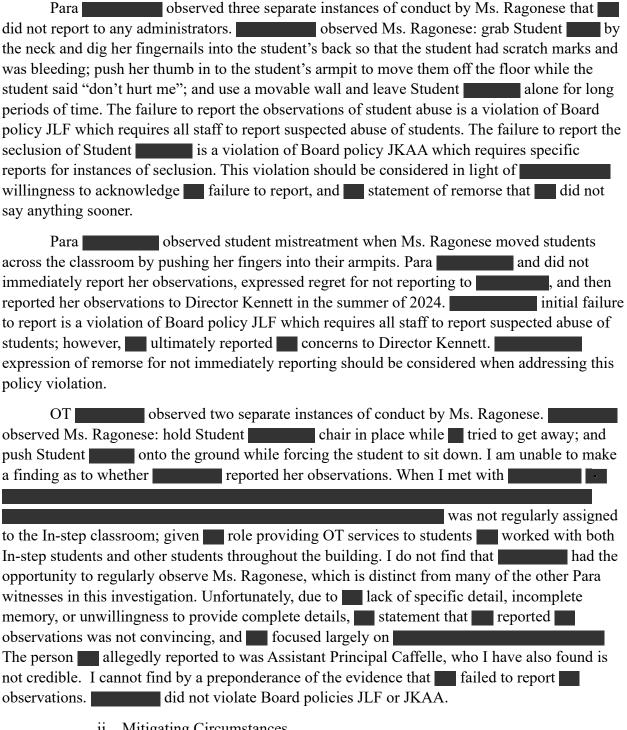
i. Specific Observations Not Reported





violation should be considered in context with her statements that she was not comfortable coming forward with allegations against Ms. Ragonese until the Paras decided, as a group, that a report of Ms. Ragonese's behavior needed to be made.





ii. Mitigating Circumstances

Although I make several findings that the above employees violated Board policy by failing to report suspected abuse of students, I also find that these same employees were put in a very difficult situation created by the actions of Ms. Ragonese and the failure of the building administrators to appropriately respond. The evidence shows that the Paras felt unable to come

forward individually and required each other's support to finally make a report of abuse against Ms. Ragonese.

As a group, the Paras were unhappy with their working conditions. Although a few significant reports about Ms. Ragonese being rough with students were made during the 2023-2024 school year, as outlined in Section III, B, above, the findings above show that the Paras, collectively, had a legitimate concern that allegations brought forward would not result in any action from administrators and would have a direct negative impact on their own working conditions. Para articulated this concern to Assistant Director Davine on October 24, 2024, when said "[1]ikes working in the room, [is] good at job, doesn't want to have any issues or be kicked out. [In loves the kids that works with. If someone were to get hurt would never forgive "See Exhibit 4 at 60. Para sexpressed that, "If [Ms. Ragonese] finds out it was them, she will make the room difficult and can't work in that room anymore." See Exhibit 4 at 61. As explained by on Friday, October 18, the Paras collectively decided that they had to intervene and report Ms. Ragonese to keep the students in the In-step classroom safe. Only after the Paras met collaboratively did they finally bring forward allegations that Ms. Ragonese physically abused children.

Furthermore, the working conditions in that room were untenable. Several employees refused to return to working in the room for the 2024-2025 school year including

Overall, I credit the reports of the employees, largely Paraeducators, who gave consistent accounts of the fingernail technique, restraint of students in a chair, the use of movable walls for seclusion, and her verbal demeanor that was grating and difficult for students to handle. Several Paras made statements against their own interest, admitting that they had seen students injured without making a report or admitting that they left a student in what they perceived to be an unsafe situation. (See Section II, above for the statements of

These accounts were consistent between when the Paras were interviewed by HR Director Killen and their subsequent interview for this investigation.

Another mitigating factor was the lack of CPI training provided by the District. The District's model was to use a "crisis-response team" for instances in which restraint and/or seclusion were utilized. The people on this team were CPI trained. For the In-step classroom, Ms. Ragonese was the only CPI-trained professional. The Paras and other professionals in that classroom, therefore, felt they had to defer to Ms. Ragonese's knowledge of appropriate CPI techniques. This lack of knowledge of appropriate restraint techniques led to confusion in each individual Para regarding whether certain practices were appropriate. Combined with their fear of retaliation (based on how was treated in March of 2024), this lack of knowledge directly contributed to their uncertainty and unwillingness to report allegations of suspected physical abuse.

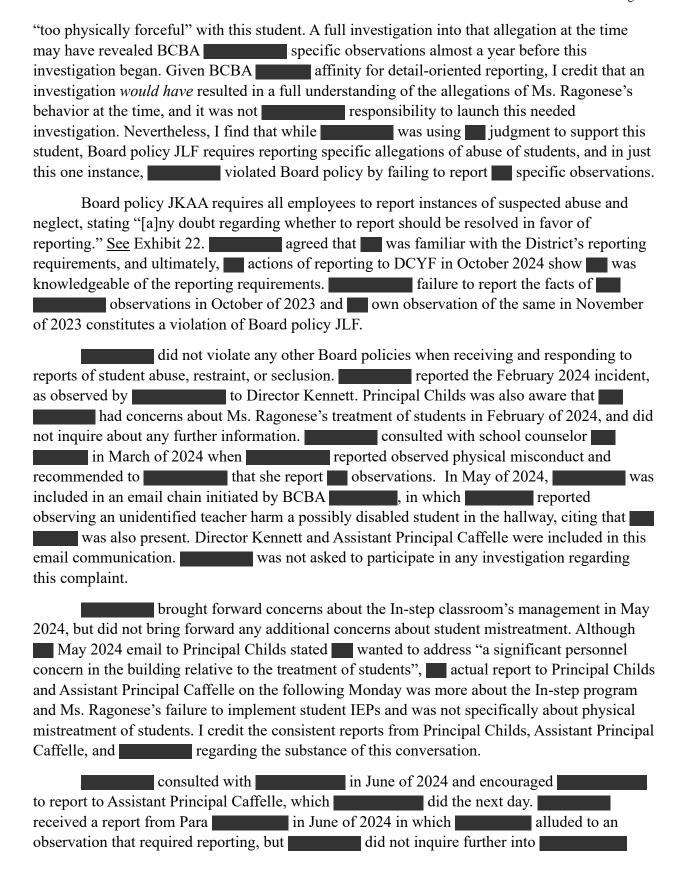
Finally, each individual employee in this group that was willing to report their observations also expressed significant remorse about their prior failure to report. Even while

citing their own lack of knowledge and fear of retaliation, each person willing to report an observation of abuse also expressed regret that they did not come forward sooner. A few individuals told me they never saw abuse, and in the face of the overwhelming evidence outlined above, I find those reports difficult to believe. For those that did tell the truth about their observations, and did express remorse, they may also have additional mitigating circumstances beyond the scope of this report that may warrant further consideration.⁴⁹

B. BCBA brought forward the allegations in October that ultimately led to Ms. Ragonese's removal from the In-step classroom. Prior to October 2024, brought forward programmatic concerns about the In-step classroom, professionalism concerns about Ms. Ragonese, and concerns regarding Ms. Ragonese's unwillingness to implement student IEPs. received a report of suspected physical abuse by Ms. Ragonese, or observed it in October 2023, November 2023, February 2024, March 2024, May 2024, and twice in June 2024. I find that only failure to report either known or suspected physical mistreatment of students was in November of 2023. In October of 2023, report from attempted to handle the report by observing Ms. Ragonese in her classroom. In November of 2023, after observing Ms. Ragonese mistreating Student by giving a "wedgie" and threatening further physical harm, focused on improving the situation for Student and recommended and recommended reported directly to Principal Childs that Ms. Ragonese presented unclear demands to students, set unreasonable expectations, failed to deliver promised rewards, and used excessive hands-on with students. See Exhibit 2 at 5. reported that Ms. Ragonese was "losing patience" and "becoming too physically forceful" with this student. categorization of Ms. Ragonese "losing her patience" with Student however, was misplaced. witnessed Ms. Ragonese harm a student, but did not report specific observations, that Ms. Ragonese pulled Student pants up so high that got a wedgie all while threatening to actually cause future harm if this student did not behave to administrators. Rather, BCBA focused on See Exhibit 7 at 183.⁵⁰ There is no doubt that advocacy for Student was incredibly effective in creating a significantly improved learning environment for this Student, as reported by Paras who observed tremendous improvement with this student due to advocacy and improved behavioral plan for this student. Although did not report specific observations, Principal Childs also failed to ask questions about the meaning of "excessive hands on" And failed to investigate the allegations that Ms. Ragonese was becoming

⁴⁹ I did not ask each Para to explain why they were fearful of losing their employment or why they were otherwise unwilling to report the allegations at the time, but I believe many of these employees may have additional, personal information regarding their failure to report that might ultimately be relevant for future proceedings.

notes confirm that Basics classroom is a "more nurturing environment" including notation that Ms. Ragonese is "having hands on the student by moving body physically."



observations.	and not take any further a	action regarding the .	June 2024 comments by
·			
ac	ctions, over time, show that	took an evolving	g approach to information
about Ms. Ragonese's a	mistreatment of students.	tried to respond to	the concerns in
the fall of 2023, such	ccessfully		and reported abuse to
Director Kennett in the	winter of 2024. When noth	ing changed and Dir	ector Kennett did not take
any action regarding th	e February 20 report, and w	hen ex	perienced retaliation in
March, re-t	focused reporting on the	programmatic need	s of students in May of
2024. When the admini	istrators did not respond to t	these program-specif	fic concerns raised during
the May 2024 meeting,	then took no ac	ction in response to I	Para
expressed regret in Jun	e 2024. Although	was in a more high	hly specialized position
than the Paras, the sam	e mitigating circumstances,	including fear of ret	aliation coupled with the
administration's lack of	f any meaningful response,	likely impacted on	willingness to further
investigate or report	concerns in Jun	e 2024.	advocacy for the
students in the In-step	classroom, and ability to	build trust with stud	dents and staff, was the
driving factor in the SA	AU office learning of these a	allegations in Octobe	r that led to Ms. Ragonese
leaving the District.			

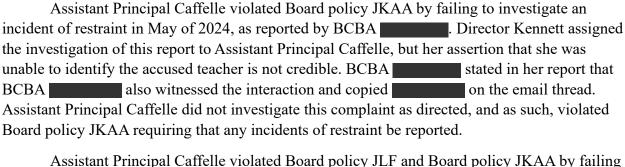
C. Response by Administration

The administration was aware that Ms. Ragonese was loud, difficult to work with, and that many people questioned her ability to work well with students, as outlined in the findings in Section IV, B, above. Several administrators, as outlined below, knew or should have known about Ms. Ragonese's abuse of students, and their failure to respond contributed to the continuing mistreatment of students in the In-step classroom. HR Director Kellen and Superintendent Ambrose were not knowledgeable of the ongoing situation at the Bakie School during the 2023-2024 school year, until this investigation commenced.

i. Lorin Caffelle

Assistant Principal Caffelle violated Board policy JLF by failing to investigate and report an allegation of physical abuse of students in March of 2024. reported to Assistant Principal Caffelle that Ms. Ragonese physically pushed Student down the hallway. Assistant Principal Caffelle's assertion that she does not remember investigating the specific allegation of a student being pushed down the hallway is not credible. My findings above are that this event did occur, based on the credible report of school counselor and Assistant Principal Caffelle's lack of credibility in denying any recollection of this specific complaint. Assistant Principal Caffelle failed to complete the investigation, as assigned by HR Director Rooney, by refusing to confront Ms. Ragonese with the allegations and deciding to treat the allegations as unfounded. Board policy JLF places specific responsibilities on the building Principal to report suspected abuse: at the time of the March 2024 complaint, with Principal Childs out of the office, Assistant Principal Caffelle assumed that responsibility but did not make

the required report. By refusing to complete the investigation or report the incident to DCYF, Assistant Principal Caffelle violated Board policy JLF.



to report multiple instances of physical abuse and restraint of students in June of 2024. Assistant Principal Caffelle received a report from Behavior Consultant that Ms. Ragonese punished Student by making them sit for an extended period. reported the February 20, 2024 incident when Ms. Ragonese improperly restrained and abused I find that Assistant Principal Caffelle's reply, based on Director Kennett's recommendation, was to provide the "response plans" for each student to the In-step team. I do not find that she took any further action regarding these instances of physical mistreatment of students and thereby violated Board policy JLF for failing to report suspected instances of abuse of students and Board policy JKAA for failing to report an incident of restraint. I do not find that Assistant Principal Caffelle violated Board policies JLF or JKAA when she received a report from Assistant Director Davine in September 2024 that Ms. Ragonese was physically harming and restraining students, as relayed by Para . Assistant Principal Caffelle was in the room with Principal Childs and received the same report from Assistant Director Davine. Principal Childs was responsible for responding to this report and/or designating Assistant Principal Caffelle to respond. Without information to support such designation, I do not find a further Board policy violation.

After being given an opportunity to reflect on her prior decisions, Assistant Principal Caffelle still said she did not see any "red flags" about Ms. Ragonese working with students after receiving the June 2024 reports. Assistant Principal Caffelle's inability to recognize, even in hindsight, that a report of Ms. Ragonese physically manipulating and harming students from was serious and should be reported immediately to the Principal is concerning. Although Assistant Principal Caffelle notified Director Kennett about her conversation with J. I find that she did not notify her primary supervisor, Principal Childs, about a serious safety concern in the building.

Assistant Principal Caffelle did not directly witness Ms. Ragonese mistreating students. Assistant Principal Caffelle did, however, fail to investigate and report several reports of mistreatment of students. Assistant Principal Caffelle received information directly from staff members about unsafe interactions between Ms. Ragonese and her special education students; as the administrator with direct oversight for the special education program, she did not do anything

to stop Ms. Ragonese's unsafe behavior with students. I am mindful that Assistant Principal Caffelle was not ultimately responsible for the building or for the program: those responsibilities fell to Principal Childs and Director Kennett, respectively. Although Assistant Principal Caffelle failed to make reports, but her direct supervisors repeatedly failed to supervise or otherwise provide any guidance for multiple investigations into several allegations of misconduct by Ms. Ragonese.

ii. Dr. Elizabeth Childs

Principal Childs did not meet the appropriate standard of care for a Principal under Board policy JLF. See Exhibit 23 at 440. Board policy JLF places several significant responsibilities on the Principal. Although Principal Childs did not personally observe instances of physical abuse of students, she was aware of such reports, delegated the investigation into the reports, and repeatedly abdicated any further responsibility for ensuring student safety, despite her specific reporting duties as outlined in Board policy JLF.

Principal Childs violated Board policy JLF when she received a report of Ms. Ragonese using "excessive hands on" with students in November of 2023 and failed to follow up or investigate the report. Principal Childs violated Board policy JLF when she became aware of a report of suspected student abuse from school counselor in March of 2024 and did not take any steps to ensure that an investigation was completed and an appropriate response documented or reported to DCYF. I credit Principal Childs' statement that she was not at the building the day the report was initially made, and I credit that she brought the crisis team together to review protocols and strategies for responding to students after becoming aware of the allegations in March of 2024. As the Principal of the building, I am concerned about her lack of knowledge and concern for each investigation's outcome, even when HR Director Rooney was otherwise advising Assistant Principal Caffelle.

Principal Childs violated Board policy JLF when she failed to sufficiently investigate and report the allegations made by Behavior Consultant to Assistant Principal Caffelle in June of 2024. Principal Childs was notified by email that reported incidents involving Ms. Ragonese to Assistant Principal Caffelle. With her additional knowledge that Ms. Ragonese had previously been accused, more than once, of engaging in excessive hands-on with students, I find that Principal Childs violated Board policy JLF in June 2024 by failing to investigate and report suspected abuse of students.

I do not find sufficient evidence that Principal Childs violated Board policy JLF regarding the allegations made by in February of 2024. Principal Childs had

⁵¹ These requirements include that: "[o]nce the Principal/ building supervisor receives the information [of suspected abuse or neglect], the law would impose a reporting requirement upon both the original reporter and the Principal" and "the Principal/ building supervisor shall immediately assure that DCYF/ law enforcement is or has been notified, and then notify the Superintendent that such a report to DCYF has been made" and "[a] written report shall be made by the Principal to the Superintendent within twenty-four (24) hours, with a copy provided to DCYF if requested". See Exhibit 23 at 440-441.

had an additional complaint, and she failed to follow up regarding the nature of the complaint, but I cannot substantiate, by a preponderance of the evidence, that Principal Childs was aware of any specific abuse or restraint occurring, or even that the complaint was related to Ms. Ragonese physically mistreating students. I do not find any violation of Board policy JKAA for the February 2024 report.

I do not find sufficient evidence to substantiate that Principal Childs violated Board policy JLF or Board policy JKAA by failing to report an instance of physical abuse of students that came to her attention in September 2024. This report was made by Para to Assistant Director Davine and then provided to Principal Childs. Although Principal Childs was somewhat vague in her denial, I also find that both her and Assistant Principal Caffelle denied receiving this information, and do not find sufficient evidence to corroborate the assertions of Assistant Director Davine.

Principal Childs failed to make herself reasonably available for her staff by assigning the investigation of reported student mistreatment to others without adequate follow-through, failing to give guidance to staff regarding reporting requirements, and failing to respond to requests from staff for meetings. Principal Childs repeatedly assigned Assistant Principal Caffelle to conduct investigations into reports regarding Ms. Ragonese but did not obtain information about, or express any concern for, each investigation's outcome.

I am mindful of the many responsibilities that fall on a Principal each day. But, as the administrator ultimately responsible for the building, Principal Childs' repeated failure to obtain information about Ms. Ragonese's treatment of students had a direct chilling effect on staff reporting. This chilling effect is evidenced by her dismissive attitude towards the two Paras that attempted to report anonymous allegations in October 2024 and the several days' delay before any other administrators learned that, in addition to concerns of Ms. Ragonese's treatment of other employees, that the Paras were seeking to report physical abuse of students. I do not find any further policy violation related to this delay, as Principal Childs did not have any knowledge of the allegations of physical abuse prior to October 24, 2024.

iii. Meredith Davine

Assistant Director Davine was not employed at the Bakie School during the 2023-2024 school year, and only met Ms. Ragonese this fall in August of 2024 upon starting her new role. I find that within a few weeks of starting her new role, she received complaints regarding Ms. Ragonese. The first complaint was from Para on September 6th. Prior to meeting with Assistant Director Davine met with Assistant Principal Caffelle and Principal Childs. Immediately after meeting with Para Assistant Director Davine emailed both Principal Childs and Assistant Principal Caffelle to state that she wanted to discuss the concerning information she received. See Exhibit 26 at 502. Finally, Assistant Director Davine credibly states that when she met with the building administrators, she read out loud from her notes of the meeting with Assistant Principal Caffelle confirmed that Principal Childs told Assistant Director Davine to write "This is for my personal memory device" at the

top of the notes. <u>See</u> Exhibit 24 at 443. Although Principal Childs and Assistant Principal Caffelle deny that Assistant Director Davine gave them information about physical mistreatment of students, given the above, I cannot substantiate that Assistant Director Davine failed to report information brought forward by on September 6th.

Assistant Director Davine also received information regarding inappropriate comments

Assistant Director Davine also received information regarding inappropriate comments made by Ms. Ragonese on September 9th, and responded appropriately, as directed by Principal Childs and with the assistance of Assistant Principal Caffelle. Assistant Director Davine responded appropriately when she learned of the allegations regarding Student in October 2024, assisting as directed with the early investigation and response; she provided interview notes with Paras See Exhibit 4 at 60-61. I find that Assistant Director Davine did not violate any Board policy regarding these complaints.

iv. Dr. Troy Kennett

Director Kennett violated Board policy JKAA and Board policy JLF when he failed to report the February 20, 2024 incident as relayed to him by BCBA statement that informed Director Kennett of the allegations made by and that Director Kennett's response was dismissive and minimized the complaint. The February 20 incident involved Ms. Ragonese using a chair and table to restrain a student. The February 20 incident also involved Ms. Ragonese abusing the student by pushing the student away from her to the ground and using physical force when assisting the student on the toilet. When these allegations of abuse were reported to Director Kennett, he was obligated to further report the information to the Superintendent and DCYF in accordance with Board policy JLF. Director Kennett repeatedly blamed other administrators or employees for their role in failing to report Ms. Ragonese's conduct, and he refused to acknowledge his own responsibility for reporting allegations of restraint and seclusion given his role as the Student Services Director and designated CPI-trainer in the District.

Director Kennett violated Board policy JKAA when he failed to take appropriate steps to investigate and report the restraint brought forward by BCBA Although complaint did not identify the accused employee, Director Kennett did not talk to Assistant Principal Caffelle to ensure that she appropriately investigated the complaint. The allegation was serious, made in writing, and specifically identified that a teacher physically mistreated a student in the building. Director Kennett had a responsibility to ensure that the investigation was comprehensive and that the District engaged in an appropriate response. If any report was "actionable" it would be this one, but Director Kennett failed to take any appropriate action or further respond as required by the responsibility of his position.

Director Kennett violated Board policy JKAA when he failed to respond to Para report regarding Ms. Ragonese. Director Kennett was told directly by that Ms. Ragonese was manipulating students by pushing her fingers into their armpits and forcing them to move. As the CPI-trainer for the District, Director Kennett knew that such physical treatment was not an appropriate CPI-technique and that forcing a student to move was not

appropriate under Board policy JKAA. See Exhibit 22 at 437-438 (defining restraint as "bodily physical restriction . . . that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs"). Director Kennett also knew that such force required a formal restraint report. See Exhibit 22 at 439. Director Kennett's self-serving and vague denial of meeting over the summer was not credible. Director Kennett failed to further investigate, respond to, or report these concerns. While I am mindful of the enormous scope of the work charged to Director Kennett in his position, when it comes to student safety reports, this responsibility cannot be delegated.

I find that Director Kennett failed to properly implement Board policy JKAA regarding reporting restraint and seclusion. Director Kennett was responsible for ensuring that employees in special education classrooms were appropriately trained in restraint or seclusion. Director Kennett failed to appropriately train Paraprofessionals in the In-step program, relying instead on a "crisis response team" that included Ms. Ragonese and excluded any other individuals in the classroom. Director Kennett readily accepted that he designed this program. The flaw in this design became apparent when Paras failed to report inappropriate physical conduct because, in part, they were not trained in the proper procedures to use under CPI; and moreover, knew that Ms. Ragonese was the only individual in the room that was trained in such procedures. This model served to exacerbate the problem that the Paras were afraid to report their observations. Ms. Ragonese was supposed to have the requisite knowledge to engage with a child in a CPI hold; and without sufficient training, Paras were unable to identify whether Ms. Ragonese was using appropriate student techniques.

Director Kennett's leadership further exacerbated this problem. His repeated statement that he expected employees to report "actionable" items lacked clarity. He did not train the Paras to identify what those "actionable" behaviors were, and so they were left without training or guidance to decide when to report Ms. Ragonese. Further, Director Kennett indicated that after school counselor March 2024 report, he made sure to provide the student's "response plans" to the employees in the In-step classroom. The Paras then had knowledge that made a complaint, saw Ms. Ragonese retaliate against and then received student "response plans" for clarification regarding Ms. Ragonese's behavior. Director Kennett's failure to train the Paras on what constitutes restraint, seclusion, and intentional physical contact, along with his apparent failure to meaningfully respond to the school counselor's complaint, directly contributed to the Paras unwillingness to report their observations of Ms. Ragonese's physical mistreatment of students.

v. Kelley Killen

I find that HR Director Killen was aware of report that Ms. Ragonese pushed a student down the hallway in March 2024; however, I find that HR Director Killen was new to the role, and that HR Director Rooney handled the District's response to that concern, and that HR Director Killen was not involved.

I find that HR Director Killen was not involved in the transfer of the three employees that did not wish to return to working with any students in the In-step classroom for the 2024-2025 school year. Considering that three separate employees had to be transferred out of the In-step classroom, and considering that the students in the In-step classroom are largely unable to communicate, I am concerned about HR Director Killen's lack of attention to this transfer of employees without further review. While I believe her failure to follow up regarding the employee transfers did contribute to Ms. Ragonese maintaining her position at the start of the 2024-2025 school year, I do not find that HR Director Killen violated any Board policy in this response.

HR Director Killen was not aware of any other allegations of physical mistreatment of students by Ms. Ragonese until October 2024. After being assigned to complete an initial review, HR Director conducted initial interviews and assisted with placing Ms. Ragonese on leave on October 28, 2024. I therefore do not find that HR Director Killen violated any policy in her handling of the initial complaint from October of 2024.

vi. Thomas Ambrose

I did not receive any information that Superintendent Ambrose knew of any report of physical misconduct by Ms. Ragonese prior to October 23, 2024. Although Superintendent Ambrose may have been aware of staffing changes at the end of the 2023-2024 school year in the In-Step classroom, he appropriately relied on his Human Resource Director, Director of Student Services, and the building Principal to manage any personnel changes as needed. I therefore find that Superintendent Ambrose did not violate any Board policy in his response to the allegations against Ms. Ragonese.

END OF REPORT