IN RE: POWAY UNIFIED SCHOOL DISTRICT

CONFIDENTIAL INVESTIGATION REPORT RE: JOSHUA COTTRELL

Investigated by:
Paul V. Carelli, IV
Stutz Artiano Shinoff & Holtz APC

TABLE OF CONTENTS

		Page
I.	CIR	CUMSTANCES LEADING TO INVESTIGATION
П.	SCC	PE OF THE INVESTIGATION
III.	INV	ESTIGATION1
IV.	SUN	MARY OF INVESTIGATION
V.	FINI	DINGS OF FACT AND CONCLUSIONS 2
	A. B. C. D. E. F. G.	Mr. Cottrell's Background
VI.	ANA	LYSIS AND RECOMMENDATIONS
VΠ.	SUM	IMARIES OF WITNESS INTERVIEWS
	A. B. C. D. E. F.	Joshua Cottrell. 19 30 30 Dawn Kastner. 40 Sally Flournoy. 46 Shannon Parker. 49 56 59

I. CIRCUMSTANCES LEADING TO INVESTIGATION

The inve	vember 15, 2010 by Willia investigator met with Mr estigation. At the meeting Joshua Cottrell had been	and Carelli, of Stutz Artiano Shinoff & Holtz, was retained or am Chiment, Associate Superintendent, Personnel Support Services Chiment and Ms. Hogarth on that date to discuss the nature of the ag, Mr. Chiment explained that he had reasonable suspicion that involved in a romantic relationship with a student at Westview High Mr. Chiment indicated that had graduated in 2010, and that 2009.
betw indi in an	provided him with some do ween and Mr. Cott cated that he had already and had placed him of	that he had met with commentation which suggested an inappropriate romantic relationship trell while was a student at Westview. Mr. Chiment further met with Mr. Cottrell, questioned him about his relationship with on administrative leave with pay and a directive not to communicate Chiment provided the investigator with the documentation which had ing Mr. Cottrell and
	n.	SCOPE OF THE INVESTIGATION
that	determine the nature of the was a student;	the investigation, Mr. Chiment asked that the investigator to: relationship between Mr. Cottrell and during the time (2) determine the circumstances and events leading up to and and (3) make recommendations for future handling of Mr. Cottrell's determinations.
		III. INVESTIGATION
	In conducting the inves	stigation, the investigator interviewed the following witnesses:
1)	Dawn Kastner	(November 18, 2010 at the District Office)
2)		(November 22, 2010 at the District Office)
3)	Shannon Parker	(November 29, 2010 at the District Office)
4)		(December 14, 2010 at the District Office)
5)	Joshua Cottrell	(December 23, 2010 at the District Office)
6)		(January 12, 2011 at the District Office)
7)	Sally Flournoy	(February 8, 2011 by telephone)

The investigator also reviewed documents located in an exhibit binder separate from this report. At the front of the binder is a list of the exhibits. The exhibits include the interview statement of Mr. Cottrell as recorded by Peterson Reporting; copies of communications to and from Mr. Cottrell; communications to and from parents and Westview staff; the forensic report of Mr. Cottrell's school computer completed by ESI international, dated February 7, 2010; additional material provided by Mr. Cottrell concerning and other material obtained by the investigator.

IV. SUMMARY OF INVESTIGATION

Mr. Cottrell and were involved in a romantic relationship while she was senior student at Westview High School during the 2009-2010 school year and while she was in class for credit Mr. Cottrell's
The preponderance of the evidence is that while was a Westview student, the physical relationship between and Mr. Cottrell consisted of both hugging and tongue-to tongue kissing ("making out"). According to she and Mr. Cottrell kissed each other or 20-30 occasions while she was a student, mostly in Mr. Cottrell's classroom with the doors shut They also kissed at Point Loma Nazarene college, after Mr. Cottrell drove there in his car prior to graduation.
The preponderance of the evidence is that Mr. Cottrell did not touch breasts buttocks or genitals while she was a student at Westview. Their physical relationship only occurred after turned eighteen years of age. Their emotional relationship, however, began much sooner. While was still seventeen, Mr. Cottrell unilaterally told her that he loved her, which was difficult for to deal with because she was introverted, and kept it inside of herself.
The romantic relationship between Mr. Cottrell and came after multiple warnings from both parents and school administrators that Mr. Cottrell was to keep appropriate professional boundaries between he and due to a string of inappropriate electronic communications between the two during the 2008-2009 school year. Mr. Cottrell knew that he needed to keep such boundaries, but still disregarded them. He and both intentionally acted to secret their relationship.

V. FINDINGS OF FACT AND CONCLUSIONS

Mr. Cottrell's Background.

Mr. Cottrell is a teacher for the District, who taught wholly at Westview High School while in the District's employ. He graduated from Poway High School, and then graduated from Point Loma Nazarene in San Diego in 1998 with a bachelor's degree in philosophy and a minor in continental literature. He studied the German language for a short time at the Goethe Institute in Murnau, Germany. He obtained his masters degree from National University in San Diego in 2004.

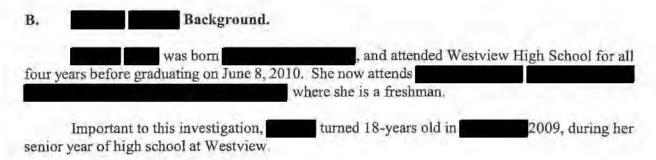
He obtained his teaching credential in October, 2003, and is currently is credentialed in English (according to Cal. Commission on Teacher Credentialing records).

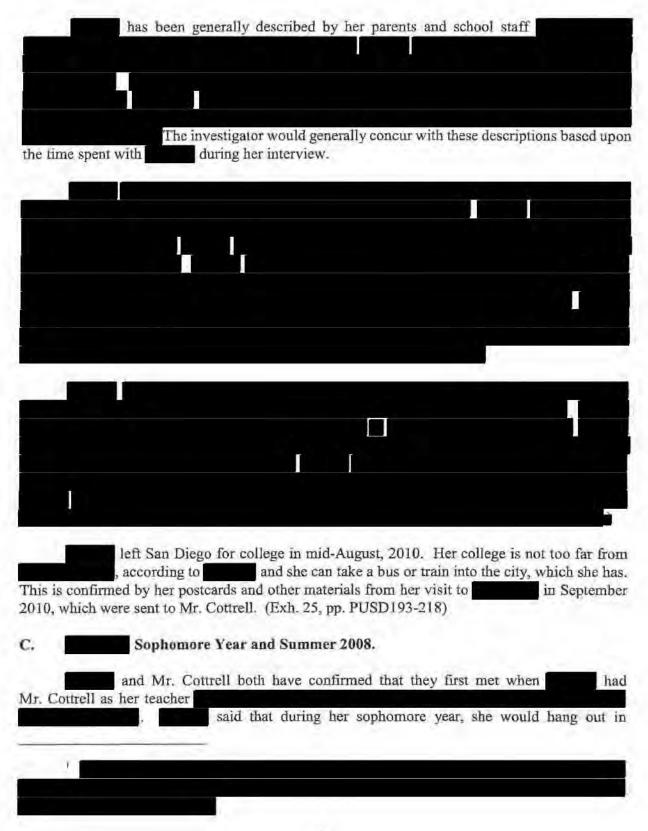
Mr. Cottrell began his employment on August 20, 2004. According to Mr. Cottrell, when he began his full-time position at Westview, his evaluations were primarily done by Sally Flournoy, although Dawn Kastner also did some. Mr. Cottrell has mainly taught English while at Westview. Recently, he began teaching philosophy. Mr. Cottrell wrote this philosophy class, which he began teaching in the 2009-2010 school year. The course's actual name is "Critical Thinking Philosophy and Literature" according to Mr. Cottrell. Mr. Cottrell obtained District Board and UC Regents approval for the course, and now the course may be taken by students as an elective for credit. This class is taught one section per term; the remainder of his day he teaches English-related classes. For the 2009-2010 school year, he had 4th period as his prep period. According to Mr. Cottrell, he was elected Department Chair of the Humanities/Social Science Department in 2009-2010 for a two-year term.

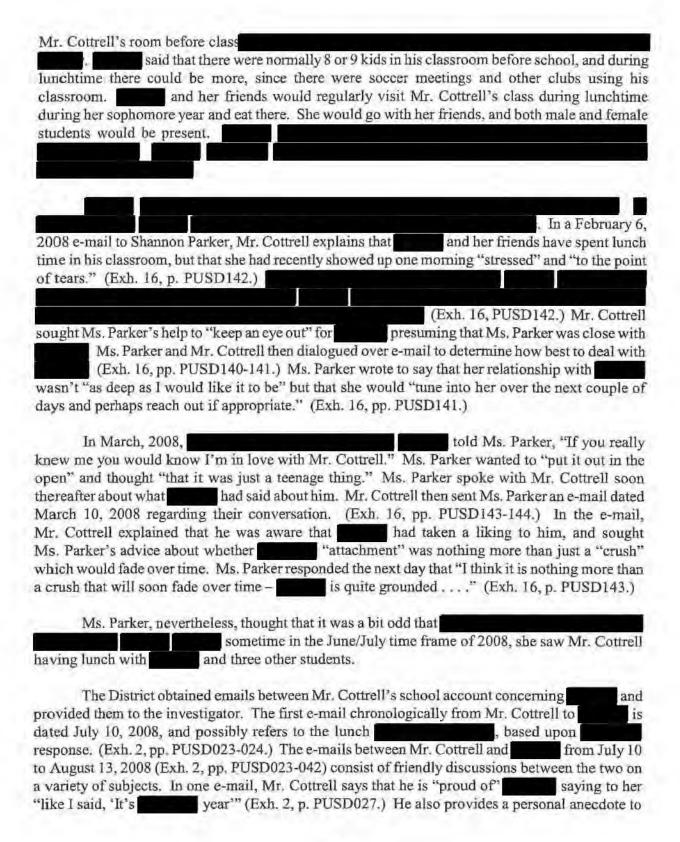
In terms of extracurricular activities, Mr. Cottrell was the JV soccer coach for two years in 2007-2008 and 2008-2009, and then in 2009-2010 he was the varsity assistant coach for soccer. He also served as the advisor for the Philosophy Club in 2009-2010 and in 2010-2011. He had previously sat on a "School Site Council" from 2004-2006. He has been involved in less formal activities, such as organizing Westview campus bands to play on campus, and organizing two set-drummer competitions.

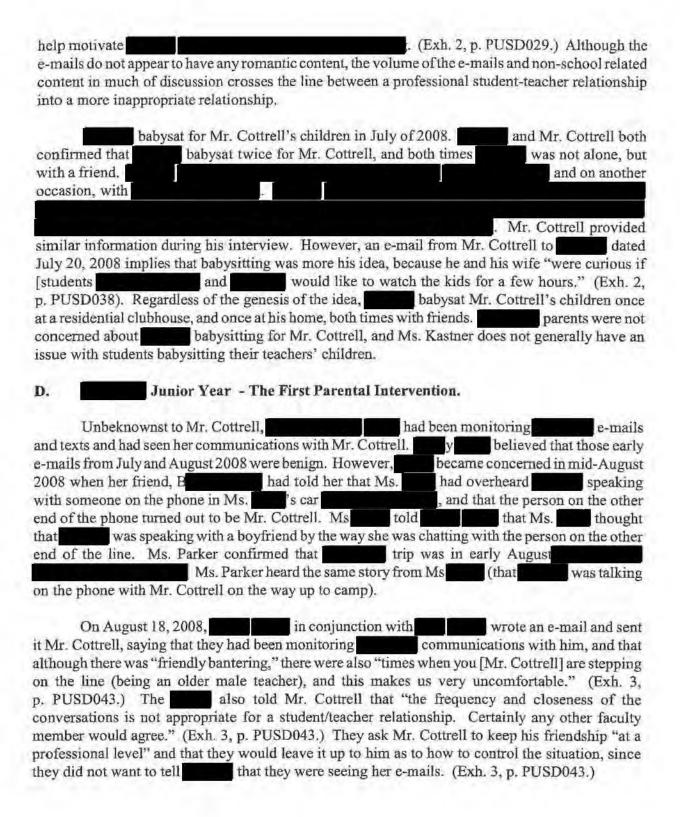
In May 2007, he received what Ms. Kastner has described as a prestigious teaching award from the Church of Latter Day Saints called the "Crystal Apple" award. According to Ms. Kastner, the award is given out each year to two teachers at Westview nominated by students who vote for the teacher most influential on them.

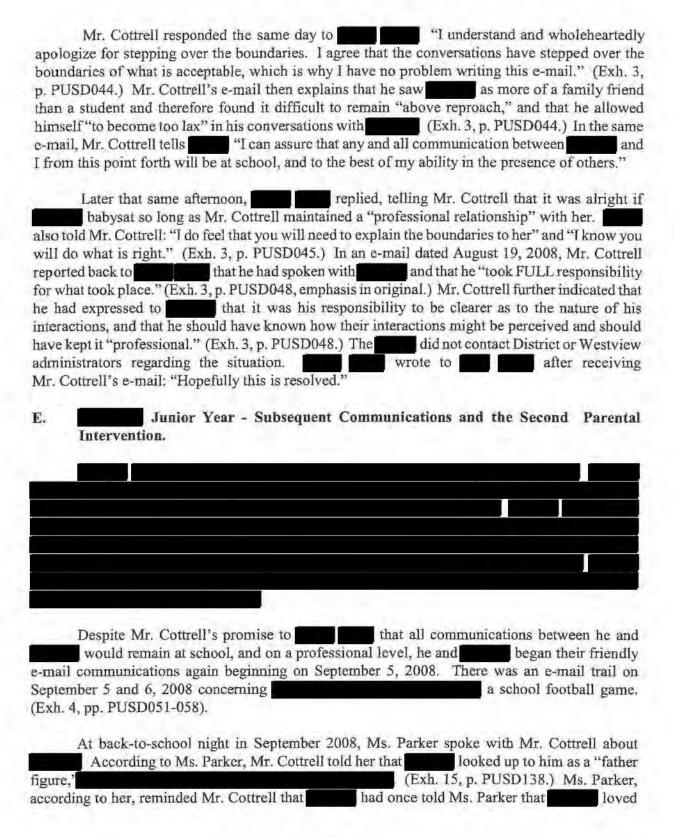
By all accounts, Mr. Cottrell has great teaching skills. His supervisors at Westview, Ms. Kastner and Ms. Flournoy, are of the opinion that Mr. Cottrell is one of the best teachers they have ever seen. He is also highly popular with the students. Through the 2009-2010 school year, Mr. Cottrell had an open door policy and students would hang out or have club meetings in his room during lunch. Students of both sexes were also regularly in his classroom before school and after school.

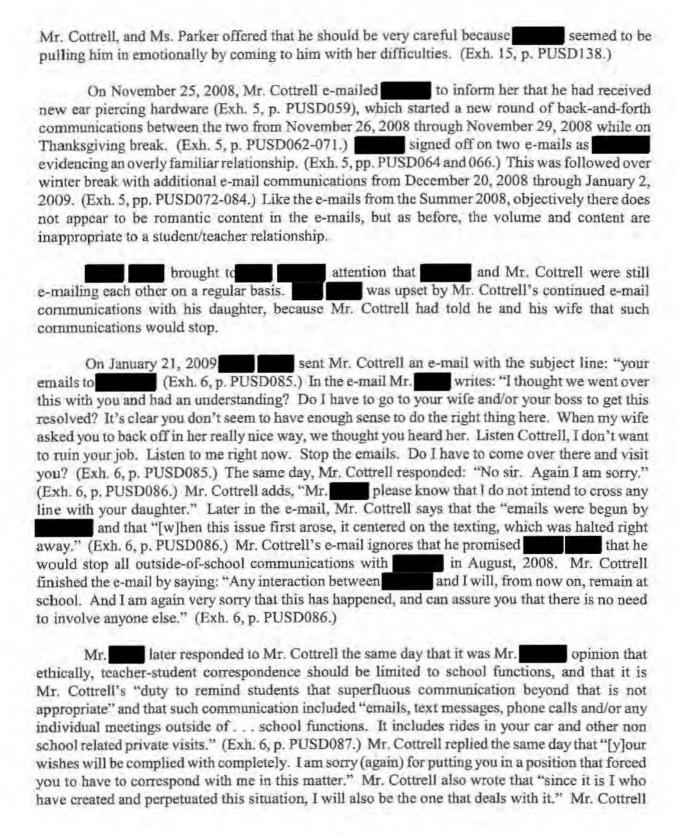


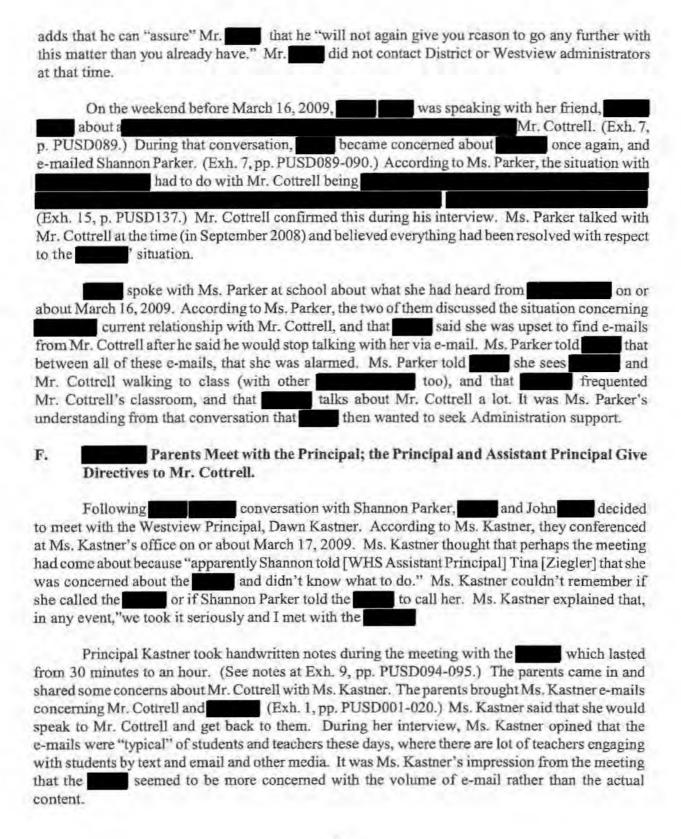


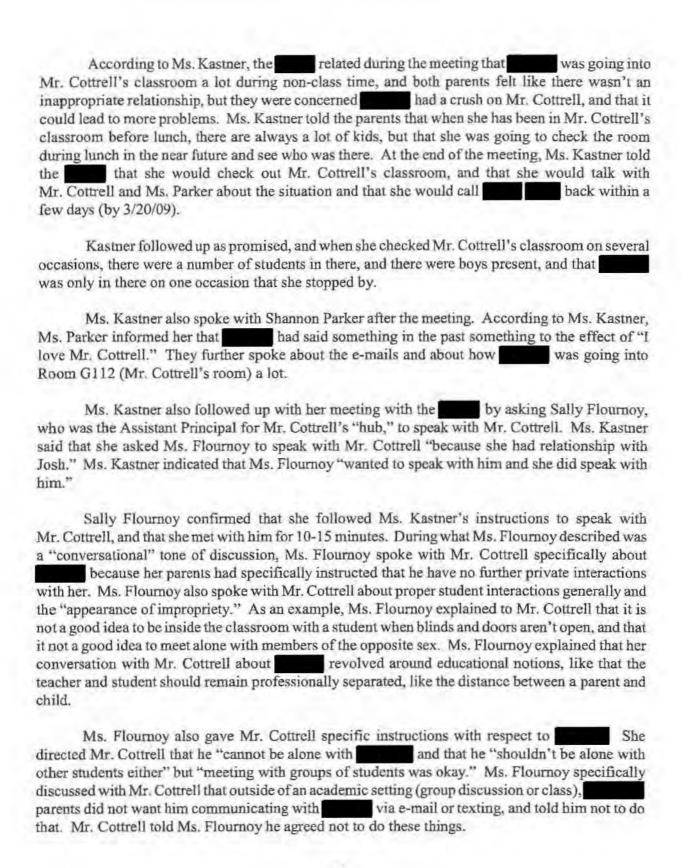


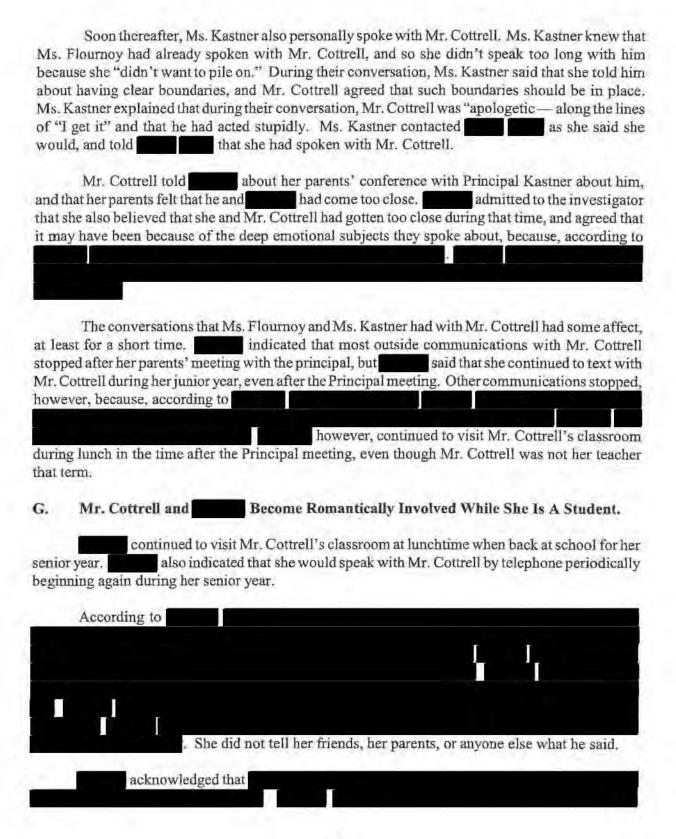




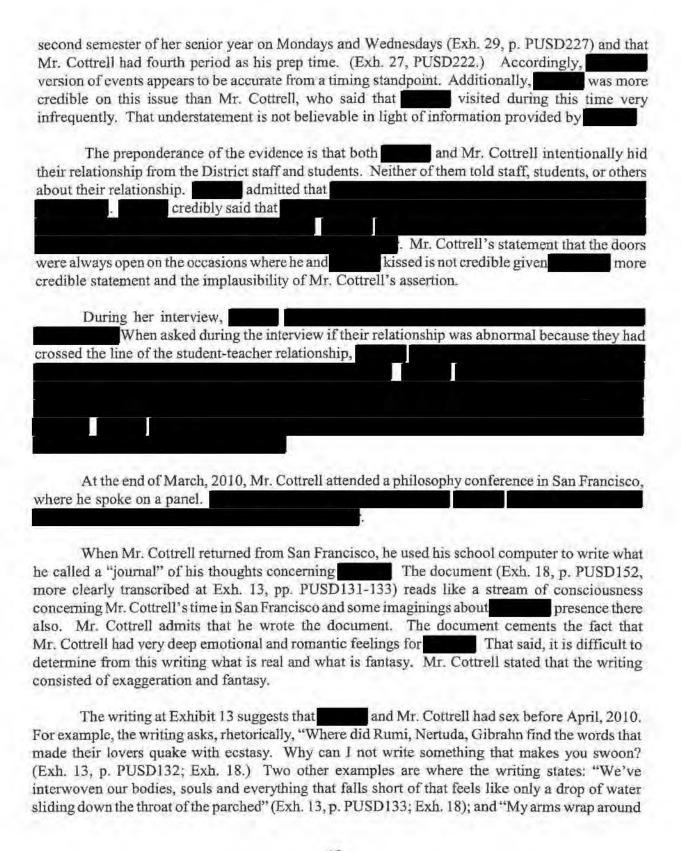




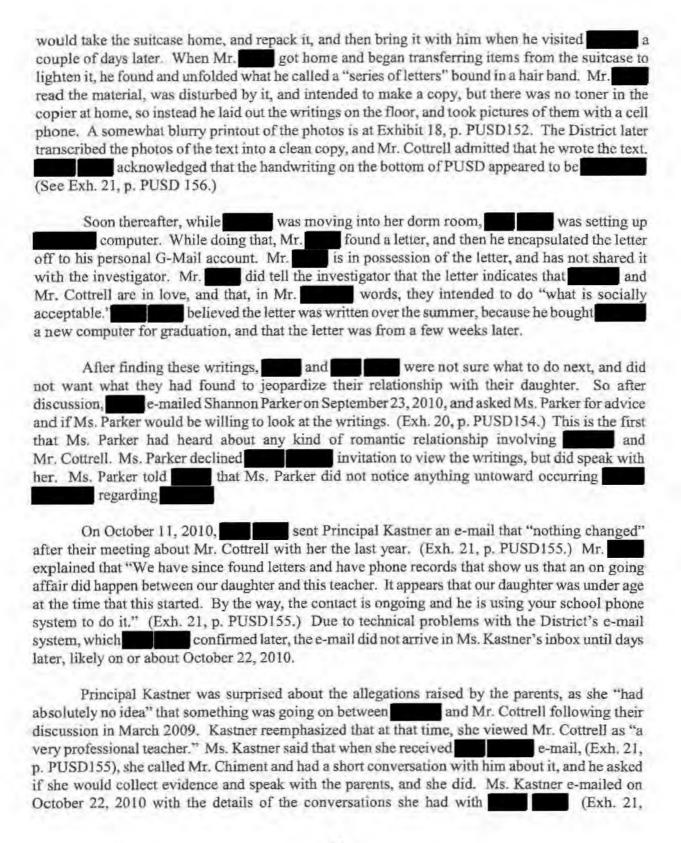


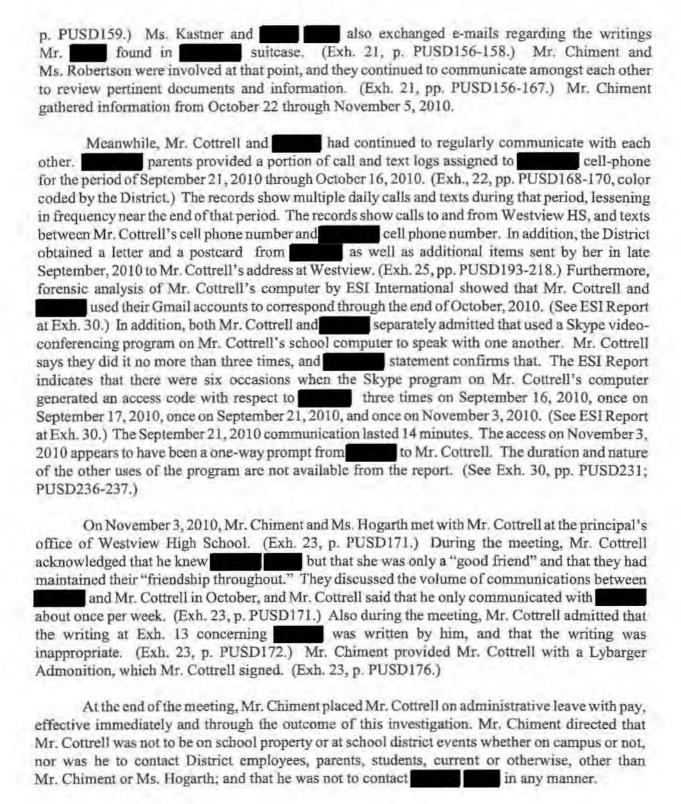


For her eighteenth bi	rthday, Mr. Cottrell ttrell assigned any s			
STATE OF SA			arce to the type	or present give
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T	r		-	
	nearly a year	had gone by sinc	e she and	had spoke
ith Ms. Kastner, and	had no knowledge	of anything unto	ward occurring	between
nd Mr. Cottrell since that tir	ne.			
1				صس
Mr. Cottrell and	kissed each other	er for the first time	in his classroon	at the beginnin
f January, 2010, according	.0	indicated that		
Before the time of her				
it." Before June 8, 2010, th	nysical relationship e preponderance of			
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statement on the si	ibject was very cred	noie, she	. Acco	rding to
	which Mr. Cott	rell indicated may	have happened	1,
According to				
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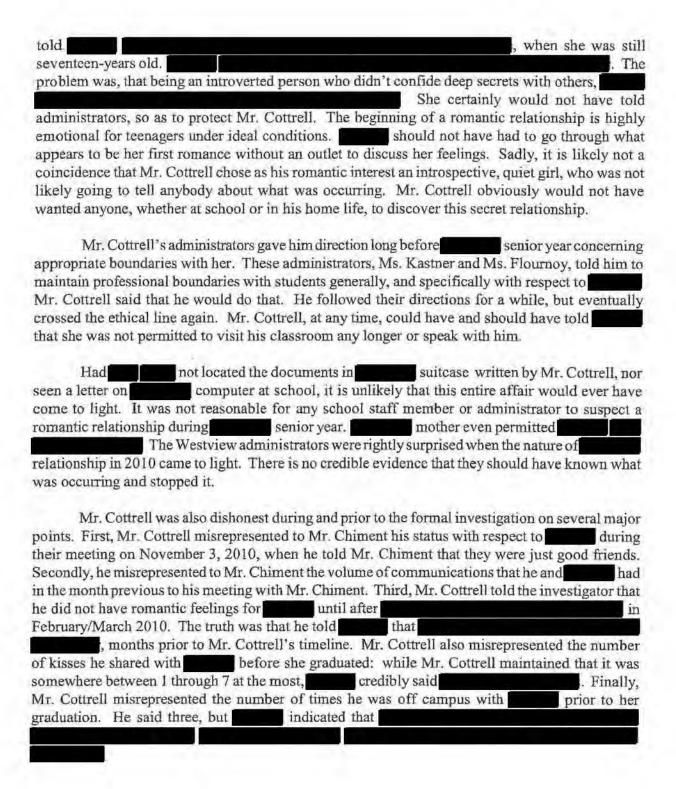


the su	nd our tongues sinde over a ggestive language in the wr writing, which was before ourse.	riting, however, the	e preponderance of the		me
end of	Mr. Cottrell said that he se in August, 2010 according the writing, "Do you wange my attempt to express in	ng to her father. Fit t to read mine. I'i	urthermore, m embarrassed by th	nem I still want you to	the
	said that	point in time cha	and Mr. Cottroll back	an communicating by Gm	
accoun	The second secon	Joint in time, site a	and his was	in communicating by On	an
begru	dgingly agreed that	سسم ا			
that he	and played with	words to get the a	ddress prefixes.	Mr. Cottrell sa	iid.
occasion to drive (briefly	In terms of off-campus being off-campus with or ons: Once was when the her to see his college, Pay according to Mr. Cottrellingo. In contrast,	n non-school related babysat for his Point Loma Nazar	ed matters prior to he children at the residence, where they to	ner graduation on only thr dential clubhouse; once wared the campus and kiss	ee as ed in
	ottrell having lunch with er in 2008. howe	and ver,		during over the	
H.	Events Occurring After	Grad	uation.		
went o		ontinued their rela	tionship even after g	raduation, and after	
	The romance between Mrnad taken to the an anal money for transporting	rport to leave for		in mid-August, 2010. irlines were going to charges. Mr. decided that h	
mistak	² These e-mail addresses ter, attached as Exhibit 19, en during her interview wh	and confirmed by	Mr. Cottrell during		as





not contacting on January 12, 2011. It is	indicated that unknown if communications resur	Mr. Chiment's directive with respect to at the time of her interview ned after that, but presumably they have
not. At the time of her	interview,	
for communications. Mr. Mr. Cottrell's voice messa parents are being respond messages, and one phone call me." There was a second the same voice saying "ple that the messages were like."	Cassen obtained some e-mails frages on the school phone, which I led to. According to Ms. Kastrall message was a very quite fema and phone call, according to Ms. Kastrase, please call me." Ms. Kastner	Todd Cassen, is Mr. Cottrell's conduit from Josh's computer and was clearing Mr. Cassen does that to ensure that the ner, Mr. Cassen was checking phone the voice in hushed tones saying "please Castner and then a third phone call with believed, and the investigator concurs, and upon the substance of the messages,
VI.	ANALYSIS AND RECOMM	ENDATIONS
credible. was emo	otional but stable during the inter-	elationship with Mr. Cottrell were very view, and bravely answered almost all aght potentially embarrassing answers.
unprofessionally with resp junior year (July 2008) and conduct escalated from free for her, to then being invol- to Mr. Cottrell from student boundaries, and cea- her graduation, Mr. Cottr communicate with	ect to his relationship with d continuing through the time of quent friendly communications to ved in a physical relationship wit parents and Westview adminis use non-school-related outside con rell continued to use District tel sometimes several times per day	beginning in the summer before her her graduation on June 8, 2010. His communicating his romantic feelings her. This occurred despite warnings trators to maintain appropriate teacher-munications with Even after lephone and computer equipment to y, through the end of October, 2010.
duties beginning just after t		when she was still a minor. Mr. Cottrell
accessible Facebook page of submission this report). (It contain Joshua Cottrell, no appeared to be from Mr. Cot relationship with Mr. Cotta commented about a "secre-	Exh 24, pp. PUSD179-192.)	Facebook "friend list" did not communications on the page which ne only possible reference to 181, where one of friends to if there is a connection, and



Mr. Cottrell knew that he needed to exercise self-control, and utterly failed to do so. He persistently and intentionally acted contrary to parents' requests, against best interests, and against the directives of his superiors.

Although Mr. Cottrell apologized profusely at the time of his interview, it should be noted that during the 2008-2009 school year he apologized on multiple occasions to parents, and to school staff, concerning overstepping appropriate student/teacher boundaries. He told them all that he would not act inappropriately with anymore. But he did anyways. So although Mr. Cottrell has said he is sorry once again, it is difficult to believe that the latest apology is any more meaningful than the ones that were, in hindsight, mere tokens. Mr. Cottrell's credibility based upon what he had previously promised parents and the Westview administrators, and as evidenced throughout this investigation, is suspect at best.

Based upon all of the above, it is recommended that Mr. Cottrell be subject to disciplinary proceedings, up to and including termination.

VII. SUMMARIES OF WITNESS INTERVIEWS

A. Joshua Cottrell

The investigator's office arranged for the interview of Mr. Cottrell through Mr. Cottrell's counsel, Michael Baranic. The interview occurred on December 23, 2010, and Mr. Cottrell's interview was recorded by Peterson Reporting. The transcript is attached as an exhibit to this Report.

At the beginning of the interview, the investigator gave a Lybarger warning to the witness. Mr. Baranic then informed the witness of his obligation to answer questions truthfully, and the witness affirmed that he was prepared to do that. The witness replied in the negative to the investigator's question of whether there was any reason that the witness could not provide his best memory of events on that day.

When asked by the investigator for a thumbnail sketch of his educational background, the witness said that he went to Poway High School (graduated in '93 or '94), and then college at Point Loma Nazarene in San Diego (graduated in '98). He received a bachelor's degree in philosophy and minored in literature (Continental) from Point Loma. He later took six months of classes at the Goethe Institute in Murnau, Germany, studying the German language, sometime in 1999/2000. The witness agreed with records showing that he received his teaching credential and masters degree from National University in San Diego in 2004. The witness said he has not had further education since graduating from National.

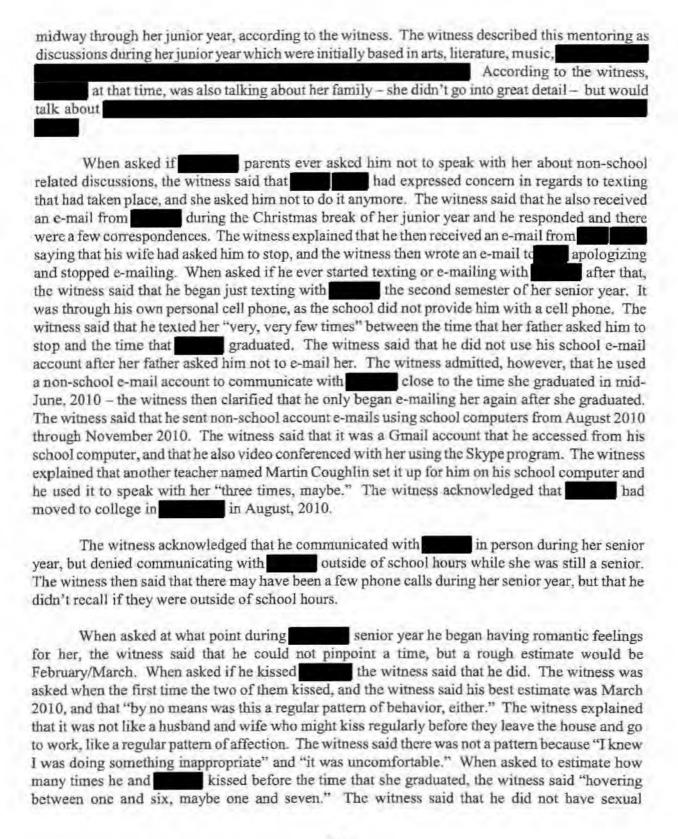
The witness said that when he did student teaching at Westview, and his first full year was the first year that Westview had its first senior class. The witness agreed with records showing that he began his employment on August 20, 2004. The witness indicated that when he did his student teaching, it was under the supervision of Kathy Dow.

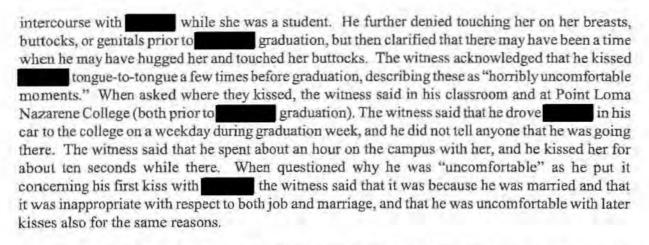
The witness explained that Westview is on a "term system," in that Westview runs on quarters, and that Quarter One and Quarter Two comprise Term One, and Quarter Three and Quarter Four comprise Term Two, and that a term is 18 weeks.

The witness said that when he began his full-time position at Westview, his evaluations were done by Sally Flournoy, and that Dawn Kastner also did some, and also Robin Robinson (who, according to the witness, was an "area administrator" (AP) at the time during the initial phases of his supervision). The witness said his last evaluator was Sally Flournoy. The witness also noted that Charlotte Kutzner was his PPAP supervisor (Poway Professional Assistance Program).

When asked about the subject he was teaching when he started at Westview, the witness said that he taught Freshman Honors English his very first year. The witness said that his credential is in English, and that he mainly taught English. The witness said that he also teaches Philosophy and that he "wrote a class" which he taught in the 2009-2010 school year and the first term in the 2010-2011 school year. This class he wrote had not been previously offered by the District, according to the witness. When asked by the investigator about how the class came to be, the witness explained that he had always seen elements of philosophy woven through other subjects, and he thought that students might be interested in learning more about it, so he chose to create a class that is "basically sort of an introduction to philosophy." The course's actual name is "Critical Thinking Philosophy and Literature." When asked by the investigator how the class was approved for the curriculum, the witness explained that he had to present a proposed curriculum and textbook to the District's board. and also had to present the class materials to the UC Board of Approval and then also present the class to other high schools in the District and have someone from the Social Science Department approve it. The witness added that once the class obtained Board and UC approval, it was then placed "on the books" as an elective course, and that students can take the course for credit. During the 2009-2010 school year, the witness said that he taught one section in the first term and one section in the second term (which were popular classes), and the remainder of his day he taught English-related classes.

The witness said that he knew witness said that she was enrolled in his	When asked when he first met the class in the first term of her sophomore year
	middle of January. The witness said that he did no
have in his class in her junior year, and t	
term of the 2009-2010 school year. A	
	ted if he had a personal emotional relationship wit
기원에게 가게 하는데 이번에 가장하는데 하는데 하는데 사고를 되었다면 하다. 그리고 하는데	in nature, as the term "romantic" is commonly used
The investigator asked when the romantic relation	onship with began, and the witness said that
he "began to have romantic feelings for her in th	e second term of her senior year" when she
When asked how the relationship moved from	om a teacher-student relationship to a more romanti
relationship, the witness said that was	one of a number of students who spent time in hi
classroom during lunch and before school, and t	hat she was consistently there, and they talked a lo
about her struggles at home, and he became a "	sort of a mentor." This mentor relationship bega





When asked if he had any knowledge of any Poway USD employee who knew they were kissing, the witness said no. When asked if he had knowledge of any staff member suspecting that he and had romantic feelings for each other, the witness said that Dawn Kastner was concerned, and that Tina Ziegler (AP) may also have been concerned, but the witness did not tell them what was going on between him and

When asked if he had been involved in a Philosophy Conference in San Francisco, the witness acknowledged that he had been at the end of March/beginning of April 2010. When asked if was in San Francisco at the same time as he was, the witness said no. The witness said that to his knowledge, went up to San Francisco shortly after he returned. When asked if he ever wrote letters to the witness said no. When asked if ever wrote him letters, the witness said that he had received a letter from her, and that there may have been one letter written before graduation.

When asked about the Philosophy Conference in San Francisco and how it came about, the witness said that he was contacted by a member of a philosophy association who asked him to come up and speak about teaching philosophy to high school students. The witness said he traveled to San Francisco with his wife, and he also took a student named (male) The witness said that he spoke one day at the conference in a panel discussion on a Thursday, and that he was home by that Sunday for Easter, and that his flight came home on Saturday.

The witness was shown the cleaner transcription of the document provided by Mr.

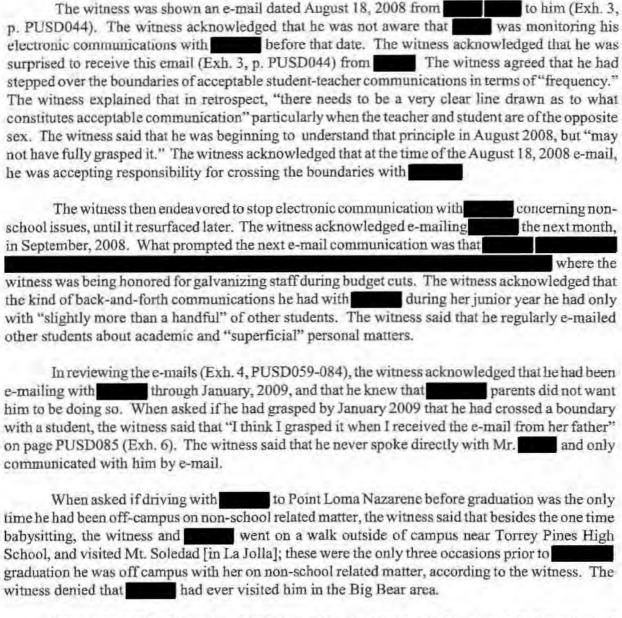
(Exh. 13, PUSD131-133.) The witness acknowledged that he had written these three pages. When asked by the investigator when he wrote them, the witness said sometime after he returned from San Francisco, during the second term, and he wrote the words on a computer. The witness did not remember if he ever gave these writings to When asked how he would characterize the document, the witness agreed with the term "journal" and "thoughts." The witness did not consider the document to be a "letter" written to because when he wrote it, it was not with the intent of showing her, but instead started like a journal "as though I were speaking to a person." The

witness acknowledged that ultimately the document ended up in possession, and that he may have given it to her at one point. But the witness said he didn't remember when he gave it to her. On pages PUSD131-132, the witness believed that the writings made on Wednesday were written one day after the writings made on Tuesday. The witness said that it was written soon after returning from San Francisco (end of March, beginning of April). The witness said that the "you" in the document meant When asked if he regularly called her second term of her senior year, the witness replied "No, I did not." The witness thought he remembered calling her from San Francisco to see how things were going in his classroom). The witness acknowledged that the second paragraph is a stream of consciousness fantasy about walking the streets of San Francisco. Similarly, the passage about seeing in the airport was also fantasy. The fourth paragraph on the first page (PUSD131) says "Monday night after we spoke" - and when asked if it was usual for him to call at night during that time, the witness said "I never talked with her" and that the passage reads "Monday night after we spoke I had a dream" and he meant that he during the day, and that the dream occurred at night. The document referenced that "It's getting harder and harder to accept," by which the witness meant that on in her life, and that it was difficult. When asked if it would be fair to say that he was both sad to see her go and at the same time knew she needed to move on with her life, the witness agreed. When asked at the time of writing PUSD131-133, whether he had really deep feelings for (based upon an objective view of the writing), the witness said that for the sake of this writing, he "embellished" but that is not to take away the feelings he had for acknowledged that he had serious romantic feelings for but at the time of the writing, he would not have characterized as his "lover." When asked about the passage in the document concerning a reference to the word "lover," the witness said that he was plagiarizing Maya Angelou, the poet/novelist, who has a passage similar to what he wrote in a book called "I Know Why the Caged Bird Sings." The witness added that he would definitely not characterize as a "lover" and that this writing was a "catharsis." In further discussion of the document, the witness indicated that the "absence" of related to their separation over spring break and the conference. The witness further indicated that the document referred to his romantic feelings for When asked if the feelings were reciprocal, the witness said that they were. When asked if he and had "interweaved" their graduation as suggested by the writing, the witness only stated that they "hugged." The witness further acknowledged that there were some hugs that were not in the nature of a student-teacher relationship, but denied that they ever hugged while naked. The reference in the

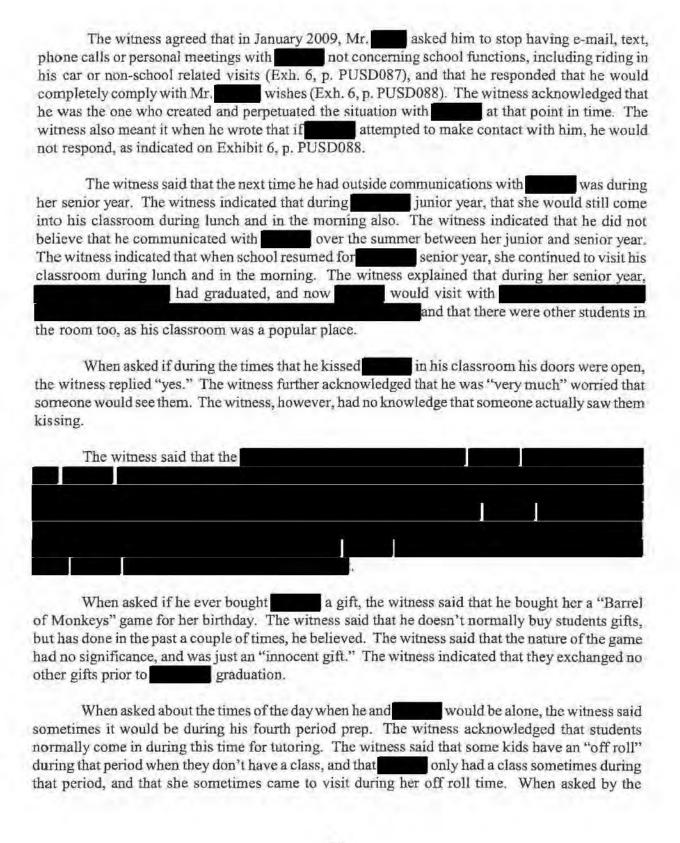
document about "being separated by reality" concerned the fact that was a student, and the witness a teacher, and that he was married. The witness said that he probably wrote the document when he returned to school from spring break. The witness said that he didn't recall how many journal entries there were, and that he didn't remember saving any of them, but that he estimated

more than five entries (and more than ten would be just speculation). These entries were written on his classroom computer, according to the witness.

prior to her grade teacher at Westvic The conversation to deal with the te about it, but the w also spoken with concerning stude classroom, he doe The witness indication until he locked	s was asked if he told any Poway employee about his relationship with ation, and the witness replied no. After graduation, he spoke with a Spanish w HS named Christian Michel, and spoke to him shortly before Halloween 2010, ame about, according to the witness, because the witness' wife wanted the witness ting going on between him and and she wanted him to talk to someone mess did not discuss specific texts with Mr. Michel. The witness indicated he had Mr. Michel about the boundary setting that the witness had begun this past year t relationships, and that with the exception of the clubs which meet in his m't permit students to hang out anymore and keeps the classroom door locked ted that before he made this change, his door would be open and kids would come the door in the evening. When asked if he had spoken to any other Poway Mr. Michel since he had been out on leave, the witness replied that he had not.
	gator showed the witness a series of e-mails between July 2008 and January 2009 JSD012-088) and the witness acknowledged that they were e-mails to and from
and that the first ti two of which is a private "Cottrell, can we familiar with him,	the e-mails, the witness acknowledged that had babysat for his children, he it happened was between sophomore and junior year, when she and riends (who were WHS students) watched his children cocial club in Rancho Bernardo. According to the witness, the three asked him, abysit your kids?" (The witness acknowledged that as students become more they tend to refer to him as Cottrell without the "Mister.") The witness said that his home on one occasion, but he didn't remember if it was the same summer or
saw her every day with her friends other students in t	to the witness, when was in his class her sophomore year, he school, and once that class ended, she would come into his classroom for lunch. The witness further indicated there were e classroom during lunchtime, but those three girls were "regulars" who would h, and hang out, although the witness didn't speak with them much during that
witness said that h he didn't remembe he text with her th sophomore year, a	to when e-mail communications between the witness and began, the first e-mailed her in regard to a class assignment, and that after that having e-mail correspondence with during her sophomore year, nor did at year. The witness said that he texted with her during the summer after her ad emailing also. The witness did not remember who e-mailed who first that initiated the texting.

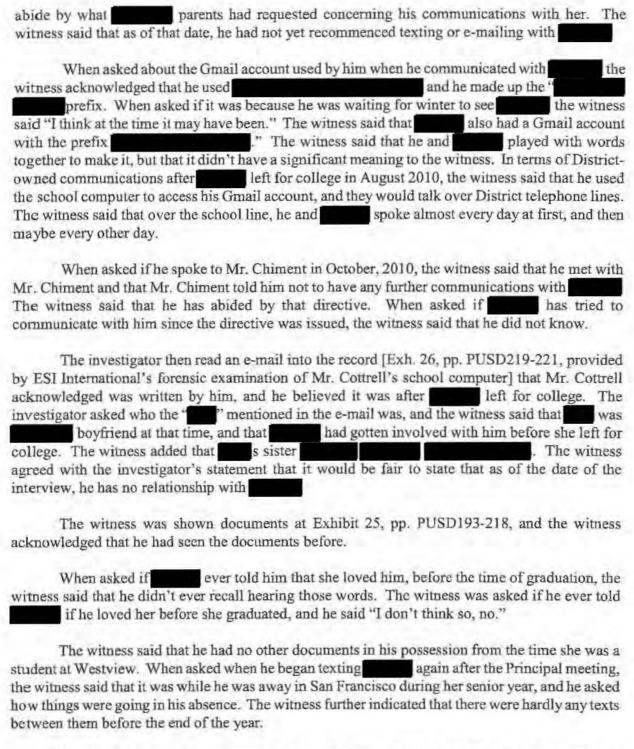


When asked if the November 2008 through January 2009 e-mails crossed the boundary of a teacher being professional with a student, the witness answered "in two ways": (1) any level of communication like that in the e-mails between male teacher and female student is inappropriate in terms of frequency, and content secondarily; but (2) that the witness felt that he tried to steer the conversations to school-related topics. The witness reviewed the e-mails, and did not see any inappropriate topics, and said that he would talk about a student in person about these subjects. The witness said that communicating in person with a student is different because there often are other students around, and one is more "conscientious" of what one is saying.



investigator how often during the second term of her senior year would visit him during fourth period, the witness responded "very infrequently." The witness confirmed that he and first kissed in the Feb/Mar. timeframe of her senior year. When asked what was his best recollection of the circumstances and words which led up to the first kiss, the witness said the conversation may have started about vague terms about some of the feelings they had over the course of time, and that the first kiss "probably was a result of a hug that may have lasted too long." The witness did not recall why they were hugging. The witness was not sure of the timing of this kiss vis-a-vis the intensity of the issues that was having with her family problems, which were ongoing. When asked if he had spoken with any school administrators after he had received e-mail in January 2009, the witness said that he had. The witness said that he spoke with Principal Dawn Kastner in her office for about 20 minutes the same day that to meet with Kastner about the witness. The witness said that Kastner told him that the parents did not like the frequency of his communications with and she "asked him to be careful" The witness said that he told Kastner that he agreed that she was right, and he told her that he "would not have any more outside contact with and that he "would be very cautious in regards to my interactions with her on campus." The witness said that he meant what he said at the time. The witness did not think he had any further communications with Ms. Kastner thereafter about With respect to The witness said that he also spoke with Tina Ziegler, a Westview Assistant Principal, in her office for about 10-15 minutes around the same time of year that he spoke with Ms. Kastner. When asked what they discussed at this meeting, the witness said that it had to do with texting and student contact via e-mails or texts. The witness said that he thought he sought her out, and she talked to him "as a parent." The witness remembered that the meeting ended positively, and that he said "I'm sorry for having put you in this position." Ms. Zielger told the witness at that time to be careful and watch his level of interaction with students. The witness explained that Shannon Parker had also approached him with her concerns during that same 2008-2009 school year about how aying that she liked spending time in his room and talking with him. The witness acknowledged e-mailing with Shannon Parker in February 2008 (Exh. 16. pp. PUSD140-142). The witness said that he wrote to Shannon regarding some concerns he was and the witness thought that Shannon would be a good resource, since Shannon having with . The witness indicated that these e-mails (Exh. 16, pp. PUSD140-142) was close with preceded an in-person discussion he later had with Shannon. The witness was also shown e-mails between him and Shannon Parker on March 10-11 of 2008 (Exh. 16, pp. PUSD143-144), and

acknowledged them to be communications he had. The witness acknowledged that taken an "obvious" liking to him as of March 2008, and it became obvious around the same time that she started to join other students in his classroom in the second term of her sophomore year. When asked if he ever spoke with about setting boundaries, the witness said that near the end of her junior year, they had a brief discussion about that, and that they may have talked about the frequency of how often she was in his room, and how that may be perceived by others. The witness said that there was not a "plan of action" but that he told her that "we needed to be careful, that perception can be powerful." When asked if he revisited this topic after they first kissed, the witness said that they might have talked about it within a few days of their first kiss. They discussed the "awkwardness of the situation." When asked if he told that it was inappropriate and they shouldn't do it anymore, the witness said "I don't think I said that exactly, no." The witness explained that he addressed with "the fact that something like that could spiral out of control." The witness indicated that he had made some "poor decisions" at that point, and the decisions were "starting to snowball" which eventually lead to additional poor decisions as had been discussed earlier in the interview. From the point of the first kissing, to the time of graduation, the witness acknowledged that that they should stop seeing each other or communicating. The witness said that although it was unspoken, he and knew not to tell others about their relationship because "if someone found out, it would be pretty bad." When asked to describe personality in general, the witness described her as "very introspective, contained, fairly stoic." The witness acknowledged that student who would go telling her friends if she kissed a teacher and the witness said that "she kept everything to herself." When asked about if he had any other discussions with Shannon Parker, the witness said that , and she cried a bit, and he went one time came to him about her father to Shannon about his concern about how would affect her and to fill her in on the subject. The witness said that at that time, he tried to deflect emotions so that would talk with Shannon or somebody else. The witness reflected that he may have spoken to speak with a counselor, and that they agreed that she wouldn't be Ms. Ziegler about having the type to open up to a counselor. The witness was shown Exhibit 10, pages PUSD98-100, which were e-mails between the regarding the witness writing a letter of recommendation for witness and , and the witness said that he did receive the request and wrote a application for recommendation for The witness also acknowledged sending an e-mail to obtain the contact information for one of friends for whom he was also writing a letter of recommendation. (Exh. 10, p. PUSD099.) The witness stated that as of 12/28/09, he was trying to



that was forbidden." The witness said that he conveyed to another were inappropriate. When asked about who asked who in terms of the witness said that he asked her since she was working during first period in the hallware anyways. The witness denied that he asked her so that he could have a romant relationship with her. The witness elaborated that in terms of having romantic feelings, "I think the she became aware of them after, and I became more aware of them after" the witness admitted, however that he was concerned that something romantic would occur between them if she witness admitted. When asked if he did anything to keep that from occurring, the witness said, "I guess not enough."
When discussing the topic of the witness exercising on campus, the witness acknowledge that he worked out in the "fitness lab" and that he exercised while was occurring when was in the class, since he exercised sometimes during his fourth period prep time, when had class.
The investigator asked the witness about extracurricular duties at Westview, and the witness said that he was the JV soccer coach for two years and then in 2009-2010 he was the varsity assistar coach for soccer. The witness said that he was also the advisor for the Philosophy Club for 2009-2010 and for 2010-2011. The witness said that he also sat on a "School Site Council" from 2004-2006. He was also involved in organizing Westview campus bands to play on campus and organize two set-drummer competitions. When asked if he had received any awards as a teacher, the witness said that he was nominated for teacher-student appreciation night, and that he was elected Department Chair of the Humanities/Social Science Department in 2009-2010 for a two-year position.
Following the investigator's intention, the witness school if he could just "an through

Following the investigator's interview, the witness asked if he could just "go through a couple of things." The witness then read a lengthy prepared statement into the record apologizing for his actions and that he has taken measures to ensure they never happen again if he is permitted to return to teaching.

В.

The investigator arranged to interview with the permission of her mother, The investigator's office contacted directly and asked if she would be willing to be interviewed concerning a District employee. said that she would be willing to do so. The interview occurred at the District Office on January 12, 2011. Ms. Hogarth was present for the interview.

When the interview began, the investigator introduced himself and explained the investigation process. The investigator told the witness that the interview concerned a Poway USD employee, and asked the witness if she knew which employee would be discussed. The witness said that she thought it was about her job for the County of San Diego. The investigator explained that it was not about that, but was about Mr. Cottrell. The witness said that she had him

as a teacher, and that it would be okay for her to talk about him. The investigator explained that the investigation concerned the witness' relationship with Mr. Cottrell. The investigator further explained that information provided by the witness would be confidential, except that it would be shared with interested parties, such as Mr. Chiment. The investigator told the witness that the investigator had interviewed other witnesses, including Mr. Cottrell, and that the witness was the first student that the investigator had interviewed. The witness was asked to be candid, and the witness said that she would. The investigator said that it would be hard, but that she could take a break at any time.

When asked by the investigator when the last time she had spoken with Mr. Cottrell, the
witness said
When asked by the investigator why the witness thought that the stoppage had occurred, the witness said
and the stoppings and occurred, are without and
When asked if she had communicated with Mr. Cottrell regularly when she went off to college, the witness said
When asked by the investigator if her relationship with Mr. Cottrell was a personal, romantic one, the witness responded that
. However, initially
when asked about how it was a personal relationship, the witness said
When asked by the investigator if Mr. Cottrell was a good listener, the witness replied When asked by the investigator if she discussed her relationship with her parents with Mr. Cottrell, the witness replied
When asked by the investigator when she first met Mr. Cottrell, the witness explained
When asked by the
investigator if the witness saw Mr. Cottrell every day during her sophomore year, the witness responded . When asked by
the investigator if she ever hung out in his classroom before school, the witness

William and and houth a imprometion	touchout hobe sitting for Mr. Catterll Auring house whom are see
he witness said	ator about babysitting for Mr. Cottrell during her sophomore year
iib Willess Said	
When asked by the investigator if sh	ne babysat Mr. Cottrell's children alone, the witness said
vitness said	When asked how babysitting for Mr. Cottrell came about, the
VILLICSS SAID	
III/h an oak ad huith a invoction	ntor who her closest friends were in high school, the witness said
when asked by the mivestiga	. When asked if she still keeps in contact with her high
chool friends, the witness said	
When asked by the investiga	ator what high school was like for her, the witness said
	When asked by the investigator about the
arious activities she did, the witnes	s said
nvestigatorif	When asked by the the witness
aid that	the withess
When asked	the witness said When asked
the witness said	Witch asked
	When asked
y the investigator	, the witness said
The witness added	

When asked if she	
The witness explained that restigator why she decided to cont	t . When asked by the tinue after high school, the witness said that
When asked	d if she enjoyed college, the wimess said
	ator when she left for college, the witness responded that college, the witness said
When asked by the investiga	ator about her other close friends, the witness When asked where they are, the witness said
When asked about	

	aking with Mr. Cottrell about non-school things, the witness said
developed a crush o	on Mr. Cottrell during that time, the witness said
what she talked abou	When asked by the investigator ut with Mr. Cottrell, if it was how she felt daily, she
What she taked abou	It will fill. Controll, if it was now she for daily, she
	When asked by the investigator
if, in her opinion, sh	e and Mr. Cottrell had gotten too close, the witness said
When asked if it was	because
and the witness	
	. When asked by the investigator if at some point her
relationship became	too close, the witness said
	. When asked by the investigator if there
was a line between st	udent and teacher that could be crossed if the relationship got too personal, the
witness	
The investiga	utor asked if communications with Mr. Cottrell stopped after the parents'
	ator asked if communications with Mr. Cottrell stopped after the parents' incipal, the witness
	incipal, the witness
meeting with the pri	When after when she and Mr. Cottrell started to get close again, the witness said
meeting with the pri-	When ator when she and Mr. Cottrell started to get close again, the witness said When asked if she continued visiting
meeting with the pri-	When after when she and Mr. Cottrell started to get close again, the witness said
asked by the investigation. Cottrell's classro	When asked if she continued visiting
sked by the investigation. Cottrell's classro	When after the Principal meeting, the witness When asked if she continued visiting the witness said.

	. When asked how she
communicated before the Principal	meeting, the witness said
	When asked if she e-mailed with her other teachers,
	sked about how often she would e-mail with Mr. Cottrell, the When asked what they e-mailed about prior to the Principal aid
	as not permitted to e-mail with Mr. Cottrell, the witness said
asked if the witness used different e-ma	. When ail accounts to e-mail during her senior year, the witness said
	When the witness was asked by the investigator f San Diego with Mr. Cottrell, the witness said
When asked if she told her mon witness said	and dad that she was texting and e-mailing Mr. Cottrell, the
in, the witness said	When asked when she moved When asked how the arrangement came
about, the witness said	
When asked by the investigator left for college, the witness said used, the witness said	how the witness communicated with Mr. Cottrell after she . When asked about what e-mail accounts were
. Wh	en asked if she had her own G-mail account, the witness said
When asked if the address was a literary	
e-mail address over the summer before	by the investigator if the witness communicated using this college, the witness. When asked if she was hoping. Ar. Cottrell at the winter college break, the witness.
	nim while she is currently on winter break, the witness said s was for his G-mail account, the witness said

When asked to co	nfirm that she never had a "	crush" on Mr. Cottrell, the witr	ness said
The investigator as	sked the witness about		
When asked if she	had famineitie? at all during	her senior year, the witness said	
when asked it she		When asked if during the 2 nd ser	
senior year she saw Mr. C	Cottrell more than just first p	4 THE RESERVE OF SECTION AND ADDRESS OF THE PROPERTY OF THE PR	
		When asked if she hu	ng out with
Mr. Cottrell any other pla	ce off campus, the witness s		When asked
where they drove to, the	witness		
		40300	
		en that happened, the witness sa	
together off campus, the		a asked how many times they w	vent driving
When asked said	if she ever drove with Mr. C	ottrell to Point Loma Nazarene,	the witness
said			
When asked by the	investigator if she fell in lo	ve with Mr. Cottrell, the witnes	s responded
Which howed by the		she told him that she loved him,	
replied	Tatas 11 had asses Come a Citizen		asked how
the witness said	coureil had gone from a friend	d or mentor to a more romantic r	erationship,
T		Salam Harak I ali a da d	
	ked if at some point she and happened, the witness	Mr. Cottrell kissed, and the witt	iess
When asked when it		in the beginning of January, the	witness said
When asked what their	ir relationship was like from t	the beginning of senior year	

	. When asked what they talked about,
the witness said	
When asked where she and Mr. Cottrell if anyone else was there, the witness Whe said The witness also said they kissed	. When asked an asked if they kissed more than once, the witness
When asked by the investigator if she to Mr. Cottrell, the witness said if she thought anyone knew, the witness said	ld anyone that she was in this relationship with . When asked
M. Cattall and Idlanta that have a second	When asked if
Mr. Cottrell ever told her that he was uncomfortab	le with
from others, the witness When asked if thought that they might get caught, the witness said asked if it was unusual for Mr. Cottrell to	t to be alone with the witness, the witness said
When asked if she had spoken to Mr. Cott	rell about the investigation, the witness said
When asked if she continue summer after she graduated, the witness distance communications with Mr. Cottrell at col	d her relationship with Mr. Cottrell through the When asked if she continued long- llege, the witness said
When asked if she saw Mr. Cottrell sometimes over	the summer before college, the witness said
When asked what she did that summer, the witness if she saw him about one or two times per week witness was asked if the witness believed that Mr. witness When asked why she believe	in the summer, the witness When the Cottrell's wife knew about their relationship, the
When asked if Mr. Cottrell had stopped to	exting her, the witness When asked

if she went on drives with Mr. Cottrell while still at Westview, the witness said
. When asked if Mr. Cottrell was in San Francisco at the tin
When asked if any of her friends knew about her relationship with Mr. Cottrell, the witness. When asked if she told anybody, she witness said that When asked if her parents knew, the witness.
When asked if she and Mr. Cottrell went further than kissing while she was a student, the witness. When asked if Mr. Cottrell touched her breasts or buttocks before she graduated the witness. When asked if they were just "making out" (if she understood that) between January of her senior year and graduation, the witness said. When asked if there was a discussion of physical boundaries where they wouldn't go past a certain point and how that worked, the witness said.
Later in the interview, the witness was told by the investigator that Mr. Cottrell said during his interview that he may have touched her buttocks on one occasion when they hugged when she was a student, but the witness said
When asked if it was hard for her to leave for college, the witness said When asked if it was difficult in Octobe when she said that communications stopped, the witness said When asked if she was seein any other boys now that she is in college, the witness said When asked if she had moved on from Mr. Cottrell or if they were still in
When asked about a boy named that Mr. Cottrell discussed during his interview, the witness said
. When asked if she was having a relationship with both and Mr. Cottrell at the same, time, the witness . The witness was asked where went to school, and the witness replied . When asked how she met the witness said

When asked if she had seen	while in college, the witness said
	I given her any gifts while she was a student, the witnes
ied en asked if the type of gift had any s	significance, the witness replied
the time she graduated, she did not ha	ess to confirm that from the time of the Principal's meeting two sex with Mr. Cottrell, and the witness. When the investigator asked the
tness why she would think that, the	witness said
	o elaborate on what she and Mr. Cottrell talked about with
pect to their relationship, the witne	ess said
pect to their relationship, the with	ess said
pect to their relationship, the with	ess said
nen asked if being in love was their ju	
nen asked if being in love was their ju ness said	stification for having their relationship while in school, the
nen asked if being in love was their ju ness said	
nen asked if being in love was their ju ness said	stification for having their relationship while in school, the
nen asked if being in love was their ju ness said When asked if she ever told Mr. when asked how that came about, the v	stification for having their relationship while in school, the
nen asked if being in love was their ju ness said When asked if she ever told Mr.	stification for having their relationship while in school, the
nen asked if being in love was their ju ness said When asked if she ever told Mr. when asked how that came about, the v	stification for having their relationship while in school, the
nen asked if being in love was their ju ness said When asked if she ever told Mr. when asked how that came about, the v	stification for having their relationship while in school, the
nen asked if being in love was their ju ness said When asked if she ever told Mr. when asked how that came about, the v	stification for having their relationship while in school, the

The witness was asked about her

When asked if she spoke with her mother about the interview, the witness said that

C. Dawn Kastner

The interview was set up by the investigator's office working in conjunction with the District's office. The interview occurred on November 18, 2010, and present at the interview was Ms. Hogarth. It was explained to the witness that the investigator is not acting as the District's attorney, but as a neutral fact finder. The investigator further explained that the information provided may be provided to the other parties involved. The witness said she understood and gave her permission to be interviewed. The witness was dressed professionally, was friendly and spoke openly and honestly, in the investigator's opinion.

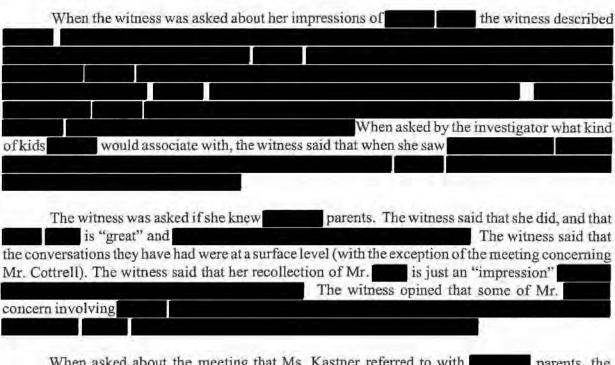
The investigator asked the witness about her employment background with the District. The witness said that she was an assistant principal at RBHS for the 2004-2005 school year and she worked the next year as an assistant principal at Westview HS. Beginning in the 2006-2007 school year, she became the principal at Westview HS, and has remained so through the time of the interview.⁴

The investigator asked the witness to give her impressions of Mr. Cottrell, and the witness responded that Mr. Cottrell is "one of the best teachers I've ever worked with" describing him as "bright, reflective, and passionate." The witness added that he is the most popular teacher at Westview in her opinion, and that he's "cool" and excited about the stuff that he does. The witness further described Mr. Cottrell as a "highly skilled communicator" who is "very funny and very fast." The witness said that he has "spiky" hair, and has been involved with the "Battle of the Bands" at Westview. The witness said that there's "always a lot of kids in his classroom" and "both boys and girls like him." The witness said that a lot of "philosophy and soccer kids" hang out with him. The witness also noted that "he tends to be pretty tough on himself," and that he is an "emotional guy" with no real ego ("he's not a narcissist"). The witness said that the damage to her school with Mr. Cottrell being out on leave is "profound." The damage, according to the witness is to the "kids at school who love him more than any other teacher" and that it would be "devastating to the school" if he were to leave permanently.

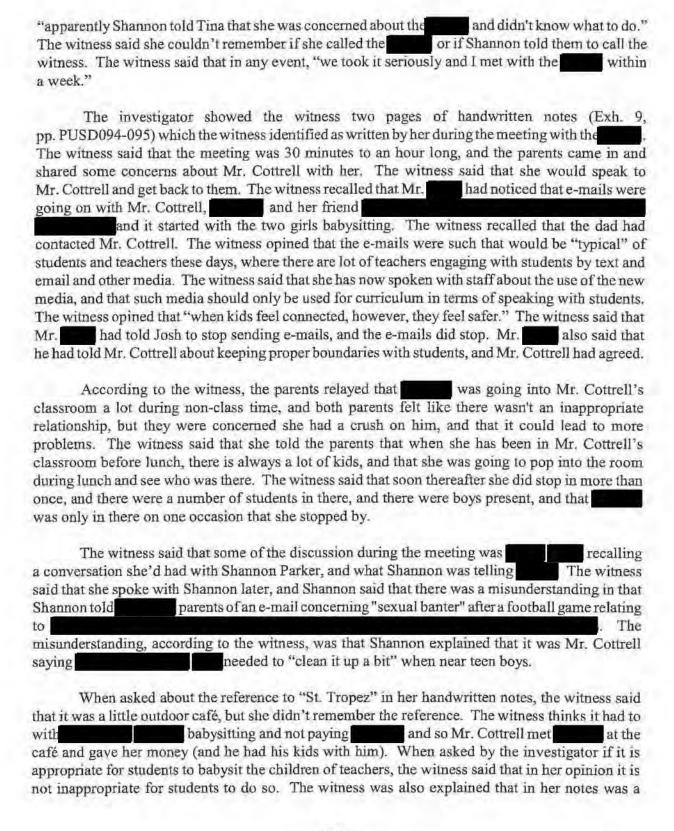
[†] Prior to the submission of this Report, the investigator was informed by Ms. Hogarth that Ms. Kastner had become the Principal of Mt. Carmel HS as of early January 2011 for reasons completely unrelated to this investigation, and that Mr. Todd Cassen had assumed the role of Principal at Westview HS.

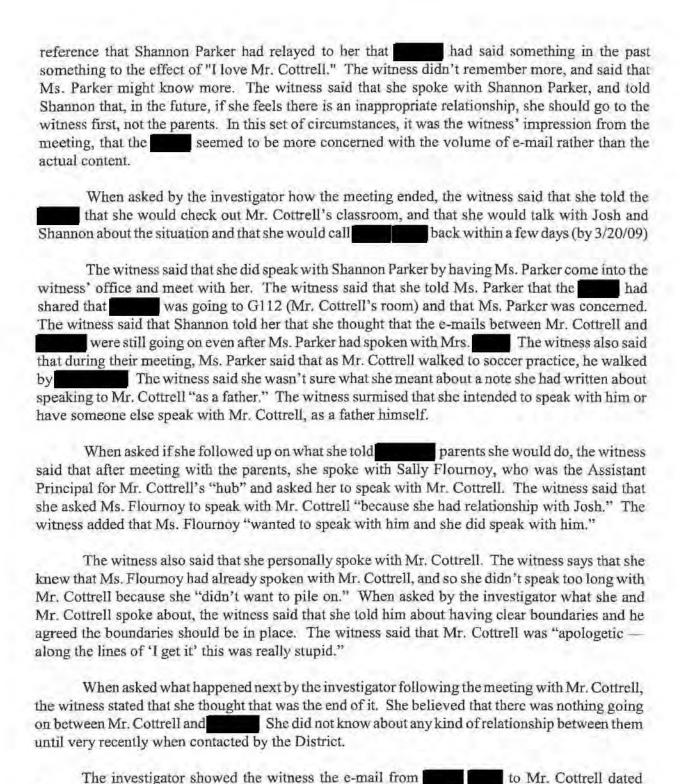
When asked by the investigator about Mr, Cottrell's job duties besides teaching, the witness said that Mr. Cottrell has been the coach of JV soccer, and that he was the "Department Chair" for the English Department. The witness said that Mr. Cottrell was instrumental in bringing a unique Critical Thinking through Reading course to the school, and this course was created a couple of years ago. The witness said this is a college level and tough class, and she has received letters from parents praising Mr. Cottrell and that he is beloved. The witness said that Mr. Cottrell was also part of a "Maverick group" of six teachers who were really innovative, and that the group complained about certain aspects of teaching but Josh would ask things like "How is this going to be better for kids?" The witness described Mr. Cottrell as a "big-picture guy." The witness also opined that Mr. Cottrell has been innovative with the use of text messages in the educational arena in class. The witness said that Mr. Cottrell was also involved with a philosophy club, which is a student club with "kids who were really bright and alternative and creative." The witness also said that two or three years ago (later confirmed by the investigator as May 2007), Mr. Cottrell was the recipient of the "Crystal Apple Award." The witness said that this award is "a big deal" and it is an award given out by the LDS church to two teachers at Westview nominated by students who say that the teacher is the most influential on them.

When asked if she was aware of any past problems involving Mr. Cottrell, the witness said that she had none except for the issue with the



When asked about the meeting that Ms. Kastner referred to with parents, the witness said that they met on or about March 17, 2009. The witness' recollection of how the meeting occurred was that Tina Ziegler (now the principal at Sundance ES) was the Hub 3 administrator (Asst. Principal) at the time, and she was Shannon Parker's hub administrator. The witness said that





witness reviewed the document and said she has not seen it before. The investigator then showed

August 18, 2008 with the subject line: "FW:

mom and dad." (Exh. 3, p. PUSD043.) The

the witness the e-mail from to Mr. Cottrell dated January 21, 2009 with the subject line: your e-mails to (Exh. 6, p. PUSD085.) The witness reviewed the document and said that she had seen it, but didn't remember when, and she thinks that Mr. forwarded it to her.

When asked about the climate on campus since Mr. Cottrell has been on leave, the witness said that for Mr. Cottrell to be gone (where there is a substitute teacher now) has started kids and teachers talking about why he is gone. The rumors she has heard from students are that his mother has cancer (which is true) and that a friend committed suicide (which the witness believes is also true.) The witness added that the students know that Mr. Cottrell is an emotional guy. According to the witness, the teachers apparently found out that Mr. Chiment was in Mr. Cottrell's classroom late after school one day, and they have speculated that Mr. Cottrell has had either pornography on his computer or had an inappropriate relationship with a student. The witness also offered that apparently someone knew that Mr. Cottrell's computer had been taken out of his room, and that could be where the rumors among the teachers about pornography started. The witness does not know how anybody found out, because she spoke with Mr. Cassen, and the computer was removed at 6:30 in the morning.

The witness was asked when graduation day was for Westview in 2010, and the witness said June 8, 2010.

The witness was asked if she knew if Mr. Cottrell had ever visited San Francisco for school matters. The witness said that he had visited San Francisco last school year. The witness further explained that because of Mr. Cottrell's "Critical Thinking Class," some friends were excited and asked him to speak in San Francisco at a philosophy conference. The witness' recollection is that Mr. Cottrell and a male student, went to San Francisco for the conference. The witness said it was her understanding that and his parents stayed in one room, and Mr. Cottrell in another room.

When asked by the investigator what she had heard about and Mr. Cottrell following the meeting with her parents, the witness said that she hadn't heard anything for a long time, and that the next thing that happened was this year (2010), when there was computer crash, and she didn't get e-mails for four days, and all the e-mails were gone. The witness said later on she received an e-mail dated October 11, 2010 from (Exh. 21, p. PUSD155.) The witness said that she received this e-mail well after October 11, which she said is consistent with Mr. note at the bottom concerning that the e-mail was sent "many days ago" and that the IT Department confirmed that e-mail was down. The witness was most concerned about Mr. allegations of an affair between Mr. Cottrell and and that according to Mr. e-mail, it appeared that she was under age when this started. The witness said that she obtained the letters from suitcase

from the and spoke with The witness said that but the parents want the relationship to stop, and they believe it is ongoing.

The witness said that when she received the e-mail dated October 11, 2010 (Exh. 21, PUSD155), she called Bill Chiment and had a short conversation with him about it, and he asked the witness to collect evidence and speak with the parents. The witness said that she told Mr. Chiment that she would call and the witness then called first, left a voice message, and then called home and answered. The witness believes she had two conversations with over the matter, and that she e-mailed Mr. Chiment with the details of the conversations. The witness was shown page PUSD159 of Exhibit 21, and the witness confirmed that this was the e-mail she sent to Mr. Chiment on October 22, 2010 after speaking with on those occasions. The witness also identified e-mails between her and concerning the letters in the suitcase. (Exh. 21, pp. PUSD156-158.)

When asked to elaborate on her thoughts when she looked at the "suitcase" writings, the witness said "I don't see anything that would lead me to believe that they had a relationship for sure before graduation." The witness added that she didn't know what "our place" in the document means. The witness opined that "a lot of this could be fantasy or in his imagination," "it is hard to tell what is fantasy and what is real," and further opined that there is little to indicate to the witness when it was written.

The witness said that the District administration has taken the lead since then. It was the witness' understanding that Mr. Chiment met with Mr. Cottrell and told Mr. Cottrell not to contact anyone at the school and placed him on administrative leave. The witness added that the Assistant Principal (now Principal as of 2011), Todd Cassen, is Mr. Cottrell's conduit for communications. The witness said that Mr. Cassen obtained some e-mails from Josh's computer and was clearing Mr. Cottrell's voice messages on the school phone. The witness said that Mr. Cassen does that to ensure that the parents are being responded to. The witness offered that at some point, Todd was checking phone messages which he transcribed and gave to Mr. Chiment. According to the witness, one phone call message was a very quite female voice in hushed tones saying "please call me." There was a second phone call, according to the witness, and then a third phone call with the same voice saying "please, please call me." The witness said that Mr. Cassen transcribed these and they have the transcription. The witness opined that the messages were left by and that based upon the substance of the messages, they hadn't spoken in a while.

The witness opined that she believed that Mr. Cottrell and set up an alternate communication system that did not involve the use of the school e-mail system. The witness is not aware of Mr. Cottrell ever using Skype in the past, but knows that Skype was used by a teacher named Scott (an ASB director) a while back. The witness said that Mr. Cottrell never had a chance to go back to his computer after meeting with Mr. Chiment and Ms. Hogarth. The witness said that Mr. Cottrell returned to campus and was walked by Mr. Cassen back to his classroom.

When asked	d by the inv	estigator about how	a student
	I	1	
Cudmore for			The counselor would have been

When asked by the investigator if teachers normally close their classroom blinds, the witness said that most teachers will close the blinds on windows as it is more conducive for learning, and the witness added that Mr. Cottrell probably closed his blinds too.

When asked by the investigator if she is surprised about the allegations raised by the parents, the witness responded that she "had absolutely no idea" and that "he is a very professional teacher." The witness believed that were the investigator to ask Mr. Cassen the same question, that Mr. Cassen would say the same thing. The witness offered that if Mr. Cottrell remains out, "the impact will be profound on our campus" on both the students and teachers due to rumors and the fact that there are teachers who don't like Mr. Cottrell.

The investigator showed the witness the handwritten letter from to Mr. Cottrell. (Exh. 25, pp. PUSD211-212). The witness reviewed the document and noted that addressed Mr. Cottrell as "Joshua" in this letter, where as before in her e-mails she used to address him as "Cottrell." The witness was shown the envelope, and asked if the receptionist would have read the contents, and the witness responded that the envelope would not have been opened by the receptionist. The witness added after reviewing the letter that "there is an emotional fragility as to both Josh and and that "Josh said something long ago to me about the fact that he tends to obsess about things" and how he addresses life generally.

The	witness was asked about the	investigator about	friends and what she knows
about them.	The witness said that	was a girl she	didn't know personally, but that
	graduated last year. The w	ritness said that as to	, she knows the name, but
not much ab	out her. The witness said tha	t is still a	student, and that
is a theater s	tudent with a terrific voice.		

D. Sally Flournoy

The investigator conducted a telephone interview with Sally Flournoy on February 8, 2011, which was arranged by the investigator's office and Ms. Hogarth. The interview was conducted from the investigator's office, and Ms. Hogarth was present on the telephone call in the same room with the witness. The witness gave the investigator permission to speak to her and said that she understood that the information she was to provide may be provided to necessary parties. The

witness was very forthcoming about what she remembered and did not evade any questions asked of her by the investigator.

When asked about her current job title, the witness said that she is currently the Assistant Director of Learning Support Services. The witness stated that she used to be the Assistant Principal at Westview High School up until the 2010-2011 school year.

The investigator asked the witness if she had ever communicated with Mr. Cottrell concerning and the witness said that she had. The witness offered that she spoke with Mr. Cottrell soon after a time in 2009 where Principal Kastner had a conversation with the witness following Ms. Kastner's meeting with the parents. The witness indicated that Ms. Kastner had met with parents over their concerns about an inappropriate relationship possibly developing between Mr. Cottrell and their daughter when students were not present, and when there was no adult supervision. It was the witness' understanding through Ms. Kastner that parents believed that viewed Mr. Cottrell as a kind of confidant or mentor, but they felt that there were inappropriate e-mail exchanges between the two.

From Ms. Kastner, the witness learned that parents had requested that Mr. Cottrell no longer have any private interactions with and had further requested that Mr. Cottrell not communicate with via e-mail or texting. Furthermore, Ms. Kastner and the witness agreed that they should speak with Mr. Cottrell because the situation might be putting Mr. Cottrell into a potentially compromising position. The witness said that Ms. Kastner asked the witness to speak with Mr. Cottrell. Ms. Kastner relayed the conversation Ms. Kastner had with parents, and that they both were uncomfortable about the situation. Ms. Kastner and the parents believed that for Mr. Cottrell's sake, as well as Mr. Cottrell should avoid private communications.

Ms. Kastner asked the witness to speak with Mr. Cottrell. When asked by the investigator why Ms. Kastner asked her to do that, the witness said she could not recall specifically, but surmised that the witness was the administrator who oversaw the English Department, and it was Ms. Kastner's custom and habit to have the assistant principal speak first to the teacher if there was a problem.

The witness said that she followed Ms. Kastner's instructions to speak with Mr. Cottrell. The witness said that she and Mr. Cottrell talked specifically about because her parents had instructed that he have no further private interactions with her. The witness said that they then spoke more about proper student interactions generally and the "appearance of impropriety." For example, according to the witness, she told Mr. Cottrell that it is not a good idea to be inside the classroom with a student when blinds and doors are not open, and that it is not a good idea to meet alone with members of the opposite sex. The witness said that this was the "gist of our conversation without being able to recall specifics."

The witness offered that she wanted to explain the tone of the conversation with Mr. Cottrell, which she called more "conversational." The witness explained that she and Mr. Cottrell had been

colleagues and that she supervised the English Department, and thought of him as one of the finest teachers she had ever seen. The witness added that she "turned to him as a leader in helping teachers develop pedagogy and develop relationships with students to get to higher levels of rigor through student interest" and "that is the work we were doing at the time." The witness explained that her conversation with Mr. Cottrell about revolved around those notions, and that the teacher and student should remain professionally separated, like the distance between a parent and child.

When asked by the investigator if she gave Mr. Cottrell any specific instructions with respect to the witness said yes, she had. The witness said that she instructed Mr. Cottrell that he "cannot be alone with and that he "shouldn't be alone with other students either" but that "meeting with groups of students was okay." The witness noted that the parents were not concerned about group interactions with Mr. Cottrell at lunch or other times. The witness added that she and Mr. Cottrell also specifically discussed that outside of an academic setting (group discussion or class), parents did not want him communicating with via e-mail or texting, and the witness told him not to do that. When asked if Mr. Cottrell agreed not to do those things, the witness said that he agreed not to.

When asked by the investigator about the length of her meeting with Mr. Cottrell, the witness said that the meeting lasted "not more than 15 minutes; more like 10." The witness explained that "when I went to talk with him, we already had a relationship established concerning his work with students, and so part of the conversation was him saying that I have a good relationship with all my students, and the conversation was along that vein." The witness said that Mr. Cottrell indicated that he understood the professional setting and he was to keep the arm's length distance between all students.

When asked by the investigator if the witness saw anything after that conversation that would lead her to believe that there was an inappropriate relationship between and Mr. Cottrell, the witness responded that there was not anything that she saw. The witness explained that she "did walk around campus and would see students in his room, including but that was not something that the parents wanted to stop." When asked if she ever saw Mr. Cottrell's doors and blinds closed in the middle of the school day, the witness said that she had not. The witness described that Mr. Cottrell's classroom has windows and a door to an inside corridor, and that she would walk through periodically, but never saw closure. When asked by the investigator if the witness ever spoke with Mr. Cottrell regarding that.

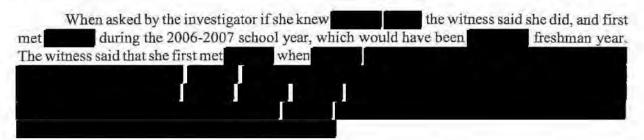
When asked by the investigator whether then Asst. Principal Tina Ziegler ever, to her knowledge, spoke to Josh about the same things as the witness did in her conversation with Mr. Cottrell, the witness said that she had a vague recollection about an issue with and that she thought Tina had spoken with Mr. Cottrell after that. When asked by the investigator if she had spoken with either or the witness said that she hadn't. The witness offered that from her perspective from speaking with Ms. Kastner, the parents were worried that the witness noted that it was her

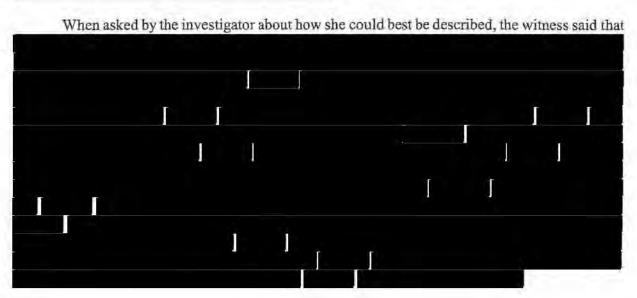
recollection that neither Dawn nor the witness thought that an inappropriate relationship was occurring between Mr. Cottrell and It was more that Mr. Cottrell's communications were not at a professional distance.

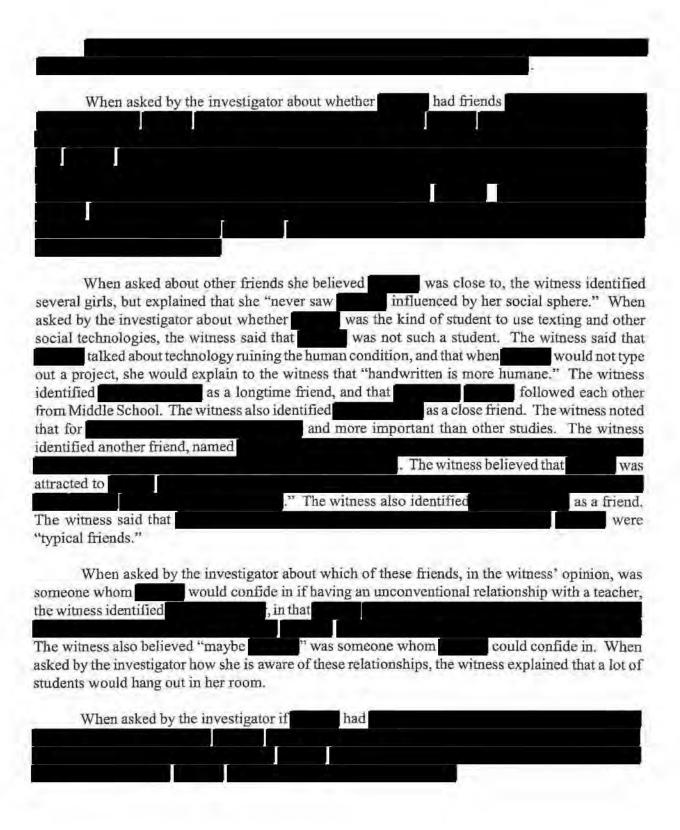
E. Shannon Parker

The investigator's office set up the interview with Ms. Parker, and the interview occurred on November 29, 2010 at the District Office. Ms. Parker was informed before arriving at the District Office that the interview concerned Mr. Cottrell, and that if she had any documents concerning him, she should bring them. Ms. Hogarth was present for the interview. Ms. Parker dressed appropriately for the interview. The investigator explained that the investigation concerned Mr. Cottrell, and Ms. Parker agreed to be interviewed. Ms. Parker was forthcoming with responses, and did not refuse to answer any questions. She said she understood that the information she intended to provide may not be wholly confidential.

When asked by the investigator about her employment background, the witness explained that she was first employed by the District in 2002 as a two-thirds employee teaching dance at Westview High School. The witness said that her background centered on dance and "planning/leadership."







The witness provided to the investigator a three-page written "Timeline of Events" during the interview. (Exh. 15, pp. PUSD137-PUSD139). The witness said that she wrote the Timeline document. In addition, the witness provided e-mail printouts of e-mail exchanges in 2008. (Exh. 16, pp. PUSD140-144.)

In terms of the witness' knowledge of the relationship between Mr. Cottrell and witness said that the first she was aware of it was during sophomore year, in February 2008. According to the witness, Mr. Cottrell approached the witness via e-mail, saying that had come crying to him and that she was in tears. The witness then identified a particular e-mail dated February 6, 2008 from Mr. Cottrell to the witness. (Exh. 16, pp. PUSD141-142.) The e-mail seeks advice because and her friends have spent lunch time in his classroom, and that she had recently showed up one morning "stressed" and "to the point of tears." The e-mail relates that Mr. Cottrell had not spoken to on a personal level, but that
Ms. Parker's help to "keep an eye out for her." The witness then explained that she and Mr. Cottrell e-mailed each other back and forth about "how best to deal with (Exh. 16, pp. PUSD140-141.) The witness offered that she "didn't have the same relationship with in terms of on a personal level, and that the witness' relationship with "was more business like."
The witness said that in March, 2008, she was having a discussion who at some point said to the witness "if you really knew me you would know I'm in love with Mr. Cottrell." The witness said that it was her "thought to put it out in the open" and "that it was just a teenage thing." She spoke with Mr. Cottrell soon thereafter about what had said about him. Mr. Cottrell then sent the witness an e-mail regarding their conversation. (Exh. 16, pp. PUSD143-144.) In the e-mail, Mr. Cottrell explained that he was aware that she had taken a liking to him, but wanted to know from the witness whether "attachment" was more than just a "crush." The witness e-mailed back that "I think it is nothing more than a crush that will soon fade over time — is quite grounded"
According to the witness, the next contact she had with Mr. Cottrell concerning was May 2008,
When asked by the investigator about the next event she could recall between Mr. Cottrell and the witness said that at the end of June 2008, and that she saw Mr. Cottrell having lunch with and three other students. She and thought it was "odd."
The witness further explained that later in the Summer 2008, in the July/August timeframe

	gym from the fitness lab to the w	
cell phone "the wh witness told the	and told the witness ole way up" to told the witness. When the tit was her choice,	
When asked said that on Septemb		ten timeline provided by the witness, the witnes
		, Mr. Cottrell sent an e-mail to thre
witness' attention b	According to the witness,	
was bizarre and asket that "I felt like I cou emailed Mr. Cottrell Mr. Cottrell about the Mr. Cottrell about the Mr. Cottrell about how he could Mr. Cottrell about had overheard his behavior as inapparents' perspective, that his e-mail conceup the situation, by nead that Mr. Cottrell	ed the witness to speak with Mr. ald talk to him colleague to colleto meet, and they met on back to be e-mail and that "Oh my god, that was a complete. "make this right." During the concerns about his conversation. Mr. Corpropriate, but, according to the he understood and was embarra erning went to the toting that the e-mail was a followed up with an e-mail the	"and that Ms. Ziegler thought the whole e-mai. Cottrell as a colleague. The witness explained league, but it was still awkward." The witness to school night, and at that time the witness told were upset about it. The witness said that e joke" and he apologized and asked the witness is same conversation, the witness shared with ne-crossing with students, especially given that cottrell told the witness that at first he didn't see it witness, once Mr. Cottrell saw things from assed. The witness said that she told Mr. Cottrell he to the administration. The witness summed a joke to Josh, but not to parents. The witness is next morning apologizing again.
Mr. Cottrell spoke ab figure." The witness in Mr. Cottrell emoti squeamish about the	out Mr. Cottrell told the said that she told Mr. Cottrell ionally by crying and sharing he conversation and covered his	he witness that looks at him as a "father that in her opinion, was trying to pull er personal difficulties. Mr. Cottrell appeared ears, at which point the witness removed his
	and told Mir. Cottlen that	is "in love with you" and to be careful.

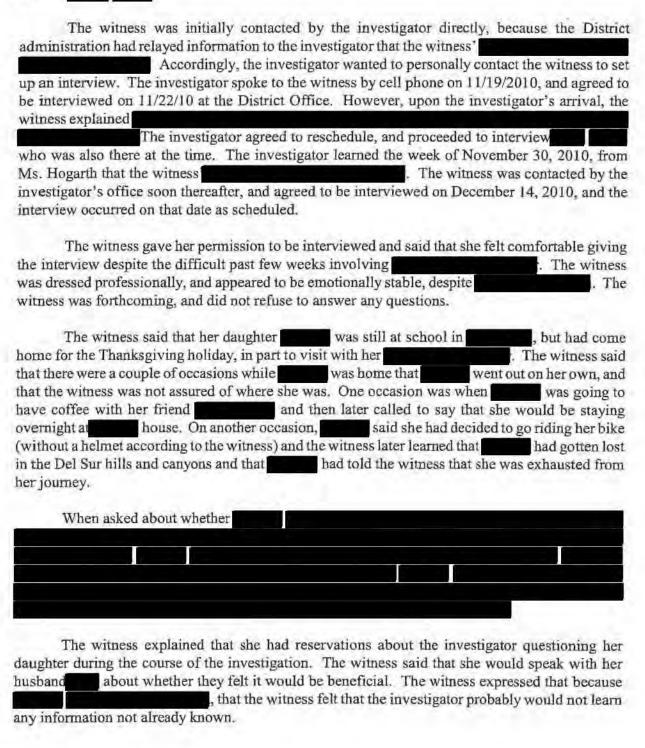
this advice and said to the witness during the meeting that the witness and administration should "leave him alone," meaning Mr. Cottrell.

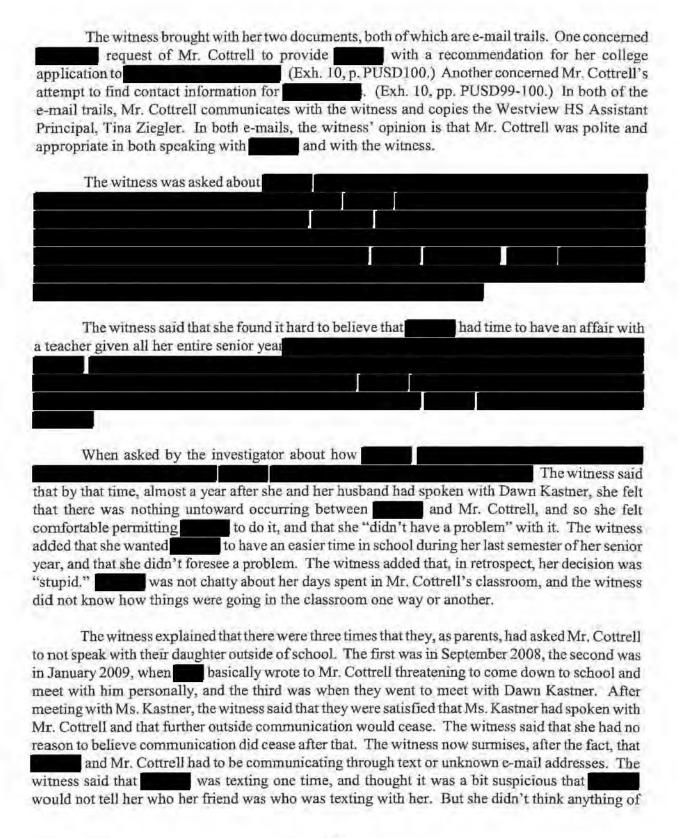
When asked what happened next by the investigator, the witness said that things quieted down, and she did not know of any problems until February 2009. At that time, during junior year, mother, came to meet with the witness. The witness said that apparently had found numerous e-mail communications between Mr. Cottrell and wanted to speak to someone about them, and also that there were other things that made uncomfortable. For example, relayed that Mr. Cottrell had driven by the money for babysitting when the parents were not at home. The two of them discussed the situation, and the witness said that said she was upset to find e-mails after Mr. Cottrell said that he would stop talking with her via e-mail. The witness said that the reason gave for coming to speak to the witness was because she had recently learned about the e-mail from September 2008 (concerning what happened and told that between all of these e-mails, that I am alarmed. The witness said that she told that she sees and Mr. Cottrell walking to class (with talks about Mr. Cottrell a lot. According to the witness, during their conversation, asked the witness' opinion, and the witness told that the witness, during their conversation, asked the witness' opinion, and the witness told that the witness had spoken to Mr. Cottrell the past September, and that even though and she had spoken with him, the witness' gut reaction was she was a little alarmed now, and she told that to
witness said that her understanding from that conversation was that then wanted to seek Administration support.
When the witness was asked by the investigator if the witness knew if went to the administration, the witness said that she believed had done so, because soon thereafter, the witness was called into Principal Kastner's office for a meeting. Ms. Kastner told the witness during the meeting that the witness had "alarmed the parents" and the witness replied that she was alarmed therself. The witness said that she told Ms. Kastner that after hearing about all of the e-mails and other events, she was concerned. The witness said that Ms. Kastner shared that there were, in fact, e-mails between Mr. Cottrell and but that they were innocuous. The meeting ended after Ms. Kastner told the witness that Ms. Kastner would deal with the issue. The witness therefore felt that the witness had done her "due diligence" on the matter, and the witness said that she was comfortable with the Principal being on top of the issue.
When asked by the investigator what happened next on her timeline, the witness explained that in April or May of 2009, Mr. Cottrell and the witness spoke in person, and he was concerned about who, according to Mr. Cottrell, was dealing with When asked by the investigator how their conversation was initiated, the witness said that "he sought me out" and "was looking for me in a panic" but that she was busy right then. The witness said that Mr. Cottrell came to see her later that day, and told her that he was uncomfortable talking to about her home life. The witness said that Mr. Cottrell told her that "I cannot be the person she cries to." The witness said that Mr. Cottrell tried to divert into speaking with the witness. The

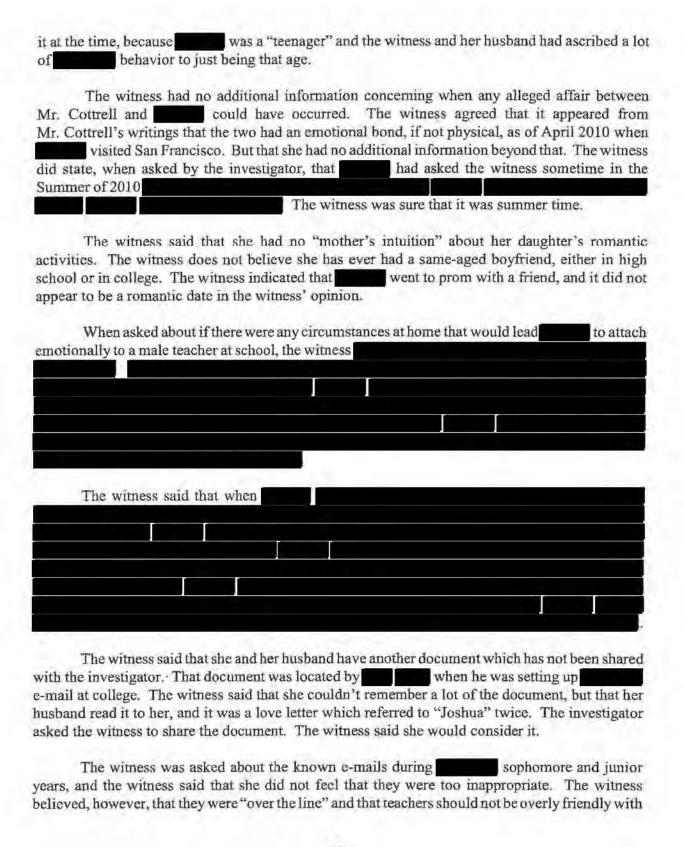
When aske				
		ator if she knew that was aware that she	later became only because of i	his situation, which
		The witness elaborate	d that	
				witness asked
	where	was, and	told the witness	Processing the second s
Mr. Cottrell's roo			ritness knew that	was going to
vii. Cottien s roof	a a tot, out omy	because of what	told her,	
through the fitness around his neck. In	lab to get there, her opinion, she	and she saw that Mi e felt it was inappropri	otten something in her cottrell's shirt was o ate because students we lt that "given the his	ff his arms and just ere on the other side
hat by all accounts cids." The witness philosophy because	Mr. Cottrell is a said that she even her husband was	a "fantastic teacher" v en had her husband c as also a philosophy n	Westview campus, the tho is "very engaging" connect with Mr. Cottre najor. The witness add to him." The witness	and "connects with Il on the subject of ed that Mr. Cottrell
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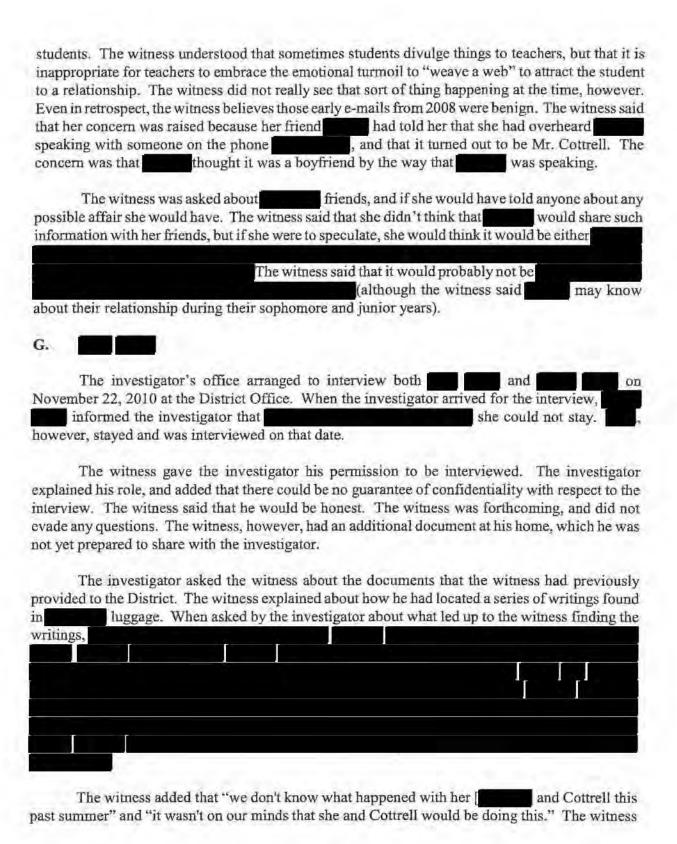
The witness said that months later, spoke with the witness about finding "letters" from Mr. Cottrell in suitcase when went off to college. The witness said that during that conversation, she told that she did not notice anything untoward occurring in San Francisco regarding. The witness said that she declined invitation to read the letters.
When asked by the investigator whether the witness was the kind of adult that normally confided in, the witness explained that is and furthermore, in the witness' opinion
When asked by the investigator if the witness had ever seen students in Mr. Cottrell's room before school and during lunch, the witness replied that she had heard talk about girls going into Mr. Cottrell's room, but she never actually went by it to see. The witness added that in her perception, there are a lot of kids who "love" Mr. Cottrell.
When asked if she had any knowledge of a relationship between Mr. Cottrell and other than what she had already shared, the witness said that "the scenario seemed really quiet" during senior year, and that the witness noticed "nothing unusual." The witness added that based upon her conversation with Ms. Kastner the previous Spring (2009) where Ms. Kastner told the witness that the witness had alarmed the parents, the witness felt that she didn't have to look for red flags. When asked by the investigator when the last time the witness had spoken with was, the witness said that it was on the Wednesday before graduation. Since then, according to the witness, there had been no further interactions with other than on Facebook.com and a thank you card that wrote to her.
When asked by the investigator whether she knew if Mr. Cottrell ever attended

F.







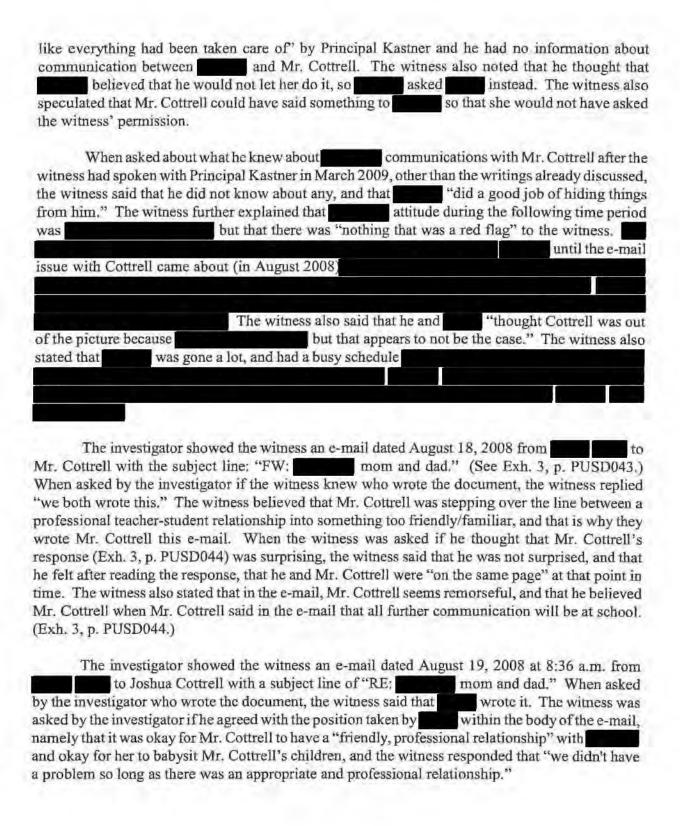


school The witness then explained about the luggage: About two weeks before was to fly , the witness reminded her about the weight of her to attend college at luggage, because overweight luggage would cost extra per airline rules. Then when the witness took to the airport later on, the airline said that the bag was significantly overweight and would that he would be visiting cost a lot extra for her to take with her. So he told and that he would simply take the luggage back home, repack, and then bring it with him, thus sparing the extra cost. The witness said that then began crying and was "upset and thinking that dad is being obstinate." The witness said it was ultimately decided that he would take the bag home. The witness was already in and he was leaving two days later on Southwest Airlines. The witness said that he knew the bag was overweight, and that he needed to transfer material out of the bag. The witness explained that while transferring material, he found and unfolded a "series of letters" bound in a hair band. The witness said that he read the material, was disturbed by it, and intended to make a copy, but that there was no toner in the copier at home, so instead he laid out the writings on the floor, and took pictures of them with a cell phone. (Exh. 18, PUSD152.) The investigator showed the witness the Exhibit 18, and the witness confirmed that this document was what he had found in luggage. When asked by the investigator what he believed the document to be, the witness said that he believed it was Mr. Cottrell writing to about his feelings for her. The witness said that he was unsure whether the portions of the writings involving San Francisco were reality or just Mr. Cottrell's fantasy, but that he knew that near the end of her senior year. The witness suggested the investigator speak visited with Shannon Parker. handwriting on the bottom of the document. (Exhibit 18, p. PUSD152.) also identified The witness said the text of the document did not enlighten him as to when the document was written. When asked by the investigator if he was surprised when he found the document, the witness said that he was surprised, and that to his knowledge, "never had a boyfriend or a date." The witness added that she He also had previously spoken with Shannon Parker, , and was unaware of any deep relationship between Mr. Cottrell and When asked by the investigator if he had a good relationship with his daughter, the witness when he contacted Cottrell the first time (in January 2009), and that his relationship with his daughter

said that he believed that Principal Kastner had stopped it, meaning their relationship outside of

witness said that after taking pictures of the letters with his cell phone, he re-bound them and put them back in her luggage. The witness then spoke with his wife and they decided not to tell her, since she was just leaving for college. When asked by the investigator if he has any knowledge as to whether contact with Mr. Cottrell, the witness said that still does communicate with Mr. Cottrell. He and his wife checked her telephone records. The witness added, however, that he has not told his daughter that he spoke with the District administration. The witness added that aware of the situation, and that recently got a message from , and that apparently heard that the "shit hit the fan" but that the witness did not know how found out about it. When asked by the investigator if, in his opinion, had any close friends with whom she could confide in, if she did have a close relationship with Mr. Cottrell, the witness said that would probably know" and that the investigator might speak with friend" her. The witness then offered to tell the investigator about what the witness found while visiting . He left for a couple of days after he found the letters, and his daughter in when he got to where is going to school, the girls were moving into their dorm rooms. The witness explained that "as a dad you're helping out and lifting." The witness said that the girls brought their computers, and there were three girls in a room meant for two girls. He said that because of his expertise in computers, he set up an ethernet on the girls' computers. While computer, he found a letter. The witness then encapsulated the letter off to a personal G-Mail account, and the witness still has the letter. The witness said that he is not yet prepared to share the letter with the investigator. The witness said that the letter indicates that and Mr. Cottrell are in love, and that they intended to do "what is socially acceptable." When asked by the investigator if he knew when the letter was sent, the witness said that he bought a new computer for graduation, and that the letter came a few weeks later, so he believed that the letter was written between July and August, 2010. When asked if he believed that was aware that he knew about the fact that he and had previously spoken with District administrators concerning relationship with may know that we know." The witness explained. Mr. Cottrell, the witness responded that " as an example, that asked if it is was okay with him and if she asked Mr. Cottrell for seemed apprehensive and asked if it was a letter of recommendation, and that at the time, okay. The witness said that this occurred in January 2010, and that Mr. Cottrell did write to colleges for her. When asked by the investigator if he knew anything about how became , the witness said that he found out about it later, but that his wife probably knew about it. The witness added that even if he had known about it sooner, "at that point it looked

When asked by the investigator what he did with the writings (Exh. 18, PUSD152), the



The witness was asked how he learned about the e-mails which had transpired over the Summer of 2008 between Mr. Cottrell and and the witness responded that he and had e-mail password during her Sophomore and Junior years, and they checked it. When asked if he and checked other electronic communications, the witness said that when was charging her phone, they would look at it. The witness said that there would be lots of texts, but "at some point I see a teacher texting with her." The witness added that he thinks that texting is more personal, and "what does it have to do with school?"

The witness added that he understands that teachers use electronic communications these days and that teachers will send an e-mail blast and sometimes even will e-mail students one-on-one if there is a school project, but the problem with these particular e-mails from Mr. Cottrell were that they "were personal in nature."

The investigator showed the witness an e-mail also dated August 19, 2008 from Mr. Cottrell to to at 10:06 a.m. (Exh. 3, p. PUSD048.) In the e-mail, Mr. Cottrell says that he spoke with and told her that they need to keep their relationship professional. The witness explained that this was when personality changed.

When the witness was asked by the investigator if he had ever met Mr. Cottrell in person, the witness responded that Mr. Cottrell showed up one time at a car wash with Mr. Cottrell's family. The witness also explained that this was soon after he and had communicated with Mr. Cottrell about his relationship, and that the witness believed that Mr. Cottrell had a family so he didn't think that Mr. Cottrell "would be doing anything with The witness added that Mr. Cottrell "wouldn't look at me at the car wash." When asked by the investigator if the witness knew if had ever visited Big Bear Mountain during her junior year, the witness responded did not go up to Big Bear as far as he knows.

The investigator showed the witness an e-mail dated January 21, 2009 at 8:41 a.m. with the When asked who wrote the e-mail, the witness responded subject line of "your emails to that he wrote it. When asked what prompted him to write it, the witness indicated that brought to his attention that and Mr. Cottrell were still e-mailing each other on a regular basis. The witness said that these e-mails between and Mr. Cottrell came after Mr. Cottrell said that he would stop, but that Mr. Cottrell kept going. The witness said that although the nature of the e-mails during the November 2008 through January 2009 time frame are "friendly," he and "didn't think it was appropriate." The witness stated that he was not happy with Mr. Cottrell at this point in time. When asked by the investigator if he knew whether or not the texting stopped between August 2008 and January 2009, the witness said that he did not know, and that he and didn't know at the time that it was even possible to look and see whose phone numbers she was texting. The witness explained that the family was on a plan from T-Mobile that they all used, until they switched on October 1, 2010. Although he and had asked T-Mobile to go back and check their records to see what phone numbers was texting with. T-Mobile wouldn't go back that far and look. The witness said that T-Mobile only printed out the called and asked for further information, T-Mobile refused to provide it. last month. When

The witness said that went to T-mobile store in Mira Mesa and the guy told her that he would only give her the last month.

The investigator showed the witness the two follow-up e-mails in the trail from the same day, January 21, 2009, one from Mr. Cottrell to the witness at 9:22 a.m. (Exh. 6, p. PUSD086) and one from the witness to Mr. Cottrell at 3:25 p.m. (Exh. 6, p. PUSD087) and a final one from Mr. Cottrell to the witness at 5:36 p.m. (Exh. 6, p. PUSD088.) The witness indicated that he wrote the two e-mails from him. The witness reviewed all of the e-mails and noted that he believed that Mr. Cottrell was worried about the witness and his wife going to the administration, because of Mr. Cottrell's comment about how the witness can be assured that Mr. Cottrell "will not again give you a reason to go any further with this matter than you already have." (Exh. 6, p. PUSD088.)

When asked by the investigator if he ever heard from anyone on campus about relationship with Mr. Cottrell, the witness responded that "I know at one point Shannon Parker, [said she saw and Cottrell after school coming out from behind a building, and she thought that was weird." The witness's recollection is that it was an "out-of-the-way building.

The investigator showed the witness an e-mail from to Shannon Parker, dated March 16, 2009 re: "need your input." The witness said that it was this e-mail and Ms. Parker's response which "may have prompted us to go to Dawn Kastner." The witness said that the e-mail response from Mr. Cottrell "came back in January the way we wanted it" but he and his wife decided "hey, let's go to the boss." The witness said that at that point in time, he and just wanted light on the situation.

When asked if he met with Principal Kastner, the witness said that he and did meet with her in March of 2009. The witness explained that he felt that Ms. Kastner "had blown us off during our meeting" in that she said that "he is a popular guy." At the meeting, Ms. Kastner told he and that she would speak with Mr. Cottrell and check in periodically on his classroom. The witness said that "we knew that Dawn wouldn't see anything by going to his room." The witness said that when Dawn responded to them after the meeting that she had spoken with Mr. Cottrell, he wanted to believe that Cottrell had gotten the message and that this has stopped. But the witness also said that "we felt that she [Kastner] could have been stronger with him" although he noted that felt that "Dawn did okay with him."

When asked if the witness checked texts following the meeting to the time she went to college in August 2010, the witness said that he did not check her texts. The witness said that he did provide the District with the call and text logs that his wife received from the T-Mobile store (Exh. 22, pp. PUSD168-169), and these were correct copies with the exception that he believed that Mr. Chiment added the color coding to the documents.

The witness was asked if he knew if his daughter had a Facebook.com page. The witness said that she does, and that he checks it periodically. The investigator showed the witness a printout

