

**EXHIBIT F**



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**Transcript of the Testimony of Nicole Reinking**

**Date:** March 6, 2008

**Case:** Stacy Snyder v. Millersville University, et al.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA

\* \* \* \* \*

STACY SNYDER, \*  
Plaintiff \*  
vs. \* No. 07-1660  
MILLERSVILLE UNIVERSITY, \*  
J. BARRY GIRVIN, \*  
DR. JANE BRAY, and \*  
DR. VILAS A. PRABHU, \*  
Defendants \*

\* \* \* \* \*

DEPOSITION OF  
NICOLE REINKING  
MARCH 6, 2008

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3	NICOLE REINKING was taken on behalf of the	3	WITNESS: NICOLE REINKING
4	Defendant herein, pursuant to the Rules of Civil	4	EXAMINATION
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6	Susan Koons, a Court Reporter and Notary Public	6	EXAMINATION
7	in and for the Commonwealth of Pennsylvania, at	7	by Attorney Voigt 187 - 288
8	the law offices of Kegel, Kelin, Almy & Grimm,	8	RE-EXAMINATION
9	LLP, 24 North Lime Street, Lancaster,	9	by Attorney Kramer 288 - 294
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22	Lancaster, PA 17602-2913	22	
23	COUNSEL FOR NICOLE REINKING	23	
24		24	
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1 tenth-grade English. And I also taught  
 2 journalism, which is a semester-long writing  
 3 elective, and creative writing, and that's a  
 4 quarter-length class. And then I picked up  
 5 senior British literature and taught both levels  
 6 of that for --- I've been teaching that --- I  
 7 think I'm in my fourth year. And I've also  
 8 taught advanced composition. I think that's it.

9 **Q. When did you first start supervising the**  
 10 **student teachers at Conestoga Valley High**  
 11 **School?**

12 A. My first and only experience with a student  
 13 teacher was the spring of 2006.

14 **Q. And you haven't had a student teacher since**  
 15 **then?**

16 A. No.

17 **Q. Is there a reason for that?**

18 A. No. I just haven't signed up for one. I  
 19 have had other --- there are, you know, junior  
 20 block placements.

21 **Q. What's that? What's a junior block**  
 22 **placement?**

23 A. It's the experience that a pre-service  
 24 student teacher has prior to --- usually prior  
 25 to his or her semester of student teaching.

1 It's a comparable but shorter placement and less  
 2 requirements placed on the pre-service teacher.

3 **Q. Okay. Junior block lasts how long?**

4 A. I think they're required to perform 35 hours  
 5 in a classroom.

6 **Q. During the course of a semester?**

7 A. Uh-huh (yes), while they're taking  
 8 coursework at Millersville simultaneously.

9 **Q. And junior block students --- is that what**  
 10 **they're called? Junior block teachers, ---**

11 A. Right.

12 **Q. --- what do they do in the classroom?**

13 A. They spend more time observing a variety of  
 14 teachers, preparing documents for Millersville.  
 15 I'm not exactly sure. And I don't completely  
 16 remember because I was a junior block student at  
 17 Millersville.

18 **Q. Okay.**

19 A. But they also are expected to teach some  
 20 lessons.

21 **Q. All right. Approximately how many hours**  
 22 **does a junior block teacher actually teach in a**  
 23 **classroom?**

24 A. I think that varies. It just depends on the  
 25 candidate's comfort level and prior experience

1 and desire to teach.

2 **Q. And when you were a junior block teacher,**  
 3 **how many hours did you teach?**

4 A. Oh, qosh.

5 **Q. Approximately.**

6 A. Hours is tough. I could probably say how  
 7 many full blocks of teaching maybe I had.

8 **Q. Okay.**

9 A. Probably --- I probably taught two days of a  
 10 full day, so maybe six total blocks.

11 **Q. The junior block teacher stays in one**  
 12 **classroom during the junior block semester or**  
 13 **goes to different classrooms?**

14 A. One is placed with one teacher, a  
 15 cooperating teacher, but is out observing other  
 16 teachers in other classrooms.

17 **Q. So it sounds as if, you know, the majority**  
 18 **of the assignment, the majority of the work that**  
 19 **the junior block teacher does is simply**  
 20 **observing other teachers?**

21 A. More so, yes.

22 **Q. You said that Stacy Snyder was your first**  
 23 **and only student teacher assigned to you ---**

24 A. Correct.

25 **Q. --- at Conestoga Valley. Since she was your**

1 **first student teacher, do you think that**  
 2 **impacted the way you dealt with her during the**  
 3 **semester?**

4 A. To some degree, probably. That's kind of a  
 5 difficult question to answer because I haven't  
 6 had another one, so I can't compare.

7 **Q. Okay.**

8 A. But I'm sure, you know, I spent more time  
 9 consulting with experienced teachers and with  
 10 her supervisor.

11 **Q. Okay. And who did you consult with within**  
 12 **Conestoga Valley?**

13 A. I would ask other professionals I respected,  
 14 maybe colleagues within my department who have  
 15 had multiple student teachers. But most  
 16 predominantly probably my supervisor, Mrs.  
 17 Buffington ---

18 **Q. Okay.**

19 A. --- and Mr. Garbone (phonetic) also.

20 **Q. Mrs. Buffington, what's her title?**

21 A. She is the supervisor of the Communications  
 22 Department.

23 **Q. Is that somewhat larger than the English**  
 24 **Department, I mean, or is it the same --- just**  
 25 **another name for the English Department?**

1 A. It is, but it includes reading. The reading  
 2 teachers as well fall under the English  
 3 Department, so it opened up the name.  
 4 **Q. Okay. What are the tools of the teaching**  
 5 **trade, currently? When I went to school, they**  
 6 **were, I suspect, far limited than what they are**  
 7 **now. What are they now?**  
 8 A. Tools?  
 9 **Q. Pens, pencils, DVD, that kind of stuff.**  
 10 A. Yeah, pens, paper, DVD players, VHS players,  
 11 projectors, smart boards, laptops, you know,  
 12 wireless labs.  
 13 **Q. It's certainly very different than when I**  
 14 **went to school.**  
 15 A. Yes.  
 16 **Q. What's a ---**  
 17 A. Smart board?  
 18 **Q. --- smart board?**  
 19 A. It's like an interactive large board that  
 20 you can project the image from your computer  
 21 screen on, and then it's touch capable. So you  
 22 can actually operate the computer screen from a  
 23 touch screen. Does that make sense? So I can  
 24 navigate web sites actually touching this large  
 25 screen so that the students can see it

1 A. Yes.  
 2 **Q. And that's at Conestoga Valley High School?**  
 3 A. Correct.  
 4 **Q. She was your student teacher for how long?**  
 5 A. From mid-January until the first week of May  
 6 of 2006.  
 7 **Q. Did you have the authority to assign her**  
 8 **additional projects within the student teaching**  
 9 **context?**  
 10 A. Not outside the realm of what a student  
 11 teacher is expected to do as set forth by  
 12 Millersville University.  
 13 **Q. Well, certainly she wouldn't get your**  
 14 **laundry?**  
 15 A. Oh, no.  
 16 **Q. But in terms of activities around the**  
 17 **school ---?**  
 18 A. No.  
 19 **Q. Okay. All right. Do you know if Conestoga**  
 20 **Valley insures student teachers?**  
 21 A. Insures?  
 22 **Q. Uh-huh (yes), for liability insurance.**  
 23 A. No. I don't believe so. I think that ---  
 24 you're recommended in college to join the union,  
 25 the student version of the union, to SPSEA. I'm

1 displayed.  
 2 **Q. It sounds like a very sophisticated version**  
 3 **of what we used to use called overhead**  
 4 **projectors, but can do much more.**  
 5 A. Right. Right. They've made them obsolete  
 6 for the most part.  
 7 **Q. And those tools that you've just described,**  
 8 **have you used those while teaching?**  
 9 A. Yes.  
 10 **Q. And did Conestoga Valley supply any of these**  
 11 **tools to Ms. Snyder when she was teaching? Were**  
 12 **they in your classroom, these tools?**  
 13 A. That's tough to say. We've gotten a lot of  
 14 the technology since she would have student  
 15 taught. That was three --- two years ago? I  
 16 might have had a board in my room, but not  
 17 operational and not the one that I'm currently  
 18 using. I don't think I did, though, if that's  
 19 acceptable. I don't remember.  
 20 **Q. Whatever these tools that you --- that Ms.**  
 21 **Snyder used in your classroom, did Conestoga**  
 22 **Valley supply them to her?**  
 23 A. Yes.  
 24 **Q. Where did her teaching take place? In your**  
 25 **classroom?**

1 not sure if she had an affiliation with them or  
 2 not.  
 3 **Q. Okay. What calendar does the student**  
 4 **teacher follow at Conestoga Valley?**  
 5 A. The teacher's calendar.  
 6 **Q. Your calendar?**  
 7 A. Uh-huh (yes).  
 8 **Q. And how about the daily schedule, which one**  
 9 **would Stacy Snyder have followed?**  
 10 A. The teacher's daily schedule, not the  
 11 students'.  
 12 **Q. Not the Millersville?**  
 13 A. Not a student at Conestoga Valley's, but a  
 14 teacher's daily schedule.  
 15 **Q. Was she supposed to sort of follow you**  
 16 **around, you know, during the day? I mean, how**  
 17 **does that work? What's your physical**  
 18 **relationship with her during the beginning of a**  
 19 **school day?**  
 20 A. Sure. Yes. She would have been right there  
 21 with me. Millersville requires them to attend  
 22 everything that a teacher attends, so a faculty  
 23 meeting, department meetings. I'm not sure what  
 24 else would happen.  
 25 **Q. An IEP meeting?**

1 A. I'm not so sure that she would be there  
2 because of the confidentiality of the nature,  
3 but I think sometimes student teachers are  
4 there.  
5 **Q. Okay. How about parent/teacher conferences,**  
6 **would she attend those?**  
7 A. Yes.  
8 **Q. How about open houses?**  
9 A. Yes.  
10 **Q. And I think you said you attended faculty**  
11 **meetings?**  
12 A. Uh-huh (yes). Yes.  
13 **Q. Would she attend faculty inservice meetings?**  
14 A. Yes.  
15 **Q. Was she expected to be in the classroom**  
16 **whenever Conestoga Valley was in session?**  
17 A. Yes.  
18 **Q. So whenever you were there, she was supposed**  
19 **to be there?**  
20 A. Correct.  
21 **Q. What else does a student teacher do at**  
22 **Conestoga Valley in addition to student teaching**  
23 **in a classroom?**  
24 A. Any projects or components that Millersville  
25 expects them to do. So I think she had a

1 checklist of projects outside of just her  
2 student teaching placement that she needed to  
3 complete. But that would have been supervised  
4 by Mr. Girvin. I wouldn't have had any role in  
5 that.  
6 **Q. Okay. Does a student teacher get assigned a**  
7 **cafeteria duty?**  
8 A. She would be anywhere that I would be. So  
9 If I had been assigned to cafeteria duty, Stacy  
10 would have gone to cafeteria duty.  
11 **Q. And what are the kind of duties, I just**  
12 **don't remember, that you would have to do as a**  
13 **teacher, in addition to teaching?**  
14 A. Bus duty. We don't have a lot of duties,  
15 though, outside of that. There might --- the  
16 occasional, you know, they need somebody with  
17 hall monitoring or, you know, kind of helping  
18 with --- during your planning period, you might  
19 have to help with various events or activities  
20 that are occurring at the high school that day.  
21 But it would be sporadic, spontaneous kind of  
22 events.  
23 **Q. Athletic events, too?**  
24 A. No. You can just attend those if you want  
25 to.

1 **Q. Do you know if Conestoga Valley arranged**  
2 **transportation for Ms. Snyder to and from**  
3 **school?**  
4 A. She did not --- or they did not.  
5 **Q. Did you have any role in the selection of a**  
6 **student teacher in that semester?**  
7 A. No.  
8 **Q. So how was it that you came to get a student**  
9 **teacher, Stacy Snyder?**  
10 A. I understand it to be randomly assigned,  
11 that the student teacher designates, you know,  
12 an indication --- they're allowed to suggest a  
13 preference for high school or middle school and  
14 probably within the county, within Lancaster  
15 County. But beyond that, it's a random  
16 assignment process.  
17 **Q. Within a given school, you're saying?**  
18 A. Yes. Oh, yes.  
19 **Q. Is Ms. --- and you may not know this, is Ms.**  
20 **Buffington involved in the selection of a**  
21 **student teacher for Conestoga Valley High**  
22 **School?**  
23 A. I don't believe so. I think that comes  
24 through our district office, but I'm not  
25 positive.

1 **Q. I want to show you a document which is**  
2 **actually in front of you. Maybe you can take**  
3 **off the clip. And the first document, which**  
4 **we're going to mark as CV-1, it's a three-page**  
5 **document. If you'd please look at that.**  
6 **(CV Exhibit One marked for**  
7 **identification.)**  
8 **OFF RECORD DISCUSSION**  
9 **BY ATTORNEY KRAMER:**  
10 **Q. Have you seen this document before?**  
11 A. Yes.  
12 **Q. And tell me what it is.**  
13 A. It's the background information for student  
14 teaching that the student teacher fills out for  
15 Millersville and then is mailed out to the  
16 assigned placement teacher.  
17 **Q. So when did you receive this document?**  
18 A. Prior to her --- prior to making contact  
19 with her. So I think I probably received it in  
20 November or December of 2005.  
21 **Q. On the last page, at the very bottom, it**  
22 **says, please read and sign. And then it says, I**  
23 **understand, as a student teacher, I am**  
24 **representing Millersville University, and I am a**  
25 **guest in the host school. I understand that I**



1 am subject to the rules and regulations in the  
 2 school district to which I am assigned. Do you  
 3 know what rules and regulations of the school  
 4 district refer to? For example, this is the  
 5 Conestoga Valley Professional Handbook.  
 6 A. Uh-huh (yes).  
 7 Q. Are these the rules and regulations that  
 8 this refers to, if you know? If you don't  
 9 know, ---  
 10 A. I would assume so, ---  
 11 Q. --- then you don't.  
 12 A. --- but I don't know for sure.  
 13 Q. Okay.  
 14 A. The language is a little bit vague there,  
 15 but that's probably because Millersville is  
 16 dealing with so many school districts.  
 17 Q. Are there certain rules and regulations that  
 18 you, as a teacher, are expected to adhere to?  
 19 A. Sure.  
 20 Q. And where are those found?  
 21 A. In the Professional Handbook, in the  
 22 Professional Code of Conduct for Educators.  
 23 Q. Okay. And where --- that, meaning the  
 24 one --- the regulations ---  
 25 A. Yes.

1 Q. --- you're referring to?  
 2 A. Yes. Uh-huh (yes).  
 3 Q. Okay.  
 4 A. That all teachers in Pennsylvania --- I  
 5 believe it's Pennsylvania. I don't think it's a  
 6 national document, but it might be, are subject  
 7 to and for certification through the state. And  
 8 also a union contract is probably --- has some  
 9 rules and regulations for teachers as well, as  
 10 for union members, though.  
 11 Q. For you personally, though, as a tenured,  
 12 full-time teacher there, for guidance as to  
 13 rules and regulations, is the Conestoga Valley  
 14 School District Professional Handbook your  
 15 primary source, would you say, for guidance?  
 16 A. Yes.  
 17 Q. Tell me about when you first met Stacy  
 18 Snyder.  
 19 A. My first meeting would have been, I think,  
 20 in early January, probably after the holiday.  
 21 It would be a couple weeks before she was  
 22 assigned for her placement, probably while she  
 23 was on break from Millersville University,  
 24 between sessions. And she came to the high  
 25 school, and I took her on a tour of the building

1 and sat down with her and gave her some of the  
 2 documents that she would need to teach the  
 3 content at my school.  
 4 Q. And for example, what documents did you give  
 5 her?  
 6 A. Well, first of all, she would have received  
 7 a textbook, a teacher's textbook, and she would  
 8 have received a planned course of what is  
 9 expected to be taught in the 18 weeks of a  
 10 semester. She would have received --- let's  
 11 see, what else would I have given her, the final  
 12 exam for the course. I know that, in addition,  
 13 I had typed up --- I since can't find it because  
 14 we've switched computers at our school. I had a  
 15 checklist of everything that I needed to go over  
 16 with her at that meeting. So I would have gone  
 17 over procedures and the school calendar and  
 18 basically anything that an entering student  
 19 teacher would need to know to be placed with me.  
 20 Q. Did you give her the entire --- all the  
 21 documents reflecting the content of the  
 22 semester? It was a British literature course?  
 23 A. Correct. Yes, she would have had anything  
 24 that she needed prior to entering. She would  
 25 have gotten --- received more documents from me

1 when she arrived. But this was to allow her to  
 2 familiarize herself with the works, to ask me  
 3 questions ahead of time, to start --- we  
 4 probably figured out maybe what her opening unit  
 5 would have been, so that we can enter into a  
 6 dialogue before she came, so that she could be  
 7 prepared to teach.  
 8 Q. All right. And how did that conversation go  
 9 between the two of you?  
 10 A. Very well.  
 11 Q. She seemed pleasant?  
 12 A. Yeah. I assumed that she was very eager and  
 13 excited to student teach, as most student  
 14 teachers are. And she expressed her desire to  
 15 just get in there and get in front of students  
 16 and, you know, have fun and teach.  
 17 Q. Describe to me sort of generally your role  
 18 as the supervising teacher vis-à-vis the student  
 19 teacher during the semester.  
 20 A. My role is to act as a coach, a guide,  
 21 somebody to help her figure out maybe the best  
 22 teaching practices, not necessarily ---  
 23 Millersville should have done its job up to that  
 24 point as far as content is concerned, but there  
 25 might have been some content requirements that I

1 needed to kind of fill in some gaps for her or  
2 suggest that she needed to fill in the gaps  
3 herself. But my role was to help her become a  
4 facilitator of information in front of students.

5 **Q. And did you at times find that her content  
6 knowledge was lacking?**

7 A. Yes.

8 **Q. Please describe.**

9 A. It was --- well, as indicated by this  
10 background of student teaching information, I  
11 would have looked at this and I would have  
12 looked to see what courses that she took, and I  
13 would have had the advantage, having been a  
14 Millersville student myself and knowing what  
15 would have been taught in those various courses.  
16 So I think that's why you probably see some  
17 stars ---

18 **Q. Yes.**

19 A. --- next to some of the courses because I  
20 knew that they would apply specifically to what  
21 we were teaching, in addition to other courses  
22 that were listed here. And I had noted that  
23 there was not a specific course in British  
24 literature at that point. So I spent the --- I  
25 spent my time with Stacy being very surprised by

1 her lack of content overall, just general  
2 content as far as punctuation, grammar,  
3 mechanics, spelling, vocabulary, just knowledge  
4 of words, base knowledge of just English  
5 literature, poetry, Shakespeare, Chaucer.

6 **Q. The course that she was student teaching was  
7 called British Literature?**

8 A. Technically on the course books, I'm sure  
9 it's called Traditional English IV, but the  
10 course is British Literature.

11 **Q. And does that mean you'd focus exclusively  
12 on the literature of England as opposed to --- I  
13 mean, you'd focus on, you know, literature from  
14 Wales or Scotland and England as opposed to, you  
15 know, just English literature?**

16 A. Correct.

17 **Q. How was she on knowledge of English  
18 literature?**

19 A. Fairly --- I think she admitted that that  
20 would be, obviously, a challenge for her because  
21 she hadn't necessarily studied --- taken a  
22 course specifically on that, not that there  
23 necessarily are courses at Millersville that are  
24 just called British Literature. And she should  
25 have gotten a lot of the history as far as

1 Shakespeare, Chaucer. Those are right in line  
2 with what we would have been teaching, but she  
3 expressed some concern that she was going to  
4 have to do some work to get ready to teach it,  
5 but that she, you know, had taken the coursework  
6 and she thought that this would be a new  
7 challenge for her.

8 **Q. On the page that you're looking at in CV-1,  
9 on the third page, it says --- somebody wrote in  
10 handwriting, no Brit lit, question mark. Is  
11 that your handwriting?**

12 A. Yes, it is.

13 **Q. And when did you write that?**

14 A. Prior to meeting Stacy, what I would have  
15 received this document.

16 **Q. And what does that reflect?**

17 A. That would have been indicating to me that I  
18 wanted to ask her or have a discussion with her  
19 about, you know, what was her experience with  
20 British literature up to that point. I wouldn't  
21 have been familiar with her junior block  
22 placement prior to student teaching, so I'd like  
23 to know what kind of courses she had taught or  
24 what kind of background knowledge she had as far  
25 as British literature or English literature

1 ges.

2 **Q. And did you and she discuss the courses that  
3 she had taken or the courses that she hadn't  
4 taken to prepare her for student teaching?**

5 A. Yes.

6 **Q. And what was that? What was the discussion?**

7 A. It pretty much pertained to the courses that  
8 were listed here. And as a Millersville alumni,  
9 I probably would have, you know, wondered who  
10 she had for the different courses and what she  
11 thought of them and just kind of a light  
12 conversation, I'm sure.

13 **Q. She had Shakespeare, a course ---**

14 A. Yes.

15 **Q. --- in Shakespeare? And is that, I guess  
16 star next to the word Shakespeare?**

17 A. Yes.

18 **Q. Did you write that?**

19 A. I believe so.

20 **Q. And there's a star next to Chaucer?**

21 A. Yes.

22 **Q. Did you write that?**

23 A. Yes.

24 **Q. And there's also a star next to advanced  
25 composition?**

1 A. Correct.

2 **Q. And why did you star those courses?**

3 A. Because I knew that they would be some of  
4 the opening units that we would --- because it's  
5 a survey course, we work our way chronologically  
6 through British history and British literature.

7 **Q. Would you start with Beowulf?**

8 A. We start with --- yeah, with Anglo-Saxon  
9 literature, typically. But I believe that when  
10 Stacy student taught, we attempted to begin with  
11 something that she felt a little bit more  
12 comfortable with, which she had an entire course  
13 on poetry. So we opened with a survey of  
14 British poetry throughout the timeline. And I  
15 think --- I'm pretty sure we might have opened  
16 with Beowulf, but her first actual unit would  
17 have been teaching poetry because it was a  
18 strength of hers.

19 **Q. Are you saying that you accommodated the  
20 teaching schedule of your students to Stacy's,  
21 in this case, strength?**

22 A. Completely and throughout the placement.

23 **Q. If you could describe that a little more,  
24 please, how you accommodated your class to her  
25 needs.**

1 A. Sure. Well, as I said, we would have  
2 started with poetry, maybe worked a little bit  
3 out of order, out of sequence, from what we  
4 would usually do. But that wouldn't have, you  
5 know, affected anything. I started advanced  
6 composition because that was the third course.  
7 There were two British literature courses  
8 and then an advanced composition course that she  
9 would have become responsible for in assuming  
10 the full teaching load, which would have been  
11 the first nine weeks of the semester. And  
12 quickly we realized --- I realized Stacy's  
13 weaknesses, expressed my concern as far as  
14 content is concerned in grammar, mechanics,  
15 organization, punctuation, just all writing  
16 conventions basically, and knew that she would  
17 be --- she would be working with students who  
18 were --- who could far outpace her as far as  
19 advanced composition goes.

20 So I worked with my supervisor in order to -  
21 -- actually I just asked her if this would be  
22 okay. It's my first time teaching advanced  
23 composition. I'm familiar with what's expected  
24 to be taught during those nine weeks. However,  
25 I don't think that Stacy will be able to teach

1 one of those units successfully.

2 So we allowed Stacy to come up with her own  
3 unit that she could teach that mirrored one of  
4 her courses at Millersville, a unit that she ---  
5 the seminar in teaching writing, that she would  
6 have worked through as a student herself so she  
7 could use some of the same documents and apply  
8 some of the same methods and use that to work  
9 with these advanced composition students. So  
10 they actually completed a unit that wasn't part  
11 of what was technically in the curriculum for  
12 advanced composition.

13 **Q. And advanced composition is a writing  
14 course?**

15 A. Yes.

16 **Q. There's no --- you're not focusing on the  
17 content of poetry or ---**

18 A. Not at all.

19 **Q. --- stories? And how was she in  
20 composition?**

21 A. In terms of teaching or in her own  
22 composition?

23 **Q. Well, first in terms of her own composition?**

24 A. There were glaring errors.

25 **Q. Such as?**

1 A. Just in her writing on the board, there  
2 would be mistakes in punctuation and spelling,  
3 and the students would notice those errors and  
4 point them out to her. So she didn't actually  
5 ever know that they were errors. Or I would  
6 point the errors out to her. She wasn't  
7 familiar with them. In her e-mails, in her  
8 written communication, they would be riddled  
9 with errors. In her handouts to the students,  
10 there would be mistakes.

11 **Q. Mistakes such as?**

12 A. Spelling, usage, misusing words, clearly not  
13 being familiar with what --- the meaning of a  
14 word's definition.

15 **Q. You said the students would point these  
16 errors out to her?**

17 A. (Indicates yes).

18 **Q. That's a yes?**

19 A. Yes.

20 **Q. How would they do that?**

21 A. They would just call out probably or maybe  
22 raise their hand and say, do you realize that,  
23 you know, that you're --- there's no apostrophe  
24 there, or that that's misspelled, or that that's  
25 the wrong word, or et cetera.

1 **Q. And how would she react?**  
 2 A. She would --- well, I don't know. She  
 3 would ---.  
 4 **Q. What did you see?**  
 5 A. Sometimes she would defend the error and try  
 6 --- because I guess, I'm making an assumption,  
 7 but maybe she didn't want to lose standing in  
 8 front of the class, so she would actually try to  
 9 argue the error. And then sometimes I would  
 10 have to step in and explain to her that the  
 11 students were right and that she was actually  
 12 wrong, or sometimes I could wait and just  
 13 explain it to her after class. Occasionally I  
 14 could catch her before the students even noticed  
 15 the mistakes in the handouts or written on the  
 16 board so to avoid that embarrassment.  
 17 **Q. These are 12th-grade students?**  
 18 A. Correct.  
 19 **Q. Are they college prep?**  
 20 A. The one class would have been a traditional  
 21 course, which is college preparatory, college  
 22 bound. And the other course is called  
 23 technical, but that technical track could be  
 24 college bound. It could be technical, like  
 25 vocational school, you know, that type of

1 college bound.  
 2 **Q. These are pretty bright kids for --- pretty**  
 3 **bright 17 and 18-year-olds, it sounds like.**  
 4 A. Bright, some of them, certainly. Certainly  
 5 average at least.  
 6 **Q. Okay. All right. When you looked at the**  
 7 **courses she had had and spoke with her about her**  
 8 **education, were there specific areas, content**  
 9 **areas, that she was definitely lacking in,**  
 10 **something more precise than no British**  
 11 **literature?**  
 12 A. When she did the poetry unit, she would have  
 13 been weak as far as just literary devices are  
 14 concerned, what they mean.  
 15 **Q. Define literary devices.**  
 16 A. Like alliteration within a poem. She would  
 17 have --- I'm not sure that that's necessarily  
 18 one that she had a problem with, but she would  
 19 have, you know, not been quite sure how to  
 20 explain to the students where alliteration  
 21 occurs in the line of a poem or what it actually  
 22 means or to be able to provide examples to  
 23 clarify for the students when they were  
 24 confused. But not necessarily alliteration, as  
 25 I said.

1 **Q. I seem to recall there was an issue with**  
 2 **metaphors on one of the pages you wrote?**  
 3 A. Most likely. If I note: "I, absolutely."  
 4 **Q. All right. Any other content areas that,**  
 5 **from the get go, you noticed she was weak in?**  
 6 A. Well, I hate to keep harping on the writing  
 7 and grammar usage, mechanics, but that's such a  
 8 large part of being an English teacher and  
 9 trying to help students improve their writing.  
 10 I remember asking her to ask me for help. You  
 11 know, suggesting like, if you're about to teach  
 12 something or if you don't understand something,  
 13 I feel very comfortable with this content area  
 14 and I serve --- you know, I help people in my  
 15 department, actually.  
 16 You know, I tried to make it clear to her  
 17 that sometimes we can't know everything, so you  
 18 just go to somebody who's a little bit more of  
 19 an expert and you would ask them for advice, and  
 20 that's my role as her cooperating teacher. And  
 21 she never asked me for help, so I thought that  
 22 was strange.  
 23 And then I even went as far as to give her a  
 24 grammar and composition textbook that we  
 25 wouldn't have used with the students in my

1 courses, but that other teachers might have used  
 2 in the past and gave her the teacher's version  
 3 of it, so it would have the answers, and just  
 4 suggested that she work through some of these  
 5 exercises and units to build her skills.  
 6 **Q. Did she, as far as you know?**  
 7 A. As far as I know, no.  
 8 **Q. Did you offer her, other than that, any**  
 9 **other books to read on content, for example,**  
 10 **19th century poetry, literature, whatever,**  
 11 **whatever you guys teach?**  
 12 A. Her textbook would have been sufficient  
 13 to be able to teach. It has all the answers in  
 14 it. It has suggestions. She had the teacher's  
 15 version of the textbook. She certainly she knew  
 16 --- and I can't quite remember, but she might  
 17 have borrowed from my library of books about the  
 18 story of Britain or, you know, just history  
 19 texts or further texts on writers.  
 20 **Q. Okay. Let's talk about any other meetings**  
 21 **you had with her, conversations, before school**  
 22 **actually started. You mentioned one. That was**  
 23 **your first, you know, meet-and-greet, as it**  
 24 **were.**  
 25 A. Uh-huh (yes).

1 **Q. Any other interactions with her before**  
 2 **school started?**  
 3 A. Face to face, not that I can recall. And  
 4 not that anything is standing out to me, because  
 5 it was two years ago, but I'm sure we would have  
 6 talked on the phone, probably. But I don't ---  
 7 you know, at least one phone call just to ---  
 8 obviously, to set up the meeting in person.  
 9 Other than that, I think we probably took care  
 10 of what we needed to at that meeting, and that  
 11 would be on the first day.  
 12 **Q. So the first day for her would have --- when**  
 13 **does --- you know, does school start right after**  
 14 **the new year?**  
 15 A. For me, yes, it would have begun on January  
 16 2nd at Conestoga Valley. At Millersville, she  
 17 would have begun with the spring semester.  
 18 However, the first, I think, two or three days  
 19 of their semester there in student teaching ---  
 20 I don't know what they would call them, where  
 21 all the student teachers come together and talk  
 22 about topics that are relevant and pertinent  
 23 and ---  
 24 **Q. Okay.**  
 25 A. --- meet their supervisors and address their

1 A. But for her first couple days, weeks, she  
 2 just --- the purpose is to ease her in.  
 3 **Q. And so how do you ease her in?**  
 4 A. I think the focus a lot of times for the  
 5 student teachers, and I think it was Stacy as  
 6 well, is to complete some of the Millersville  
 7 requirements, where you would observe some  
 8 students, shadow some students, observe some  
 9 teachers, kind of get familiar with the school  
 10 day, observe me a couple days, and then  
 11 gradually you begin to take over the classes.  
 12 **Q. Was the number of courses that you would**  
 13 **teach in spring 2006 the same number of course**  
 14 **that, say, you're teaching now, the number of**  
 15 **classes? I mean, how do you refer to that?**  
 16 A. Yeah. We're in a block schedule, ---  
 17 **Q. Okay.**  
 18 A. --- so each semester a teacher would teach  
 19 four --- there are four blocks in a day. A  
 20 teacher would be assigned to teach three blocks.  
 21 **Q. Okay.**  
 22 A. And that is the same.  
 23 **Q. Okay. And courses, blocks, refers only to**  
 24 **academic courses?**  
 25 A. No, they're just a block of time that the

1 concerns and questions. So she did that for  
 2 maybe two or three days before she came to  
 3 Conestoga Valley.  
 4 **Q. And do you recall what date she first came**  
 5 **to Conestoga Valley to teach?**  
 6 A. No. But I can guess that it would have been  
 7 the 17th, 18th, 19th, 20th, somewhere in that  
 8 range.  
 9 **Q. Of January?**  
 10 A. Of January.  
 11 **Q. All right. What were your expectations of**  
 12 **her on her first day at Conestoga Valley?**  
 13 A. Minimal. Just for her to --- I can't  
 14 remember if she actually came in on --- we had a  
 15 changeover day because our semester breaks right  
 16 around that time. So I don't --- I think maybe  
 17 her first day could have even been our  
 18 changeover day, which is an inservice day but  
 19 sort of an independent day for teachers to get  
 20 prepared for their new semester of students,  
 21 which would have been a very nice day for her to  
 22 start because there would have been no classes  
 23 held and it would have been an opportunity to  
 24 just get set up for the new semester.  
 25 **Q. All right.**

1 students are in a class for a semester. Unless  
 2 it's a quarter-long class, then they'd only be  
 3 in that class for nine weeks.  
 4 **Q. And the rest of the day, where are they?**  
 5 A. Well, the teacher --- the students have four  
 6 classes. Teachers are only assigned three  
 7 classes, because there's a planning period.  
 8 **Q. Right.**  
 9 A. So they would move through a four-period  
 10 day, where they'd see four different teachers,  
 11 that's four different classes, and there'd be a  
 12 lunch period in there as well.  
 13 **Q. Okay. So if each class is 80, 90 minutes**  
 14 **long, you got four of those as a student, that's**  
 15 **320 minutes, approximately four hours. So they**  
 16 **have a lunch period and then gym, band, whatever**  
 17 **other activities?**  
 18 A. Outside the school day?  
 19 **Q. Well, I'm just talking about within the**  
 20 **school day.**  
 21 A. They would be held primarily within the  
 22 school day, within a block. You know, if you  
 23 have a phys ed class, it would be within one of  
 24 the blocks. There is an enrichment period at  
 25 the end of the day that is --- back then I think

1 it would have been an hour long. Now it's 30  
 2 minutes long, where students, like, go back  
 3 through their day and have an opportunity for  
 4 remediation with their teachers, talk PSSA  
 5 remediation or instruction to prepare for the  
 6 state tests.

7 **Q. So Stacy arrived physically in your**  
 8 **classroom January 18th, 19th, around there?**

9 A. Correct.

10 **Q. And you said then for a few weeks, two**  
 11 **weeks, she shadowed, she observed, engaged in**  
 12 **more passive activities?**

13 A. Yes.

14 **Q. So she would sit and observe you how**  
 15 **frequently during this period of time?**

16 A. How frequently? All day, is that what you  
 17 mean?

18 **Q. Yes. Yes. I mean, ---.**

19 A. All day.

20 **Q. Okay.**

21 A. And then she would just kind of gradually  
 22 work up to teaching, maybe a small unit within a  
 23 block, you know, maybe not the entire block, and  
 24 then maybe take over one block, and then take  
 25 over a second block and then a third block.

1 **Q. When you say she would teach a small unit**  
 2 **within a block, a block is 90 blocks long, ---**

3 A. Sure.

4 **Q. --- does that mean she would teach for 15**  
 5 **minutes out of the 90 minutes?**

6 A. Correct.

7 **Q. And so if you're studying Beowulf in a given**  
 8 **block --- a given block might have Beowulf. It**  
 9 **also might have a section on composition, ---**

10 A. Sure.

11 **Q. --- a section on --- what else might be**  
 12 **there?**

13 A. It could have a review. There could be a  
 14 game. There could be a test, a quiz. A writing  
 15 sample might be taken, a lecture, a discussion.

16 **Q. So the intent was to start her off slowly;**  
 17 **right?**

18 A. Correct.

19 **Q. Had someone given you the instructions on**  
 20 **how to break in a student teacher?**

21 A. There's no formal guideline for exactly how  
 22 it has to happen for each cooperating teacher  
 23 and for each student teacher. You kind of ---  
 24 every student teacher is different. Every  
 25 cooperating teacher is different. I know of

1 colleagues who wouldn't let, you know, a student  
 2 teacher teach for the first four weeks that they  
 3 were there, you know. They wanted to make sure  
 4 that that student teacher waited a while. And  
 5 some teachers have a hard time giving over the  
 6 classrooms or --- I mean, there's all kind of  
 7 variables.

8 Millersville doesn't set forth any definite  
 9 policies about how and when that needs to take  
 10 place. I believe the only requirement is that,  
 11 ultimately, the student teacher needs to work  
 12 her way or his way up to teaching, I think it's  
 13 two full weeks or three full weeks of a course  
 14 load. I'm not positive.

15 **Q. Okay. And that goal of two to three weeks**  
 16 **of a full course load, meaning a student teacher**  
 17 **is ultimately supposed to be able to teach three**  
 18 **blocks?**

19 A. Correct, to run the full cycle of a  
 20 teacher's day ---

21 **Q. Okay.**

22 A. --- for at least two to three weeks.

23 **Q. That's the goal?**

24 A. Right. And most student teachers should go  
 25 well and above that.

1 **Q. During these initial several weeks, did you**  
 2 **and Stacy talk about what she was seeing, what**  
 3 **she was learning, what she was thinking?**

4 A. Yes.

5 **Q. And describe that, please. Describe your**  
 6 **interactions before she actually began to teach.**

7 A. She was inquisitive, was probably eager to  
 8 teach, as most student teachers are. And  
 9 probably we would have just --- most of our  
 10 dialogue would have been talking about what her  
 11 actual first unit would have been, and when she  
 12 would have begun and when she would have  
 13 started, and what she was seeing when she was  
 14 out shadowing and observing other students, and  
 15 what she noticed about the students' in our  
 16 class strengths and weaknesses. So just  
 17 everything that is part of being a teacher in  
 18 that class period.

19 **Q. Okay. What's the purpose of having the**  
 20 **student teacher shadow students?**

21 A. They're expected to follow --- I think they  
 22 --- I'm not sure what Millersville's requirement  
 23 is, but you're supposed to pick a student, and  
 24 potentially it might even be a student who's  
 25 struggling or lacks motivation, and you're

1 supposed to see how that student operates in  
 2 four different periods, with four different  
 3 teachers and teaching styles, and be able to  
 4 make some kind of comments and observations  
 5 about that student from that perspective.  
 6 **Q. So the student teacher basically shadows,  
 7 sticks with the student for the student's day?**  
 8 A. Yes.  
 9 **Q. And for how many days?**  
 10 A. I think just one. But there might be ---  
 11 the requirement might be to shadow two different  
 12 students for one day each.  
 13 **Q. And did Stacy shadow one or more students  
 14 during these first couple weeks?**  
 15 A. Yes.  
 16 **Q. Do you remember how many she shadowed?**  
 17 A. I think --- not exactly. It was either one  
 18 or two for sure.  
 19 **Q. And did she have any comments that she  
 20 shared with you about that experience?**  
 21 A. I'm sure, not formally in a --- you know, in  
 22 a written format, but I believe she would have  
 23 turned that into her supervisor. I'm sure there  
 24 was some written requirement.  
 25 **Q. Did you discuss her experience?**

1 A. Definitely.  
 2 **Q. And describe that --- those interactions.**  
 3 A. She would have had comments and things to  
 4 tell me that I wouldn't have been able to see  
 5 about that student. And I would have maybe  
 6 taken something from it or learned something  
 7 from it or been able to offer, well, you know,  
 8 that student --- that's interesting that he did  
 9 so well in his wood tech class, you know, like  
 10 an industrial arts-type course, that obviously  
 11 fits that student's learning style as opposed to  
 12 sitting in an English class or --- we would have  
 13 talked about learning styles, modalities, ---  
 14 **Q. During ---**  
 15 A. --- from teachers.  
 16 **Q. --- these initial few weeks, were any new  
 17 concerns about her competence to teach raised in  
 18 your head?**  
 19 A. No. Besides the content, you know, the  
 20 initial observations about a lack of content, I  
 21 don't think I would have had any concerns. I  
 22 actually remember remarking to a colleague or  
 23 two that I was hoping to avoid any of the  
 24 problems that student teachers who are even more  
 25 --- 21, 22-year-olds, sometimes that they might

1 bring, that I was working with a --- I can't  
 2 remember. She's about my age, so I think she  
 3 might have been 25 or 26 at the time of her  
 4 student teaching placement, so working with  
 5 somebody who would have been a more mature  
 6 student teacher and also a mom of two children.  
 7 So I remember saying this is going to be ---  
 8 this is going to be good. She's probably going  
 9 to bring some of her mom classroom management  
 10 into her teaching practices, and hopefully we'll  
 11 be able to avoid a lot of the pitfalls that some  
 12 student teachers encounter.  
 13 **Q. And what kinds of pitfalls are you referring  
 14 to?**  
 15 A. That sometimes that there's a lack of  
 16 professionalism or observing boundaries between  
 17 students and teachers. And it's not just  
 18 student teachers. Obviously, some teachers have  
 19 those problems. What other pitfalls? Just  
 20 struggling keeping up, working other jobs in  
 21 addition to student teaching, having sports  
 22 commitments back at the university.  
 23 **Q. So after these first few weeks are over,  
 24 then what happened with her student teaching?  
 25 What did you do?**

1 A. She gradually begins to pick up the classes.  
 2 But I don't think I'll be able to cite exactly,  
 3 specifically --- I know that we would have begun  
 4 her with the traditional course, which is the  
 5 college-bound course, because it --- just  
 6 typically it tends to be an easier class to pick  
 7 up because of classroom management. And that's  
 8 a general statement. It's not always the case.  
 9 But we would have begun her with that course and  
 10 then gradually brought in the technical class  
 11 when she became comfortable with classroom  
 12 management practices or the content. And then  
 13 we save that advanced comp course for last.  
 14 **Q. Why?**  
 15 A. Because that was the one that I was not sure  
 16 that my supervisor was actually going to allow  
 17 her to pick up as a student teacher, because we  
 18 had observed up to that point her lack of  
 19 content as far as advanced composition would  
 20 have been concerned. But we were able to work  
 21 out, as I said earlier, some type of project to  
 22 allow her to fulfill that requirement.  
 23 But I also knew that in the next nine weeks,  
 24 while Stacy would have still been a student  
 25 teacher there, I was going to be giving a speech

1 course. And that that would have been something  
 2 that she could have fulfilled her full load, her  
 3 full teaching load requirement for Millersville.  
 4 She could have taught from the speech class.  
 5 **Q. So in other words, you would be teaching a**  
 6 **course in public speaking?**  
 7 A. Correct.  
 8 **Q. You said that initially her first class was**  
 9 **college prep and that that was an easier class**  
 10 **to manage.**  
 11 A. Yes.  
 12 **Q. Explain that.**  
 13 A. Because the students just tend to not have  
 14 some of the same discipline problems or  
 15 attendance problems. We see a lot of  
 16 absenteeism in the technical classes. But it's  
 17 so general. It's such a general statement.  
 18 It's not really necessarily always true.  
 19 **Q. Okay. And so how did you ease her into**  
 20 **teaching?**  
 21 A. Just by setting up her for success by  
 22 letting her start with poetry and letting her  
 23 have that traditional course, and letting her  
 24 teach something that she felt very comfortable  
 25 with, and working with her on it ahead of time,

1 giving her some examples of things that I might  
 2 have taught, how I would have done it, counseled  
 3 with her what would be the best way to approach  
 4 the content.  
 5 **Q. And how frequently would you speak with her**  
 6 **about her student teaching?**  
 7 A. Every day, all day, you know, in between  
 8 classes. We would be constantly dialoguing.  
 9 Whenever I wasn't teaching, obviously.  
 10 **Q. Okay. Did you make notes that --- of your**  
 11 **observations of her student teaching?**  
 12 A. Yes.  
 13 **Q. And I'm going to --- you have in front of**  
 14 **you what's going to be the next document ---**  
 15 **skip that. That's it. Are those your notes?**  
 16 A. Yes.  
 17 **Q. All right. Would you please look through**  
 18 **those pages and let me ---?**  
 19 ATTORNEY KRAMER:  
 20 And let's mark this as CV-2.  
 21 (CV Exhibit Two marked for  
 22 identification.)  
 23 BY ATTORNEY KRAMER:  
 24 **Q. If you would look through that packet, it**  
 25 **starts --- and they're numbered CVSD2006, from**

1 **220 and then page 253.**  
 2 A. Just to 220, not 222?  
 3 **Q. I'm sorry, yes, 222.**  
 4 A. And then 253?  
 5 **Q. Yes.**  
 6 A. Okay.  
 7 **Q. Are those --- are these your notes that you**  
 8 **took during the semester that Stacy was student**  
 9 **teaching?**  
 10 A. Yes. Some --- I mean, they're not --- it's  
 11 not comprehensive, but yes, some of them.  
 12 **Q. Are there more notes that you took that**  
 13 **aren't here?**  
 14 A. I would have taken more notes for sure, but  
 15 the problem was that --- you know, that this was  
 16 brought up a year after the student teaching  
 17 placement. I had switched classrooms at least  
 18 twice at that point, so this was probably all  
 19 that I could find at that point. There would  
 20 have been, obviously, more documentation. This  
 21 is probably all we could find --- or I could  
 22 find.  
 23 **Q. Well, look at the very first page dated**  
 24 **1/30/06.**  
 25 A. Yes.

1 **Q. Does this --- was this the first time that**  
 2 **Stacy actually attempted to teach in your class?**  
 3 **And please read the document to refresh your**  
 4 **recollection.**  
 5 A. I believe so. I believe this was the first  
 6 time. But like I said, there could have been  
 7 --- there potentially could have been a course  
 8 or a day previous to this where maybe she had  
 9 just, you know, come up in front of the class  
 10 for 10 or 15 minutes and maybe conducted a game  
 11 or a review game or something like that. I'm  
 12 not sure. But I do remember that this was the  
 13 opening day of her poetry unit, so it seems to  
 14 me it would be her first day.  
 15 **Q. Okay. I just need to know this. What is**  
 16 **DOLA, D-O-L-A?**  
 17 A. Sure. It's Daily Oral Language or Language  
 18 Arts.  
 19 **Q. Okay.**  
 20 ATTORNEY KRAMER:  
 21 Off the record.  
 22 OFF RECORD DISCUSSION  
 23 BY ATTORNEY KRAMER:  
 24 **Q. The time goes from 9:24 to 10:06. What does**  
 25 **that mean in terms of Stacy's student teaching?**



1 A. That that would have been the beginning of  
2 the activity, and that would have --- I was  
3 probably just trying to keep track of her pacing  
4 so I could see how long she was spending on  
5 something. And that way, if there was too much  
6 time spent on something that really only should  
7 have taken two minutes, then I could have  
8 addressed that. But that was just a tactic that  
9 I had been using for a while. I don't know that  
10 I necessarily always kept that.

11 **Q. If you could please review this page. And I**  
12 **have a couple questions about it.**

13 **WITNESS REVIEWS DOCUMENT**

14 A. Okay.

15 BY ATTORNEY KRAMER:

16 **Q. Obviously, you're writing for yourself and**  
17 **for Stacy, so an outsider doesn't necessarily**  
18 **understand ---**

19 A. Sure.

20 **Q. --- what's --- you know, exactly what you're**  
21 **saying. But what I'd like you to do is go**  
22 **through here and tell me which of these comments**  
23 **refer to concerns about her teaching that you**  
24 **raised?**

25 A. So only concerns is what you're ---?

1 the students knew that that was actually an  
2 error.

3 **Q. Okay.**

4 A. I'm not sure if there's any other references  
5 to problems specifically noted on this document.

6 **Q. At 9:52 it says, overhead, refrain is**  
7 **circled. Should be end-stopped.**

8 A. I'm sorry. I missed that.

9 **Q. What's that refer to?**

10 A. I believe she might have called something a  
11 refrain and that she didn't indicate that  
12 something was end-stopped or end jammed at that  
13 point. I'm not exactly sure, but obviously I  
14 noted that.

15 **Q. What does that mean in non-English teacher**  
16 **speak?**

17 A. That there was a poem or an example that she  
18 had placed up on an overhead and maybe she  
19 called something a refrain and used the wrong  
20 term to discuss that with the students, one of  
21 the vocabulary terms that they would have needed  
22 to know. And I was noting here that it needed  
23 to be end-stopped, but that she probably was  
24 okay on discussing what an end-jammed line  
25 looked like in poetry.

1 **Q. Or something that you thought was especially**  
2 **good. I just don't want this to go on ---**

3 A. Right.

4 **Q. --- forever. And certainly --- at 9:32 it**  
5 **says, had to fix errors. I don't know if --- I**  
6 **mean, does that have anything to do with Stacy**  
7 **or ---?**

8 A. I would think that that note probably meant  
9 that either I or students had to fix an error in  
10 ner discussing the correction of the sentence.  
11 Otherwise, it wouldn't make sense. But yes,  
12 because in my further note there, it's in DOLA  
13 Number Two, needs to be fixed. It was probably  
14 an error that she actually missed, that she  
15 didn't point out to the students. What they are  
16 is just a series of two sentences each day that  
17 have --- they're riddled with errors, and the  
18 students need to be able to find those errors  
19 and explain why it is an error.

20 **Q. Okay.**

21 A. And she would have missed an error at that  
22 point, even though she was using a teaching  
23 guide that would have had the answers for her.  
24 So I knew that I wanted to make sure that we  
25 went back and fixed that the next day and that

1 **Q. The last two comments refer to various**  
2 **literary devices, alliteration, repetition,**  
3 **metaphor, et cetera. It just has those words.**  
4 **Does that ---?**

5 A. That means that she probably covered those  
6 at that --- in that example on the overhead.

7 **Q. So you're just observing what she was doing?**

8 A. Sure.

9 **Q. Turn to the next page. Now, this is Block**  
10 **Three, whereas the first was Block Two. What**  
11 **does that mean?**

12 A. The Block Two class would have been either  
13 the traditional or technical class. I want  
14 to --- that would have been the technical class,  
15 I think, because the students who were absent  
16 were Allegra and Max, and there's a reference to  
17 a Frank. So I think that that was the technical  
18 class. And this Block Three class would have  
19 been the traditional class.

20 **Q. And is there anything on at least the top**  
21 **part of this page reflecting something other**  
22 **than just a simple observation that you were**  
23 **noting, neither criticism nor praise, as far as**  
24 **I can see.**

25 **Q. No, because it was a repeat of the same**

1 lesson from the previous block. So I was  
 2 probably just noting that she went over the same  
 3 kinds of things.  
 4 **Q. At the bottom you got two columns, glows and**  
 5 **grows. What does that mean?**  
 6 A. That was a method that my supervisor had  
 7 used when I was a student teacher, and I thought  
 8 that was a very simple way of explaining to the  
 9 student teacher that these are things that you  
 10 were glowing on and these are things that you  
 11 need to grow on. So it's kind of a nicer way of  
 12 saying strengths and weaknesses probably.  
 13 **Q. Who was your supervisor when you student**  
 14 **taught from Millersville?**  
 15 A. Good.  
 16 **Q. Who was it?**  
 17 A. My cooperating teacher or my supervisor?  
 18 **Q. Who was your super --- who was your coop ---**  
 19 **who was your supervisor at Millersville?**  
 20 A. Mr. Bill Laurus (phonetic).  
 21 **Q. And briefly tell me, just glows and grows,**  
 22 **what are you saying here?**  
 23 A. For glows, that she, you know, was able to  
 24 have a good presence in front of the classroom  
 25 and appear knowledgeable. She used the

1 overhead, stereo, and a clip. So she used a  
 2 television also, I think, from The Graduate, a  
 3 clip from The Graduate. So she would have used  
 4 a variety of media. She changed the activities  
 5 frequently, so I was able to note that with the  
 6 time, and had some good examples with The  
 7 Graduate and the Simon & Garfunkel song. The  
 8 grows, I guess her overhead probably was  
 9 illegible, at least at some points. Suggested  
 10 that she use a black font or that the black font  
 11 was smeared or smudged, I'm not sure. But it  
 12 ended up not being an effective --- it lessened  
 13 the degree of its effectiveness because it was  
 14 illegible. And obviously I'm noting that she  
 15 needs help with her terms.  
 16 **Q. Terms, meaning?**  
 17 A. The end-jammed, end-stopped, alliteration,  
 18 that she would have had some problems there.  
 19 **Q. Did she ever come to you for assistance in**  
 20 **that area?**  
 21 A. Not as she --- in my opinion, not as she  
 22 should have. She might have asked me --- she  
 23 might have asked me to clarify at that moment.  
 24 I don't remember. But I was constantly telling  
 25 her to ask me for help when she felt like she

1 was in over her head or if there was a term she  
 2 didn't understand in advance or actually  
 3 teaching the lesson so I could help her.  
 4 **Q. Was it your sense that she thought she was**  
 5 **pretty good at teaching or that she believed ---**  
 6 **she understood that she was in over her head?**  
 7 A. I got the impression from her, especially  
 8 because she wasn't asking me for help, but also  
 9 just based on her presence, that she --- and  
 10 based on her mid-evaluation of herself, that she  
 11 thought that there were no problems, you know,  
 12 that she was actually doing really well and that  
 13 there --- she didn't notice a lot of the times  
 14 when there were problems.  
 15 **Q. Would you --- so this is from January 30th,**  
 16 **'06. Would you share this --- these notes with**  
 17 **Stacy?**  
 18 A. Yes.  
 19 **Q. When?**  
 20 A. She would have seen the glows and grows. It  
 21 would have been in --- these are all just  
 22 informal documents.  
 23 **Q. Sure.**  
 24 A. I'm not required to submit anything.  
 25 **Q. Right.**

1 A. And I would have used those to go over  
 2 strengths and weaknesses with her, but she  
 3 wouldn't have received a copy of them, I don't  
 4 think.  
 5 **Q. So in other words, these were your reference**  
 6 **notes. And then at some point ---?**  
 7 A. So we could have a discussion.  
 8 **Q. And did you discuss these points?**  
 9 A. Definitely.  
 10 **Q. Let's go on to the next, which is CVSD**  
 11 **Number 208. This is from February 1st, '06.**  
 12 **You wrote this?**  
 13 A. Yes.  
 14 **Q. And this is Block Two, which is the tech**  
 15 **class?**  
 16 A. Yes.  
 17 **Q. Tell me about this page.**  
 18 A. That information up at the top of the page  
 19 might have been an agenda just referencing what  
 20 was going to be occurring during that class  
 21 period, or I might have just listed what was  
 22 discussed during that class period. And then I  
 23 have some glows and grows from the technical  
 24 class, specifically.  
 25 **Q. Okay.**

1 A. And then there's notes on the Third Block  
 2 course.  
 3 **Q. At the bottom?**  
 4 A. At the bottom, uh-hun (yes).  
 5 **Q. All right. A given lesson plan that she**  
 6 **would teach on a given day, what input did you**  
 7 **have into what substantively she would teach?**  
 8 A. I would have told her exactly what she ---  
 9 what content she should be teaching that day.  
 10 **Q. And you would do that when?**  
 11 A. Well, this was that poetry unit, so we would  
 12 have discussed that weeks in advance of her  
 13 teaching it, so she would have been very  
 14 prepared knowing what she needed to teach. And  
 15 she would have been required to submit Lesson  
 16 plans to me at least a day in advance, according  
 17 to Millersville's policy. But many times that  
 18 didn't happen.  
 19 **Q. And would you say something to her when she**  
 20 **failed to give a lesson plan in advance?**  
 21 A. Yes.  
 22 **Q. And what would she say?**  
 23 A. I guess invariably there'd be some kind of  
 24 explanation or excuse for why she couldn't have  
 25 that prepared a day in advance, that she was

1 **discussed results of word splash, but we didn't**  
 2 **discuss --- you quickly mentioned this, the.**  
 3 **What was that?**  
 4 A. And I probably didn't finish my note there.  
 5 **Q. What does this mean, if you remember?**  
 6 A. Results of word splash. I believe she  
 7 created an activity called a word splash where  
 8 the page is splashed with words that deal with  
 9 that unit. So poetry terms, probably, in the  
 10 poetry unit, and that they needed --- I have to  
 11 look at my page. I'm not sure. Maybe needed to  
 12 define the terms or find them or some kind of  
 13 activity. But we didn't discuss --- discussed  
 14 results of word splash, what we didn't discuss.  
 15 She quickly mentioned the --- I don't really  
 16 remember exactly what that's referencing.  
 17 **Q. On the rest of this page, any other phrase**  
 18 **or criticism that these notes will call to your**  
 19 **mind?**  
 20 A. Students were still starting --- well, they  
 21 were starting to show up without the materials  
 22 that they needed to be prepared for class and  
 23 that they were starting to throw books. So I  
 24 was probably noting that we need to make it  
 25 clear that the students are expected to come to

1 working on it the night before or that morning.  
 2 **Q. On the glows it refers to students**  
 3 **sleeping, but she addressed it pretty well. Are**  
 4 **there issues at this point of her classroom**  
 5 **management?**  
 6 A. Yes. Yeah. I'm trying to indicate to her  
 7 that --- I'm probably still kind of handling her  
 8 with kid gloves at this point, trying to make  
 9 sure that I still present most things in kind of  
 10 a positive light and suggest any time that she's  
 11 doing something well, but then also say, well,  
 12 you know, that's good that you addressed it, but  
 13 that's not going to change the behavior. We  
 14 probably need to have some kind of firmer  
 15 expectation that in this class you're not going  
 16 to sleep and that you have high expectations for  
 17 your students.  
 18 **Q. And does error in DOLA, missed, ---**  
 19 A. Apostrophe S.  
 20 **Q. --- I guess, apostrophe S ---?**  
 21 A. In teacher's name. So again, she missed an  
 22 error when she had the teacher's guide in front  
 23 of her. So I needed to make sure that she  
 24 addressed that error.  
 25 **Q. Block three on the same page, it says,**

1 class prepared with their textbooks, their  
 2 notebooks, et cetera. I was probably  
 3 questioning her interpretation or her discussion  
 4 about Christopher Marlowe's poem and the  
 5 reference to be my love. She must have maybe  
 6 said something about having sex. And I didn't  
 7 understand her interpretation of it, so I wanted  
 8 to make sure that I talked to her about it  
 9 because I think maybe she was misinterpreting  
 10 the lines or --- I wanted to see where she was  
 11 going with that.  
 12 **Q. And did you have that conversation with her?**  
 13 A. I'm sure.  
 14 **Q. And do you remember the conversation?**  
 15 A. Not especially.  
 16 **Q. So it appears here in Block Three she taught**  
 17 **from 10:53 in the morning until 11:31.**  
 18 A. Yes. And there's a lunch period. Yes.  
 19 That's right. That's probably before lunch.  
 20 **Q. Turn to the next page, please. This is**  
 21 **CVSD-209, February 2nd, 2006. Again, if you**  
 22 **could just go through this, review it quickly,**  
 23 **and let me know if anything pops out as being**  
 24 **critical or praiseworthy.**  
 25 A. Well, the opening note at the top, checking

1 into earning honors for Frank Zabella  
 2 (phonetic), that's a note to myself. In her  
 3 DOLA sentence, where she would have it written  
 4 it on the board or on the overhead or, you know,  
 5 somehow she conveyed it to the students, she had  
 6 a spelling error. She didn't spell renowned  
 7 correctly. And I must have taught the history  
 8 review.  
 9 She had another spelling error either in her  
 10 handout or, again, on the board when she was  
 11 writing iambic pentameter instead of  
 12 tetrameter. While she was discussing the  
 13 Marlowe and Raleigh poems, there would have been  
 14 three sleeping students that she did not address  
 15 that with them. So that's a note for me that I  
 16 need to talk to her, explain to her, that the  
 17 expectation in my classroom is that there's not  
 18 going to be students sleeping and that that  
 19 should also be her high expectation.  
 20 I'm making a note that probably in a  
 21 discussion with her she has indicated that  
 22 spelling is a weakness of hers. Kids must have  
 23 been having a lot of questions, and whatever  
 24 method she was using at that point was not  
 25 working for the students, so I was probably

1 writing down a solution for her there. Students  
 2 presented. That's just what would have  
 3 happened.  
 4 Block Three, some suggestions about  
 5 classroom management or how to facilitate a  
 6 discussion about FOIA. It was probably just the  
 7 same student each day answering questions, and  
 8 she wasn't actually assessing to see whether or  
 9 not anybody else in the classroom was learning.  
 10 **Q. It says on the left, something good joking**  
 11 **rapport with kids. The kids like her.**  
 12 A. Yes.  
 13 **Q. What was your observation?**  
 14 A. So at that point, she was probably --- she  
 15 had a nice presence in front of the classroom,  
 16 that she was trying to kind of banter with the  
 17 kids a little bit or something like that, and I  
 18 was making note of that.  
 19 **Q. Okay.**  
 20 A. Much better job. She did a better job  
 21 explaining, probably, the second time around  
 22 because I would have talked to her between Block  
 23 Two and Block Three, I think.  
 24 **Q. Right.**  
 25 A. We still need to talk about each day's DOLA

1 so you are able to field their questions. I'm  
 2 reminding her again that you need to come to me  
 3 and talk to me about these errors so that I can  
 4 help you, so that you can be prepared for the  
 5 kinds of questions that the students are going  
 6 to ask you.  
 7 **Q. Okay.**  
 8 A. But she never took --- never really --- and  
 9 I hate to say never, there would have been one  
 10 time, but she really never took advantage of my  
 11 help.  
 12 **Q. Okay. And was she having a hard time**  
 13 **fielding the students' questions?**  
 14 A. Oh, yeah. She couldn't answer their  
 15 questions. If they asked anything that would be  
 16 a little bit more sophisticated, or could you  
 17 provide an example, or why does the apostrophe  
 18 need to go there, or why does a comma need to go  
 19 there or something, she wouldn't have been  
 20 familiar enough with the rules to be able to  
 21 answer the question.  
 22 **Q. And how did she react in those cases?**  
 23 A. I don't want to say always, but there were a  
 24 fair amount of times where, not necessarily even  
 25 just on DOLA, but on content in general, she

1 would have --- there were a couple times where  
 2 she just kind of made up an answer or just kind  
 3 of guessed and would have guessed incorrectly,  
 4 thereby giving the students a false answer and  
 5 confusing them more.  
 6 **Q. Okay. At the bottom left it says --- it**  
 7 **says should I help. And I'm not sure what that**  
 8 **refers to.**  
 9 A. She must have been having problems, you  
 10 know, again, answering questions or  
 11 something --- it looks like it's a little cut  
 12 off here, so I can't quite tell what my notes  
 13 are, but I was offering my help again. Can I  
 14 help you get through this? Can I help you  
 15 present this material or this information to the  
 16 students?  
 17 **Q. Next page, CVSD-210. Is this the same day?**  
 18 A. No, it would have been a different day.  
 19 **Q. Okay.**  
 20 A. Yeah.  
 21 **Q. Because I don't see a date at the top of**  
 22 **this page.**  
 23 A. This might have been the overall --- this is  
 24 the overall flows and grows from this day. I  
 25 can tell because of the reference to Gray.

1 Q. Okay.

2 A. So this is probably more so what I would

3 have showed her. She might not have seen my

4 little notes because they're more for me than

5 for Stacy, so I would have gone over all of

6 these items with her.

7 Q. Okay. You've got several grows, ---

8 A. Right.

9 Q. --- most of which are self-explanatory or

10 you've already discussed.

11 A. Uh-huh (yes).

12 Q. One of my --- there seems to be an issue of

13 her relating to some students who might be

14 quieter than others, and you want her to call on

15 them ---

16 A. Uh-huh (yes).

17 Q. --- or ---?

18 A. Sure.

19 Q. Describe that.

20 A. I would have been encouraging her to --- her

21 job is to make sure that all the students are

22 learning the content. And when there's quiet

23 students in the classroom who aren't

24 interacting, she's going to have to elicit that

25 --- responses from them instead of just going

1 with maybe a more aggressive or a more confident

2 student who would be raising a hand or calling

3 out an answer. So that's an important tool for

4 a teacher, to obviously know what's happening

5 with all the students in the class.

6 Q. How many students are in these classes?

7 A. In both those classes, there would have been

8 somewhere between 20 and 28 students, probably.

9 Q. You've got a comment, how do you know what

10 they know? Think about that. You need

11 feedback. What's that refer to?

12 A. Some kind of assessment, either an informal

13 assessment, but some ways to kind of measure

14 have they actually learned anything that I've

15 taught them up to this point, or are they just

16 kind of starting back at me, and then I'm going

17 to hit them with a large test and the students

18 are going to fail? So you need some kind of

19 indication now if any re-teaching needs to

20 happen before, like, a formal assessment takes

21 place.

22 Q. Were you concerned that she did not know

23 what the students knew?

24 A. Yes.

25 Q. Why?

1 A. Well, because sitting back as an observer, I

2 could probably tell that with the students

3 sleeping, with the students off task and not

4 paying attention or even students who aren't

5 connecting, who could be daydreaming, I would be

6 a little worried that the students were not ---

7 and it's --- it's not like it's easy content

8 that they could just learn on their own. Most

9 of the time they need the teacher or student

10 teacher to explain it to them, so ---.

11 Q. And these are high school seniors. Don't

12 high school seniors act that way?

13 A. Meaning?

14 Q. Well, sleeping, daydreaming, thinking about

15 something else.

16 A. To some extent. Any student in any classes

17 could, you know, be that kind of student. But

18 in my classroom, my philosophy is to have the

19 expectation that everybody is going to learn and

20 everybody is going to learn what I have to teach

21 them. And I'm going to make sure that they

22 learn, because that's my job. So there wouldn't

23 be sleeping. There wouldn't be students coming

24 unprepared, you know. And if that would be

25 happening, then you address that, and you make

1 it clear that that's not your expectation for

2 them.

3 Q. Okay. At the bottom left you've got

4 concerns, music with swear words, shut up, et

5 cetera. If you could please describe ---.

6 A. I've noted that --- yeah, I've noted that

7 the first two were addressed previously, but I'm

8 kind of getting a running list of things that

9 are beyond grows that I'm just kind of concerned

10 about at this point. Do you want me to explain

11 the ---?

12 Q. Yes. Please do.

13 A. The music with swear words, one of her first

14 couple days of teaching she had played some of

15 her music as kind of a background sound so that

16 --- you know, for the students to be working on

17 something that might not have required

18 concentration, a project like's say. I do

19 remember that it was a Ben Fields Five CD.

20 That's a band. I don't remember exactly which

21 songs it was. I maybe could figure that out,

22 but ---.

23 Q. Actually, if you'll look in that packet, you

24 will see right after CVSD-186 ---.

25 A. We had it before.

1 Q. Keep going.

2 **OFF RECORD DISCUSSION**

3 BY ATTORNEY KRAMER:

4 Q. Was this the song?

5 A. Yes.

6 Q. Tell me what happened that day.

7 A. It was played. And I guess by the third

8 line there was a bad-ass mother. So I heard

9 that, and my ears peaked --- perked up. And I

10 looked around the classroom and there was

11 absolutely no indication that the teacher even

12 noticed that that happened. And the kids kind

13 of looked over at me. A couple of them gave me

14 arched eyebrows, and I said, okay.

15 And then, you know, before I could even

16 stand up or do anything, we were probably four

17 or five more lines later, and then there was

18 kiss my ass goodbye. And if the song had played

19 the whole time through, obviously that looks

20 like it's part of the chorus or --- so it would

21 have been said a couple times. So by then I had

22 run over and stopped the CD. There was no --- I

23 don't think she noticed.

24 Q. She didn't notice what?

25 A. That the language was in that song. Or

1 certainly she didn't think about it before she

2 played that song.

3 Q. I'm going to guess you had never seen this

4 song before or heard this song before.

5 A. It might have been in --- I don't know if it

6 would have been on the radio. I mean, I'm

7 familiar with Ben Folds Five. I don't own their

8 album.

9 Q. Okay. So did she --- did Stacy indicate to

10 you that she had ever heard this song before

11 playing it in the classroom?

12 A. Yeah, she specifically played this --- maybe

13 it was an attempt to kind of connect with the

14 kids, to play something contemporary and also

15 because I think --- I'm sure she expressed many

16 times that it's her favorite band or one of her

17 favorite bands.

18 Q. And what was your concern?

19 A. The language, that that's not appropriate

20 for the classroom and that it shouldn't be ---

21 we shouldn't be playing songs as teachers in

22 front of our students that have swear words in

23 them.

24 Q. But these are 17 and 18-year-old kids. My

25 guess is that most of those had heard these

1 words before.

2 A. I'm sure.

3 Q. But that didn't matter to you?

4 A. No.

5 Q. Why was it not appropriate for a classroom?

6 A. Well, even just as a school policy, as a

7 school rule, in any high school I would assume

8 that there's no profanity. And as an educator

9 in a classroom, you wouldn't want your students

10 using this language, so you shouldn't be playing

11 music that has this language.

12 Q. And so you got up and turned off the CD?

13 A. Yes.

14 Q. And what did Stacy do?

15 A. I think I just consulted with her either

16 quietly right at that moment or maybe after that

17 class had ended, I don't think we listened to

18 any more music for the rest of that block, and

19 explained to her that she needs to be --- if

20 she's going to put a song in front of her

21 students, she needs to know what the content of

22 it is, what the language of it is, and that that

23 can't happen. And I'm sure she was apologetic

24 and said that she hadn't realized that --- you

25 know, didn't do it on purpose, obviously, but

1 was negligent in not knowing what she was

2 playing for her students.

3 Q. Did any of the students say anything to you?

4 A. Specifically about it? I think they

5 probably laughed about it, you know, laughed at

6 off, like, oh, my God, the student teacher on

7 one of her first days is playing music with

8 swear words in it. But it would have been

9 informal and with arched eyebrows and kind of

10 laughing with me --- not with me, but laughing

11 --- kind of looking over at me and laughing that

12 the student teacher made a mistake.

13 Q. And was there any reaction outside the

14 classroom? That is, did parents call you? Did

15 any administrators contact you?

16 A. No.

17 Q. Okay. So there was no ramification beyond

18 what happened in the classroom?

19 A. The fire was put out.

20 Q. Then it says shut up in your notes. What

21 does that mean?

22 A. She used shut up, probably just once at

23 this point, there's no indication that it was a

24 second, to gain control of her classroom or to

25 get their attention.

1 **Q. And is that inappropriate?**  
 2 A. Yes.  
 3 **Q. Because?**  
 4 A. Because there should probably be more of a  
 5 measure of control for a teacher to be able to  
 6 obtain the students' attention and respect and  
 7 to have them listen to you when you say you're  
 8 in charge of this classroom, it's time to hear  
 9 me out or, you know, pull back from a discussion  
 10 or something like that. Shut up isn't  
 11 appropriate.  
 12 **Q. Was this the first time she said shut up in**  
 13 **the classroom?**  
 14 A. Judging by this, I'm thinking yes. Because  
 15 I think later there are documents that say that,  
 16 you know, it was used a second time. So I don't  
 17 think this was the second time.  
 18 **Q. After shut up it says, minimal knowledge in**  
 19 **grammar, vocabulary, spelling.**  
 20 A. Yes.  
 21 **Q. What does that reference?**  
 22 A. Just that I'm indicating that there's this  
 23 persistent problem where there's a minimal  
 24 knowledge as far as those content areas go. And  
 25 I'm a little worried at this point about how the

1 semester is going to proceed and how my students  
 2 are going to fare from having a student teacher  
 3 who has these weaknesses.  
 4 **Q. And this was after her student teaching in**  
 5 **the classroom three times?**  
 6 A. Yes. And probably from some other  
 7 documents, maybe that I had seen or heard the  
 8 actual items that she had given to students or  
 9 prepared for me in her lesson plans, things like  
 10 that.  
 11 **Q. Okay. Were there errors in her lesson plans**  
 12 **that she gave to you?**  
 13 A. Yes.  
 14 **Q. Such as?**  
 15 A. Again, some grammar, vocabulary, spelling,  
 16 but sometimes it would just be content. For  
 17 instance, we might be studying Beowulf, and she  
 18 seemed to rely pretty heavily on the Internet  
 19 for her materials, because there's a world of  
 20 information out there for teachers. And instead  
 21 of, you know, --- instead of making the  
 22 documents herself and preparing the lessons  
 23 herself, she would use maybe something that was  
 24 already prepared out of the Internet, but it  
 25 would pertain to areas that we weren't even

1 studying, because Beowulf we were only reading  
 2 excerpts from. It's a long narrative tale. So  
 3 she would have questions prepared for students  
 4 that wouldn't even pertain to anything that we  
 5 were learning about. So there'd be sometimes  
 6 errors like that.  
 7 **Q. And did you tell her these concerns?**  
 8 A. Absolutely. But a lot of times I couldn't  
 9 address them ahead of time because I wasn't  
 10 getting the materials until the day that they  
 11 were already photocopied and being handed out to  
 12 the students. I'd have an idea of what was to  
 13 be taught that day because we would set up a  
 14 pacing guide for, you know, we're going to do  
 15 Beowulf today, for three days, and then we're  
 16 going to be on to "The Searcher", but I wouldn't  
 17 necessarily always know what she was handing to  
 18 the students and what she was using.  
 19 **Q. To be effective, do you, when you're**  
 20 **teaching, try to do, in advance of the class,**  
 21 **almost a minute-by-minute agenda for yourself as**  
 22 **to what you're going to cover and for how long?**  
 23 A. You need to have an idea, like this will  
 24 take me about 20 minutes, this will be about 15,  
 25 so that you can get the idea that you're going

1 to use up the entire block. There won't be any  
 2 idle time, there's time for closure, things like  
 3 that.  
 4 **Q. And was she doing that, as far as you know?**  
 5 A. Probably in a discussion with me we would  
 6 probably have tried to guess at how long her  
 7 activities would have taken, but I don't  
 8 know --- I don't know that we would necessarily  
 9 always discuss that.  
 10 **Q. Finally, it says, a little too easy. What**  
 11 **does that mean?**  
 12 A. Just the beginning --- just starting to  
 13 notice that compared to what I know, you know,  
 14 students --- and any student who's gone through  
 15 high school, you now what basically the rigor  
 16 and the relevance of what happens in 9th, 10th,  
 17 11th and 12th grade is. We're getting these  
 18 students who are to be prepared for college or  
 19 prepared for some kind of higher education. And  
 20 they were --- I was starting to notice that they  
 21 really weren't being challenged. There might be  
 22 a word find where you find poets' names or  
 23 something like that, but you --- there's no  
 24 indication that you actually know what any of  
 25 those terms mean or --- it seemed a little ---

1 it seemed a middle school sometimes.

2 **Q. And actually the next page, CVSD-211 is a**

3 **word find.**

4 A. Right.

5 **Q. Who prepared this?**

6 A. That would have been Stacy.

7 **Q. And was this not something that you thought**

8 **she should have done?**

9 A. It could be some kind of quick, for fun,

10 here, here's a minute at the end of the class

11 period or here's --- I'm not even totally sure

12 why you'd use a word find. I never have for

13 seniors.

14 **Q. And did you tell her that it was probably**

15 **not appropriate for seniors, or you just let it**

16 **go?**

17 A. Well, it was probably just one of those

18 things that I hadn't seen ahead of time. And I

19 guess this was one of her --- maybe a review

20 activity. So after the fact, I would have

21 addressed that with her.

22 **Q. Up to this point, had you shared your**

23 **concerns with her competence with anybody else?**

24 A. I'm sure I would have talked to my

25 supervisor.

1 **Q. Deann Buffington?**

2 A. Correct. And potentially Barry Girvin,

3 though this is still kind of early in the

4 placement. I'm not sure when he would have

5 begun to officially observe her, but I would

6 have definitely made it known to him.

7 **Q. Okay. Let's go to the next page. This is**

8 **CVSD-212. Is this a continuation of the grows**

9 **and glows from CVSD-210, because I don't see a**

10 **date on the other?**

11 A. No. It would have been a different day, I'm

12 sure.

13 **Q. Okay. Because I'm trying to take these in**

14 **order that your Counsel marked them.**

15 A. Okay.

16 **Q. There are some glows at the top. She seems**

17 **to be --- to have energy and to have a pretty**

18 **good presence in the classroom.**

19 A. Uh-huh (yes).

20 **Q. But there also seem to be some pretty nasty**

21 **issues of classroom management?**

22 A. Right.

23 **Q. Describe that, please.**

24 A. Well, starting over in the margin, some

25 quotes. We must have had a speaker from a

1 career institute or from a college at that point

2 coming in to speak with our seniors. And her

3 method of addressing the speaker was to say to

4 the class, I hope you give your speaker more

5 respect than you give me. And I quoted that

6 because that's obviously --- it's her admitting

7 that the students don't show her respect and

8 don't give her the respect that a teacher should

9 be getting at that point. And it's --- that's

10 kind of an inappropriate way to introduce a

11 speaker. And there's an indication of --- out

12 on the margin that a student is asking for help

13 and she's questioning and saying, I don't

14 understand what you're saying, I don't

15 understand how you're explaining this to me.

16 And I wanted to suggest to her that that was an

17 indication that she's not the only one in the

18 class who's having this problem, she's just

19 vocalizing it.

20 **Q. Okay.**

21 A. Do you want me to address all of those

22 problems?

23 **Q. Well, yes, except to the extent that you've**

24 **already talked about ---**

25 A. Okay.

1 **Q. --- something.**

2 A. Classroom management, students talking

3 during test taking is obviously not acceptable,

4 so she needs to address that. And the still

5 talking obviously indicates that this is

6 something I addressed with her and it's still a

7 problem in the classroom, so we need to come up

8 with another way for you to address this,

9 because the students aren't taking your

10 expectations seriously.

11 Based on a recommendation, you know,

12 proximity is important. If somebody is

13 misbehaving, you want to kind of stand near

14 them. You want to circulate. You want to be

15 moving around the classroom. So she must have

16 started to do that, but --- but she was

17 circulating, but she wasn't addressing the

18 behavior that was occurring when she would be

19 near, like that's not appropriate or you need to

20 be quiet or whatever, you know, whatever the

21 problem was at that point.

22 **Q. And these notes that you're taking, you're**

23 **taking them while she's doing the student**

24 **teaching?**

25 A. Right. The students are still talking when



1 she's talking. Only five to ten students are  
 2 with you at any point that you're teaching, was  
 3 my observation. You know, the rest of the  
 4 class, the other 10 to 15 students would have  
 5 been --- or more, would have been off task and  
 6 kind of holding their own court at that point.  
 7 You call for attention, but you're not  
 8 getting it. And then you compliment the  
 9 students at the end of the block, which would  
 10 have been a mixed signal, to say like, well,  
 11 that was a great class, good job, when it wasn't  
 12 any of the behavior that you would have wanted.  
 13 **Q. Are kids acting out in class?**  
 14 A. By not paying attention, blatantly  
 15 disrespecting the student teacher, not really  
 16 listening --- not listening to her directions or  
 17 her instructions or her expectations of them.  
 18 **Q. And how would they do that? I mean,**  
 19 **obviously no one is going to pull a knife on**  
 20 **her, but how would they disrespect her and show**  
 21 **that they are holding her in disdain as a**  
 22 **teacher?**  
 23 A. Just continue to do what she's asking them  
 24 not to do, so just to turn their back and start  
 25 talking to a friend seated behind them or maybe

1 to call into question something that she's  
 2 asking them to do. There's a lot of different  
 3 ways that they could.  
 4 **Q. And how was she reacting to that disrespect?**  
 5 A. Probably at a loss, you know, trying to ---  
 6 not sure what she should do at that point.  
 7 Maybe getting frustrated.  
 8 **Q. And was that evident to you in class, that**  
 9 **she was frustrated?**  
 10 A. Yes.  
 11 **Q. Would she try to, to use the term, get**  
 12 **buddy-buddy with the students, to gain their**  
 13 **affection or attention?**  
 14 A. That was definitely a method that she  
 15 probably resort --- that would have been a last  
 16 resort for her or --- any teacher in a classroom  
 17 wants to be liked by the students, wants to have  
 18 that rapport with them, where there's kind of a  
 19 camaraderie or --- but it's all --- it all  
 20 translates from respect, and so she was looking  
 21 for that. But a lot of times it seemed she  
 22 wanted --- because they were 17, 18-year-old  
 23 students, she was looking to be more on a peer  
 24 level with them, is my understanding of it.  
 25 **Q. And you can continue to look on that page or**

1 **go to the next page, which seems to be a**  
 2 **continuation. This CVSD-213 seems to be an**  
 3 **entire page of criticisms.**  
 4 A. It is continuing from the last page, I  
 5 believe.  
 6 **Q. It says at the top, we discussed shut up.**  
 7 **You did discuss shut up once ---**  
 8 A. Before.  
 9 **Q. --- already. Is this a repetition of that?**  
 10 A. Probably. Or this could be indicating that  
 11 there was a second occurrence of it. But I'm  
 12 not --- you know, I can't tell exactly without a  
 13 date or, you know, more specific reference.  
 14 **Q. Okay. It says parent follow-ups. What's**  
 15 **that refer to?**  
 16 A. That if there's some kind of student who's  
 17 failing or some disrespect, one of the  
 18 procedures for writing a student up for a  
 19 detention is that you first need to make contact  
 20 with the parent and that, you know, if a student  
 21 is failing, you need to let the parent know.  
 22 **Q. Uh-huh (yes).**  
 23 A. So I would have discussed that with her.  
 24 It's probably just a note for me, obviously,  
 25 what I've discussed.

1 **Q. Oh, so this doesn't indicate she wasn't**  
 2 **doing this. It's just a note ---?**  
 3 A. Just for myself, like okay, I made sure that  
 4 I've discussed the fact that we need to be  
 5 following up with parents. The chain of command  
 6 was discussed at this point, and that was ---.  
 7 **Q. What's that mean?**  
 8 A. That was --- the first example would have  
 9 happened --- Stacy would have wanted a key to my  
 10 classroom so that she could have one, maybe feel  
 11 to feel more like a teacher, but did not have  
 12 to borrow my key, which is the standard protocol  
 13 for student teachers. And I don't --- I think  
 14 she might have asked me if she could have one,  
 15 and I said that I would check into that for her  
 16 but that I think the policy is to not hand out  
 17 multiple keys, you know, just as a safety and  
 18 security measure.  
 19 And before I was able to get back to her  
 20 with an answer, either later that day or the  
 21 next day she actually approached our assistant  
 22 principal in the hallway and asked him if she  
 23 could have a key to the classroom. And he  
 24 explained to her that that wasn't possible, that  
 25 they don't give student teachers keys.

1 **Q. And what's the reference to chain of**  
 2 **command?**  
 3 A. I explained to her that there's --- there's  
 4 a system. There's a --- that if she has  
 5 questions or issues, that she needs to come to  
 6 me first with that, and that that was how it  
 7 originated, but that she had gone above me even  
 8 when I explained to her that I was the person  
 9 who was looking into it.  
 10 **Q. Then it says number four, block activities.**  
 11 **What's that reference?**  
 12 A. Probably --- I'm guessing that that probably  
 13 indicates I'm just trying to help her come up  
 14 with some different strategies and activities to  
 15 use to break up the 80-minute, 90-minute block.  
 16 **Q. At this point, was she teaching the entire**  
 17 **block?**  
 18 A. Yes.  
 19 **Q. Why did you let her teach the entire block**  
 20 **with all the other inadequacies that she has**  
 21 **shown?**  
 22 A. Well, the intention --- my goal, my job, is  
 23 to get her to be able to complete student  
 24 teaching. So she needs to be able to work her  
 25 way up to teaching a full load. And it doesn't

1 for the past month.  
 2 **Q. Tests, assessments for the students on a**  
 3 **given subject, who prepared them? Does she**  
 4 **prepare them or do you prepare them?**  
 5 A. As part of her unit, she would have prepared  
 6 them. She would have access to mine, and I  
 7 doubt she would have used mine, you know, as ---  
 8 she wouldn't have handed my test out. She would  
 9 have made her own test to match up with the  
 10 content that she had taught.  
 11 **Q. Okay. And who grades them?**  
 12 A. Stacy would.  
 13 **Q. And if she's teaching a given block for a**  
 14 **semester, does she give the final grade to the**  
 15 **student?**  
 16 A. If she had been there from the start to the  
 17 finish of a semester, which student teachers  
 18 aren't, I guess technically she would have, but  
 19 with my consultation because it's my grade book.  
 20 **Q. Okay. So teachers are pretty proprietary**  
 21 **about their grade books, are they?**  
 22 A. Well, you have your own password, your  
 23 own --- it's assigned to you, and that roster is  
 24 ultimately assigned to you, that roster of  
 25 students, so you have to be okay with the grade

1 mean that every day she was necessarily a  
 2 teaching a full block, she wasn't teaching a  
 3 full load at this point, but that she needed to  
 4 start to have the experience of a teacher where  
 5 you need to know how to plan for an 80-minute  
 6 block before you can plan for three 80-minute  
 7 blocks.  
 8 **Q. To the left in the margin at the top, could**  
 9 **you read that part?**  
 10 A. To the left?  
 11 **Q. Yeah, the very top.**  
 12 A. Shouldn't be just one person doing all the  
 13 work? That's the middle one.  
 14 **Q. I'm sorry. I'm thinking the left, in the**  
 15 **margin up here.**  
 16 A. As of 2/27, students in Block Two still do  
 17 not know the figurative language you are trying  
 18 to teach/have taught since you started.  
 19 **Q. What is that?**  
 20 A. That there's an indication based on their  
 21 assessments or based on discussions, hey,  
 22 where's the metaphor in this line or, you know,  
 23 where's the simile in this passage? They're  
 24 still not able to actually identify any of the  
 25 things that she should have been teaching them

1 that the students ultimately receive in your  
 2 course. If a student teacher leaves, you're  
 3 still the teacher.  
 4 **Q. Okay. And so when you say grade book,**  
 5 **you're talking about access in a grade book on a**  
 6 **computer as opposed to a ---?**  
 7 A. Right, which is how we do it now.  
 8 **Q. Okay. How about in the margin in the**  
 9 **middle, what does that say?**  
 10 A. That I have indicated that to you already.  
 11 Activities and questions or materials, study  
 12 guides, units, that she's using with the  
 13 students have errors and problems and she  
 14 doesn't catch them ahead of time, nor do I see  
 15 them ahead of time before the students get  
 16 to --- the kids get to number six and then they  
 17 say, I don't understand how to answer this  
 18 question, and the answer is, oh, it's not even  
 19 on anything you've read and it's an error. I  
 20 think what I was trying to point out is relying  
 21 too heavily on the Internet to prepare your  
 22 materials for you is probably not the best  
 23 method.  
 24 **Q. Finally, on the left you say, shouldn't be**  
 25 **just one person doing all the work, in quotes.**

1 A. I'm just quoting her. And that's just  
 2 indicating that there's really only one or  
 3 two --- you know, a very --- a small amount of  
 4 students actually answering the questions, and  
 5 she's indicating that the rest of the students  
 6 need to get involved, but not beyond that quote.  
 7 She's not doing anything to ensure that the  
 8 other students in the classroom are getting  
 9 involved, so I would have been pointing that out  
 10 to her.  
 11 **Q. So if I understand it, it's her --- you're**  
 12 **quoting her?**  
 13 A. I'm quoting her, yes.  
 14 **Q. So it sounds like she's trying to lay a**  
 15 **guilt trip on the students to some extent, you**  
 16 **know, you guys need to work, too?**  
 17 A. Sure. Sure. Sure. You know, trying to  
 18 make them feel responsible, that they need to  
 19 get involved and making them feel a little  
 20 guilty, like you need to step it up.  
 21 **Q. And did that work?**  
 22 A. No.  
 23 **Q. And how do you know?**  
 24 A. Because we just had the same problem for  
 25 most of the semester, most of the time that she

1 was there.  
 2 **Q. Okay. If you go down --- do you need to**  
 3 **take a break, by the way?**  
 4 A. I'm fine.  
 5 ATTORNEY VOIGT:  
 6 I'd like to take a break. We've  
 7 been at this for 45 minutes.  
 8 ATTORNEY KRAMER:  
 9 Okay. Let's take a break.  
 10 SHORT BREAK TAKEN  
 11 BY ATTORNEY KRAMER:  
 12 **Q. Still on the same page, in the center you**  
 13 **wrote, you suggest an idea then crumble based on**  
 14 **what the students want. They run the show. I**  
 15 **think we should do it this way, grade it this**  
 16 **way, and then discussion ensues. What does that**  
 17 **refer to?**  
 18 A. Just refers to a weakness in classroom  
 19 management, that when you're the teacher, you  
 20 explain how you're going to structure your  
 21 activities and your timeline or when something  
 22 is due, and that's basically it. It's really  
 23 not open for discussion. You have a pace that  
 24 you need to keep, and you're the teacher. You  
 25 know what's best. And the students would always

1 override whatever she would say or get her ---  
 2 you know, talk her out of doing it a certain way  
 3 or --- there doesn't need to be discussion about  
 4 things that --- when you're the professional in  
 5 front of the classroom, it's what you say goes.  
 6 **Q. Did you instruct her on how to better manage**  
 7 **the class?**  
 8 A. Yes.  
 9 **Q. And you described --- I mean, here it says,**  
 10 **I think we should do it this way. Is that you**  
 11 **telling her to simply be more forceful? I mean,**  
 12 **what are you telling her to do?**  
 13 A. I'm quoting her. She'll say, I think we  
 14 should do it this way, grade it this way, but  
 15 then --- so she'll put out there, I think we  
 16 should do it this way, but that opens it up for  
 17 a forum for discussion, and it shouldn't.  
 18 **Q. Okay.**  
 19 A. But all of these things where I'm writing  
 20 like glows and grows and writing all of these  
 21 things out, these would have all been shared  
 22 with her and I would have gone point by point  
 23 over them, explained whatever the grow was or  
 24 the glow was, commended her or had a discussion  
 25 with her about how we could improve it or what

1 we should do instead, let her ask me questions  
 2 or ---.  
 3 **Q. Okay. At the bottom it says, language,**  
 4 **quote, shut the hell up, end quote, and you**  
 5 **didn't address it.**  
 6 A. Right.  
 7 **Q. What happened there?**  
 8 A. I'm just --- as an observer in the back of  
 9 the classroom or to the side of the classroom, I  
 10 can hear language around the room that's  
 11 audible, that anybody in the room would hear,  
 12 but there's no indication from her that that's  
 13 inappropriate language.  
 14 There was another place where it was  
 15 referenced, like inappropriate weekend behavior,  
 16 talking about potentially like drinking on the  
 17 weekends or going to parties or just things ---  
 18 even drugs like that shouldn't --- that  
 19 shouldn't be part of your classroom. Nobody  
 20 should be idly sitting around discussing things  
 21 like that. You need to be able to uphold that  
 22 that's not appropriate in a classroom, and it  
 23 just wouldn't be addressed.  
 24 **Q. Did she --- did that kind of problem arise**  
 25 **other times, other than her not addressing the**

1 shut the hell up, or other incidents you can  
 2 recall?  
 3 A. Not specifically, but I know for sure  
 4 somewhere in here I think that it's referenced  
 5 that, you know, weekend plans were discussed. I  
 6 probably didn't note it every time that it would  
 7 have happened, just because it was starting to  
 8 become a pattern, and I would have just  
 9 addressed it with her at that moment. Or at  
 10 some point I might have even stood up and said,  
 11 you know, that's not appropriate, or explain it  
 12 to the students.  
 13 **Q. The next page, CVSD-214, is dated February**  
 14 **13th. If there are dates for which there is no**  
 15 **note, does that --- I mean, where ---?**  
 16 A. They could be ---.  
 17 **Q. What does that mean?**  
 18 A. They could be later, especially since this  
 19 page previous, CVSD-215, says, as of 2/27,  
 20 students in Block Two. So I'd say that these  
 21 documents could be out of order and that's  
 22 faulty dating.  
 23 **Q. Right. And actually the next document,**  
 24 **which is number 215, it's dated 2/3.**  
 25 A. Right.

1 **Q. Okay.**  
 2 A. All over the place.  
 3 **Q. But we'll stick with CVSD-214.**  
 4 A. Okay.  
 5 **Q. At this point, have you switched her to a**  
 6 **different class, different block?**  
 7 A. No.  
 8 **Q. You did that at some point during the**  
 9 **semester?**  
 10 A. Yes. At some point I take over the  
 11 technical class, because it's not working out  
 12 very well.  
 13 **Q. With her as teacher?**  
 14 A. Right. And also of note, we were able to,  
 15 at the change of the marking period, after the  
 16 nine weeks and that advanced composition course  
 17 ended, we would have picked up a speech class.  
 18 But because there was a transition with another  
 19 colleague in my department to teaching some  
 20 guidance counselor kind of positions, he  
 21 eventually moved into that spot. He --- his  
 22 schedule changed.  
 23 He was able to take our speech class and ---  
 24 and I wouldn't have made this change, except  
 25 that I had a student teacher and we were having

1 problems, that would have allowed her to pick up  
 2 his traditional senior English class, thereby  
 3 creating just one prep, if you will, like only  
 4 one content that you have to be familiar with,  
 5 and that's just the British literature, which  
 6 isn't typical for a teacher. You usually have  
 7 to wear a couple different hats in the course of  
 8 a day, but we were able to say that that would  
 9 probably be the best situation as far as helping  
 10 Stacy complete her student teaching and allowed  
 11 that switch to take place. And my supervisor  
 12 condoned that and said, sure. So that was  
 13 something that we kind of went above and beyond  
 14 to try to help her out a little bit.  
 15 **Q. Okay. On the top of CVSD-214 you wrote**  
 16 **something, Stacy explained on Sunday evening,**  
 17 **there's an asterisk. What --- does that mean**  
 18 **anything other than just what it says? Does**  
 19 **that raise a concern?**  
 20 A. No, it's just I'm indicating --- it raises a  
 21 concern. I'm raising a concern there.  
 22 **Q. What's the concern?**  
 23 A. That she's having a hard time keeping up and  
 24 that she's not turning her plans in completed or  
 25 on time, the lesson plans, not even the

1 materials, but getting the lesson plans to show  
 2 me what she's intending to teach that day, not  
 3 even the materials, which previously hadn't been  
 4 turned in on time. And then she became ill. I  
 5 think she was sick already that day. She maybe  
 6 --- I think there were at least --- I think  
 7 there were four days, don't quote me, I may be  
 8 wrong, but I think maybe four days that she  
 9 missed of student teaching because of being ill.  
 10 **Q. Okay.**  
 11 A. So maybe the next day she ended up calling  
 12 out sick or something.  
 13 **Q. And what is she telling you about what's**  
 14 **going on?**  
 15 A. With?  
 16 **Q. With her inability to be prepared and**  
 17 **turning notes in in advance.**  
 18 A. I don't remember any specific reasons that  
 19 she was citing, because I don't believe she was  
 20 working. I believe student teaching --- and  
 21 being a mom, that that was the only thing that  
 22 she had going on. So I'm not sure.  
 23 **Q. Okay. So the rest of her life was also**  
 24 **quite busy. I mean, she had a lot of other**  
 25 **things going on in her life as well?**

1 A. I assume.

2 **Q. The bottom says constant chatter.**

3 A. That drives me crazy, because I'm trying to

4 take notes and the kids are --- it's just ---

5 it's like nails on a chalkboard to a teacher

6 when you know that the students aren't paying

7 attention, aren't learning, are wasting that

8 period. And it's hard for me to even --- to sit

9 in the classroom and to not want to step in and

10 not want to take charge. So it's hard for me to

11 kind of step back and watch the way this is

12 going.

13 **Q. Well, why don't you step in during class?**

14 A. To some degree I want to make sure that, at

15 this point, she's --- that she can be the

16 authority in the classroom and that they don't

17 see her as being less of an authority figure.

18 If I'm constantly stepping in, it makes her look

19 more and more like a student and more on level

20 with them. She needs to be able to be the

21 professional in front of the classroom, and I

22 try not to undermine that for her. I'd rather

23 try to address it with her outside of class and

24 then make some suggestions and then hope for

25 some improvement the next day, knowing that

1 completely misinterpreted it. She made the same

2 kind of error that maybe a student who had never

3 seen the poem before might have made looking at

4 it. So I needed to make sure that she

5 understood what the poem meant and that she

6 could re-teach that to the students.

7 **Q. And after speaking with her, do you think**

8 **she did understand the poem?**

9 A. I'm not sure. To the best of her ability or

10 --- hopefully, I was able to explain it to her.

11 **Q. It says, last two lines are most important.**

12 **Apologized to students for reading definition of**

13 **ode. What's that mean?**

14 A. She apologized to students for reading

15 because she mispronounced a lot of the words and

16 wasn't able to read it very fluently, as a

17 teacher probably should. And I probably needed

18 to make sure that she knew what the definition

19 of an ode was because the poem is called "Ode on

20 a Grecian Urn", and she either didn't explain it

21 well or didn't explain it at all. And it would

22 have been one of the terms they needed to know.

23 **Q. And then it says, the last two lines, we**

24 **should discuss. The historian is the urn, but**

25 **there is a speaker.**

1 there's going to be some error.

2 **Q. Anything else on this page, CVSD-214, that**

3 **really stands out and that we haven't already**

4 **discussed in terms of her problems teaching?**

5 A. No, just more of the same.

6 **Q. The next page. This is CVSD-215. And**

7 **actually, this is February 3rd, '06. Just take**

8 **a look at that and tell me if anything pops out**

9 **on this page.**

10 A. That she was doing some of the things that I

11 asked her to do. Obviously, she was reminding

12 the students about not sleeping in the class.

13 She really did not understand "Ode on a Grecian

14 Urn", John Keats' poem, and I was making a note

15 of that, and that I needed to talk to her about

16 it, obviously. But it was --- it was a poem

17 that she had studied in her coursework at

18 Millersville, so I assumed --- and the teacher's

19 text, it walks you through the poem stanza by

20 stanza. So obviously, I assumed that she'd be

21 able to discuss that poem with the students, and

22 she really didn't understand it, and it's pretty

23 clear.

24 **Q. And it says --- how was it so clear?**

25 A. Well, even by the last two lines, that she

1 A. Yeah, like a persona for the poem. I

2 believe she thought that there was a historian.

3 She was misinterpreting the entire poem, the

4 most important aspect of the poem, and I needed

5 to make sure that she understood that.

6 **Q. Okay. At this point --- well, actually,**

7 **let's go to the next page, CVSD-218. This is**

8 **dated February 24th. At this point, have you**

9 **been raising your concerns to Ms. Buffington**

10 **about Stacy's competence?**

11 A. Yes. And certainly by '04, to Barry

12 Girvin, as well. He would have been in to

13 observe her.

14 **Q. All right. Tell me about your concerns that**

15 **you raised with Ms. Buffington.**

16 A. I didn't know how she was going to go. It

17 was feeling pretty --- it was feeling --- it was

18 feeling like I had a student teacher who didn't

19 have the preparation, the content, the knowledge

20 or the classroom management, basically all the

21 tools that she should have come to me with or

22 started to develop up to that point, that it was

23 severely lacking. She was having a hard time.

24 She was really struggling. And it wasn't ---

25 the situation wasn't changing with the students,

1 by and large. The students were still being,  
2 you know, disrespectful, disruptive, challenging  
3 her, not respecting her authority in the  
4 classroom.

5 And there was probably a couple times ---  
6 any time that Stacy would have been out, I would  
7 have been the teacher, obviously. Any time that  
8 she wouldn't have been in the room, I would have  
9 taken advantage of the opportunity to remind the  
10 students and would have set up her teaching that  
11 way, to say like, she is the authority, she is  
12 the teacher, you need to respect her, and I  
13 remember reminding them of that throughout the  
14 semester. And the students would explain to me  
15 that it's kind of hard to learn from somebody  
16 who knows less than you know about something or  
17 is less prepared than you are on certain days.  
18 Yeah.

19 **Q. And what did you tell Ms. Buffington?**

20 A. Probably just asked her, what should I do?  
21 What do you do in a situation like this where  
22 there are such problems? And I've tried  
23 basically everything I can think to try up to  
24 this point, and I'm starting down the rest of  
25 the student teacher placement thinking, what can

1 we do? So I know that we made that adjustment  
2 for the advanced composition course for her,  
3 where I explained that she was able to teach a  
4 unit that wasn't part of the curriculum.

5 **Q. Right.**

6 A. And we made the adjustment for her to be  
7 able to teach a similar prep as opposed to  
8 having to learn some new content in a public  
9 speaking course. And to Barry Girvin, I know at  
10 one point, I'm not sure --- I'm sure one of your  
11 documents has the date for the mid-evaluation.  
12 It would have been in March.

13 **Q. Right.**

14 A. So not too many weeks after this. And I  
15 would have been suggesting that maybe we should  
16 be considering another placement because my  
17 students are not going to be able to take a  
18 final --- the final exam for this course.  
19 They're not going to be able to pass. They're  
20 not going to have any of the content that they  
21 should have had at the end of this course.  
22 We're doing them a disservice.

23 **Q. Was it that bad?**

24 A. It was getting that bad, yeah.

25 **Q. Okay. All right. You said you're raising**

1 **these concerns with Stacy as well. Is she**  
2 **changing? Is what she's telling you changing?**  
3 **I mean, is she understanding that you were very,**  
4 **very concerned about the students?**

5 A. She should be. I mean, everything that  
6 you've seen me --- that I have written here she  
7 would have seen also, so I can't ---.

8 **Q. Okay.**

9 A. I can't read her mind, but she should have  
10 been concerned. But again, I think I said Barry  
11 Girvin and I were both almost flabbergasted by  
12 her self-evaluation of herself at her mid-eval  
13 because she really didn't give herself very many  
14 areas, if any areas, where she needed any kind  
15 of radical improvement.

16 **Q. Right.**

17 A. And if you compare hers to our assessment of  
18 her, it's night and day. And Barry and I were  
19 on the same page, but Stacy wasn't, so I'm not  
20 sure why she misinterpreted her abilities.

21 **Q. I'm trying to --- I'm looking on this 2/18,**  
22 **trying to find things that we haven't already**  
23 **discussed or are self-explanatory. It says sort**  
24 **of in the center, too much time, this is what it**  
25 **is, this is where it is, now you find one in the**

1 **passage. Students are rebelling. This is hard.**  
2 **What's this mean?**

3 A. She probably spent a lot of time, it looks  
4 like maybe 14 minutes had elapsed at that point,  
5 and all she needed to do was say, like, this is  
6 what the definition of this term is, this is  
7 where you can find it in the passage and give  
8 them some practice to be able to practice  
9 finding it on their own, but that she must have  
10 been spending a lot of time and the students  
11 were rebelling and starting to notice. She  
12 might have said that this is hard, the content  
13 is hard to the students, you know, explaining  
14 her ineffectual teaching or something. I'm not  
15 sure.

16 Went on to the --- so they'll ask questions.  
17 They'll say that they don't understand something  
18 or she'll gloss over something, and then she  
19 would move on to the next example without making  
20 sure that the students understood the first  
21 example. And it was --- she was just kind of  
22 trying to get through the period, it seemed to  
23 me is probably what I'm noticing at that point.

24 **Q. What's the last word in the circle?**

25 A. Kenning.

1 Q. Oh, okay. Got it. Okay. It says, you've  
 2 got about four students with you at any given  
 3 point.  
 4 A. Right. So she's leaving a lot of students  
 5 behind, out of 29 to 28 students.  
 6 Q. And those who are not with her are doing  
 7 what?  
 8 A. Either they're lost and confused and, you  
 9 know, talking to somebody near them, trying to  
 10 figure what exactly she's talking about or  
 11 trying to, you know, get caught up. Because I  
 12 think I notice down at 9:58 Steph said, I don't  
 13 get it and I can't find it. I don't see it in  
 14 the line. You know, she said something like  
 15 that. And Stacy's response was, well, then come  
 16 see me outside of class. But I was noting, no,  
 17 the entire class would have to see you out of  
 18 class then, because they all don't get it, you  
 19 know, so --- and again, these are my notes for  
 20 myself. I don't think I would have necessarily  
 21 snowed these with her. I would have then tried  
 22 to turn them into glows and grows. So if things  
 23 aren't self-explanatory, it's probably because  
 24 it made sense to me at the time.  
 25 Q. Right above that it says, at 9:56, it's a

1 guessing game.  
 2 A. You know, where is the imagery in this  
 3 passage? And they're just throwing out  
 4 random --- they obviously have no idea. They  
 5 can't find imagery from a doorknob, so ---.  
 6 Q. All right. And in other words, Stacy is  
 7 failing in her responsibility to teach the  
 8 students?  
 9 A. Definitely.  
 10 Q. The last line says, the kids just shout out  
 11 in class.  
 12 A. Yes. I was suggesting to her kind of a  
 13 basic aspect of classroom management to try to  
 14 get the students to raise their hands so she can  
 15 call on them so she could hear what they were  
 16 saying as opposed to having the students just  
 17 chaotically shout out answers or shout out  
 18 questions.  
 19 Q. And the last word is it's chaos.  
 20 A. Yeah, it felt like chaos.  
 21 Q. Okay.  
 22 A. Uh-huh (yes).  
 23 Q. Are you getting any feedback from ---  
 24 outside of class from students about this?  
 25 A. Yes.

1 Q. What are you hearing?  
 2 A. Can you please be our teacher, Mrs.  
 3 Reinking? We're lost. We're worried about  
 4 taking the final or, you know, just basically  
 5 anything that you would assume that the students  
 6 would be saying at this point. They were coming  
 7 up and saying that. And I'm trying to say, we  
 8 have to give her the benefit of the doubt. You  
 9 know, we need to allow her to complete the  
 10 student teaching here. And a lot of times it  
 11 wasn't necessarily the students who were  
 12 misbehaving. They were probably enjoying having  
 13 a class period off where they didn't really have  
 14 to do very much. It would be more the students  
 15 who were very concerned about their grades and  
 16 their content knowledge and going to college or  
 17 going on to some kind of schooling. But yes,  
 18 they were raising some concerns.  
 19 And I had a couple informal parent questions  
 20 where they were just wondering how long was this  
 21 student teacher going to stay and would the  
 22 students still be required to know the same kind  
 23 of content, basically expressing the same kind  
 24 of concerns that their sons or daughters would  
 25 have been expressing.

1 Q. Okay. This is not an AP class. It's just  
 2 an honors ---?  
 3 A. It's not an honors.  
 4 Q. Just a standard ---  
 5 A. Right.  
 6 Q. --- college prep?  
 7 A. It's kind of your average student who wants  
 8 to go to college or your average student who  
 9 might want to go to college, but might want to  
 10 do a career --- vocational school instead or  
 11 something like that.  
 12 Q. Okay. On the next page, CVSD-219, I just  
 13 don't --- it says Tuesday, Wednesday, Thursday,  
 14 Friday. What does it say to the right of that?  
 15 A. That for four days we had gone over only  
 16 Beowulf and "The Seafarer", which usually would  
 17 have only taken maybe two days and should have  
 18 only taken two days. So I'm starting to raise  
 19 the concern that we're falling behind as far as  
 20 pacing goes because it's my requirement, you  
 21 know, as the teacher of the survey course, to  
 22 get from Anglo-Saxon, the beginning of the time  
 23 period, to the modern period before they take  
 24 the final.  
 25 Q. Okay. So it's now ---?

1 A. This is probably early ---.

2 **Q. This is now the end of February and you're**

3 **still in Anglo-Saxon poetry?**

4 A. Right, because we did --- we did kind of a

5 survey of all poetry prior to that, where we

6 were working through Keats and other poems ---

7 poets.

8 **Q. Top left, you've got something written and**

9 **then circled. What does that say?**

10 A. Can we take down the urns? Probably just

11 because it's two or three weeks old at that

12 point and the students completed like an

13 artistic project, where they drew in and made

14 notes on an urn, and it connected to Keats'

15 poem, "Ode on a Grecian Urn". So it's just a

16 note to myself.

17 **Q. Okay. Center of the page, under 10 --- at**

18 **10:27 in the morning, completed the poem.**

19 **What's the theme of the poem? Someone is**

20 **talking. Give her respect. And the students**

21 **just keep talking. What's going on here?**

22 A. This is --- there's no quotation marks, but

23 I guess there should be. She might have thrown

24 out the question, what's the theme of the poem?

25 And a student started to answer and Stacy said

1 to the rest of the students, someone is talking,

2 give her respect, like listen to her answer to

3 what is the theme of the poem, but the students

4 just kept talking anyway.

5 **Q. All right.**

6 A. I was noting that they were packing up

7 early. I'm not sure exactly what time that

8 block would have ended, but that was obviously a

9 problem, that they were packing up and wrapping

10 up the course maybe before they should have.

11 **Q. And the next note, Stacy informed me that**

12 **she lost a student's test, something for lost?**

13 A. And lost the ---.

14 **Q. Okay. And lost the attendance roster. I**

15 **need for the attendance ---.**

16 A. Secretary.

17 **Q. Okay. What happened here?**

18 A. Well, she lost a student's test, so the

19 student spent his or her time completing the

20 test, and she lost it. So the student would

21 have had to have retested. So that's a problem.

22 Not a huge problem, but the student is going to

23 have to retake the test. And they would have

24 already seen all the questions, so it would be

25 not hard for them to study and then take the

1 test again.

2 **Q. Okay.**

3 A. And then the attendance --- we have to keep

4 a roster of who's in our class every single day,

5 and we have to have that ready to go in case

6 there's questions about class cuts or just any

7 kind of attendance inquiry. And the attendance

8 secretary needed the roster, and Stacy had lost

9 it. So that posed a problem, a serious problem,

10 for the attendance secretary to be able to

11 verify whether or not the student was in class

12 that day or those days.

13 **Q. Next it says, did not follow lesson plan**

14 **format for "The Seafarer", and didn't get to**

15 **riddles. What's that mean?**

16 A. So she would have prepared a lesson plan in

17 advance of teaching something and then departed

18 from that lesson plan and didn't do what she

19 said she was going to do during that unit, so

20 that's a problem.

21 **Q. Okay.**

22 A. And during that class period, she was

23 supposed to be able to get to the riddles unit,

24 and because she's taking too much --- because

25 things are taking too much time on the page is

1 so slow, she's not getting to what she said she

2 was going to cover.

3 **Q. Okay. And what's the final note on that**

4 **page about?**

5 A. At the end of the class, after she taught,

6 she would come up to me and say, I think that

7 went well, and she'd put me in an awkward

8 position because she clearly didn't see any of

9 the problems that were so obvious. So I said,

10 yeah, like there were some --- you know, I

11 wanted to indicate that, yeah, there were some

12 good things about how that went, but that I have

13 to go through some suggestions with you. I have

14 some comments that I need to go over with you.

15 **Q. And you did make those suggestions to her?**

16 A. Absolutely.

17 **Q. And how did she respond to you?**

18 A. I'm sure she just heard me and like as ---

19 there's kind of a record growing here that, you

20 know, there's some things that she would try to

21 implement, but there were some things that she

22 just didn't implement, she didn't make happen in

23 the classroom.

24 **Q. There seems to be a huge disconnect between**

25 **your observations of her performance and her**



1 self-evaluation.  
 2 A. Yes. And Barry's, Barry Girvin's also.  
 3 **Q. All right. Go into some detail on that.**  
 4 **What's going on that you're saying?**  
 5 A. I can't really explain why it's happening,  
 6 but she seems to be clueless as to --- after a  
 7 lesson like that, where things really hadn't  
 8 gone very well, for her to come up and say that  
 9 she thought things went really well, I don't  
 10 know what that means, what she exactly thought  
 11 went well, especially when she departed from the  
 12 lesson plan. I don't know how to explain what  
 13 was happening in her head or how she was  
 14 assessing her teaching performance.  
 15 **Q. And you and Barry Girvin are having**  
 16 **conversations during this period of time, end of**  
 17 **February, early March?**  
 18 A. Yes.  
 19 **Q. What are you two discussing?**  
 20 A. Well, we're starting to gear up for the mid-  
 21 evaluation because we need to be able to put  
 22 something on paper for her that's formal. So  
 23 I'm --- and I think --- I would always get a  
 24 copy of his evaluations also when he would be in  
 25 the classroom, so I would see that he's trying

1 to, you know, point out --- everybody is trying  
 2 their best to point out anything positive that  
 3 she would do, but then we also have to address  
 4 the concerns, the growing concerns that we have.  
 5 So we would have been in dialogue a fair amount.  
 6 **Q. You and Barry?**  
 7 A. Uh-huh (yes).  
 8 **Q. In dialogue, meaning you would talk on the**  
 9 **phone, you would see each other, you would**  
 10 **e-mail?**  
 11 A. Probably just seeing each other. When he  
 12 would stop in, he would, you know, perform some  
 13 --- he stepped up his number of evaluations, I  
 14 think, compared to what he did for other student  
 15 teachers, what's expected of him, informally and  
 16 formally. So I would see him a fair amount.  
 17 **Q. And at this point, it's still early March,**  
 18 **is there --- did you guys have a plan to improve**  
 19 **this situation?**  
 20 A. I think the plans are the things that I've  
 21 referenced so far, that we were going to try to  
 22 figure out other teaching arrangements for her.  
 23 And then I did make the suggestion, is this  
 24 something that we do, you know, that if --- at  
 25 the mid-evaluation I believe she would have

1 technically failed, according to the documents  
 2 that he filled out as far as the state was  
 3 concerned and as far as our evaluations.  
 4 In that situation, is there some kind of  
 5 precedent established where we would then send  
 6 her to the middle school or put her with some  
 7 kind of a placement where she would be not quite  
 8 so challenged by the content and could focus  
 9 just on the classroom management, as opposed to  
 10 having such a difficult time trying to juggle  
 11 both, because it wasn't working.  
 12 **Q. Okay.**  
 13 A. But because --- and also because that's my  
 14 first student teacher, ---  
 15 **Q. Right.**  
 16 A. --- so I didn't know what the protocol is  
 17 when this happens.  
 18 **Q. Okay.**  
 19 A. And I think he discussed it. That's --- you  
 20 know, we try to avoid that and we want to try to  
 21 set her up for success if we can, and let's come  
 22 up with some other solutions for how we can  
 23 evaluate her and how we can get her to grow and  
 24 learn as a teacher from this experience.  
 25 **Q. And what was Ms. Buffington saying at this**

1 **point in response to these concerns?**  
 2 A. She was just --- she just had the exact same  
 3 concerns that I had, you know, that she was  
 4 worried about the quality of the education that  
 5 our students were receiving, especially compared  
 6 to, you know, a student in a senior English  
 7 class across the hall, that it's night and day,  
 8 that it's not comparable.  
 9 **Q. Go to the next page, please, CVSD-220. This**  
 10 **is Block Two, February 27, '06. Can you**  
 11 **translate --- are these criticisms? Are they**  
 12 **praise? Are they just general notes, reminders**  
 13 **to you? What is this?**  
 14 A. Well, she opened with giving the kids their  
 15 progress reports so that they could see how they  
 16 were doing in the course at that point, probably  
 17 like a little bit beyond a midpoint in the  
 18 marking period, so again, close to having a  
 19 final grade for the marking period. She  
 20 assigned new seats. And that was something that  
 21 we experimented with constantly, trying to  
 22 change the seats of the students as a classroom  
 23 management tool. So she took me up on that  
 24 suggestion. That all the students who were  
 25 failing, according to their progress reports,

1 she was requiring, as per my suggestion, to get  
 2 the parent signature so as a tool for feedback  
 3 for the parents.  
 4 As far as students --- students were then  
 5 questioning the grading of the DOLA quiz, and  
 6 she must have done a good job kind of backing up  
 7 how she assigned point values to different  
 8 questions on that quiz.  
 9 **Q. Okay.**  
 10 A. She stressed again that students need to  
 11 come see her and --- to come see her outside of  
 12 class if they're struggling probably, and  
 13 students worked on riddle figurative language in  
 14 groups.  
 15 **Q. It says, third line down, students seem to**  
 16 **be in control most of the time. What's that**  
 17 **mean?**  
 18 A. When she is discussing her grading practices  
 19 or when she's talking about the timelines, as  
 20 I've said before, that the students can question  
 21 and kind of override her decisions.  
 22 **Q. Okay. And that's a problem?**  
 23 A. Yes.  
 24 **Q. Go to the next page, please, CVSD-222. This**  
 25 **is Block Three, 3/1/06. At the top it says, had**

1 to start late due to previous block's testing  
 2 situation.  
 3 A. Uh-huh (yes).  
 4 **Q. What's that mean?**  
 5 A. Probably that the test ran late, ---  
 6 **Q. Okay.**  
 7 A. --- you know, that the students had to stay  
 8 a little bit later until the block ---.  
 9 **Q. Okay.**  
 10 A. There could be more to that, but I don't  
 11 remember.  
 12 **Q. How about DOLA underneath that, I mean, that**  
 13 **just --- is that just an observation of yours?**  
 14 **That has nothing to do with Stacy?**  
 15 A. Right. Right.  
 16 **Q. How about the next line, "Sir ---"?**  
 17 A. "Sir Gawain".  
 18 **Q. Okay. Stacy needed text to discuss. What**  
 19 **does that mean?**  
 20 A. They probably were just having a discussion  
 21 about it and they were asking her questions and  
 22 she wasn't able to answer the questions, so she  
 23 needed --- she wasn't familiar enough with it,  
 24 so she needed to be able to go back and reread  
 25 the text or probably consult a teacher's guide

1 for the answer.  
 2 **Q. And was she doing that in front of the**  
 3 **students?**  
 4 A. Yes.  
 5 **Q. Below that it says errors on PP. What's PP**  
 6 **stand for?**  
 7 A. She made a PowerPoint presentation for the  
 8 students, and there were errors throughout it.  
 9 And Courtney, who would have been a pretty  
 10 gifted student in that class and pretty good  
 11 with grammar and punctuation mechanics and  
 12 things like that, she was catching the errors.  
 13 And I was just noticing that at least that's  
 14 good, that somebody is pointing out the errors  
 15 so that the students aren't being misinformed  
 16 about what's correct and what's not correct.  
 17 **Q. And how does Stacy react when a student**  
 18 **catches her on an error?**  
 19 A. Again, probably embarrassed. But a lot of  
 20 times she would attempt to defend the error or  
 21 give them misinformation, but not always. You  
 22 know, at some points she's stand corrected,  
 23 which is probably what happened here.  
 24 **Q. Okay. And the bottom right-hand side, under**  
 25 **grows, okay, errors in PowerPoint, still not**

1 getting lesson plans the day before during Block  
 2 Four for our discussions. Sometimes I do, but  
 3 not always.  
 4 **Q. Uh-huh (yes). And there again, there's a**  
 5 **modification because, technically, the lesson**  
 6 **plan should have been turned in, you know,**  
 7 **by --- the day before, so that morning --- so**  
 8 **that I could have the day to look over it. But**  
 9 **I was actually just saying could you get it to**  
 10 **me by our prep period, the period that we have**  
 11 **off, so that I can at least look at it during**  
 12 **our planning period and be able to go over it**  
 13 **with you. And she was still not doing that ---**  
 14 **Q. When Stacy ---?**  
 15 A. --- consistently.  
 16 **Q. When Stacy is not in class and you're**  
 17 **teaching, these same students who are giving her**  
 18 **a hard time, are they cooperative with you?**  
 19 A. For sure.  
 20 **Q. Okay. Turn to the next page. This is**  
 21 **actually 253. At the bottom it says grows.**  
 22 **Many students are sleeping; yes?**  
 23 A. Yes.  
 24 **Q. Still not sitting in assigned seats. Is**  
 25 **that happening as well?**

1 A. Right. So the students were moved to  
 2 different seats to avoid maybe disruptions, so  
 3 and so sitting next to so and so, and they were  
 4 just moving and sitting wherever they wanted to  
 5 in class as opposed to observing the assigned  
 6 seats.  
 7 **Q. There seems to be a complete breakdown in**  
 8 **discipline.**  
 9 ATTORNEY VOIGT:  
 10 Objection to the form.  
 11 BY ATTORNEY KRAMER:  
 12 **Q. Is there a breakdown in discipline in her**  
 13 **class?**  
 14 A. As a pattern throughout ---  
 15 **Q. Yes.**  
 16 A. --- throughout everything, yes.  
 17 **Q. And it's getting in the way of the students**  
 18 **learning?**  
 19 ATTORNEY VOIGT:  
 20 Objection to the form.  
 21 BY ATTORNEY KRAMER:  
 22 **Q. Is that getting in the way of the students**  
 23 **learning?**  
 24 A. Yes.  
 25 **Q. It says here, one of your --- now, this is**

1 A. I couldn't find them a just after.  
 2 **Q. Okay. And that would have been from April**  
 3 **5th through approximately when?**  
 4 A. The end of the month. The end of April,  
 5 probably.  
 6 **Q. Is that when the student teaching ends?**  
 7 A. That's about when it was --- I'm sure it was  
 8 wrapping up at that point, because she would  
 9 have finished her placement the first week of  
 10 May.  
 11 **Q. Okay. The month of April that isn't here,**  
 12 **can you recall anything that happened of note**  
 13 **that reflected Stacy's continuing inability to**  
 14 **teach?**  
 15 A. There could be from --- I think you have  
 16 probably a list of other examples of lacks of  
 17 professionalism or lacks of content. They would  
 18 be referenced on those pages.  
 19 **Q. If you would turn to the next page. This is**  
 20 **CVSD-194.**  
 21 A. Uh-huh (yes). Can I also make it clear that  
 22 there's probably less notes also because I would  
 23 have begun to start taking back over some of the  
 24 classes, so she would have been teaching fewer  
 25 courses at that point.

1 in a box. Some of you are only thinking of  
 2 getting out of here. I'm feeling you. I'm  
 3 feeling you. What's that?  
 4 A. That's Stacy being a senior also,  
 5 technically, in college, so she's referencing  
 6 that the students --- is this April 5th? I  
 7 think, probably, right at the top.  
 8 **Q. Yes, it is. It is.**  
 9 A. So you know, we're getting toward --- we're  
 10 in spring, and she's saying to the students that  
 11 --- she's trying to acknowledge that I'm sure  
 12 some of you have senioritis as well. I'm  
 13 feeling you. I have it, too. You know, she's  
 14 trying to indicate that she knows what it's like  
 15 to be a senior, nearing graduation.  
 16 **Q. Okay. Now, this is the end of the notes**  
 17 **that I received dated April 5th, your notes.**  
 18 A. Uh-hun (yes).  
 19 **Q. Are there additional notes that you took**  
 20 **that you think you don't have, or would this**  
 21 **have been the end of the notes that you took?**  
 22 A. I'm sure that there are more notes, ---  
 23 **Q. Okay.**  
 24 A. --- but I just don't know where they are.  
 25 **Q. Okay.**

1 **Q. Why? Why is that?**  
 2 A. That's just natural. You build up and then  
 3 you build back down from the number of courses  
 4 that you teach.  
 5 **Q. During the time --- she was student teaching**  
 6 **in your class February, March and April. During**  
 7 **that time, describe how frequently you were**  
 8 **talking to Deann Buffington about your concerns**  
 9 **with Stacy's teaching.**  
 10 A. On a weekly basis and probably sometimes on  
 11 a daily or --- pretty regularly, I would think.  
 12 Because as my supervisor, she needs to know what  
 13 --- I feel like, you know, the responsibility  
 14 ultimately falls on me for what my students are  
 15 learning and any kind of parent or student  
 16 feedback that I'm getting, so she needs to be  
 17 kept informed for sure.  
 18 **Q. And how about with Barry Girvin, were you**  
 19 **discussing these concerns with him during those**  
 20 **February, March, April ---?**  
 21 A. Yes.  
 22 **Q. Okay. You mentioned a couple of parents**  
 23 **called in.**  
 24 A. Or it would be maybe more so an informal  
 25 type where maybe I'd be at a basketball game, a

1 student basketball game, and they'd be there  
2 also, and they would want to talk to me about  
3 what's happening in class, or at some kind of  
4 after-school function or Parents' Night, things  
5 like that.

6 **Q. And what would they tell you?**

7 A. They would just raise the same kind of  
8 concerns that their sons or daughters were  
9 raising. And again, it was --- it wasn't that  
10 many. It would probably be two or three. And  
11 they just wondered when was I going to pick back  
12 up with the teaching and what would the students  
13 be required to know at the end of the course.

14 **Q. Did any of them expressly reflect concern  
15 about Stacy's performance?**

16 A. Yes.

17 **Q. How so?**

18 A. By indicating that their son or daughter was  
19 worried about, you know, not --- their grades  
20 were dropping. A lot of the students' grades  
21 weren't very good, so the parents obviously were  
22 concerned about that. So they were just worried  
23 ultimately for what was going to happen as far  
24 as the students' academic record was concerned  
25 and, like I said, preparation.

1 **Q. Did you express your concerns at this point  
2 to anybody higher in the administration, higher  
3 than Deann Buffington?**

4 A. No.

5 **Q. The next page is CVSD-194. I don't know if  
6 you can read that. I really just want to know  
7 if you wrote this.**

8 A. No.

9 **Q. Do you have any idea who did write it? This  
10 might be --- I'll show you a better copy.**

11 A. Does not respect professional boundaries, a  
12 way to she is socially inept. I don't even know  
13 where that came from, I don't think. I don't  
14 recognize the handwriting. It's not mine. It's  
15 not Deann's. I'm not sure.

16 **Q. Let's go on to the next documents, which is  
17 the mid-evaluation that you completed, dated  
18 March 20, 2006. And we're going to mark this as  
19 CV-3.**

20 (CV Exhibit Three marked for  
21 identification.)

22 BY ATTORNEY KRAMER:

23 **Q. Did you write this whole document?**

24 A. Yes. The narrative comments on the right I  
25 wrote.

1 **Q. All right. Most of this is  
2 self-explanatory. We don't need to go into more  
3 detail on this. I do want to know, on the first  
4 page, and you've got the first page of the  
5 evaluation, you've got letter grades on the  
6 left.**

7 A. Uh-huh (yes).

8 **Q. And it looks to me like G is kind of an A, R  
9 is a B. I mean, what's the scale for this?  
10 What is the ---?**

11 A. To some extent, I think so. But I think  
12 even if you note, for the G, continued ongoing  
13 development is expected. So you're expecting  
14 that this person is going to be able to continue  
15 on a path to, by the final evaluation, be able  
16 to complete that objective, to be able to say  
17 that they know that or do that or whatever it  
18 is.

19 **Q. Okay.**

20 A. And that there's good progress evidence. At  
21 this point, when you're dealing with a student  
22 teacher mid-evaluation, you're not going to try  
23 to have grand expectations for him or her.

24 **Q. I see under preparation you've got an N next  
25 to number seven. That's under knowledge.**

1 **You've got an NA and some other ---. What's  
2 going on there? What are you trying to say?**

3 A. That there are some areas where significant  
4 or some attention --- significant remediation or  
5 attention is needed. I have to say that the  
6 letters on the left are important and they  
7 indicate something, but that the narrative  
8 comments are the best way to communicate to  
9 somebody now they're doing, that those letters  
10 are kind of --- a little bit arbitrary or  
11 abstract.

12 **Q. Okay. Go ahead.**

13 A. No, go ahead.

14 **Q. Looking down on the right-hand side, which  
15 --- on both pages, really, on all three pages,  
16 if you would take a look at that, really, and  
17 just focus on things we have not yet discussed,  
18 issues that we haven't discussed already, if  
19 there are any.**

20 A. It's a bit of a repeat of a lot of what we  
21 discussed at this point.

22 **Q. Okay.**

23 A. That seems to be a lot of what we've already  
24 discussed.

25 **Q. At the time you wrote this, I believe that**

1 was true and correct to the best of your  
 2 observation and belief?  
 3 A. Yes.  
 4 **Q. Did you share this document with Stacy?**  
 5 A. Yes. And I have a copy of it.  
 6 **Q. And how did you share it with her? Did you**  
 7 **talk about it?**  
 8 A. We would have had a formal meeting for me,  
 9 for Barry and for --- Mr. Girvin, and for Stacy  
 10 to sit down and share what we --- how she  
 11 self-evaluated and how we evaluated her.  
 12 **Q. Okay. Let's go on then next, which is her**  
 13 **self-evaluation, and we'll mark that as CV-4.**  
 14 **(CV Exhibit Four marked for**  
 15 **identification.)**  
 16 BY ATTORNEY KRAMER:  
 17 **Q. And I don't know --- I don't want to go into**  
 18 **detail on what she wrote, but I want to hear**  
 19 **about the conversation that you, Barry Girvin**  
 20 **and Stacy had when discussing the mid-term**  
 21 **evaluation.**  
 22 A. Just that Barry and I were on a same  
 23 page --- a similar page because he and I  
 24 actually met before we would have met with Stacy  
 25 so that there would be no surprises as far as

1 what I was evaluating her and how I was  
 2 evaluating her, and how he was evaluating her.  
 3 And to some extent Barry expressed the desire to  
 4 make sure that we would be close with our ---  
 5 not necessarily our narrative report had to  
 6 reflect the same things. We would be looking  
 7 for different things maybe, but that our  
 8 letters, the letters, the codes that we used  
 9 would be pretty close. So you know, we went  
 10 over that, and then he and I sat down and --- I  
 11 believe he or I went first. And I know that she  
 12 went last because she said --- she said  
 13 something to the effect of, wow, my evaluation  
 14 of myself is way different from what you guys  
 15 had said. So she indicated that she knew that  
 16 going into it. And then she would have worked  
 17 through her comments about herself, but I think  
 18 she was surprised to see the difference in our  
 19 evaluations.  
 20 **Q. How could that be? I mean, what happened?**  
 21 **What did you think was going on?**  
 22 A. I really was flabbergasted. I don't know  
 23 how to explain it. And I believe Barry --- it  
 24 seemed that Barry was as well because he and I  
 25 had been giving her feedback for a couple weeks

1 at that point.  
 2 **Q. And what do --- do you file the document you**  
 3 **wrote someplace after --- what do you do with it**  
 4 **when you're done discussing it with Stacy and**  
 5 **Barry Girvin?**  
 6 A. That's the end of it. There's no formal  
 7 record of it, I don't think, and --- yeah, Stacy  
 8 gets a copy of it and Barry gets a copy of it.  
 9 **Q. And you keep a copy for yourself?**  
 10 A. Uh-huh (yes).  
 11 **Q. Okay.**  
 12 A. And maybe this might be important, that from  
 13 here I believe we tried to keep coming up with  
 14 some kind of a plan for Stacy for the second  
 15 half of the placement. Because as I  
 16 acknowledged earlier, this was --- she wasn't  
 17 doing very well at this point. And we made some  
 18 kind of a deal where we were going to try for  
 19 the final evaluation to only look at her growth  
 20 and improvement from the mid-evaluation to the  
 21 final evaluation so that she wouldn't have to  
 22 keep carrying around, you know, black marks from  
 23 the first half of her placement, so that we  
 24 could really just look for the growth and  
 25 improvement.

1 **Q. Okay.**  
 2 A. So that might explain why, sometimes some of  
 3 the things that we would have referenced in the  
 4 mid-evaluation weren't necessarily brought up  
 5 again and, you know, hammered on again in the  
 6 final evaluation.  
 7 ATTORNEY VOIGT:  
 8 Excuse me?  
 9 ATTORNEY KRAMER:  
 10 Yes.  
 11 ATTORNEY VOIGT:  
 12 Could we just take a short  
 13 five-minute break?  
 14 ATTORNEY KRAMER:  
 15 Absolutely.  
 16 SHORT BREAK TAKEN  
 17 BY ATTORNEY KRAMER:  
 18 **Q. At some point before May 1st, we'll use that**  
 19 **as the demarcation line, had you discussed with**  
 20 **Ms. Snyder the importance of maintaining a**  
 21 **professional relationship with her students and**  
 22 **to not become overly familiar with them?**  
 23 A. Yes.  
 24 **Q. Describe that.**  
 25 **Q. Starting with that --- starting with --- I**

1 know that the --- we can go right to the MySpace  
 2 incident, to allude to that some. Earlier, I  
 3 know that it had come up in class, that she had  
 4 referenced that she had a MySpace page, and that  
 5 I indicated to her in private after --- you  
 6 know, not in front of the students that I didn't  
 7 have a MySpace page, that teachers don't have  
 8 MySpace pages or shouldn't have MySpace pages  
 9 that are really personal information, that  
 10 there's a boundary there, that you actually  
 11 don't want your students involved in your  
 12 personal lives to that extent. And I also  
 13 indicated that I wouldn't even know how to get  
 14 on MySpace or how to even check a MySpace page.  
 15 So I know that that had come up a couple times,  
 16 I think twice.

17 **Q. When, approximately? Mid-semester?**  
 18 A. Sure. Yeah. Probably. I don't know  
 19 exactly when. I don't think I referenced any  
 20 dates.

21 **Q. Okay. What other --- anything else you**  
 22 **remember telling her about maintaining proper**  
 23 **boundaries with the students?**  
 24 A. Well, the chaperones --- or I chaperoned a  
 25 dance and Stacy wanted to chaperone that dance

1 also. It was for a charity. And she had  
 2 indicated that she kind of wanted to get out  
 3 there and dance with the students, like dance  
 4 while they were dancing. And I said, that's not  
 5 my role here. I'm actually chaperoning. I'm  
 6 not going to dance with the students. So you  
 7 know, you want to observe that line. So I know  
 8 that that was discussed. Just discussion of  
 9 personal business, personal life, that that  
 10 would have come up. Presenting yourself as a  
 11 professional in front of the classroom as in  
 12 like your attire and how you dress would have  
 13 been discussed.

14 **Q. At some point during the semester did she**  
 15 **apply for a job at Conestoga Valley?**  
 16 A. She didn't officially apply, I don't think,  
 17 but that she was planning on it because she did  
 18 obviously show me her cover letter and her  
 19 resume and ask for feedback on that. I'm not  
 20 sure that she --- I don't know. She might have  
 21 officially submitted her application.

22 **Q. What's on the --- go to the last three pages**  
 23 **in the packet, actually. It's Stacy's resume**  
 24 **and a letter dated March 20th, 2006.**  
 25 A. Uh-huh (yes).

1 **Q. There are marks on the resume.**  
 2 ATTORNEY KRAMER:  
 3 And actually, let's mark that as  
 4 CV, I think Five. Yes, CV-5.  
 5 (CV Exhibit Five marked for  
 6 identification.)  
 7 BY ATTORNEY KRAMER:  
 8 **Q. Are these corrections yours?**  
 9 A. Yes.  
 10 **Q. Okay.**  
 11 A. And suggestions, things --- I think what ---  
 12 in my opinion, what it shows is that she's  
 13 comfortable enough with me to come to me and ask  
 14 --- to show me her personal documents, like her  
 15 cover letter and her resume, and let me know  
 16 that she's interesting in applying at that  
 17 point, and I would be able to give her feedback  
 18 and give her anything from my experience. I  
 19 think I shared my cover letter and my resume  
 20 with her and some of the materials that I would  
 21 have prepared for an interview.

22 **Q. I see you've made a fair number of**  
 23 **corrections on the resume. A couple things,**  
 24 **just to clarify. Under teaching experience, it**  
 25 **says student teaching. You wrote something on**

1 **the right-hand side, Y something. Do you know**  
 2 **what that says?**  
 3 A. YF fragment. All the other sentences in  
 4 that, you know, it's not parallel structure.  
 5 **Q. And is that the same comment that you made**  
 6 **right below that, under pre-service learning**  
 7 **grades ten ---**  
 8 A. Yes.  
 9 **Q. --- and 11? What did you think of her**  
 10 **resume when you first saw it? What was your**  
 11 **reaction?**  
 12 A. That she needed to clean it up and catch  
 13 errors before she would actually show it to  
 14 anybody for an English position ---  
 15 English teaching position.

16 **Q. Did you find grammatical errors?**  
 17 A. A couple. It was pretty well proofread. I  
 18 mean, there were usage errors with words and  
 19 some punctuation marks and just some kind of  
 20 content issues that I thought we should work  
 21 out, capitalization, her word choice.

22 **Q. How did she react when you made these**  
 23 **changes on her letter?**  
 24 A. I think she was probably grateful for the  
 25 help, for the feedback.

1 Q. And then the next page, which is CVSD-246,  
 2 and we'll make that part of CV-5, this is a  
 3 cover letter, your changes, revisions here as  
 4 well. Did you make those revisions?  
 5 A. Yes.  
 6 Q. Did you make them at the same time you made  
 7 the revisions to her resume?  
 8 A. Yes.  
 9 Q. Any other ---? Anything else you remember  
 10 about your conversation with Stacy on the  
 11 revisions of her resume and cover letter?  
 12 A. Nope.  
 13 Q. Did you ever talk to Ms. Buffington about  
 14 Stacy applying for a job in that general  
 15 subject?  
 16 A. Sure. Yes.  
 17 Q. And tell me, what was that discussion?  
 18 A. At that point, I would have indicated that  
 19 she was interested in applying and that --- or  
 20 maybe --- and Mrs. Buffington may have even come  
 21 to me and said that Stacy had indicated that she  
 22 was planning on applying.  
 23 Q. Okay.  
 24 A. Because how that would have involved Mrs.  
 25 Buffington is that she would have wanted to get

1 in and observe her, ---  
 2 Q. I see.  
 3 A. --- as you would any potential applicant.  
 4 Q. And did that --- anything else that you know  
 5 about Stacy applying for a job?  
 6 A. No.  
 7 Q. Let's go to the next, which is CVSD-185.  
 8 This is an e-mail.  
 9 OFF RECORD DISCUSSION  
 10 BY ATTORNEY KRAMER:  
 11 Q. This is an e-mail printed from Deann  
 12 Buffington's computer. We have two e-mails.  
 13 The bottom one you sent to Kim Seldomridge, I  
 14 believe the next one is Barry Girvin and Deann  
 15 Buffington.  
 16 A. Yes.  
 17 Q. Tell me about this list, this document,  
 18 including the next page or two.  
 19 A. Right.  
 20 Q. What is it?  
 21 A. I was asked at this point, which would have  
 22 been May 9th, a Tuesday, the Monday following  
 23 the discussion for when Stacy was notified that  
 24 she wasn't going to be reporting back to  
 25 Conestoga Valley. I was asked to prepare a list

1 of professionalism --- unprofessional behavior  
 2 or performance in the classroom, so I sent it  
 3 and attached it.  
 4 Q. Who else did?  
 5 A. I think Deann asked me about Kim, because  
 6 he is our director of --- I'm not exactly real  
 7 sure what his title is, the director of human  
 8 resources, something like that, and he wanted to  
 9 have some specifics just for his file about ---  
 10 just to follow what was happening at this point  
 11 with Stacy Snyder.  
 12 ATTORNEY VOIGT:  
 13 Let me just object. Who was asking  
 14 for specifics? I missed that.  
 15 A. Kim Seldomridge.  
 16 BY ATTORNEY KRAMER:  
 17 Q. Was he acting principal at this time?  
 18 A. No. He works in our district office, and  
 19 he's in charge of personnel matters. Somehow  
 20 his job must have covered this. He's our  
 21 district solicitor, I think, too. Is that  
 22 possible? I might be just making that up. I'm  
 23 sorry.  
 24 Q. So you prepared the document CVSD-186?  
 25 A. Yes.

1 Q. Did you prepare that by yourself?  
 2 A. Yes.  
 3 Q. Well, let's go through the list. I don't  
 4 want to go into detail on issues that we've  
 5 already talked about.  
 6 A. Okay.  
 7 Q. So why don't you start going down the list.  
 8 And if we discussed it and there's nothing else  
 9 to add, let us know. If there's something to  
 10 discuss, ---  
 11 A. Okay.  
 12 Q. --- then we'll talk about it.  
 13 A. Do you want me to actually read what it  
 14 says?  
 15 Q. Yes, so she can transcribe it. Well, you  
 16 don't need to read the whole ---  
 17 A. Just reference it.  
 18 Q. --- paragraph. Just reference it. The  
 19 first one about Ms. Snyder playing a song.  
 20 A. Right. The first one was already covered  
 21 with the Ben Folds Five song.  
 22 Q. Okay.  
 23 A. The second one is in reference to an awkward  
 24 account of a Valentine's Day that Stacy gave in  
 25 front of the students and the supervisor.

1 **Q. Which supervisor?**  
 2 A. Barry Girvin.  
 3 **Q. Okay.**  
 4 A. And that made everybody, I think, in the  
 5 room feel kind of uncomfortable, not sure  
 6 exactly what to say, and they weren't prepared  
 7 for the answer they got. Because what happened  
 8 was the students just said probably on February  
 9 15th, the day after, yeah, on February 15th, Ms.  
 10 Reinking, how was your Valentine's Day? Fine.  
 11 Thank you for asking. They just smiled and  
 12 that's basically all they wanted to hear. They  
 13 just wanted to be courteous and ask me.  
 14 **Q. Right.**  
 15 A. Ms. Snyder, how was your Valentine's Day?  
 16 And then apparently she looked at me and she  
 17 said, can I share with them what I said to you  
 18 earlier, what happened? And I knew what she was  
 19 hinting at because she had come in that day and  
 20 told me about how her Valentine's Day had played  
 21 out the night before. And before I could even  
 22 answer, I just kind of looked over at Barry  
 23 Girvin, thinking, are you serious? You really  
 24 want to say this to the kids? Before I could  
 25 even say anything, she had launched into the

1 story.  
 2 **Q. What's the story?**  
 3 A. And the story was something to the effect  
 4 that she went to dinner at a restaurant, her  
 5 favorite restaurant, Damon's. She went with her  
 6 two sons and her boyfriend, and that he gave her  
 7 some gifts. But that when they got there, their  
 8 dinner was ruined because her ex-husband or  
 9 boyfriend, her ex, ex-husband, was there with  
 10 his girlfriend, and that that just ruined it.  
 11 They got up in, you know, the middle, without  
 12 finishing their dinner, paid their bill or  
 13 didn't even finish ordering, I'm not sure, and  
 14 left and just went to a bowling alley and had  
 15 pizza and bowled. And it was kind of --- it was  
 16 just kind of awkward because they had only known  
 17 her for, you know, a couple weeks at this point  
 18 and it just didn't seem like something a teacher  
 19 would share with her students.  
 20 **Q. Would it have been okay if she had said**  
 21 **something at the end of the semester, or is this**  
 22 **kind of thing really never appropriate for a**  
 23 **teacher?**  
 24 A. I don't --- I can't imagine why any teacher  
 25 would ever share this at any point in the

1 semester. But they really didn't even know her  
 2 at this point, so it seemed like such a personal  
 3 thing to confide or to say.  
 4 **Q. What's your concern about that?**  
 5 A. I didn't have --- you know, I wasn't  
 6 necessary thinking she should be pulled out of  
 7 student teaching because she said this, but I  
 8 knew that Barry Girvin was going to address this  
 9 with her and explain to her that there's just  
 10 some personal boundaries, as were discussed, you  
 11 know, throughout the semester that your personal  
 12 life is your personal life and it's not supposed  
 13 to cross over into the classroom and that you  
 14 don't want your --- you know, I'm thinking you  
 15 don't want your students sharing details of  
 16 their Valentine's Day with you necessarily.  
 17 **Q. All right. It said here the students felt**  
 18 **uncomfortable. What did you observe that made**  
 19 **you think that?**  
 20 A. Just the gestures and the looks that they  
 21 gave each other around the room. And again,  
 22 usually there would be lots of glancing back at  
 23 me and looking to see what my reaction to things  
 24 would be. And I just sort of put my head down  
 25 and felt kind of embarrassed by the situation

1 and didn't know exactly how to respond, not that  
 2 there was a need for me to respond at that  
 3 moment, but everybody kind of felt like, wow, we  
 4 weren't prepared for that.  
 5 **Q. Did you discuss this with Ms. Snyder**  
 6 **afterwards?**  
 7 A. No. I talked to Mr. Girvin about it because  
 8 he was there and he's her supervisor and he  
 9 could discuss that with her, and he did.  
 10 **Q. And how come you didn't raise it with Ms.**  
 11 **Snyder?**  
 12 A. Because I went to Girvin about it.  
 13 **Q. Okay.**  
 14 A. I just figured I had probably come --- not  
 15 come down on her, but I was constantly  
 16 explaining to her that her choices as far as  
 17 content or as far as professionalism were  
 18 concerned were not appropriate. You know, I  
 19 would always be explaining things to her. I  
 20 thought it might be good for her to hear it from  
 21 her supervisor.  
 22 **Q. Did any of the students come to speak with**  
 23 **you about this incident?**  
 24 A. No.  
 25 **Q. Okay. Let's move on to the next one.**



1 A. Yeah, this references the foul language and  
2 inappropriate weekend behavior that would be  
3 discussed around the room that she would not  
4 address, she just sort of turned a deaf ear to.

5 **Q. The students would discuss weekend behavior  
6 out loud?**

7 A. Yes. So on a Monday morning or a Monday  
8 afternoon they'd be talking about how they spent  
9 their weekend. Or on a Friday they'd be talking  
10 about how they planned to spend their weekend.

11 **Q. Okay.**

12 A. And I would hear references to it. And you  
13 know, they'd be kind of loud enough to be heard  
14 but quiet, and she wouldn't choose to address  
15 that. But there's an inconsistency there  
16 because also on her desk calendar, prominently  
17 displayed on her teacher desk that she brought  
18 in, you know, her weekend plans sometimes would  
19 be written out in large block letters. So it  
20 would say The Village, The Village, across like  
21 her Friday-night plans, so she would be  
22 indicating how she was spending her weekend.

23 And The Village is, of course, a nightclub  
24 and ---

25 **Q. Okay.**

1 A. --- like a dance club bar, so ---.

2 **Q. Okay.**

3 A. The next one is the MySpace situation. Do  
4 you want me to ---?

5 **Q. Hang on.**

6 A. I'm sorry. The example before that is that  
7 twice Ms. Snyder used shut up as a means to gain  
8 her students' attention. Even though it was  
9 addressed, she reverted to it the second time.  
10 Her defense of that, when I explained to her  
11 that I didn't want her to use that as a  
12 classroom management tool, was that she used  
13 that with her children and it was natural, so  
14 you know, that was her way of explaining why she  
15 resorted to that. And then that led to students  
16 in the class then using shut up as a way of  
17 gaining each other's attention or quieting the  
18 class down.

19 **Q. Let's go on to the next one.**

20 A. Do you want me to explain the whole  
21 situation?

22 **Q. Yes, please.**

23 A. So after at least two discussions, and I  
24 think it was two, two discussions with Ms.  
25 Snyder regarding the Myspace page and whether or

1 not to have one and her referencing that she had  
2 one in front of the students ---

3 **Q. In class?**

4 A. --- in class and it had come up that the  
5 students might be talking about their MySpace  
6 pages and she would enter into that discussion,  
7 let's say. And I reminded her that that was  
8 inappropriate. She brought it up again. And I  
9 tried to --- the list I would have completed,  
10 you know, pretty soon after the incident, so I  
11 would rely on this better than my memory, that  
12 you know, a student had stopped --- basically  
13 that she was bringing up, which one of you was  
14 on MySpace page because one of my friends, you  
15 know, informed me that you ran up to them at the  
16 mall or something like that, how it's explained  
17 here.

18 **Q. Okay.**

19 A. And after that happened, that she was even  
20 entering into that dialogue again, yet again,  
21 even after I asked her not to, I went to lunch  
22 and I vented in the lunch room in front of some  
23 colleagues and said, I can't believe --- I don't  
24 know how to get through to this student teacher.  
25 I mean, if I say it twice, then she still does

1 it a third time. She's still courting disaster  
2 by talking about her MySpace page. I still had  
3 not seen it, never went on to try to find it.  
4 You know, I didn't even know --- for all I know,  
5 there would be pictures of her puppies on there.  
6 I don't know. So I had vented. And then that  
7 Friday evening I was out to dinner and a  
8 colleague had called me and said, you need to  
9 see her MySpace page. And he told us some of  
10 the things that were on it, which are, I think,  
11 photocopied probably in your document.

12 **Q. Who was that?**

13 A. Shaun Karli. And at that point, we made it  
14 clear to Mrs. Buffington. We printed it out and  
15 brought it in for her to see. And then I just  
16 turned it over to her and put it in her hands  
17 and let her decide what should happen at that  
18 point.

19 **Q. Did you ever see the MySpace page?**

20 A. I do think I did. I've been very unclear  
21 about, like, did I actually go on and try to  
22 find it, but I think I probably went on and  
23 tried to find it because that's just my nature.  
24 It was over the weekend. And that's how that  
25 material actually surfaced at Oneestoga Valley.

1 (CV Exhibit Six marked for  
 2 identification.)  
 3 BY ATTORNEY KRAMER:  
 4 **Q. Okay. I'm going to --- and this is part of**  
 5 **CV Six, but this is a page ---. If you'd look**  
 6 **at --- is that the page that you recall seeing?**  
 7 A. Yes. That would have been, you know, cut  
 8 and pasted from the Internet onto, like, a  
 9 document and then printed out.  
 10 **Q. Okay. You may have answered this, but did**  
 11 **you actually see the MySpace page on the**  
 12 **computer ---**  
 13 A. Yes.  
 14 **Q. --- or you saw it after printed out?**  
 15 A. I saw it on the computer.  
 16 **Q. Okay. And what did you see on the computer**  
 17 **screen?**  
 18 A. Like blog entries, maybe pictures of her  
 19 friends, like who the different people are that  
 20 are commenting that she's dialoging with and  
 21 photos of her posing with cups.  
 22 **Q. Was that one of the photos you saw?**  
 23 A. Yes.  
 24 **Q. And the text underneath that, was that on**  
 25 **the MySpace page as well?**

1 A. That picture may have been over to the ---  
 2 you know, to the side, and then that was the  
 3 blog entry on that page. I'm really not ---  
 4 other than going on this one time, I've never  
 5 been on MySpace since, so I don't know. I'm not  
 6 that familiar with it.  
 7 **Q. So that's a blog entry, as far as you know,**  
 8 **the text?**  
 9 A. Right.  
 10 **Q. Okay.**  
 11 A. Where she would keep track of how she feels,  
 12 almost like a diary entry, I think.  
 13 **Q. And tell me what's inappropriate about this**  
 14 **whole scenario?**  
 15 A. Well, it's referencing that she knows that  
 16 students are on here looking at her page, and  
 17 that's fine. So that's contrary to everything  
 18 that I had asked her to do. And after the fact,  
 19 in discussing this with Barry Girvin, I had  
 20 learned that Millersville had advised its  
 21 student teachers to --- you know, that they had  
 22 put out at that opening seminar before they went  
 23 out to student teach, that they had discussed  
 24 that MySpace pages were inappropriate, that  
 25 they're --- you know, you shouldn't have them,

1 that that content can get you into trouble.  
 2 That's --- as the media points out for other  
 3 professions as well. It's kind of a hot-button  
 4 issue.  
 5 **Q. Right.**  
 6 A. So that was frustrating. And then she  
 7 references the fact that there are pictures of  
 8 her drinking on there, that she has nothing to  
 9 hide because she's saying she's over 21, and  
 10 that anything that she says on here can't hurt  
 11 her in the long run, meaning probably outside of  
 12 her student teaching placement. So it's fine  
 13 that students can be on there seeing her  
 14 pictures and hearing whatever she has to say  
 15 each day.  
 16 She doesn't think that any of her students  
 17 would stoop so low as to mess with her future,  
 18 meaning call her out, actually go in and tell  
 19 the teacher that they have seen her MySpace page  
 20 and there's pictures of her posing with drinks.  
 21 And she says, so bring on the love.  
 22 And here she's referencing that she kind of  
 23 hopes to start using this as a tool for  
 24 communication with her students, especially  
 25 after --- she says, I figure a couple students

1 will actually send me a message when I'm no  
 2 longer their official teacher, when she's no  
 3 longer the professional in front of the  
 4 classroom.  
 5 And then she references, the students keep  
 6 asking why I won't apply to be the teacher  
 7 there, because it was well known that there was  
 8 a teacher retiring within our department and  
 9 that we would need to have a replacement. And  
 10 she says that --- she's posing a question, I  
 11 guess --- I don't know to whom, anyone who  
 12 reads her blog, I guess, would it hurt her to  
 13 tell the students what the real reason is for  
 14 why she's not applying or what the problem was,  
 15 indicating some person.  
 16 **Q. What does that mean to you?**  
 17 A. I'm --- it's cryptic. I'm baffled by it.  
 18 I'm not sure, but maybe she's trying to  
 19 reference me or she's trying to reference some  
 20 kind of CV official, I would think. Because why  
 21 else would she be worried about telling the  
 22 students? So my best way to read this is  
 23 obviously, she's probably talking about me at  
 24 this point.  
 25 **Q. How did you feel when you saw this?**

1 A. I kind of had spent the entire semester  
2 working pretty hard to help her get through the  
3 student teaching placement, and it felt kind of  
4 like a stab in the back, especially --- there's  
5 another document where she references that I'm  
6 the worst student teaching co-op ever or  
7 something like that. And that blindsided me as  
8 well, because I thought that I had --- I thought  
9 I had tried to be as kind to her as possible and  
10 give her every benefit of the doubt throughout  
11 the placement.

12 **Q. Are you aware if --- it references there**  
13 **that one of her students was looking at her**  
14 **MySpace page. Are you aware if other students**  
15 **saw her MySpace site?**

16 A. I'm not sure how many would have been on  
17 there.

18 **Q. Okay. So there may not have been any**  
19 **others, as far as you know?**

20 A. As far as --- let me think about that for a  
21 second just to make sure, but no, I don't know  
22 exactly how many students would have looked.

23 **Q. Okay. You told her --- before this came to**  
24 **your knowledge, you told her, it seems at least**  
25 **two times, not to have a MySpace page?**

1 don't know why she's not listening to me. She  
2 referenced her MySpace page again. I might have  
3 brought up just in kind of --- in ongoing  
4 dialogue with her about her unprofessionalism or  
5 her lack of content. I'm sure it probably came  
6 up, but I don't have any specific recollection  
7 of it.

8 **Q. Any parents contact you about the MySpace**  
9 **---**

10 A. No.

11 **Q. It seems that your primary concern --- well,**  
12 **your primary concern was that she had gotten too**  
13 **personal with the students with this ---?**

14 ATTORNEY VOIGT:

15 Objection to the form.

16 BY ATTORNEY KRAMER:

17 **Q. What are your primary concerns about the**  
18 **MySpace episode, if you will?**

19 A. It was consistent with kind of a long-  
20 running list of examples, in my opinion, of her  
21 being overly familiar with the students and just  
22 inviting the students into her personal life,  
23 and then coupling that with, obviously, pictures  
24 of her drinking isn't inappropriate. And then  
25 this reference at the very end that she's trying

1 A. Right. Not to discuss it with the students.

2 **Q. And did she discuss it in class on several**  
3 **occasions?**

4 A. It had been referenced twice in class.  
5 That's what prompted me to explain to her that  
6 that's not appropriate. And by this --- this is  
7 the third time when she had indicated the third  
8 time that the students were looking at it.

9 **Q. Before this picture --- before you got this**  
10 **picture, are you aware --- have you seen any**  
11 **other pictures from her MySpace account?**

12 A. No.

13 **Q. Did any students come to you and say they**  
14 **had seen her MySpace account?**

15 A. No.

16 **Q. You said one --- Shaun Karli had given you -**  
17 **-- had told you, you might want to look at her**  
18 **MySpace page?**

19 A. Right.

20 **Q. Did you discuss Ms. Snyder's MySpace page**  
21 **with any other Conestoga Valley employees?**

22 A. No.

23 **Q. How about with Deann Buffington?**

24 A. She wouldn't have been at that lunch when I  
25 would have had --- when I would have said, I

1 to kind of use this as a tool to maybe go around  
2 me and have --- turn them against me. You know,  
3 I don't know exactly what's she's planning on.  
4 I'm just guessing. But yeah, those were all  
5 problems. And just her failure to listen to me  
6 when I explained to her that this is  
7 inappropriate. She's not taking my advice.  
8 She's not listening to my professional judgment.

9 **Q. I don't see, at least on that page, a**  
10 **reference to alcohol. Why do you believe she**  
11 **was --- I'm presuming when you say she was**  
12 **drinking, she was drinking alcohol and not, you**  
13 **know, grape juice.**

14 A. She's referencing the fact that she's over  
15 21, and that is the legal age to drink. In that  
16 picture, she's kind of posing in a goofy way  
17 with a cup that has something in it. And other  
18 pictures that were later dropped by her have  
19 captions, drunken pirate and things like that.  
20 So I think that makes it kind of obvious that  
21 she admitted that it was alcohol in the cup.  
22 And there were other pictures, obviously, on the  
23 web site, and I didn't take the time to post  
24 them all in and didn't think it would turn into  
25 a federal lawsuit.

1 **Q. Who knew? Did you and Ms. Snyder discuss**  
 2 **this?**  
 3 A. No.  
 4 **Q. Never?**  
 5 A. No. Because I came in Monday morning and  
 6 made sure that Mrs. Buffington saw it. And I  
 7 believe she was there that morning and then  
 8 needed to leave for a doctor's appointment or,  
 9 you know, there was something going on that she  
 10 was leaving early that day because she wasn't  
 11 well.  
 12 **Q. Okay.**  
 13 A. And then I believe she got a phone call at  
 14 home. But all of that took place outside of my  
 15 --- I wasn't involved in it. At that point it  
 16 was out of my hands.  
 17 **Q. Okay. Before we get into that, let's finish**  
 18 **with this page --- the other page in front of**  
 19 **you, CVSD-186.**  
 20 A. Okay.  
 21 **Q. Okay. Frequently Ms. Snyder went above me**  
 22 **for answers to issues concerning my classroom or**  
 23 **her time at Conestoga Valley. What's that**  
 24 **about, and have you ever discussed it with**  
 25 **anyone else?**

1 A. We did discuss the key example. We didn't  
 2 discuss the fact that Ms. Snyder had gone to  
 3 Mrs. Buffington, not to me, who has no official  
 4 capacity as far as her student teaching is  
 5 concerned, other than, you know, being my  
 6 supervisor and the supervisor of the department,  
 7 to ask her if she would, after graduating,  
 8 remain at Conestoga Valley and teach my courses  
 9 for me.  
 10 **Q. What does that mean, teach your courses?**  
 11 A. Just to continue as the teacher of those  
 12 courses.  
 13 **Q. Was she asking for your job?**  
 14 A. In essence, she wanted to stay on and just  
 15 continue working with the students and continue  
 16 teaching, which isn't even possible and it  
 17 doesn't make any sense, but ---.  
 18 **Q. Okay.**  
 19 A. It's a little out of touch. I don't know  
 20 why she would do that. That's kind of strange.  
 21 **Q. What's the concern about her bypassing the**  
 22 **appropriate chain of command?**  
 23 A. I think that that would kind of fall under  
 24 professionalism and her inability to understand  
 25 where she is in a professional capacity

1 within --- you know, that you have a supervisor  
 2 that I report to, that I don't go to Doctor  
 3 Huesken, the superintendent, when I need  
 4 something. That that's just not the way that it  
 5 happens in the professional world.  
 6 **Q. Let's go on to the next one about her**  
 7 **professional attire.**  
 8 A. There's a reference to the fact that she  
 9 wore flip-flops to school, and that's not  
 10 professional teaching attire. And this one just  
 11 references the fact that she --- she was looking  
 12 for every opportunity to be able to dress down,  
 13 or to be able to wear jeans, when those  
 14 opportunities are provided as fundraisers,  
 15 basically, for a scholarship fund in the  
 16 teacher's pay in advance to be able to dress  
 17 down on those days. It's not necessarily  
 18 something that they just --- the district wants  
 19 to let you let loose a couple times a year.  
 20 They're profiting because they're going to raise  
 21 money for a scholarship. And typically student  
 22 teachers don't necessarily have advantage of  
 23 those kinds of days, because they're looking for  
 24 every opportunity they can to separate  
 25 themselves from the students and to just be

1 professional at all times. But they're always  
 2 on their best behavior. They're trying to  
 3 always put their best foot forward.  
 4 **Q. And that's not how Stacy was behaving**  
 5 **during ---?**  
 6 ATTORNEY VOIGT:  
 7 Objection to the form.  
 8 BY ATTORNEY KRAMER:  
 9 **Q. Was that how Stacy was behaving during the**  
 10 **semester?**  
 11 A. In reference to her wanting to wear jeans?  
 12 **Q. Well, more in reference to wanting to be**  
 13 **very friendly with the students.**  
 14 A. I think that --- yes. But I think that it  
 15 even falls maybe a little bit more in line with  
 16 the next point, ---  
 17 **Q. Okay. Go ahead.**  
 18 A. --- which references the fact that she  
 19 didn't understand that she was a student teacher  
 20 and not actually a professional staff member who  
 21 was hired to teach at that point at Conestoga  
 22 Valley. So she didn't realize that maybe when  
 23 she was at a faculty meeting and there were  
 24 issues being discussed from the fall semester,  
 25 that she --- when she wasn't ever placed at

1 student teaching in a professional capacity,  
 2 that she maybe shouldn't raise her hand and  
 3 comment on it, that that wasn't necessarily her  
 4 role at that point in that meeting.  
 5 At a department meeting, where we were  
 6 talking about course selection materials for  
 7 next year or instructional materials, like  
 8 textbooks, for next year, she probably shouldn't  
 9 necessarily be raising her hand and making  
 10 suggestions because she's not necessarily going  
 11 to be at Conestoga Valley next year. So it  
 12 seemed like there was always situations where  
 13 she --- there were a number of situations where  
 14 she didn't understand that she wasn't --- that  
 15 she wasn't actually --- I don't know how to say  
 16 it. I'm losing my words. I probably said it  
 17 better here, actually.  
 18 **Q. All right.**  
 19 A. The forwardness I guess is kind of what I'm  
 20 getting at and lack of attention to  
 21 procedure ---  
 22 **Q. Okay.**  
 23 A. --- and professional boundaries. That's  
 24 what I was looking for.  
 25 **Q. Let's go to the last one.**

1 A. And that one involved just information that  
 2 came to me, that I know that on that May 8th,  
 3 that Monday that she was asked if she could  
 4 leave for an 11:30 doctor's appointment, but  
 5 that my department had come up to me and --- a  
 6 department member had come up to me and said  
 7 that they overheard a phone conversation where  
 8 the appointment was actually at three o'clock  
 9 but that she wanted to leave at 11:30.  
 10 **Q. Who told you that, what staff member?**  
 11 A. Arashay Borden.  
 12 **Q. Spell that.**  
 13 A. A-R ---  
 14 **Q. Okay.**  
 15 A. --- A-S-H-A-Y.  
 16 **Q. Okay.**  
 17 A. A-R-A-S-H-A-Y. Borden, B-O-R-E-D --- or  
 18 B-O-R-D-E-N. She's actually deceased, so you  
 19 won't be able to ask her.  
 20 **Q. So I guess we're not going to depose her.**  
 21 **All right. Are there any --- we've gone through**  
 22 **a very long litany of deficiencies on her part.**  
 23 **Are there any that we haven't already discussed,**  
 24 **that we haven't talked about on this page or**  
 25 **that we haven't previously talked about with**

1 **respect to your notes?**  
 2 A. No. Nothing is jumping out at me.  
 3 **Q. Okay. CV-6 is the e-mail and unprofessional**  
 4 **behavior, performance in the classroom. Was**  
 5 **this included in your e-mail?**  
 6 ATTORNEY VOIGT:  
 7 This being what?  
 8 ATTORNEY KRAMER:  
 9 This being the picture of Stacy on  
 10 MySpace and the blog.  
 11 BY ATTORNEY KRAMER:  
 12 **Q. Did you include that in your e-mail?**  
 13 A. I think I had --- I didn't have an  
 14 electronic version of it, but on the document  
 15 CVSD-186 I say that the copy of some of the  
 16 account's content is included.  
 17 **Q. Okay.**  
 18 A. So that's probably what I'm referencing. So  
 19 he did have a copy of that, Mr. Feldomridge.  
 20 **Q. And then finally there's the song by Ben**  
 21 **Folds that you reference in your ---?**  
 22 A. Uh-huh (yes).  
 23 **Q. Okay.**  
 24 A. Yes.  
 25 **Q. Now, --- and this I think would probably be**

1 **pretty quick, you --- Monday morning you went to**  
 2 **Ms. Buffington?**  
 3 A. Yes.  
 4 ATTORNEY VOIGT:  
 5 Objection. Monday morning ---?  
 6 BY ATTORNEY KRAMER:  
 7 **Q. Monday morning, on approximately May ---**  
 8 A. Eighth.  
 9 **Q. --- May 8th ---**  
 10 A. Uh-huh (yes).  
 11 **Q. --- you went to Ms. Buffington?**  
 12 A. Right.  
 13 **Q. What happened?**  
 14 A. I showed her the picture and the content  
 15 from the MySpace page, and she took over at that  
 16 point and I think discussed --- probably went to  
 17 Doctor Huesken or to Mr. Ken Feldomridge and had  
 18 gotten in touch with Mr. Cirvin and decided what  
 19 should happen with Stacy, as far as she was  
 20 concerned.  
 21 **Q. What, if anything, did Ms. Buffington say to**  
 22 **you in that May 8th discussion?**  
 23 A. Nothing specific, just that she --- you  
 24 know, that she supported me and she thought that  
 25 this was kind of the last straw, the last

1 example of unprofessionalism. And we were in  
 2 the last week of the student teaching placement  
 3 as well, and there wasn't any real need to have  
 4 her actually in the classroom. She had  
 5 completed as much as we could get her to  
 6 complete at that point, so it was a pretty easy  
 7 decision to have her not come in for the rest of  
 8 that week.

9 **Q. Were you involved in that decision?**  
 10 A. No.

11 **Q. Whose decision was that?**  
 12 A. I don't know. I don't know whose ultimate  
 13 decision it was.

14 **Q. Do you have any role in whether a student  
 15 teacher passes student teaching?**  
 16 A. No.

17 **Q. So in other words, you don't recommend, in  
 18 this case to Barry Girvin, that Stacy pass or  
 19 not pass ---**  
 20 A. No.

21 **Q. --- her course? Okay.**  
 22 A. Just to do the final evaluation with my  
 23 narrative comments.

24 **Q. Let's go to the next document, which is  
 25 printed from Deann Buffington's printer. This**

1 **Q. --- the MySpace picture ---**  
 2 A. No.

3 **Q. --- or anything like that?**  
 4 A. No, nothing.

5 **Q. Have you spoken to her since then,  
 6 telephone?**  
 7 A. No.

8 **Q. Okay.**  
 9 A. We had a final evaluation meeting on, I  
 10 think, Thursday, May 11th.

11 **Q. Okay.**  
 12 A. I would have seen her one last time.

13 **Q. And we'll get to that. This letter of  
 14 apology, what do you know about this?**  
 15 A. All I know is that it was sent to me, you  
 16 know, that discussions had ensued with Barry  
 17 Girvin and maybe potentially people from  
 18 Millersville, but I'm not sure, and potentially  
 19 Kim Seldomridge as well. He might have made  
 20 some of the contacts. I'm not sure. And that  
 21 was her explanation of --- this is her  
 22 explanation of her weeks at Conestoga Valley,  
 23 what happened, I guess.

24 **Q. And what is your reaction to her apology  
 25 letter?**

1 **is the apology letter.**  
 2 A. Yes.

3 **ATTORNEY KRAMER:**  
 4 We'll call this CV-7.  
 5 (CV Exhibit Seven marked for  
 6 identification.)  
 7 **BY ATTORNEY KRAMER:**  
 8 **Q. This was sent to you along with other  
 9 people?**  
 10 A. Yes.

11 **Q. And you received it on or about May 10th?**  
 12 A. Correct.

13 **Q. And did Stacy tell you that she was writing  
 14 an apology letter?**  
 15 A. No.

16 **Q. When was the last time you saw Stacy Snyder?**  
 17 A. Monday, May 8th.

18 **Q. And the context of that final interaction  
 19 was what?**  
 20 A. Just her explaining that she needed to leave  
 21 for a doctor's appointment and that she wasn't  
 22 feeling well.

23 **Q. And at that point, you --- I see that you  
 24 and she had not discussed ---**  
 25 A. Anything.

1 A. Well, the apology is really only the second  
 2 paragraph, and then the third and fourth  
 3 paragraphs are just descriptions of her  
 4 experience teaching, and it's not necessarily an  
 5 apology, I don't think, from there on out. But  
 6 that second paragraph, I guess is where she  
 7 explains that she takes full responsibility and  
 8 she's willing to live with the consequences of  
 9 her actions.

10 **Q. Did you discuss this --- the May 10th letter  
 11 with anybody else?**  
 12 A. No.

13 **Q. Okay. What do you --- here we now sit,  
 14 almost two years later. What do you think about  
 15 this in retrospect, this letter?**  
 16 A. I really don't have any --- I still see  
 17 errors and usage problems and I just see --- I  
 18 see that Stacy was trying to --- she wasn't even  
 19 explaining. I'm not even sure exactly what she  
 20 was aware of at that point. I don't know that  
 21 she knew what was going to happen as far as  
 22 Millersville was concerned. I have no idea. I  
 23 don't even know what prompted her to write this,  
 24 if someone suggested that to her or if she was  
 25 just feeling guilty or sad or confused or ---

1 I'm not sure.

2 **Q. During the course of the semester, did she**

3 **appear to you sad at times?**

4 ATTORNEY VOIGT:

5 Objection, speculation.

6 BY ATTORNEY KRAMER:

7 **Q. You can answer. Did she appear to you sad?**

8 A. Would she be, like, depressed periodically?

9 **Q. Yes. What was your --- I mean, you saw her**

10 **almost every day for several months. What were**

11 **your observations of her?**

12 A. She was a bit mopey sometimes because she

13 knew that she wasn't doing that well, as far as

14 student teaching was concerned, after the

15 mid-evaluation and that she was trying to

16 express that she was trying to improve and

17 trying to do things differently, but that the

18 students weren't necessarily receptive or that

19 she was just lacking in content. So she would

20 kind of appear a little sad about that, I guess.

21 And unfortunately, I don't know why I needed

22 to know her personal affairs, but I guess she

23 felt like she could confide in me or that that

24 was appropriate to talk to me about that, that

25 she was --- at some point she had --- she and

1 her boyfriend had broken up. And she had also

2 shared this with her students, because the

3 students told me that. So I guess she was sad

4 toward the end of the placement because of that,

5 but I don't have any other comments to make.

6 **Q. The students told you sometime during the**

7 **semester that she told them she and her**

8 **boyfriend had broken up?**

9 A. Yes.

10 **Q. And how did the students react to that?**

11 A. Just kind of surprised to have that

12 relationship with someone that they even knew

13 that private business of a teacher.

14 **Q. Let's move on a couple of pages back to**

15 **your final evaluation.**

16 A. Okay.

17 **Q. We're going to mark this as CV-8.**

18 **(CV Exhibit Eight marked for**

19 **identification.)**

20 BY ATTORNEY KRAMER:

21 **Q. Did you write this whole thing, Mrs.**

22 **Reinking?**

23 A. Yes.

24 **Q. Did you do this alone or in consultation**

25 **with anybody else?**

1 A. This is my own work, and it would have begun

2 prior to the MySpace incident. I would have

3 begun to work on this probably in mid to late

4 April and would have wrapped it up and continued

5 to work on it up to the evaluation review, which

6 would have been, I think, on Thursday, Thursday

7 the 11th.

8 **Q. I don't see a reference anywhere in this**

9 **document to the MySpace incident.**

10 A. Right.

11 **Q. Am I wrong? Am I right about that?**

12 A. You're correct. And the evidence for the

13 professionalism category, there's references to

14 her having poor judgment and in regard to one

15 specific instance, and I referenced the PA Code,

16 Section 4(b)(8), and that I hope she will learn

17 from this experience and that she was

18 unsatisfactory in these areas. But I don't know

19 if I asked someone if I shouldn't put that on

20 there or if I just --- I didn't have a lot of

21 space, so it wasn't --- and I don't know that it

22 was necessarily appropriate to write that on

23 there.

24 **Q. Okay.**

25 A. I didn't know what the --- you know, what

1 the ramifications would be, so --- as far as

2 privacy or something goes, but I have to stress

3 that this is the document that people who are

4 receiving her application to teach at their

5 schools, that this is --- that they would place

6 a lot of stock in the final teaching evaluations

7 because they're served on a number of hiring

8 committees, ---

9 **Q. Okay.**

10 A. --- who have seen various student teaching

11 final evaluations from candidates. And they

12 would put a lot of emphasis on how they

13 performed in student teaching, and then they

14 would also look for recommendation letters,

15 particularly from the cooperating teacher,

16 because that would be their best understanding

17 with that teaching --- that teaching candidate's

18 ability, so ---.

19 **Q. Did Stacy ask you for a recommendation**

20 **letter at any time?**

21 A. No.

22 **Q. The one specific instance that you referred**

23 **to, is that the MySpace incident that you're**

24 **referring to there?**

25 A. Yes.

1 Q. Okay. But overall, under professionalism,  
 2 she had --- the first four grades are  
 3 unsatisfactory. How did you come up with those  
 4 unsatisfactoriness? I mean, what was your  
 5 thinking?  
 6 A. When I read the criteria and you read what  
 7 unsatisfactory says, it says that the candidate  
 8 rarely, never, inappropriately or superficially  
 9 demonstrates those indicators of performance.  
 10 So based on everything we've discussed so far at  
 11 this deposition, that's why she deserved the  
 12 unsatisfactory, in my opinion.  
 13 Q. Separate and apart from the MySpace posting?  
 14 ATTORNEY VOIGT:  
 15 Objection to the form.  
 16 ATTORNEY KRAMER:  
 17 I didn't ask a question yet.  
 18 BY ATTORNEY KRAMER:  
 19 Q. Separate and apart from the MySpace posting,  
 20 would your grades have changed?  
 21 ATTORNEY VOIGT:  
 22 Objection to the form.  
 23 BY ATTORNEY KRAMER:  
 24 Q. You can answer.  
 25 A. Would my grade have changed?

1 documents at that meeting?  
 2 A. No, just this.  
 3 Q. And tell me how the meeting went?  
 4 A. Stacy was very sad and apologetic seeming. I  
 5 don't know that she necessarily apologized, but  
 6 she might have opened up and said she sent an  
 7 apology letter the day before. She might have  
 8 referenced that or ---. And she also  
 9 understood, as I explained to her, that I tried  
 10 to give her every benefit of the doubt still on  
 11 this final evaluation and tried to still see  
 12 where I could still give her competent or  
 13 superior ratings so that I didn't necessarily  
 14 gloss over the fact that she had made some  
 15 examples of growth since the mid-evaluation,  
 16 that I tried to indicate that for her. Because  
 17 at this point, I didn't know whether or not  
 18 she'd be an applicant for a job at some point  
 19 or, you know, she would need this document. And  
 20 she --- I remember her smiling and just kind of  
 21 saying, thank you, you know, that I had given  
 22 her that courtesy, which I should.  
 23 Q. And this document, the final evaluation, is  
 24 used how in terms of someone getting a job?  
 25 A. Oh, it's just part of the materials that

1 Q. Well, you got four unsatisfactoriness here.  
 2 A. She would have still been unsatisfactory.  
 3 It would be hard to say where she wouldn't have  
 4 been and when she wouldn't have been, but she  
 5 still would have received unsatisfactory in some  
 6 of the areas under professionalism.  
 7 Q. So I want to understand to what extent, if  
 8 any, the MySpace posting helped make your  
 9 determination of her grades here?  
 10 A. It was just one more, maybe more serious and  
 11 more obvious aspect of her unprofessionalism,  
 12 but it was just one more example after a  
 13 semester of examples of unprofessionalism.  
 14 Q. Did you discuss this final evaluation with  
 15 Ms. Snyder?  
 16 A. Yes.  
 17 Q. And that was at the final meeting?  
 18 A. Yes.  
 19 Q. And that was on Thursday of, I guess,  
 20 May ---  
 21 A. Eleventh (11th).  
 22 Q. --- 11th? Who was at that meeting?  
 23 A. I was. Mrs. Buffington was, I'm pretty  
 24 sure, and Mr. Girvin and Stacy.  
 25 Q. Did you discuss other evaluations or

1 would be --- that any school would want to see  
 2 as far as a teaching applicant portfolio is  
 3 concerned. They would want to know how that  
 4 student completed student teaching.  
 5 Q. And how would one of these panels get a hold  
 6 of the document, this final evaluation?  
 7 A. She would submit it. She would submit it  
 8 with her application. Or at the interview she  
 9 would have it in her portfolio.  
 10 Q. Is there anything in the document, this  
 11 final evaluation, that you would change at this  
 12 point, or at the time was it accurate and  
 13 correct?  
 14 A. I think what my --- my only --- my flaw as a  
 15 person is that I probably tried to be a little  
 16 too soft or a little too lenient or a little too  
 17 --- not even too complimentary, but I tried my  
 18 hardest, because it was such an awkward,  
 19 unfortunate situation at the end of the  
 20 placement, it had been such a debacle, that by  
 21 the end I tried my hardest to just try to  
 22 highlight anything that was really positive in  
 23 her and that I didn't include anything from the  
 24 first half of the student teaching placement.  
 25 But the only thing that I would have --- I could



1 have gone lower on a couple of her criteria over  
2 on the left.

3 **Q. And where? What would you have done?**

4 A. And it wouldn't have dropped significantly.  
5 It would be the difference between a superior  
6 dropping to a competent. I think I probably put  
7 on --- I think I put unsatisfactory down every  
8 place that absolutely had to have unsatisfactory  
9 recorded.

10 **Q. We don't need to mark this necessarily, but  
11 this is a document, probably the next --- let's  
12 see what we have next.**

13 A. We have ---.

14 **Q. This is actually Ms. Snyder's response to  
15 summary of unprofessional behaviors.**

16 A. I've never seen this before.

17 **Q. Okay. That was my question. If you go to  
18 the third page or incident number five,  
19 myspace.com, third line, Mrs. Reinking never  
20 warned me about MySpace, end quote. How do you  
21 respond to that?**

22 A. That's absolutely untrue, unfortunately.

23 **Q. She also actually --- why don't you read  
24 that whole paragraph to yourself?**

25 **WITNESS COMPLIES**

1 **Buffington's printer. The e-mail was from you,  
2 dated May 11th, CVSD-183 and 184. And we'll  
3 mark this as CV-9.**

4 **(CV Exhibit Nine marked for  
5 identification.)**

6 BY ATTORNEY KRAMER:

7 **Q. What is the context of these e-mail  
8 communications?**

9 A. This is after she's been removed from  
10 student teaching. And I need to read what I  
11 said initially.

12 **Q. Yes.**

13 **WITNESS REVIEWS DOCUMENT**

14 A. Okay.

15 BY ATTORNEY KRAMER:

16 **Q. What's going on in these e-mails?**

17 A. This is just a discussion on the day of the  
18 final evaluation. That morning she had sent me  
19 --- or I had started the chain. It looks like  
20 maybe. Maybe she had started it. I'm not sure.  
21 But I said that I could take care of closing out  
22 the grade book, that she was indicating that she  
23 had work from students that she still needed to  
24 turn back in or grades that still needed to be  
25 entered or she was wondering if she still needed

1 BY ATTORNEY KRAMER:

2 **Q. She seems to say you're lying, Mrs.  
3 Reinking.**

4 ATTORNEY VOIGT:

5 Objection to the form.

6 A. Fabricated. It's just completely untrue.  
7 And I think that there are staff members that  
8 would be able to say that, yes, Mrs. Reinking  
9 indicated that she had referenced multiple times  
10 that she had discussed this with the teacher,  
11 the student teacher. And if you had to depose  
12 students from that class, I think they'd be able  
13 to --- gosh, it's two years now, but maybe  
14 they'd be able to remember that it was obviously  
15 brought up in class.

16 The reference that she said that she was  
17 told by Millersville to avoid talking about  
18 staff, students or faculty on your page, again,  
19 it's cryptic, but I think it's clear that there  
20 was some reference to somebody at CV, and it was  
21 probably me. And she clearly did talk about  
22 students on her page, so --- and that she was  
23 inviting students to use it in a forum.

24 **Q. Go to --- skip that one, skip that. Go to  
25 the e-mail --- it's actually from Deann**

1 to --- she was still trying to act in the  
2 capacity of the student teacher at this point,  
3 after she had been asked not to come back to CV.  
4 And I explained to her that it wouldn't be much  
5 --- it wouldn't take much for me to be able to  
6 wrap up the unit that she had, and any materials  
7 that the students had I would try to incorporate  
8 it if I could, that I would be fine, that I  
9 could definitely close out everything that's  
10 happening at that point in the courses and that  
11 I was in charge at that point.

12 And then she e-mailed me back and she said  
13 in the first paragraph, she's saying, thank you  
14 for making a sound judgment with the students  
15 about the assignment that I gave. I know that  
16 you have the students' best interests in mind.  
17 Thanks for all your help with the unit system,  
18 and she's just thanking me.

19 **Q. And your response was you sent Stacy's  
20 e-mail to Deann Buffington and you wrote, quote,  
21 she drives me crazy. What does that mean?**

22 A. There's a disconnect. There seems like  
23 there's always a disconnect, like I'm explaining  
24 to her that she's finished at this point, she  
25 doesn't need to do anything else as a student

1 teacher, and she's still --- there's just kind  
 2 of a tone in the opening paragraph where she's  
 3 saying --- not condescending, but she's kind of  
 4 indicating like, of course, you can wrap this  
 5 up, and she's still indicating that she was in  
 6 charge at that point and when she had already  
 7 been asked to step down. And this was only part  
 8 --- I think when I sent this to her it was part  
 9 --- I think I had a phone conversation with her.  
 10 And there's probably more e-mails that  
 11 aren't part of this, because I'm saying I'm e-  
 12 mailing to clear up any confusion that there may  
 13 be concerning work because she's still going to  
 14 Barry and indicating that there's all this  
 15 material hanging over her head that she still  
 16 needs to complete as it pertains to her student  
 17 teaching experience. And everything was taken  
 18 care of and wrapped up and explained to her,  
 19 that she was fine. But she's still e-mailing me  
 20 and telling me that, oh, okay, that sounds good.  
 21 You know, it was just annoying.  
 22 **Q. Final document, which is the last --- turn**  
 23 **the page. Yeah. These are notes that Judy**  
 24 **Wenrich of Millersville took from a conversation**  
 25 **she had with you on February 20th, 2007. I**

1 really just want you to read that and confirm  
 2 it's an accurate summary of the things you and  
 3 Doctor Wenrich discussed.  
 4 (CV Exhibit 10 marked for  
 5 identification.)  
 6 A. Yes. Over the phone she would have called  
 7 me, and I would have just rattled off a list of  
 8 examples of things that happened during the  
 9 semester or answer questions that she had. And  
 10 then she, I guess, put this together as a  
 11 summary of what she thought was the most  
 12 important from what I had said.  
 13 ATTORNEY KRAMER:  
 14 I'm finished. Thank you.  
 15 OFF RECORD DISCUSSION  
 16 EXAMINATION  
 17 BY ATTORNEY VOIGT:  
 18 **Q. Mrs. Reinking, my name is Mark Voigt. I**  
 19 **represent Stacy Snyder in this lawsuit. I'm**  
 20 **going to be asking you some questions as well.**  
 21 **So that the same rules apply that applied with**  
 22 **Mr. Kramer's questioning, which is, number one,**  
 23 **you're still under oath, so you have to tell the**  
 24 **truth, the whole truth and nothing but the**  
 25 **truth, et cetera; correct?**

1 A. Correct.  
 2 **Q. Okay. Number two, please keep your voice up**  
 3 **because the court reporter is taking down**  
 4 **everything that we say. Also, please wait until**  
 5 **I'm done with my question before you respond**  
 6 **because the reporter cannot take down two people**  
 7 **talking at once. Please also refrain from**  
 8 **uh-huhs or uh-uhs because even though we can**  
 9 **communicate on that level, often it's difficult**  
 10 **for the reporter to transcribe. If you need to**  
 11 **take a break, certainly we can accommodate you,**  
 12 **et cetera. Are you married?**  
 13 A. Yes.  
 14 **Q. Any children?**  
 15 A. I'm expecting, but no ---.  
 16 **Q. No other children, okay. I believe you said**  
 17 **you were approximately the same age as Stacy; is**  
 18 **that correct?**  
 19 A. I'm guessing.  
 20 **Q. Well, Stacy is 25. How old are you? Stacy**  
 21 **was 25 at the time of these events, I should**  
 22 **say.**  
 23 A. I was 26 then. I'm 28.  
 24 **Q. Now, you testified that you were an**  
 25 **undergrad at Millersville; is that correct?**

1 A. Correct.  
 2 **Q. And you also --- you did your --- you got**  
 3 **your Master's in Education at King's College or**  
 4 **Wilkes College?**  
 5 A. Wilkes College.  
 6 **Q. Wilkes College.**  
 7 A. Wilkes University.  
 8 **Q. All right. While in college or in graduate**  
 9 **school, did you ever drink an alcoholic**  
 10 **beverage?**  
 11 A. Yes.  
 12 **Q. While in college or graduate school, were**  
 13 **you ever photographed with an alcoholic beverage**  
 14 **in your hand?**  
 15 A. Probably, yes, not that I own ---.  
 16 **Q. How many times would you say you were**  
 17 **photographed with an alcoholic beverage in your**  
 18 **hand?**  
 19 A. That would be hard to guess.  
 20 **Q. More than one, more than five, more than**  
 21 **ten? Do you know?**  
 22 A. More than five.  
 23 **Q. And at the time you were --- well, were you**  
 24 **photographed with an alcoholic beverage while**  
 25 **you were at Millersville?**

1 Object. That's totally ridiculous.  
 2 And I strongly object to the use of the  
 3 Columbine reference. It's highly inflammatory.  
 4 ATTORNEY KRAMER:  
 5 Well, then there's certainly a  
 6 reference to this angry dwarf, who's the singer,  
 7 shooting other students, and I'm wondering ---.  
 8 ATTORNEY VOIGT:  
 9 It speaks for itself.  
 10 ATTORNEY KRAMER:  
 11 Absolutely. And that's what I'm  
 12 asking her to interpret.  
 13 A. Well, I had never heard the song the entire  
 14 way through until I was presented with these  
 15 lyrics. So I did quickly read them through and  
 16 tried to figure out what the heck is this song  
 17 even about. And I don't know why --- when you  
 18 hear the whole lyrics, why you would even play  
 19 this at school. I don't know why it would be  
 20 something that you would want to share with your  
 21 students. So I do see what you're saying.  
 22 There's a very angry person in the song.  
 23 BY ATTORNEY KRAMER:  
 24 **Q. And it's in bad taste.**  
 25 ATTORNEY VOIGT:

1 EXAMINATION  
 2 BY ATTORNEY LITTS:  
 3 **Q. There have been a number of discussions**  
 4 **about the song that's referenced as Exhibit 50.**  
 5 **And again, can you just explain to the context**  
 6 **where this song was even brought to your**  
 7 **classroom?**  
 8 A. Right. The students were working on a  
 9 project independently at their desks, and this  
 10 was background music that Ms. Snyder wanted to  
 11 play, using the CD player, just for sound in the  
 12 background to work to.  
 13 **Q. So Ms. Snyder never had the students sit**  
 14 **down and read this lyric sheet to analyze the**  
 15 **message or the imagery or what was said in this**  
 16 **song?**  
 17 A. No. It had absolutely no connection to  
 18 what was happening in class that day.  
 19 **Q. So there's a series of questions about**  
 20 **different pieces of literature or songs to**  
 21 **analyze, and this particular song, this**  
 22 **lyric --- at Plaintiff's Exhibit 50, that was**  
 23 **never used as a curriculum tool?**  
 24 A. No, it has no connection.  
 25 **Q. Okay. I just wanted that being clear.**

1 Objection.  
 2 ATTORNEY KRAMER:  
 3 No more questions.  
 4 ATTORNEY VOIGT:  
 5 I have a couple more questions.  
 6 RE-EXAMINATION  
 7 BY ATTORNEY VOIGT:  
 8 **Q. Are you familiar with James Joyce? Have you**  
 9 **ever read James Joyce?**  
 10 A. Yes.  
 11 **Q. How is James Joyce's language?**  
 12 A. What do you mean how is it?  
 13 **Q. Well, James Joyce refers to some pretty**  
 14 **graphic things, can we agree on that?**  
 15 A. I only --- I haven't read it since college.  
 16 **Q. And you teach British literature and you**  
 17 **don't know about James Joyce?**  
 18 A. He's not in our curriculum.  
 19 ATTORNEY VOIGT:  
 20 All right.  
 21 ATTORNEY KRAMER:  
 22 Jeff, you had a question, I  
 23 believe?  
 24 ATTORNEY LITTS:  
 25 If you don't mind.

1 ATTORNEY LITTS:  
 2 That's the only question I have.  
 3 ATTORNEY KRAMER:  
 4 Thank you.  
 5 A. Thank you.  
 6 \* \* \* \* \*  
 7 DEPOSITION CONCLUDED AT 3:51 P.M.  
 8 \* \* \* \* \*

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C E R T I F I C A T E

I HEREBY CERTIFY THAT THIS ELECTRONIC TRANSCRIPT WAS  
REPORTED BY ME AND THEREAFTER REDUCED TO TYPEWRITING AND THAT  
THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD THEREOF.

SARGENT'S COURT REPORTING SERVICE, INC.

\_\_\_\_\_  
COURT REPORTER

**EXHIBIT G**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STACY SNYDER,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MILLERSVILLE UNIVERSITY,	:	
<u>et al.</u>	:	07-1660
	:	
Defendants.	:	

**Declaration**

I, Jane Bray, hereby declare as follows:

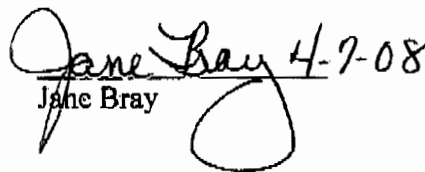
1. I am Dean of the School of Education at Millersville University.
2. I first met Stacy Snyder when she came to my office on or about May 13, 2006 on her appeal of a denial of a B.S.Ed. degree.
3. Ms. Snyder presented written materials for appeal. We discussed the written materials and she orally presented arguments as to why she believed she should be entitled to pass student teaching and to receive a B.S.Ed. degree.
4. I reviewed the written materials that Ms. Snyder provided relating to her student teaching at Conestoga Valley High School.
5. I also discussed Ms. Snyder's entire student teaching performance at Conestoga Valley High School as well as the observations of the cooperating teacher, Nicole Reinking with Mr. Girvin and Dr. Judith Wenrich. I learned that Ms. Snyder had failed on the mid-term PDE-430 form. Unsatisfactory performance in the mid-placement PDE-430 form that is mandated by the PDE equates to failing student teaching although at mid-semester the PDE-430 is designed to provide the student with feedback and an opportunity to improve. I also learned of her unsatisfactory performance on the final PDE-430 prepared by Mr. Girvin. I had no input or influence on Mr. Girvin's evaluations of Ms. Snyder and no authority to change his final grade for Ms. Snyder.
6. I was particularly concerned that because of her unprofessional behavior during the semester Conestoga Valley administrators had barred her from entering the school except for the final conference.

7. Plaintiff's internet posting, the so-called "drunken pirate" picture and accompanying text, did not play any role in my decision. In light of the factors that I have described above, it was clear to me that Ms. Snyder was not a competent or professional teacher.
8. I had no concern that if we did not take action towards Ms. Snyder that Conestoga Valley would not permit future Millersville students to student teach there.
9. It is not unusual for student to have difficulties with their student teaching and to voluntarily withdraw or be removed by the school district from student teaching. Since fall semester 2005, five Millersville students have voluntarily withdrawn from their student teaching placement; seven were removed by the school district; and nine did not successfully complete student teaching for a variety of reasons.

I declare under penalty of perjury that the foregoing facts are true and correct.

Millersville, PA

DATED:

 4-7-08  
Jane Bray

**EXHIBIT H**



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STACY SNYDER,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MILLERSVILLE UNIVERSITY,	:	
<u>et al.</u>	:	07-1660
	:	
Defendants.	:	

Declaration

I, Barry Girvin, hereby declare as follows:

1. In spring semester 2006, I was an adjunct professor at Millersville University. One of my functions was to act as supervisor for three student teachers at Conestoga Valley School District, including Stacy Snyder, who was student teaching at the high school.
2. As described in my deposition in this case and as reflected in my various evaluations Ms. Snyder's student teaching and professionalism were deficient during the semester.
3. Nicole Reinking was the cooperating teacher at Conestoga Valley. Ms. Reinking agreed that Ms. Snyder's student teaching and professionalism were unsatisfactory. Based upon Ms. Reinking's observations that she relayed to me and upon my own observations, I had serious concerns about Ms Snyder's competence and professionalism during the semester.
4. Because Conestoga Valley barred plaintiff from entering the high school and from teaching their students, she did not complete the semester.
5. In my opinion, Ms. Snyder's most egregious unprofessional behavior was that in a May 9, 2006 email to me she criticized Ms. Reinking for her own failures and sought to shift her deficient performance to Ms. Reinking without accepting responsibility for her own behavior. I thought this was very immature and unprofessional.

6. I was aware of the plaintiff's internet posting, the so-called "drunken pirate" picture and the attached text. Nonetheless, the picture played virtually no role in my decision to rate her as unsatisfactory for professionalism. Even had it never come to my attention, in light of all the other factors Ms Snyder would not have passed student teaching. These factors include unprofessional actions during the semester, Conestoga Valley barring Ms Snyder from the high school, and the May 9, 2006, email sent to me.

7. It was a result of my professional evaluation of Ms Snyder's performance at Conestoga Valley that she did not receive a B.S.Ed. In accordance with evaluations done by Ms Reinking and myself and the fact that Ms Snyder did not complete the semester, she did not pass student teaching. She received a grade of W (withdrawal).

8. I had no concern that Conestoga Valley would not host future Millersville student teachers.

I declare under penalty of perjury that the foregoing facts are true and correct.

Millersville, PA

DATED:

4-8-08

Barry Girvin  
Barry Girvin

**EXHIBIT I**



**SARGENT'S  
COURT  
REPORTING**

**Quality Work. Quality People.**

**Transcript of the Testimony of Beverly Schneller**

**Date:** April 4, 2008

**Case:** Snyder v. Millersville University

**Printed On:** April 7, 2008

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Page 2

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2 OF  
3 BEVERLY SCHNELLER, PH.D., taken on  
4 behalf of the Plaintiff herein,  
5 pursuant to the Rules of Civil  
6 Procedure, taken before me, the  
7 undersigned, Hilary Culver, a Court  
8 Reporter and Notary Public in and for  
9 the Commonwealth of Pennsylvania, at  
10 Millersville University, Dilwerth  
11 Building, 1 North George Street,  
12 Millersville, Pennsylvania, on Friday,  
13 April 4, 2008 beginning at 1:30 p.m.  
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Page 4

1 I N D E X  
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3 WITNESS: BEVERLY SCHNELLER, PH.D.  
4 EXAMINATION  
5 by Attorney Voigt 7 - 86  
6 EXAMINATION  
7 By Attorney Kramer 86 - 88  
8 CERTIFICATE 89  
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Page 3

1 A P P E A R A N C E S  
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3 MARK VOIGT, ESQUIRE  
4 Law Offices of Mark Voigt  
5 Plymouth Meeting Executive Campus  
6 600 W. Germantown Pike  
7 Suite 400  
8 Plymouth Meeting, PA 19462  
9 COUNSEL FOR PLAINTIFF  
10  
11 BARRY KRAMER, ESQUIRE  
12 Office of Attorney General  
13 21 South 12th Street  
14 Philadelphia, PA 19107  
15 COUNSEL FOR DEFENDANT  
16 MILLERSVILLE  
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Page 5

1 EXHIBIT PAGE  
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25 EXHIBITS NOT ATTACHED

2 (Pages 2 to 5)



Page 10

1 offered in the semester. We prepare  
 2 schedules four times a year for course  
 3 offerings, evaluate faculty in their  
 4 professional roles as teachers, assist  
 5 with recruitment and orientation of  
 6 students, serve as faculty advisors to  
 7 students, work on marketing materials,  
 8 advise the administration in our  
 9 professional capacities. We're  
 10 expected to serve the campus community.  
 11 We're expected to serve the community  
 12 at large in capacities that are  
 13 relevant to our degrees. And we are  
 14 expected to publish and otherwise  
 15 maintain recognizable scholarly  
 16 credentials.

17 **Q. As department chair, do you have  
 18 any role in the student teacher program  
 19 at Millersville?**

20 A. No, I do not.

21 **Q. Describe your educational and  
 22 professional background, starting with  
 23 college.**

24 A. I graduated from the University  
 25 of St. Thomas in Houston, Texas with a

Page 11

1 B.A., Magna Cum Laude. I hold a  
 2 Master's and a PhD. from the Catholic  
 3 University of America in Washington,  
 4 DC. Prior to coming to Millersville in  
 5 1989, I taught at Marist College as a  
 6 full-time faculty member in  
 7 Poughkeepsie, New York. Prior to that,  
 8 I was a graduate assistant, and prior  
 9 to that, I was a substitute high school  
 10 teacher in Houston when I was finishing  
 11 my degree.

12 **Q. How long have you been here in  
 13 Millersville?**

14 A. Since 1989.

15 **Q. Now, during college or graduate  
 16 school, did you ever drink an alcoholic  
 17 beverage?**

18 A. Yes.

19 **Q. And during college or graduate  
 20 school, did you ever allow yourself to  
 21 be photographed wearing a costume at a  
 22 party?**

23 A. No.

24 **Q. During college or graduate  
 25 school, did you ever allow yourself to**

Page 12

1 **be photographed with an alcoholic  
 2 beverage?**

3 A. No.

4 **Q. Have you ever had any education  
 5 or training in freedom of speech among  
 6 college students?**

7 A. No.

8 **Q. Have you ever had any education  
 9 or training in due process for students  
 10 in the public university setting?**

11 A. No.

12 **Q. When did you first meet Stacey  
 13 Snyder?**

14 A. Possibly 2000 --- it must have  
 15 been 2004.

16 **Q. In what capacity did you meet  
 17 her?**

18 A. She came to my office because  
 19 she needed an exception, or she needed  
 20 something related to curriculum, or she  
 21 wanted to get into a course, or  
 22 something along those lines. And we  
 23 discussed whether she could get into  
 24 the course or not. I think that was  
 25 the first time.

Page 13

1 **Q. Why would she come to your  
 2 office?**

3 A. Everyone comes to the department  
 4 chair's office. If you call --- no,  
 5 I'm serious. If you call for  
 6 information on this campus for  
 7 anything, the answer in every office  
 8 is, call the department chair in the  
 9 subject area in which you're  
 10 interested. So she would have come to  
 11 me because I either have the  
 12 instructional information or the  
 13 informational expertise to direct her  
 14 or anyone else who calls the office to  
 15 wherever they need to go.

16 **Q. And describe the nature of your  
 17 meeting. What was discussed, other  
 18 than what you've already told us?**

19 A. Well, I told you. She either  
 20 came to see about getting into a class  
 21 or she came to ask a question about a  
 22 class she had to take or something like  
 23 that.

24 **Q. And how did the meeting end?**

25 A. I presume that I gave her the



1 information that she needed because  
2 she's not there now, so ---. She came  
3 and she left.

4 **Q. Turn to Exhibit 21, please. Do  
5 you recognize this document?**

6 A. Yes.

7 **Q. What is it?**

8 A. This is a printoff of the  
9 student's DARS Audit not generated by  
10 the map system, but by the student  
11 using their myBill account.

12 **Q. That brings me to three  
13 questions. What is a DARS?**

14 A. DARS is an acronym for the  
15 Degree Audit Record System. It's a  
16 living transcript for the student that  
17 records the courses that they've  
18 already taken, the courses in which  
19 they're currently enrolled, their  
20 grades, the place where the course fits  
21 in either Liberal Arts core or the  
22 student's major, the number of credits  
23 that the course bears, their QPA and  
24 their GPA. It's an advisement tool  
25 that is very similar to the transcript,

1 but does not bear the same authority as  
2 the transcript because it never has the  
3 registrar's seal.

4 **Q. What is the significance of the  
5 registrar's seal on a transcript?**

6 A. The registrar's seal is the  
7 indication that the state or the  
8 Commonwealth has agreed to confer the  
9 degree.

10 **Q. And you mentioned some other  
11 acronyms having to do with this. I  
12 can't recall what they were offhand.  
13 You said that this is a living  
14 transcript.**

15 A. That's what I refer to it as.

16 **Q. What does that mean?**

17 A. That just means that it's  
18 updated every semester as the students  
19 complete their courses in contrast to a  
20 transcript. It's not a transcript.  
21 It's a record of what the students are  
22 taking while they're still students at  
23 Millersville.

24 **Q. In looking at page one, it says  
25 GE area. What does that mean?**

1 ATTORNEY KRAMER:  
2 What are you looking at?

3 ATTORNEY VOIGT:

4 Page one where it says GE  
5 area.

6 A. General Education. That's part  
7 of the Liberal Arts core.

8 BY ATTORNEY VOIGT:

9 **Q. What's the difference between  
10 General Education credits and some  
11 other types of credits?**

12 A. Students at the university take  
13 a major. If they're a BA student, they  
14 have a major and a minor. If they're a  
15 BSE, candidate the BSE is a double  
16 major. That's half of --- I guess  
17 about half of what they do. The other  
18 half is the Liberal Arts core, because  
19 this is a Liberal Arts institution, so  
20 that's what the General Education core  
21 is.

22 **Q. And are major specific courses  
23 listed in some other way on this  
24 document?**

25 A. Probably --- can I turn the

1 page?

2 **Q. Uh-huh (yes).**

3 A. Probably not on this one because  
4 this one is done chronologically. On  
5 the one that we use that comes directly  
6 from the Registrar's Office for the  
7 students when they don't generate it  
8 off their own account, there's a  
9 different version of this that shows it  
10 by the major, by the minor. And then  
11 the GE core is like three pages in.  
12 There's a couple pages in the back of  
13 university requirements.

14 **Q. Were you ever Stacey Snyder's  
15 instructor at Millersville?**

16 A. I was.

17 **Q. When was that?**

18 A. In the fall of 2005.

19 ATTORNEY KRAMER:

20 Just for the record,  
21 she's referring to Exhibit 21.

22 BY ATTORNEY VOIGT:

23 **Q. Which class was that?**

24 A. English 441, Section 6.0. It  
25 was a poetry course that she took in

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1 the fall semester of her senior year.  
2 If you look at fall of 2005, it's the  
3 fourth course down on the left.  
4 **Q. It looks like Stacey got an A in  
5 that class.**  
6 A. Yes, she did.  
7 **Q. And what was your impression ---  
8 well, first of all, do you recall  
9 Stacey being in that class?**  
10 A. This was an independent study  
11 course. She was the only student in  
12 the class, so, yes.  
13 **Q. How much interaction did you  
14 have with Stacey in this course?**  
15 A. She either came once a week or  
16 she came once every couple of weeks for  
17 an hour or so of --- well, for an hour  
18 or so.  
19 **Q. And what did Stacey have to do  
20 to get a grade in your class?**  
21 A. She had to read the books that I  
22 assigned her. She had to complete, I  
23 think, two --- maybe two or three  
24 written assignments. And then because  
25 she was a teacher education candidate,

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1 we did a lesson plan as her final  
2 project.  
3 **Q. How long were the written  
4 assignments, numbers of pages, do you  
5 recall? Were they more than a page,  
6 more than five pages?**  
7 A. They would have been between  
8 maybe three and five pages. I don't  
9 know.  
10 ATTORNEY KRAMER:  
11 If you don't remember,  
12 don't guess.  
13 A. I don't remember. I don't give  
14 one-page papers, I can tell you that  
15 much.  
16 BY ATTORNEY VOIGT:  
17 **Q. Do you grade for grammar in your  
18 class, or did you grade for grammar in  
19 Stacey's poetry class?**  
20 A. Yes.  
21 **Q. Can you give me an opinion as to  
22 how Stacey's grammar was in the poetry  
23 class?**  
24 A. No.  
25 **Q. Why not?**

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1 A. Well, I don't have the artifacts  
2 in front of me. And you asked me to  
3 give you an opinion, which I'm not  
4 going to do.  
5 **Q. Is it safe to say that you would  
6 not have given Stacey an A if she had  
7 poor grammar?**  
8 A. No.  
9 **Q. So a student can have poor  
10 grammar and still get an A in your  
11 class?**  
12 ATTORNEY KRAMER:  
13 Well, this would be an  
14 independent study, which may be  
15 different than the other  
16 classes. And your question is  
17 vague, so I object to the form.  
18 BY ATTORNEY VOIGT:  
19 **Q. Am I correct that a student can  
20 have poor grammar and still get an A in  
21 your upper level college English class?**  
22 ATTORNEY KRAMER:  
23 Object to the form. You  
24 can try to answer that.  
25 A. It depends on what you mean by

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1 poor grammar.  
2 BY ATTORNEY VOIGT:  
3 **Q. Well, what do you mean by poor  
4 grammar?**  
5 A. Well, that's not an issue. I  
6 mean it's your question, so what do you  
7 mean by it?  
8 **Q. Well, are you familiar with  
9 grammar as it is used in the English  
10 language?**  
11 A. Of course.  
12 **Q. Do you know what poor grammar is  
13 when it's used in the English language?**  
14 A. Yes.  
15 **Q. And can a student in your class  
16 get an A and still have poor grammar?**  
17 ATTORNEY KRAMER:  
18 I'll object as to the  
19 form. It's a really vague  
20 question because poor grammar is  
21 almost by definition a vague  
22 term. If you can answer it, you  
23 certainly can.  
24 ATTORNEY VOIGT:  
25 Well, it's just a brief

1 response. She's the chairman of  
 2 the English Department at an  
 3 accredited college. She should  
 4 be able to tell me what poor  
 5 grammar is.  
 6 ATTORNEY KRAMER:  
 7 You can try to answer the  
 8 question.  
 9 BY ATTORNEY VOIGT:  
 10 **Q. Can a student get an A in your**  
 11 **class, your poetry class, an upper**  
 12 **level class at a public university, and**  
 13 **still have poor grammar?**  
 14 A. A student can --- in and out of  
 15 the classroom, a student can have  
 16 grammatical errors in their speech or  
 17 in their writing that are going to  
 18 remain with them beyond college  
 19 instruction. It's one of the issues  
 20 that you face as a writing teacher, as  
 21 a professor in general, that because  
 22 grammar is taught in elementary schools  
 23 and through the high schools if the  
 24 emphasis is placed on things other than  
 25 precision in language use by the high

1 schools, it's very difficult to  
 2 correct. It's sort of imbedded  
 3 mistakes that a person might make.  
 4 So technically a person can continue to  
 5 make what might be viewed as  
 6 grammatical errors at any point in  
 7 their life, whether they have college  
 8 instruction or not.  
 9 **Q. So can a student get an A in**  
 10 **your upper level poetry class and still**  
 11 **have poor grammar?**  
 12 A. Well, the other part of the  
 13 equation is that in any course, and  
 14 especially individualized instruction,  
 15 grading can be based on the written  
 16 product, the revisions of the written  
 17 product. I mean, to simply concentrate  
 18 on whether perfection in grammar has a  
 19 core relationship to the grade is  
 20 really not understanding the nature of  
 21 the grading process. It is probably  
 22 possible for any student to have  
 23 grammatical errors in their writing or  
 24 any other thing and get an A in  
 25 anybody's course. So if you want a yes

1 or no answer, yes, it's possible.  
 2 Okay?  
 3 **Q. Other than your poetry class,**  
 4 **describe your interactions, if any,**  
 5 **with Stacey from your first meeting in**  
 6 **2004 until approximately May 1, 2007 or**  
 7 **2006. Did you have any?**  
 8 A. The only two that I am certain  
 9 about are the one that I mentioned,  
 10 when she came to the office and needed  
 11 some assistance, because that was the  
 12 first day that I met her. And then  
 13 because she had a scheduling problem,  
 14 completing her degree, I offered her  
 15 the opportunity to teach the  
 16 independent study with me.  
 17 At the time that she was  
 18 enrolled, I guess I had just come off  
 19 being a full-time faculty member. I  
 20 teach a lot of students, so without  
 21 seeing the name of the professor that  
 22 she taught (sic), she may have been in  
 23 another course that I taught, but I'm  
 24 not sure because I teach many students.  
 25 And over the courses and number of

1 years, I don't even try to remember  
 2 what class somebody is in. It's  
 3 usually pointless. And if they want to  
 4 do a letter of recommendation, they'll  
 5 come back and tell me what classes they  
 6 were in, for example. So I can tell  
 7 you that I taught her in poetry class  
 8 for sure.  
 9 **Q. You mentioned some independent**  
 10 **study class.**  
 11 A. That is the poetry class.  
 12 **Q. You mentioned some other**  
 13 **independent study class having to do**  
 14 **with student teaching; is that right?**  
 15 A. No.  
 16 **Q. You said that because Stacey was**  
 17 **having ---?**  
 18 A. I said because she couldn't meet  
 19 her requirement related to completing  
 20 her degree, I gave her the opportunity  
 21 to do the independent study poetry  
 22 course, which fills the requirement for  
 23 the major. She had a scheduling  
 24 conflict.  
 25 **Q. So the poetry class is what you**

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1 **were talking about?**  
 2 A. Yes, it is.  
 3 **Q. Turn to Exhibit Four. It's in**  
 4 **the other book. This is a document ---**  
 5 **actually, it's in the same book.**  
 6 **Sorry. This is a document entitled**  
 7 **Millersville University Guide for**  
 8 **Student Teaching. Have you ever seen**  
 9 **this document before?**  
 10 A. No.  
 11 **Q. So I take it you played no role**  
 12 **in the drafting or approval of this**  
 13 **document; correct?**  
 14 A. No.  
 15 **Q. Are you familiar with something**  
 16 **called the Teacher Education Council?**  
 17 A. TEC, T-E-C.  
 18 **Q. Dr. Bray referred to something**  
 19 **called the Teacher Education Council.**  
 20 **Are you familiar with that**  
 21 **organization?**  
 22 A. There's a committee on campus  
 23 that is --- no, I think it's the same  
 24 thing. No. I'm thinking about the  
 25 Teacher Education Committee. That's an

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1 approval body for curriculum. No. I  
 2 don't know anything about the Teacher  
 3 Education Council.  
 4 **Q. Well, let's talk about the**  
 5 **Teacher Education Committee. Are you**  
 6 **familiar with that?**  
 7 A. Yes.  
 8 **Q. Are you on that committee?**  
 9 A. No.  
 10 **Q. Do you have any role on that**  
 11 **committee?**  
 12 A. No. That's a faculty curriculum  
 13 committee. It has nothing particular  
 14 to do with this.  
 15 **Q. Are you familiar with something**  
 16 **called the Educational Foundations**  
 17 **Department?**  
 18 A. Yes.  
 19 **Q. What is that?**  
 20 A. They offer pedagogical  
 21 instruction for students who are  
 22 involved in the secondary education  
 23 programs.  
 24 **Q. And what is pedagogical**  
 25 **instruction?**

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1 A. Teaching teacher education  
 2 candidates how to teach.  
 3 **Q. And do you have any role in that**  
 4 **department?**  
 5 A. No.  
 6 **Q. Turn to Exhibit Five. This is a**  
 7 **supplement to the Guide for Student**  
 8 **Teaching. I take it you played no role**  
 9 **drafting or approving this document?**  
 10 A. No.  
 11 **Q. Turn to page four of that**  
 12 **document. This refers to something**  
 13 **called a Circle Project. Are you**  
 14 **familiar with the Circle Project?**  
 15 A. Yes.  
 16 **Q. What is your familiarity with**  
 17 **that?**  
 18 A. This is a project that the  
 19 students in the BSE program complete.  
 20 My familiarity with it is it's an  
 21 assessment --- well, it's a tool that  
 22 we use data from collected by the Ed  
 23 Foundation's Department for our NCATE  
 24 assessment.  
 25 **Q. What's an NCATE assessment?**

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1 A. NCATE, N-C-A-T-E.  
 2 **Q. What's that?**  
 3 A. It's the accrediting body for  
 4 schools of education.  
 5 **Q. That's N-C-A-T-E?**  
 6 A. Right.  
 7 **Q. Is that here at Millersville**  
 8 **University?**  
 9 A. No. That's a national ---.  
 10 NCATE's national. It's an accrediting  
 11 body for schools of education  
 12 nationwide.  
 13 **Q. Have you ever supervised a**  
 14 **student teacher in their Circle**  
 15 **Project?**  
 16 A. I supervise no student teachers,  
 17 no.  
 18 **Q. Turn to Exhibit 89. This is a**  
 19 **letter from John Short to Stacey, dated**  
 20 **February 2, 2006. Have you ever seen**  
 21 **this letter before?**  
 22 A. No.  
 23 **Q. Are you familiar with something**  
 24 **called the Outstanding Students in the**  
 25 **School of Humanities and Social**

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1 **Sciences?**  
2 ATTORNEY KRAMER:  
3 I'll just object. That's  
4 not --- and your question  
5 implies that's a label of  
6 something, and in the letter  
7 it's just ---.  
8 ATTORNEY VOIGT:  
9 Let me rephrase.  
10 BY ATTORNEY VOIGT:  
11 **Q. Are you familiar with the**  
12 **requirement for a student to make it on**  
13 **the Dean's list?**  
14 A. No.  
15 **Q. Do you have any idea of the**  
16 **criteria --- well, first of all, do you**  
17 **know who John Short is?**  
18 A. Yes, I do.  
19 **Q. Do you have any idea as to the**  
20 **criteria that Mr. Short uses in writing**  
21 **these letters?**  
22 A. No.  
23 **Q. Did you observe Stacey at**  
24 **Conestoga Valley School District during**  
25 **her spring 2006 internship?**

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1 A. No.  
2 **Q. Turn to Exhibit 47.**  
3 A. I'm getting the hang of it. I  
4 can do this. I can even --- hold on.  
5 I'll try to keep it neat.  
6 **Q. Now, these are evaluations**  
7 **completed by Barry Girvin, as to**  
8 **Stacey. Do you know Barry Girvin?**  
9 A. No, I do not.  
10 **Q. Have you ever seen these**  
11 **evaluations before?**  
12 A. No, I have not.  
13 **Q. Turn to Exhibit 77. Now, these**  
14 **are praxis scores. What are praxis**  
15 **scores, if you know?**  
16 A. The scores?  
17 **Q. Well, what is praxis? Do you**  
18 **know?**  
19 A. Praxis is the test that the  
20 student teachers take.  
21 **Q. Why?**  
22 A. So that they can be certified as  
23 teachers, I presume.  
24 ATTORNEY KRAMER:  
25 Don't presume.

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1 A. Sorry. So they can be certified  
2 --- as part of the certification  
3 process for the undergraduate.  
4 BY ATTORNEY VOIGT:  
5 **Q. On this document, it indicates**  
6 **that Stacey passed her English**  
7 **language, literature, composition**  
8 **content and knowledge class. Do you**  
9 **see that in the middle?**  
10 A. Yes, I do.  
11 **Q. Are you familiar for the**  
12 **criteria for use on those tests?**  
13 A. No, I'm not.  
14 **Q. Turn to Exhibit 93. Have you**  
15 **ever seen this before? This is a**  
16 **photograph of Stacey.**  
17 A. Yes.  
18 **Q. And when did you see it?**  
19 A. When this lawsuit was made  
20 public. Would that have been last  
21 summer?  
22 **Q. Did you see this photograph in**  
23 **or about May 2006?**  
24 A. No.  
25 ATTORNEY VOIGT:

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1 Let me show you a  
2 different photograph. We'll  
3 mark this as Exhibit 104.  
4 (Exhibit 104 marked for  
5 identification.)  
6 OFF RECORD DISCUSSION  
7 BY ATTORNEY VOIGT:  
8 **Q. So this would be 104. Have you**  
9 **ever seen that photograph before?**  
10 A. No.  
11 **Q. Turn to Exhibit 51. This is a**  
12 **photograph and text. Have you ever**  
13 **seen this before?**  
14 A. No.  
15 **Q. When did you first learn of**  
16 **issues regarding Stacey Snyder and her**  
17 **graduation from Millersville?**  
18 A. Could you clarify issue?  
19 ATTORNEY KRAMER:  
20 He can clarify that.  
21 BY ATTORNEY VOIGT:  
22 **Q. When did you first learn that**  
23 **Stacey might not graduate with her**  
24 **Bachelor of Science Education Degree?**  
25 A. Well, she --- I don't have any

1 control over whether she graduates with  
 2 any degree or not. So I'm not exactly  
 3 sure how to answer that question,  
 4 because that presumes that I would have  
 5 some say in whether she graduates.  
 6 **Q. All right. Let's take you**  
 7 **back ---.**  
 8 A. I'm not sure what you are asking  
 9 there.  
 10 **Q. Let's take you back to May of**  
 11 **2006.**  
 12 A. Okay.  
 13 **Q. Did you have any conversations**  
 14 **with anyone at Millersville concerning**  
 15 **Stacey Snyder's graduation?**  
 16 A. Yes.  
 17 **Q. When was your first**  
 18 **conversation?**  
 19 A. The Friday before the  
 20 commencement day, whatever date that  
 21 was. It would be Friday --- because  
 22 spring commencement is on Saturday. So  
 23 it would be the Friday before.  
 24 **Q. And that would be May 12, 2006;**  
 25 **correct?**

1 A. I don't have a calendar. I  
 2 don't know.  
 3 ATTORNEY KRAMER:  
 4 I think that's right,  
 5 Mark.  
 6 A. I think that may be correct. I  
 7 don't know.  
 8 OFF RECORD DISCUSSION  
 9 BY ATTORNEY VOIGT:  
 10 **Q. Does that refresh your**  
 11 **recollection that it was Friday, May**  
 12 **12th?**  
 13 A. It was always Friday. You just  
 14 asked me what the date was, and I don't  
 15 remember the date.  
 16 **Q. Well, do you remember now?**  
 17 A. Sure. Yes.  
 18 **Q. And it is May 12th?**  
 19 A. Yes.  
 20 **Q. What was the conversation that**  
 21 **you had about Stacey on May 12th?**  
 22 **First of all, who was it with?**  
 23 A. Oh, the administrator's  
 24 conversation you mean? That's what  
 25 we're talking ---?

1 **Q. Yes.**  
 2 A. I know that I talked to Dean  
 3 Bray.  
 4 ATTORNEY VOIGT:  
 5 Let me turn your  
 6 attention to Exhibit 100, page  
 7 six, paragraph 43.  
 8 ATTORNEY KRAMER:  
 9 Mark, this is the second  
 10 amended complaint that I have.  
 11 ATTORNEY VOIGT:  
 12 Well, I have a third  
 13 amended complaint. Do you have  
 14 that?  
 15 ATTORNEY KRAMER:  
 16 No, it's not ---.  
 17 ATTORNEY VOIGT:  
 18 Let's go off the record  
 19 for a second.  
 20 OFF RECORD DISCUSSION  
 21 BY ATTORNEY VOIGT:  
 22 **Q. Exhibit 100, page six, paragraph**  
 23 **43.**  
 24 A. Okay.  
 25 **Q. Let me just take that back and**

1 **I'll read you the question.**  
 2 A. Here you go.  
 3 **Q. The first sentence of paragraph**  
 4 **43 reads, on or about May 12, 2006,**  
 5 **Bray, Girvin, Wenrich and Schneller, in**  
 6 **their official capacities, met to**  
 7 **discussion Plaintiff's possible**  
 8 **expulsion. Is that a true statement?**  
 9 ATTORNEY KRAMER:  
 10 I'll object. It includes  
 11 conclusive legal language and is  
 12 a compound question.  
 13 BY ATTORNEY VOIGT:  
 14 **Q. Is it a true statement?**  
 15 A. No.  
 16 **Q. What about that statement is not**  
 17 **true?**  
 18 ATTORNEY KRAMER:  
 19 Can she see it?  
 20 ATTORNEY VOIGT:  
 21 Sure.  
 22 A. I have never met Mr. Girvin.  
 23 BY ATTORNEY VOIGT:  
 24 **Q. Do you know who Dr. Judith**  
 25 **Wenrich is?**

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1 A. Yes, I do. We didn't physically  
2 --- well, to my recollection, we did  
3 not physically meet, because I'm in one  
4 building on one side of the campus,  
5 they're in a different building on the  
6 other side of the campus. And when we  
7 consult, we consult by phone. And I  
8 have no recollection of an alleged  
9 physical meeting.  
10 **Q. All right. But you do remember**  
11 **a phone call with Dr. Bray; is that**  
12 **correct?**  
13 A. Dean Bray and I would have  
14 talked about the situation. We  
15 certainly didn't discuss anything  
16 related to expulsion.  
17 **Q. And what did you and Dr. Bray**  
18 **discuss?**  
19 A. We would have discussed ---  
20 well, we would have discussed how  
21 to ---. I'm trying to remember now if  
22 it was actually --- because I know at a  
23 certain point I did talk to Dean Bray  
24 about this. I know I probably also  
25 talked to Dr. Wenrich about it, because

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1 she and I are the ones who usually deal  
2 with situations in which we need to  
3 transition a student from one degree  
4 program to another, but we usually did  
5 --- I usually do that in consultation  
6 with the Dean, just to be sure that  
7 we're all on the same page.  
8 **Q. Well, let's talk about this**  
9 **conversation you had with Dr. Bray on**  
10 **May 12th. Do you recall that**  
11 **conversation?**  
12 A. I'm not going to recall any  
13 specifics of conversations with them  
14 other than the broad outlines of what  
15 you asked me about. I mean, I can't  
16 say she said this and I said that.  
17 **Q. And what was the general nature**  
18 **of the conversation?**  
19 A. We discussed how to transition  
20 Miss Snyder from the BSE to a BA degree  
21 so that she could graduate on Saturday  
22 the 13th of May.  
23 **Q. Was Miss Snyder consulted about**  
24 **that conversation?**  
25 A. She was present for the first

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1 one.  
2 **Q. Was Ms. Snyder in your office on**  
3 **May 12th when this conversation took**  
4 **place with Bray?**  
5 A. No. Well, she might have been  
6 there when I was on the phone. I'm not  
7 sure.  
8 ATTORNEY KRAMER:  
9 Don't speculate.  
10 A. Sorry.  
11 ATTORNEY KRAMER:  
12 If you don't remember,  
13 say you don't remember.  
14 A. She was there. I don't know for  
15 how long.  
16 BY ATTORNEY VOIGT:  
17 **Q. How long did the conversation**  
18 **last, do you know?**  
19 A. No.  
20 ATTORNEY KRAMER:  
21 Object to the form.  
22 BY ATTORNEY VOIGT:  
23 **Q. How long did the conversation**  
24 **with Dr. Bray on May 12th, 2006 last?**  
25 A. I don't know.

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1 **Q. How did the conversation end?**  
2 A. Well, we agreed that we would  
3 initiate the paperwork to change the  
4 degree from a BSE to a BA, which was  
5 the purpose of the call, one way or the  
6 other, in the first place.  
7 **Q. Have you ever had a call from**  
8 **Dr. Bray before about changing a BSE to**  
9 **a BA before?**  
10 A. Ever?  
11 **Q. Ever in the course of your life.**  
12 A. No, not at that time.  
13 **Q. Did you not think it was unusual**  
14 **that Dr. Bray would be calling you to**  
15 **change a BSE to a BA the day before**  
16 **graduation?**  
17 ATTORNEY KRAMER:  
18 Well, I'll object. I  
19 don't know that she said Bray  
20 called her.  
21 A. I don't remember which way it  
22 started.  
23 BY ATTORNEY VOIGT:  
24 **Q. Let me rephrase. Did you not**  
25 **think it was unusual to be having a**

1 conversation with Dr. Bray about  
 2 changing a student's designation from a  
 3 BSE to a BA the day before graduation?  
 4 ATTORNEY KRAMER:  
 5 Object to the form. It's  
 6 a compound question. You can  
 7 answer.  
 8 A. Did I not think it was unusual?  
 9 Well, Dean Bray wasn't calling to  
 10 change the grade or change the degree.  
 11 The student was present. And in order  
 12 for the student to be able to graduate  
 13 on time, which was Dean Bray's and Dr.  
 14 Wenrich's and my interest, the only  
 15 logical thing to do was transition it  
 16 to a BA so that she could graduate with  
 17 college degree as she had planned.  
 18 So there's no --- it's a false  
 19 characterization to say that Dean Bray  
 20 called to change Miss Snyder's degree.  
 21 I mean, obviously no one does that. I  
 22 mean, not just pick up the phone out of  
 23 the blue and say, let's change this  
 24 person's grade or change this person's  
 25 degree program.

1 BY ATTORNEY VOIGT:  
 2 **Q. So, it's your belief that a BSE**  
 3 **and a BA are the same thing?**  
 4 ATTORNEY KRAMER:  
 5 Objection. That's not at  
 6 all what she said.  
 7 A. That's not what I said.  
 8 ATTORNEY VOIGT:  
 9 Let me clarify.  
 10 A. That's not what I said.  
 11 BY ATTORNEY VOIGT:  
 12 **Q. You said that you and Dr. Bray**  
 13 **were not discussing changing Stacey's**  
 14 **degree, is that what you said?**  
 15 A. No. That's not what I said.  
 16 **Q. Okay. Do you believe that a**  
 17 **student can be a teacher with a BA**  
 18 **degree?**  
 19 A. Do I believe that they can?  
 20 **Q. Yes.**  
 21 A. Well, that depends on state  
 22 certification. It doesn't have  
 23 anything to do with what I believe or  
 24 not. State rules are different per  
 25 state.

1 **Q. When you had this conversation**  
 2 **with Dr. Bray, was it your**  
 3 **understanding that a decision had**  
 4 **already been made that Stacey would not**  
 5 **be graduating with a BSE?**  
 6 A. I don't know.  
 7 **Q. Why don't you know? I mean, if**  
 8 **somebody calls ---?**  
 9 A. That decision is not in the  
 10 parameter of things that I was asked to  
 11 deal with. Stacey is a student in the  
 12 English program, and in order for her  
 13 to graduate, because of the  
 14 circumstances ---. She wanted to  
 15 graduate. We wanted to see her  
 16 graduate, so we enabled her to do that  
 17 by offering her the opportunity to take  
 18 a BA. Your question asks me to  
 19 speculate on what was in Dean Bray's  
 20 mind ---.  
 21 **Q. I'm trying to get an**  
 22 **understanding of this conversation.**  
 23 **Dean Bray calls you or you call Dean**  
 24 **Bray, and it is said, Stacey's not**  
 25 **going to get her BSE. Is that what was**

1 **said?**  
 2 A. As I said, I don't know the  
 3 details of the dialogue. Generically,  
 4 that would have been what the  
 5 conversation was about.  
 6 **Q. Did you inquire of Dr. Bray why**  
 7 **Stacey was not getting a BSE?**  
 8 A. I don't know.  
 9 **Q. Would that not be something**  
 10 **you'd ask ---?**  
 11 A. Well ---.  
 12 **Q. Let me finish the question**  
 13 **before you interpose your objection.**  
 14 **Having never had a conversation with**  
 15 **Dr. Bray about changing a BSE to a BA,**  
 16 **would it not ---?**  
 17 A. Well, no. You're ---.  
 18 **Q. Let me finish the question.**  
 19 A. I'm sorry.  
 20 **Q. Having not had a conversation**  
 21 **with Dr. Bray before about changing a**  
 22 **student's designation from a BSE to a**  
 23 **BA, would you not ask why that was**  
 24 **being done?**  
 25 A. Well, if a student needs to



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1 change a degree, they initiate the  
2 conversation with their department  
3 chair or with me in this case. So I  
4 don't know that it would have been  
5 necessary to ask anyone else why when  
6 Stacey --- when Miss Snyder was  
7 present, otherwise this whole thing  
8 wouldn't have happened. She was in my  
9 office. So, in other words, I'm saying  
10 to you, why would I ask someone to  
11 confirm something when I have the  
12 person involved sitting in front of me?  
13 **Q. So it's your understanding that**  
14 **Stacey was asking you to change her BSE**  
15 **to a BA the day before graduation,**  
16 **voluntarily?**  
17 A. Stacey ---.  
18 **Q. It's a yes or no question.**  
19 **Could you please answer with a yes or**  
20 **no answer?**  
21 ATTORNEY KRAMER:  
22 I object to the form.  
23 It's a compound and vague  
24 question. You can answer it.  
25 A. Repeat the question.

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1 BY ATTORNEY VOIGT:  
2 **Q. Sure. Stacey was in your office**  
3 **during the call that you and Bray**  
4 **engaged in on May 12th, 2006. Is that**  
5 **what you testified to?**  
6 A. As I said, initially she may  
7 have still been there when that call  
8 took place.  
9 **Q. Do you remember Stacey's**  
10 **demeanor during your conversation with**  
11 **Bray on the phone?**  
12 A. If she wasn't present while Dean  
13 Bray and I were on the phone, then I  
14 can tell you what her demeanor was when  
15 she came into the office and initiated  
16 the conversation. You want to pin me  
17 on the chronology of a phone call and I  
18 cannot give you that.  
19 **Q. What was Stacey's ---?**  
20 A. You don't see what the scenario  
21 is.  
22 **Q. Oh, I see it perfectly. What**  
23 **was Stacey's demeanor when you spoke to**  
24 **her on May 12th, 2006?**  
25 A. Stacey was upset when she came

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1 to my office.  
2 **Q. She was in tears; correct?**  
3 A. She was distressed.  
4 **Q. She was in tears; correct?**  
5 A. I don't recall that.  
6 **Q. And what, if anything, did**  
7 **Stacey say to you?**  
8 A. She said that something had gone  
9 wrong with her student teaching and  
10 that --- the phrase used was removed  
11 from student teaching. And so I  
12 believe that she would have said to me  
13 either she was removed from student  
14 teaching or she was about to be  
15 dismissed from student teaching.  
16 Again, it's hard to reconstruct the  
17 dialogue from two years ago, but it was  
18 something along those lines.  
19 **Q. Did you ask Stacey why she was**  
20 **being removed from student teaching?**  
21 A. No. I mean, not beyond the ---  
22 not beyond the sort of shock reaction  
23 of why. You know, not the sort of ---  
24 the kind of thing when someone comes  
25 and tells you something completely

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1 unexpected, and you say, oh, my gosh,  
2 why did that --- you know why.  
3 **Q. Well, did you ask her why?**  
4 A. In the context of a normal human  
5 reaction to something that you don't  
6 expect.  
7 **Q. Well, did you ask Stacey why she**  
8 **was ---?**  
9 A. I said why or what happened.  
10 **Q. And what was Stacey's response?**  
11 A. She said ---. She said ---  
12 well, see again, I mean I don't want to  
13 be pinned to a specific dialogue, but  
14 she something like something had  
15 happened with her placement.  
16 **Q. Did you ask Stacey to elaborate**  
17 **on that comment?**  
18 A. No.  
19 **Q. Was it at that point that you**  
20 **called Dr. Bray or Bray called you?**  
21 A. No.  
22 **Q. What point did the conversation**  
23 **with Dr. Bray occur?**  
24 A. For the record, Dr. Bray or Dr.  
25 Wenrich. After Stacey and I had

1 discussed her options for what she  
 2 could do in terms of how she would  
 3 complete --- how she would graduate,  
 4 since she had been working very hard  
 5 towards graduation and it was the next  
 6 day ---. So my immediate interest and  
 7 hers was how we were going to graduate  
 8 --- or how she was going to graduate.  
 9 I was going to say, how we were going  
 10 to graduate her, but how she was going  
 11 to graduate the following day.  
 12 **Q. Turn to Exhibit 70. Do you**  
 13 **recognize this document?**  
 14 A. Yes.  
 15 **Q. Now, in the middle of the page**  
 16 **there's a signature saying Schneller,**  
 17 **indicating advisor's signature.**  
 18 A. Correct.  
 19 **Q. Did you consider yourself to be**  
 20 **Stacey's advisor?**  
 21 A. Well, no. Well, it depends.  
 22 Students are assigned faculty advisors.  
 23 And when the advisors are not available  
 24 --- when the assigned advisor is not  
 25 available for signature --- as you can

1 see there the faculty advisor she lists  
 2 is Dr. Clark. When the advisor is not  
 3 available for signature, I, as  
 4 department chair, can sign any form to  
 5 keep student's paperwork going. And  
 6 then we just leave a copy of the form  
 7 for the --- this is a faculty advisor,  
 8 the person who assists them with their  
 9 curriculum.  
 10 **Q. Did you believe that you had any**  
 11 **obligation to Stacey in your role as**  
 12 **advisor?**  
 13 ATTORNEY KRAMER:  
 14 Object to the form.  
 15 BY ATTORNEY VOIGT:  
 16 **Q. Did you believe that you were**  
 17 **looking after Stacey's best interest in**  
 18 **your role as advisor?**  
 19 A. Yes.  
 20 **Q. In looking at Stacey's best**  
 21 **interest, did you ever tell Stacey that**  
 22 **maybe she should fight to keep her BSE**  
 23 **degree?**  
 24 A. No.  
 25 **Q. Why not?**

1 A. Well, I don't know. When you  
 2 say fight to keep her degree, I mean,  
 3 Stacey came with a situation and we  
 4 were concerned with how she could  
 5 obtain her college degree. And to the  
 6 degree that I have any student's best  
 7 interest, that is the best interest  
 8 that I have for them, that they will  
 9 attain the college --- they will attain  
 10 a college degree.  
 11 **Q. Of any sort?**  
 12 A. Yes.  
 13 **Q. Did you know as of May 12th,**  
 14 **2006 that Stacey had been seeking a BSE**  
 15 **degree?**  
 16 A. Yes.  
 17 **Q. Did you know as of May 12th,**  
 18 **2006 that a BSE degree is necessary in**  
 19 **Pennsylvania for somebody to teach?**  
 20 ATTORNEY KRAMER:  
 21 I object. That's  
 22 actually not correct, but you  
 23 can certainly answer the  
 24 question.  
 25 A. A BSE is a way for a person to

1 become a certified teacher in the  
 2 Commonwealth of Pennsylvania. There  
 3 are other ways that one can do that.  
 4 BY ATTORNEY VOIGT:  
 5 **Q. And the other ways include going**  
 6 **to that ABCTE. Are you familiar with**  
 7 **that?**  
 8 A. No.  
 9 **Q. You're aware that a student with**  
 10 **a BA in English cannot become a**  
 11 **certified teacher?**  
 12 A. Well ---.  
 13 **Q. Yes or no?**  
 14 A. A person can become a certified  
 15 teacher if they pursue certification  
 16 with a BA in any degree.  
 17 **Q. Is that your understanding?**  
 18 A. Yes.  
 19 **Q. What else, if anything, did you**  
 20 **tell Stacey during your meeting on May**  
 21 **12th of 2006?**  
 22 A. We would have discussed --- I  
 23 would have gotten her registrar's  
 24 generated DARS Audit and we would have  
 25 looked at the courses as these exhibits

1 show for the exceptions. We would have  
2 looked at how to move some of the  
3 courses around to get them to count in  
4 the BA sequence. Either then or  
5 shortly thereafter we talked about  
6 certification as an option for her, and  
7 we talked about possibly her  
8 reenrolling in the graduate program for  
9 the MED.

10 **Q. What is MED?**

11 A. Masters in Education.

12 **Q. Did you know at that time that**  
13 **Dr. Wenrich had told Stacey that she**  
14 **would not be allowed to take anymore**  
15 **classes at Millersville?**

16 ATTORNEY KRAMER:

17 Objection. That's not  
18 what Dr. Wenrich said. Don't  
19 answer the question.

20 A. Okay.

21 BY ATTORNEY VOIGT:

22 **Q. Was it your understanding at**  
23 **that time that Stacey would be**  
24 **permitted to reenroll at Millersville**  
25 **and take graduate-level education**

1 **classes?**

2 A. No, but I would have no reason  
3 to even be thinking about where she  
4 would pursue graduate work at the time  
5 of this meeting.

6 **Q. But you were encouraging Stacey**  
7 **to pursue an MED; is that correct?**

8 A. I did not encourage her. I  
9 mentioned to her to provide her with as  
10 much information as possible and to  
11 allay her distress that there were  
12 other ways for her to complete --- or  
13 there were other ways for her to reach  
14 her goal. I also discussed the  
15 possibility of being an emergency  
16 certified substitute teacher, and I  
17 mentioned charter schools to her,  
18 because charter schools are a little  
19 bit more relaxed as far as what degree  
20 you come in with, depending on what  
21 charter school you apply to.

22 **Q. Was it your belief as of May**  
23 **2006 that a person can be a substitute**  
24 **teacher in a Pennsylvania public school**  
25 **without a teacher certification?**

1 A. Yes.

2 **Q. Did you tell Stacey that?**

3 A. Well, yes. I just said I  
4 mentioned emergency certification to  
5 her. I don't know the --- I don't know  
6 the rules of that, but I know that I  
7 have had students with BAs and MAs be  
8 certified in the School District of  
9 Lancaster with emergency certification.

10 **Q. And did you do any research**  
11 **under the Pennsylvania School Code to**  
12 **determine whether you were correct that**  
13 **a person could be an emergency**  
14 **certified teacher without a --- strike**  
15 **that.**

16 **Did you do any research to**  
17 **determine whether a person could teach**  
18 **in a public school either as a**  
19 **substitute or in some other fashion**  
20 **without a certification?**

21 A. No.

22 **Q. Did you attempt to contact an**  
23 **attorney to determine whether that was**  
24 **true?**

25 A. No.

1 **Q. You said that you were trying to**  
2 **allay Stacey's distress; is that**  
3 **correct?**

4 A. Yes.

5 **Q. So Stacey was in distress at the**  
6 **time of your meeting. Would that be an**  
7 **accurate statement?**

8 A. Yes.

9 ATTORNEY KRAMER:

10 She already ---.

11 ATTORNEY VOIGT:

12 Well, then let her answer  
13 it.

14 A. Yes. I said that she came ---  
15 she was upset when she came to my  
16 office.

17 BY ATTORNEY VOIGT:

18 **Q. Paragraph 43, sentence two of**  
19 **the third amended complaint reads,**  
20 **Schneller convinced the other three**  
21 **that they had to give Plaintiff some**  
22 **degree to avoid scrutiny from others at**  
23 **MU; is that true?**

24 A. No.

25 **Q. Did you believe that if you did**

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1 **not change Stacey's courses around that**  
2 **she would graduate at all from MU?**  
3 ATTORNEY KRAMER:  
4 Objection to the form.  
5 It's a vague and confusing  
6 question. Do you understand the  
7 question?  
8 A. I think I do.  
9 ATTORNEY KRAMER:  
10 So, Mark, can you try to  
11 clarify?  
12 BY ATTORNEY VOIGT:  
13 **Q. Did you think that Stacey would**  
14 **graduate from Millersville with any**  
15 **type of degree if you did not change**  
16 **her credits around?**  
17 A. Well, yes and no, because she  
18 was not going to graduate on Saturday  
19 the 13th with a BSE, because she had  
20 not passed student teaching. So in  
21 order for her to achieve her goal of  
22 graduating, then the BA was the option.  
23 **Q. And there were no other options;**  
24 **correct, in your view?**  
25 A. I don't deal with any other

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1 options. I mean, what the school ---  
2 it's a dual responsibility. So what  
3 the School of Education does is what  
4 they do and what we did was what we did  
5 in her best interest.  
6 **Q. Would it not have been in**  
7 **Stacey's best interest to graduate with**  
8 **a BSE?**  
9 ATTORNEY KRAMER:  
10 I'll object to the form.  
11 You can try and answer it.  
12 BY ATTORNEY VOIGT:  
13 **Q. You said that you were acting in**  
14 **Stacey's best interest. Would it not**  
15 **have been in her best interest to**  
16 **graduate with a BSE?**  
17 ATTORNEY KRAMER:  
18 Well, no. She  
19 didn't ---.  
20 A. She didn't meet the requirements  
21 to graduate with a BSE, so I can't  
22 really answer that. It was her desire  
23 to graduate with a BSE. She was not  
24 able to complete that. It was her  
25 desire to obtain a college degree. By

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1 getting a BSE, or getting a BA, she was  
2 able to do that.  
3 BY ATTORNEY VOIGT:  
4 **Q. Are there any written criteria**  
5 **at Millersville that you're aware of**  
6 **for the conversion of a BSE to a BA?**  
7 A. Written criteria, no. Not that  
8 I know of, no.  
9 **Q. And this is the first time that**  
10 **you had converted a student's grade or**  
11 **a student's degree from a BSE to a BA;**  
12 **correct?**  
13 A. No.  
14 **Q. You had done that before?**  
15 A. Yes.  
16 **Q. When did you do that before?**  
17 A. Oh, I don't know. 2000 ---. I  
18 don't know. I don't remember the date.  
19 At least once prior.  
20 **Q. Was that under similar**  
21 **circumstances or ---?**  
22 A. No. No, it was not.  
23 ATTORNEY KRAMER:  
24 Let him finish the  
25 question.

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1 BY ATTORNEY VOIGT:  
2 **Q. Was that under similar**  
3 **circumstances where the student was**  
4 **being denied a BSE?**  
5 A. No.  
6 **Q. So the instance where you**  
7 **previously had assisted in changing a**  
8 **student's graduation diploma from a BSE**  
9 **to a BA was based on that student's**  
10 **voluntarily wanting that change; is**  
11 **that correct?**  
12 A. Yes.  
13 **Q. During your conversation with**  
14 **Bray, did you inquire as to the**  
15 **procedural or policy basis for changing**  
16 **a student's BSE to a BA?**  
17 A. No, because I had done it  
18 before.  
19 **Q. Turn back to Exhibit 70, page**  
20 **105.**  
21 ATTORNEY KRAMER:  
22 Seven or 70?  
23 ATTORNEY VOIGT:  
24 Seventy (70).  
25 BY ATTORNEY VOIGT:

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1 **Q. Now, in the upper right it says,**  
2 **student removed from student teaching,**  
3 **changed degree to BA. Is that your**  
4 **writing?**  
5 A. No.  
6 **Q. Do you know whose writing it is?**  
7 A. Yes.  
8 **Q. Whose writing is it?**  
9 A. Dr. Umble's.  
10 **Q. Who is Dr. Umble?**  
11 A. Dr. Umble is the Acting  
12 Associate Dean.  
13 **Q. Why would he write something**  
14 **like that?**  
15 A. She.  
16 **Q. She, why would she write**  
17 **something ---?**  
18 A. Because if you look at --- well,  
19 I don't know ---. Why she wrote that,  
20 I don't know.  
21 **Q. Okay. And in the middle on the**  
22 **left it looks like it says multiple**  
23 **changes/substitutions. Who wrote that?**  
24 A. Dr. Umble.  
25 **Q. Now, there is a signature at the**

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1 **bottom of the page here where it says**  
2 **for exception requests to requirements**  
3 **in General Education or university**  
4 **academic policy ---?**  
5 A. Dr. Umble's signature.  
6 ATTORNEY KRAMER:  
7 You have to let him  
8 finish.  
9 BY ATTORNEY VOIGT:  
10 **Q. Is that Dr. Umble's signature?**  
11 A. Uh-huh (yes).  
12 **Q. Is that a yes?**  
13 A. Yes.  
14 ATTORNEY KRAMER:  
15 Let him ask the question.  
16 A. I'm sorry.  
17 BY ATTORNEY VOIGT:  
18 **Q. Now, turn to page two of five of**  
19 **Exhibit 70. Whose signature is that?**  
20 A. That's Dr. Umble's.  
21 **Q. What does that mean, I need 235**  
22 **substituted for 233, and 240 moved to**  
23 **elective? Is that what that says?**  
24 A. Yes, it is.  
25 **Q. What does that mean?**

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1 A. Well, it means that the request  
2 was to take one English course to count  
3 for another one and move one course  
4 that was in one spot to another spot.  
5 **Q. When you say one spot to another**  
6 **spot, can you be more specific?**  
7 A. In the student's degree programs  
8 for the BA and the BSE, they have to  
9 take a certain number of courses that  
10 fill requirements within those degrees.  
11 And so when they go on to the DARS  
12 Audit, they go on in the slots that  
13 they fill towards the degree. So there  
14 was one course being counted one place  
15 that needed to be counted someplace  
16 else.  
17 **Q. Turn to page three of five. Why**  
18 **is there an approved stamp in the upper**  
19 **right?**  
20 A. Because it was approved for the  
21 change.  
22 **Q. By who?**  
23 A. I don't know.  
24 **Q. Was it you?**  
25 A. No.

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1 **Q. And turn to page four of five.**  
2 **This says, I need 331 moved to Amer.**  
3 **Lit, that's A-M-E-R, and 321 moved to**  
4 **Elective.**  
5 A. Uh-huh (yes).  
6 **Q. Why would that be necessary?**  
7 A. To complete requirements for the  
8 BSE degree for the same reason that we  
9 moved the other courses around in the  
10 first form.  
11 **Q. And turn to page five of five.**  
12 **Now, it says here, I am requesting an**  
13 **exception to requirement. And then**  
14 **there's an X in General Education.**  
15 A. Uh-huh (yes).  
16 **Q. Is that a yes?**  
17 A. Yes. I'm sorry.  
18 **Q. Did you write that, that X?**  
19 A. No. Probably --- I'd say ---  
20 no.  
21 **Q. Well, you can compare the**  
22 **writing on the X before General**  
23 **Education with the writing on Stacey**  
24 **Snyder's signature. And you would**  
25 **agree, would you not, that a different**

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1 pen was used?  
2 A. I don't know. I have no way of  
3 knowing that.  
4 **Q. Doesn't it appear that way, that**  
5 **a felt tip marker ---?**  
6 A. One is bolder. One is bolder  
7 than the other.  
8 **Q. Now, compare Exhibit Five of**  
9 **five with Exhibit One of five. Would**  
10 **you not agree that Stacey's signature**  
11 **is exactly the same on both?**  
12 ATTORNEY KRAMER:  
13 I'm not going to have her  
14 become an expert graphologist on  
15 this, Mark. The signatures are  
16 what they are. She doesn't ---  
17 you know, I'm not going to have  
18 her compare the signatures.  
19 ATTORNEY VOIGT:  
20 Well, a lay person can  
21 see that it is.  
22 ATTORNEY KRAMER:  
23 Well, I don't know that  
24 they ---.  
25 A. I have no expertise in

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1 handwriting analysis.  
2 BY ATTORNEY VOIGT:  
3 **Q. Let me ask you a question. How**  
4 **is it that Kim McCollum-Clark signed on**  
5 **May 17th on a document that Stacey**  
6 **signed on May 12th?**  
7 ATTORNEY KRAMER:  
8 Are you on five of five  
9 now?  
10 ATTORNEY VOIGT:  
11 Yes, five of five.  
12 BY ATTORNEY VOIGT:  
13 **Q. How is it that Kim McCollum-**  
14 **Clark signed that document?**  
15 ATTORNEY KRAMER:  
16 Answer only if you know.  
17 A. You mean, do I know where Kim  
18 was when this was signed?  
19 BY ATTORNEY VOIGT:  
20 **Q. Why does this document exist?**  
21 **Why was it necessary for you to write**  
22 **yet another exception to graduation**  
23 **requirements?**  
24 A. Well, as the form indicates,  
25 there had to be a change in --- there

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1 had to be a change in the General  
2 Education core to create a minor  
3 because the BA students have to  
4 graduate with a minor and Dr. McCollum-  
5 Clark must have been on campus that day  
6 and signed the form for Stacey.  
7 **Q. Stacey didn't sign this**  
8 **form ---?**  
9 A. No. She signed her own name.  
10 **Q. Let me finish my question.**  
11 **Stacey did not sign this form on May**  
12 **17th, 2006. We can agree on that?**  
13 ATTORNEY KRAMER:  
14 Well, it says 5/12. We  
15 can assume that she signed it  
16 5/12. But Dr. Schneller has no  
17 information when she signed ---.  
18 BY ATTORNEY VOIGT:  
19 **Q. Did you observe her sign this**  
20 **document?**  
21 A. I'm not sure.  
22 **Q. When Stacey was in your office**  
23 **on May 12th, 2006, did you have her**  
24 **sign blank authorizations so that you**  
25 **could fill in what was necessary later?**

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1 A. No. She was present when ---  
2 the back page --- there should be a  
3 second side ---.  
4 **Q. Answer the question, please.**  
5 A. No. She didn't sign any blank  
6 documents.  
7 **Q. Then how is it that Stacey**  
8 **signed these two documents that one**  
9 **bears your signature on advisor's line**  
10 **and one bears Kimberly McCollum-**  
11 **Clark's signature on a different date?**  
12 ATTORNEY KRAMER:  
13 Don't speculate.  
14 A. We filled out these forms on  
15 Friday, when Stacey --- we filled out  
16 these forms when Stacey was in my  
17 office on Friday for the change of  
18 major.  
19 BY ATTORNEY VOIGT:  
20 **Q. But can we agree that you added**  
21 **additional information to the form**  
22 **after May 12th, 2006 when Stacey signed**  
23 **the document?**  
24 A. She was --- well, are we talking  
25 about one, three or five?

18 (Pages 66 to 69)

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1 **Q. Five. You added more**  
2 **information after Stacey's signature;**  
3 **right?**  
4 A. Five. For five we added  
5 signatures of approval after Stacey  
6 signed the document.  
7 **Q. Did you tell Stacey about that?**  
8 **Did you ever share this document, P-70,**  
9 **page five of five with Stacey?**  
10 A. This was part of the form.  
11 These were part of the forms that had  
12 to be signed for her to get the BA, so,  
13 yes, she knew what forms had to be  
14 filled out and she knew why.  
15 **Q. Now, on the third amended**  
16 **complaint, paragraph 44, it reads, at**  
17 **the time Plaintiff lacks sufficient**  
18 **course credits in the English**  
19 **Department to graduate with a BA in**  
20 **English. Is that true?**  
21 ATTORNEY KRAMER:  
22 If she could, please, see  
23 that.  
24 ATTORNEY VOIGT:  
25 Sure. Second page.

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1 BY ATTORNEY VOIGT:  
2 **Q. Is that a true statement?**  
3 ATTORNEY KRAMER:  
4 I'll object to the form.  
5 A. Did you ask me if it's true?  
6 ATTORNEY VOIGT:  
7 Yes.  
8 A. No. No, it's not.  
9 BY ATTORNEY VOIGT:  
10 **Q. So, you ---?**  
11 A. Because ---.  
12 **Q. Let me finish my question. So**  
13 **you did not --- strike that.**  
14 **You changed certain credits from**  
15 **General Education credits to English**  
16 **Department specific credits on Stacey's**  
17 **behalf; correct?**  
18 A. No, not General Education.  
19 **Q. What type of credits would you**  
20 **consider the ones that you changed on**  
21 **Stacey's behalf?**  
22 A. Well, we changed English degree  
23 --- we changed English program credits  
24 to have the courses that are shown on  
25 these exception forms that were

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1 originally counted in one place for the  
2 BSE degree to substitute for things  
3 that were needed for her to complete  
4 the BA degree. But this says that she  
5 lacks sufficient course credits, which  
6 she didn't. We just had to --- we just  
7 had to move them from one curriculum  
8 design to the other.  
9 **Q. What's a curriculum design?**  
10 A. Well, do you not have the  
11 curriculum sheets that shows the  
12 degrees ---?  
13 **Q. Just answer the question.**  
14 **What's a curricular design? He can't**  
15 **help you. What's a curricular design?**  
16 A. Well, it's just a --- it's just  
17 how the courses are put together for  
18 the programs. So it was just a way of  
19 describing them. So to move from one  
20 program to the other with the courses  
21 that she had, we had to flip them  
22 around.  
23 **Q. Now, you have students majoring**  
24 **in English who are not seeking a BSE**  
25 **degree; correct?**

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1 A. Yes.  
2 **Q. And those students have to**  
3 **fulfill all of the requirements,**  
4 **including all the various pigeonholes**  
5 **of curricular exactitude that you have**  
6 **in place; correct?**  
7 ATTORNEY KRAMER:  
8 Object to the form. You  
9 can answer.  
10 BY ATTORNEY VOIGT:  
11 **Q. They have to meet certain**  
12 **criteria and take certain courses to**  
13 **graduate with a BA in English; is that**  
14 **correct?**  
15 A. Yes.  
16 **Q. Yet Stacey didn't have to do**  
17 **that; right?**  
18 A. We moved her --- we moved  
19 courses around that she already had  
20 completed so that she would have the  
21 120 credits necessary to graduate with  
22 a BA.  
23 **Q. Did you believe that was fair to**  
24 **the other English Department students**  
25 **who had to work hard in each and every**

1 **core curricular area?**  
 2 ATTORNEY KRAMER:  
 3 I object to the form.  
 4 You can try to answer.  
 5 A. I really wasn't terribly  
 6 concerned about the other students at  
 7 the time. I was concerned about  
 8 helping Stacey.  
 9 BY ATTORNEY VOIGT:  
 10 **Q. Did you consult with Dr. Wenrich**  
 11 **during your effort to change Stacey's**  
 12 **credits around at the time?**  
 13 A. Yes.  
 14 **Q. And what, if any, conversations**  
 15 **did you have with Dr. Wenrich?**  
 16 A. We would have discussed what ---  
 17 we would have discussed what was on  
 18 Stacey's audit that we could use to  
 19 accomplish the BA, because we would  
 20 need to corroborate on the completed  
 21 forms for them ---.  
 22 **Q. Am I correct that if you do not**  
 23 **fill the forms out correctly, the**  
 24 **Registrar's Office will contact you?**  
 25 A. No.

1 **Q. What will happen if you don't**  
 2 **fill the forms out correctly?**  
 3 A. If we don't fill out the  
 4 exception forms correctly?  
 5 **Q. Yes.**  
 6 A. They go from us to the Dean's  
 7 Office. So the Dean's Office would  
 8 look at them. And if there was a  
 9 problem, that would be the party that I  
 10 would deal with.  
 11 **Q. And who in the Dean's Office**  
 12 **would become involved if you did not**  
 13 **fill the forms out correctly?**  
 14 ATTORNEY KRAMER:  
 15 That calls for  
 16 speculation.  
 17 BY ATTORNEY VOIGT:  
 18 **Q. If you know. Who in the Dean's**  
 19 **Office would contact you if you did not**  
 20 **fill out the forms on Stacey's behalf**  
 21 **correctly?**  
 22 A. The Dean.  
 23 **Q. And who would the Dean be?**  
 24 A. At that time, I guess it was  
 25 Dean Short.

1 **Q. The same person that put Stacey**  
 2 **on the Dean's List; correct?**  
 3 A. It is the same person. He is  
 4 the same person.  
 5 **Q. Have you ever had a case ---**  
 6 **strike that.**  
 7 **Up until May of 2006, had you**  
 8 **ever had a case in which Dean Short**  
 9 **contacted you to question the**  
 10 **exceptions that you filled out on a**  
 11 **student's behalf concerning courses?**  
 12 A. I don't remember now.  
 13 **Q. Is Dean Short in some capacity**  
 14 **your supervisor or your superior?**  
 15 A. Yes.  
 16 **Q. In what way? How is he your**  
 17 **superior?**  
 18 A. In an academic institution we  
 19 use the phrase direct report. And the  
 20 Dean is my direct report, so he is  
 21 aware --- in the hierarchy of the  
 22 university, he is aware of what we do  
 23 as department chairs.  
 24 **Q. And does he in some way prepare**  
 25 **documents or otherwise evaluate your**

1 **fitness as a department chair?**  
 2 ATTORNEY KRAMER:  
 3 Are you asking if he does  
 4 performance evaluations?  
 5 BY ATTORNEY VOIGT:  
 6 **Q. Yes. As of May 2006, did Dean**  
 7 **Short prepare performance evaluations**  
 8 **on you?**  
 9 A. No.  
 10 **Q. Did he evaluate you in any way**  
 11 **as of May 2006? You said he was your**  
 12 **superior of some kind.**  
 13 A. As a tenured faculty member, we  
 14 have five year review post tenure. He  
 15 may have been the person who did that,  
 16 but there were transitions in the  
 17 Dean's Office, so I'm not sure if he  
 18 did.  
 19 **Q. And is it possible that an**  
 20 **incorrectly completed exception request**  
 21 **might be an item that could come up on**  
 22 **your five year tenure review?**  
 23 A. No.  
 24 **Q. They don't care about things**  
 25 **like that?**



1 A. I'm a teaching faculty member  
 2 and a professor at the university.  
 3 **Q. So they don't care about**  
 4 **graduation exceptions?**  
 5 A. These forms you can't --- these  
 6 forms you can't mess up. I mean, the  
 7 only thing --- the only thing that they  
 8 could say is, they could look at what  
 9 you were asking for and say, we don't  
 10 --- you know, is there another way that  
 11 the student could, you know, complete a  
 12 course or, you know, they might ask or  
 13 they might turn it back and say, well,  
 14 this person is asking for an exception  
 15 and they're a freshman. They're going  
 16 to graduate in four years.  
 17 There's not any way that you can  
 18 that you can --- you keep saying could  
 19 they be filled out incorrectly. There  
 20 isn't any way to fill them out  
 21 incorrectly. This is a curriculum  
 22 approval amendment process or  
 23 adjustment process.  
 24 **Q. Isn't it possible that the Dean**  
 25 **might ask you why you were changing a**

1 A. It wasn't a conversation.  
 2 **Q. Well, you spoke to her, but it**  
 3 **wasn't a conversation.**  
 4 A. Well, we smiled at each other.  
 5 She hugged me. I said congratulations.  
 6 You don't have conversations with  
 7 people at graduation. You say hello,  
 8 goodbye, good luck. I mean, that's  
 9 basically it, you know.  
 10 **Q. Since the event of May 2006,**  
 11 **have you had any conversations with Dr.**  
 12 **Bray about the events in this lawsuit,**  
 13 **outside the presence of counsel?**  
 14 A. Can you be more specific about  
 15 what you mean by events?  
 16 **Q. Do you understand the events**  
 17 **that are complained of in this lawsuit?**  
 18 A. Yes.  
 19 **Q. About those events, did you have**  
 20 **any conversations with Dr. Bray since**  
 21 **May of 2006?**  
 22 A. Yes.  
 23 **Q. When?**  
 24 A. After the lawsuit was made  
 25 public and we saw it in the papers, the

1 **student's degree from a BSE to a BA the**  
 2 **day before graduation? Isn't that**  
 3 **possible?**  
 4 ATTORNEY KRAMER:  
 5 It calls for speculation.  
 6 ATTORNEY VOIGT:  
 7 You can answer.  
 8 A. Anything is possible.  
 9 BY ATTORNEY VOIGT:  
 10 **Q. Why did you pick English to have**  
 11 **Stacey graduate as an English degree?**  
 12 **Why not some other degree?**  
 13 A. She's involved in my department.  
 14 She chose English as her degree.  
 15 **Q. She chose a BSE, not a ---.**  
 16 ATTORNEY KRAMER:  
 17 Objection. It's  
 18 argumentative.  
 19 BY ATTORNEY VOIGT:  
 20 **Q. Did you attend Stacey's**  
 21 **graduation?**  
 22 A. Yes.  
 23 **Q. Did you speak to her that day?**  
 24 A. Yes. I think I did.  
 25 **Q. Describe that conversation.**

1 local papers.  
 2 **Q. What did you talk to Dr. Bray**  
 3 **about?**  
 4 A. I said, I was surprised that  
 5 Stacey had --- that Stacey was doing  
 6 this.  
 7 **Q. Why were you surprised?**  
 8 A. Because she was so --- because  
 9 she --- because she was so glad when  
 10 she graduated on May 13th to have a  
 11 degree. And she was very upset. She  
 12 was --- you know, she was looking at  
 13 her career and saying, what am I going  
 14 to do? And we sat in my office. We  
 15 talked about the forms. We talked  
 16 about the degree transition and she ---  
 17 you know, she left --- she left happy.  
 18 I mean, in the sense that if you think  
 19 that your career is --- you know, that  
 20 you're not going to get something that  
 21 you had worked so hard for, for four  
 22 years and you're looking at it saying,  
 23 my career is going to be over or  
 24 whatever. And then someone can say,  
 25 well, we can fix it like this. A human

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1 response is to be ---.  
2 **Q. Is that what you think you did?**  
3 **Do you think you fixed it for Stacey?**  
4 A. Well, not fix. I mean to offer  
5 her another alternative to give her a  
6 way to achieve her goal.  
7 **Q. You're aware that Stacey has**  
8 **never received her teaching degree;**  
9 **correct?**  
10 ATTORNEY KRAMER:  
11 Don't speculate.  
12 A. No.  
13 BY ATTORNEY VOIGT:  
14 **Q. Are you aware that Stacey now**  
15 **works as a waitress at the local**  
16 **American ---?**  
17 A. No.  
18 **Q. Are you aware that Stacey works**  
19 **as a clothing salesman?**  
20 A. No.  
21 **Q. Are you aware that Stacey has**  
22 **never become a teacher?**  
23 A. Well, yes, because that was what  
24 was mentioned in the original newspaper  
25 articles. But other than that, I don't

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1 know anything about what she is doing  
2 or what she has done. I only know what  
3 was reported in the newspaper. And I  
4 looked at it one time when I saw the  
5 picture on the cover of the paper and  
6 that was it.  
7 **Q. Are you aware that Stacey could**  
8 **not repay her student loans?**  
9 A. No.  
10 **Q. Are you aware that because of**  
11 **that Millersville would not release**  
12 **Stacey's transcript for almost two**  
13 **years?**  
14 A. No.  
15 **Q. Since May of 2006, have you had**  
16 **any conversations with Dr. Wenrich**  
17 **about the matters complained about in**  
18 **this complaint?**  
19 A. No.  
20 **Q. Since May of 2006, have you had**  
21 **any conversations with Barry Girvin**  
22 **about the matters set forth in the**  
23 **complaint?**  
24 A. No.  
25 **Q. Since May of 2006, have you had**

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1 **any conversations with Deann Buffington**  
2 **about the matters in the complaint?**  
3 A. No.  
4 **Q. Have you had any conversations**  
5 **with Nicole Reinking about the matters**  
6 **in the complaint?**  
7 A. No.  
8 **Q. Who do you believe made the**  
9 **decision to deny Stacey her Bachelor of**  
10 **Science in Education Degree?**  
11 ATTORNEY KRAMER:  
12 If you know the answer,  
13 you may answer.  
14 A. I don't know the answer to that.  
15 BY ATTORNEY VOIGT:  
16 **Q. Why not?**  
17 ATTORNEY KRAMER:  
18 I'll object.  
19 BY ATTORNEY VOIGT:  
20 **Q. Why don't you know the answer?**  
21 ATTORNEY KRAMER:  
22 Object as to form. And  
23 you can try to answer.  
24 A. Why don't I know?  
25 BY ATTORNEY VOIGT:

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1 **Q. Well, you're a department head**  
2 **at Millersville. Do you not know who**  
3 **would make the decision from one of**  
4 **your English Department students not to**  
5 **get a BSE degree?**  
6 ATTORNEY KRAMER:  
7 It's a different  
8 department.  
9 ATTORNEY VOIGT:  
10 I appreciate your  
11 coaching, but why don't you let  
12 the witness answer.  
13 BY ATTORNEY VOIGT:  
14 **Q. Why would you not know something**  
15 **like that?**  
16 A. Well, it doesn't come up in my  
17 routine work.  
18 **Q. But it came up in Stacey's case;**  
19 **right? Would it not behoove you to**  
20 **know who made the decision that Stacey**  
21 **would not receive a BSE?**  
22 ATTORNEY KRAMER:  
23 Objection, argumentative.  
24 BY ATTORNEY VOIGT:  
25 **Q. In Stacey's case, why would you**

22 (Pages 82 to 85)

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1 **not want to know who made the decision**  
 2 **to deny Stacey her BSE degree?**  
 3 A. My only part in this was to help  
 4 Stacey achieve a college degree because  
 5 that's what she wanted. And the way to  
 6 do that was to process her through from  
 7 a BSE to a BA. The Commonwealth of  
 8 Pennsylvania, as far as I understand,  
 9 at the end of commencement when the  
 10 President says, according to the powers  
 11 vested in me by the Commonwealth, I  
 12 confer on you your degree, you know, I  
 13 have no reason to even think about  
 14 anything like that because that's not  
 15 what I do. I'm not a university  
 16 president and I don't have a role in  
 17 that.  
 18 **Q. Did you take Dr. Bray's word for**  
 19 **it when she called you that time and**  
 20 **said, we're changing Stacey's degree**  
 21 **from a BSE to a BA?**  
 22 ATTORNEY KRAMER:  
 23 I object. She said  
 24 Stacey came in and explained  
 25 that, not Dr. Bray.

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1 BY ATTORNEY VOIGT:  
 2 **Q. During your --- let me rephrase**  
 3 **that. You had one conversation with**  
 4 **Dr. Bray about Stacey. Is that the sum**  
 5 **total of your conversations with Dr.**  
 6 **Bray?**  
 7 A. I told you I don't remember how  
 8 many conversations there were. It's  
 9 been two years ago.  
 10 **Q. In that conversation, did Dr.**  
 11 **Bray say to you that Stacey was getting**  
 12 **a --- was not getting a BSE? Is that**  
 13 **what she said to you?**  
 14 A. I don't know that she said that  
 15 to me.  
 16 ATTORNEY VOIGT:  
 17 Let's take a short break  
 18 and I'll take a look at my  
 19 notes.  
 20 SHORT BREAK TAKEN  
 21 EXAMINATION  
 22 BY ATTORNEY KRAMER:  
 23 **Q. When Ms. Snyder went to you on**  
 24 **May 12th, 2006, ---**  
 25 A. Uh-huh (yes).

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1 **Q. --- what information did she**  
 2 **tell you about her situation?**  
 3 A. She said to me that she was not  
 4 going to be able to complete her  
 5 student teaching.  
 6 **Q. Did she tell you why?**  
 7 A. She said there had been a  
 8 problem at the school.  
 9 **Q. Anything else that she said?**  
 10 A. She expressed concern about how  
 11 she was going to be able to graduate  
 12 the next day.  
 13 ATTORNEY KRAMER:  
 14 Nothing else.  
 15 ATTORNEY VOIGT:  
 16 Thank you.  
 17 A. Uh-huh (yes).  
 18 \* \* \* \* \*  
 19 DEPOSITION CONCLUDED  
 20 \* \* \* \* \*  
 21  
 22  
 23  
 24  
 25

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1 CERTIFICATE  
 2  
 3 I HEREBY CERTIFY THAT THIS ELECTRONIC TRANSCRIPT WAS  
 4 REPORTED BY ME AND THEREAFTER REDUCED TO TYPEWRITING AND THAT  
 5 THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD THEREOF.  
 6  
 7 SARGENT'S COURT REPORTING SERVICE, INC.  
 8  
 9  
 10 \_\_\_\_\_  
 11  
 12 COURT REPORTER  
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**EXHIBIT J**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STACY SNYDER,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MILLERSVILLE UNIVERSITY,	:	
<u>et al.</u>	:	07-1660
	:	
Defendants.	:	

**Declaration**

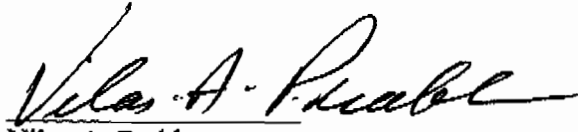
I, Vilas A. Prabhu, hereby declare as follows:

1. I am the Provost at Millersville University. In that capacity, among other responsibilities, I hear students' academic appeals.
2. In February 2007, Stacy Snyder appealed the May 2006 denial of a B.S.Ed. degree and requested a hearing pursuant to Millersville's Academic Appeals Policy.
3. As Provost, I conducted that hearing. As described in my March 26, 2007, letter to Ms. Snyder and her counsel, which is attached hereto, I denied her appeal because the evidence showed, among other things, that she failed to satisfy the University academic requirements for student teaching.
4. Plaintiff's internet posting, the so-called "drunken pirate" picture and accompanying text, did not play any role in my decision. In fact, at that time I had not even seen a copy of the internet posting in question.

I declare under penalty of perjury that the foregoing facts are true and correct.

Millersville, PA

DATED: 04/03/2008



Vilas A. Prabhu

Provost and Vice President for Academic Affairs  
Phone: 717-872-3596  
Fax: 717-871-2251

March 26, 2007

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Ms. Stacy L. Snyder  
847 Bunker Hill Road  
Strasburg, PA 17579

Mark W. Voigt, Esq.  
Attorney at Law  
Plymouth Meeting Executive Campus  
Suite 400  
600 West Germantown Pike  
Plymouth Meeting, PA 19462

**RE: Academic Appeal of Stacy Snyder - Student Teaching Performance**

Dear Ms. Snyder and Mr. Voigt:

The purpose of this letter is to inform you of my decision regarding your academic appeal. Specifically, you requested that I review the determination that Dr. Jane Bray, Dean of the School of Education, made on May 15, 2006. My understanding is that Dr. Bray denied your appeal because you failed to satisfy the University's academic requirements for student teaching. Your failure to satisfy the proficiency standards of the Pennsylvania Department of Education ("PDE") precludes you from receiving teacher certification, and played a critical role in Dr. Bray's determination.

Pursuant to Millersville University's Academic Appeals Policy published on page 53 of the 2006-2007 Undergraduate Catalog, I personally met with you, in the presence of your attorney, and carefully reviewed the materials you submitted in support of your academic appeal. Dr. Bray and Dr. Judith Wenrich, Student Teaching Coordinator in the School of Education, also attended the meeting and submitted materials regarding your student teaching performance.

The documentation shows that Millersville University admitted you into its Advanced Professional Studies Program, which required you to complete a student teaching component in order to receive a Bachelor of Science in Education (B.S.Ed.) degree. Prior to your student teaching assignment, the University provided you with a Guide for Student Teaching. The Guide states that in order to receive teaching certification in Pennsylvania, a Millersville University student must satisfactorily complete student teaching. Each student teacher candidate is evaluated in the categories set forth in the PDE-430 form, which are Planning and Preparation, Classroom Environment, Instructional Delivery and Professionalism. According to the Guide, each candidate must receive a satisfactory rating in all of the categories listed on the PDE-430 in order to be eligible for certification by the Commonwealth. The Guide also states, under the heading "Professional Conduct," the following requirement: "...the Student Teacher needs to maintain the same professional standards expected of the teaching employees of the cooperating school."

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Ms. Stacy L. Snyder and Mr. Mark W. Voigt, Esq.

March 26, 2007

Page 3 of 3

with regard to professional matters, you displayed poor judgment throughout the entire semester.

Consistent with these evaluations, the final PDE-430 form completed by your University supervisor, and required by the Commonwealth of Pennsylvania for eligibility for teaching certification, shows an unsatisfactory rating in Professionalism. There are eight performance indicators for the Professionalism category. The University supervisor cited half of the total list as not having been demonstrated. These included the following:

- Integrity and ethical behavior, professional conduct as stated in Pennsylvania Code of Professional Practice and Conduct for Educators; and local, state, and federal, laws and regulations
- Effective communication, both oral and written with students, colleagues, paraprofessionals, related service personnel, and administrators.
- Ability to cultivate professional relationships with school colleagues.
- Knowledge of Commonwealth requirements for continuing professional development and licensure.

In addition, the University supervisor rated your performance in the professionalism component of the student teaching evaluation as unsatisfactory.

Based on a review of the entire record, I have decided to uphold the determination of Dr. Bray. Your overall poor performance during student teaching resulted in your ineligibility to receive teaching certification from the Commonwealth. Accordingly, it is my determination that Dr. Bray fairly resolved this academic issue by allowing you to graduate on time with a Bachelor of Arts degree in English.

I wish you success in your future pursuits.

Sincerely,



Vilas A. Prabhu  
Provost and Vice President  
for Academic Affairs

nhk

c: Mr. Jeffrey Hawkins, University Legal Counsel, Pennsylvania State System  
of Higher Education



In addition to the PDE-430 form, Millersville University assesses student teachers' performance and provides them with feedback through a University assessment form, the Millersville Student Teaching Mid-Evaluation and Final Evaluation.

A review of the record shows the following:

Throughout your student teaching semester, you received feedback from your cooperating teacher and the University supervisor regarding your overall student teaching performance. The Millersville University evaluation forms document multiple concerns at both the mid-point and end of your student teaching semester.

At the midpoint of the semester, the cooperating teacher's Millersville Student Teaching Mid-Evaluation – English evaluated you as needing improvement or significant remediation in twelve different areas. The cooperating teacher's comments included the following:

- "Many errors were made in daily lessons that were partly due to weak content knowledge..."
- "Too many students are left behind as a result of ineffective lessons..."
- "... frequently, she resorts to talking over the students, twice shouting 'shut up,' and overall feeling and showing that she is frustrated and not in control."
- "Many students who completed Miss Snyder's earlier units in the course would not, I'm afraid, demonstrate a strong evidence of learning."

The cooperating teacher further reported numerous incidences of unprofessional behavior within the context of your supervised student teaching performance during the semester. This included playing a song that included profane language, attempting to regain order by telling the students to "shut up," discussing personal matters in front of students, failing to wear appropriate professional attire and not following the proper chain of command at the school. In addition, your cooperating teacher warned you to avoid discussions about Myspace.com and looking up student online accounts or corresponding with students on the website. You acknowledged in writing that several of these incidents did occur.

Also at the mid-point of the semester, the University supervisor evaluated you as needing improvement or significant remediation in twelve areas on the Millersville Student Teaching Mid-Evaluation - English. Consistent with this, he rated your performance as unsatisfactory in the Classroom Environment category of the mid-placement PDE-430 form. This equates to a failure, although at mid-placement the PDE-430 is a formative evaluation to provide the student teacher with feedback.

At the end of the semester, the final Millersville evaluations still show unsatisfactory performance in multiple areas, despite improvements noted in other areas. The cooperating teacher's final Millersville Student Teaching Final Evaluation – English shows unsatisfactory ratings in four of the six indicators of Professionalism and in two indicators of Preparation. As evidence, the cooperating teacher stated, "Most of Miss Snyder's written and oral communications with students and staff contained numerous grammatical and/or content errors, which is a cause for concern for an evaluator of a future English teacher. Frequently, in fact, her students corrected her during her lessons." In addition, the cooperating teacher noted that

**EXHIBIT K**



**SARGENT'S  
COURT  
REPORTING**

**Quality Work. Quality People.**

**Transcript of the Testimony of Gerald Huesken**

**Date:** April 4, 2008

**Case:** Snyder v. Millersville University

**Printed On:** April 7, 2008

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT  
OF PENNSYLVANIA

\* \* \* \* \*

STACEY SNYDER, \*  
Plaintiff \* Case No.  
vs. \* 07-1660  
MILLERSVILLE \*  
UNIVERSITY, \*  
Defendant \*

\* \* \* \* \*

DEPOSITION OF  
GERALD G. HUESKEN, ED.D.  
April 4, 2008

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is prohibited without authorization  
by the certifying agency.

Page 2

1 DEPOSITION  
 2 OF  
 3 GERALD G. HUESKEN, ED.D., taken on  
 4 behalf of the Plaintiff herein,  
 5 pursuant to the Rules of Civil  
 6 Procedure, taken before me, the  
 7 undersigned, Hilary Culver, a Court  
 8 Reporter and Notary Public in and for  
 9 the Commonwealth of Pennsylvania, at  
 10 the law offices of Kegel, Kelin, Almy &  
 11 Grimm, LLP, 24 North Lime Street,  
 12 Lancaster, Pennsylvania, on Friday,  
 13 April 4, 2008 beginning at 10:30 a.m.  
 14  
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Page 4

1 I N D E X  
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 3 WITNESS: GERALD G. HUESKEN, ED.D.  
 4 EXAMINATION  
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Page 3

1 A P P E A R A N C E S  
 2  
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 12 Office of Attorney General  
 13 21 South 12th Street  
 14 Philadelphia, PA 19107  
 15 COUNSEL FOR DEFENDANT  
 16 MILLERSVILLE  
 17  
 18 HOWARD KELIN, ESQUIRE  
 19 Kegel, Kelin, Almy & Grimm, LLP  
 20 24 North Lime Street  
 21 Lancaster, PA 17602  
 22 COUNSEL FOR  
 23 CONESTOGA VALLEY  
 24  
 25

Page 5

1 EXHIBIT PAGE  
 2  
 3 PAGE  
 4 NUMBER DESCRIPTION IDENTIFIED  
 5 102 Student Teacher List 24  
 6 103 Summary Policy 27  
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 19  
 20  
 21  
 22  
 23  
 24  
 25 EXHIBITS NOT ATTACHED

2 (Pages 2 to 5)



Page 10

1 years teaching in a classroom and 24  
2 years as a building and central office  
3 administrator.  
4 **Q. How long have you been at  
5 Conestoga Valley now?**  
6 A. Twenty (20) years, ten years as  
7 superintendent.  
8 **Q. Are you familiar with Stacey  
9 Snyder?**  
10 A. I'm familiar with the case.  
11 **Q. And you're aware that Ms. Snyder  
12 was a student teacher at Conestoga  
13 Valley here in the spring of 2006;  
14 right?**  
15 A. Yes.  
16 **Q. Did you have any interaction  
17 with Ms. Snyder when she was a student  
18 teacher?**  
19 A. No.  
20 **Q. You never met her or spoke to  
21 her?**  
22 A. No.  
23 **Q. Well, you're aware that Ms.  
24 Snyder eventually was forbidden to  
25 return to Conestoga Valley School**

Page 11

1 **District prior to the end of her  
2 student teaching assignment?**  
3 ATTORNEY KELIN:  
4 Objection to the form.  
5 Go ahead, you can answer the  
6 question, if you're able to.  
7 BY ATTORNEY VOIGT:  
8 **Q. Well, let me rephrase the  
9 question. You're aware that an  
10 incident occurred regarding Ms. Snyder  
11 and Conestoga Valley School District in  
12 or about early May of 2006; correct?**  
13 A. I'm aware of the situation.  
14 **Q. Did you play any role in the  
15 events that transpired in early May of  
16 2006?**  
17 A. No.  
18 **Q. Were you informed of those  
19 events as they were transpiring?**  
20 A. Yes. I was briefed.  
21 **Q. Who briefed you?**  
22 A. My assistant.  
23 **Q. Who was that?**  
24 A. Kim Seldomridge.  
25 **Q. And what is it --- is it Mr.**

Page 12

1 **Seldomridge, I take it?**  
2 A. Yes, it is.  
3 **Q. Does he hold a Doctorate Degree  
4 or no?**  
5 A. No.  
6 **Q. Does he hold a Master's Degree?**  
7 A. I believe he does, yes.  
8 **Q. What were you told about Ms.  
9 Snyder's incident?**  
10 ATTORNEY KELIN:  
11 Again, you're asking back  
12 in May of '06?  
13 BY ATTORNEY VOIGT:  
14 **Q. Yes, in May of 2006.**  
15 A. I know I was briefed on the  
16 situation. I can't say exactly what  
17 was said to me at that time, especially  
18 given what has transpired since then.  
19 So it would be difficult for me to say  
20 exactly what was said to me, but I was  
21 briefed on the situation. I was aware  
22 of it.  
23 **Q. Well, I'm not expecting you to  
24 remember verbatim what was said, but do  
25 you remember when you were briefed?**

Page 13

1 A. No.  
2 **Q. Do you remember what time of day  
3 it was?**  
4 A. No.  
5 **Q. Was it by telephone or in  
6 person?**  
7 A. It was probably in person, but I  
8 couldn't say that I remember.  
9 ATTORNEY KELIN:  
10 I'd just ask the witness  
11 not to speculate. If you can't  
12 remember, just say you don't  
13 remember.  
14 BY ATTORNEY VOIGT:  
15 **Q. What, if any, response did you  
16 have to Mr. Seldomridge?**  
17 A. I can't recollect what my  
18 response was.  
19 **Q. Did you have any conversations  
20 with --- well, first of all do you know  
21 who Deann Buffington is?**  
22 A. Yes.  
23 **Q. Did you have any conversations  
24 with Miss Buffington at or near May of  
25 2006?**

4 (Pages 10 to 13)

Page 14

1 A. I can't say definitely that I  
 2 did about this case.  
 3 **Q. Do you know who Nicole Reinking  
 4 is?**  
 5 A. Yes, I do.  
 6 **Q. Did you have any conversations  
 7 with Ms. Reinking about the matter?**  
 8 A. No.  
 9 **Q. Do you know who Jane Bray is?**  
 10 A. Yes.  
 11 **Q. Have you had any discussions at  
 12 any time about this case with Jane  
 13 Bray?**  
 14 A. No.  
 15 **Q. Have you had any discussions at  
 16 any time about this --- strike that.  
 17 Do you know who Vilas Prabhu is?**  
 18 A. No.  
 19 **Q. Do you know who Judith Wenrich  
 20 is?**  
 21 A. No. The name's familiar, but I  
 22 can't say that I know her.  
 23 **Q. Do you know who Beverly  
 24 Schneller is?**  
 25 A. No.

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1 **Q. Do you know who Barry Girvin is?**  
 2 A. Yes.  
 3 **Q. Have you had any conversations  
 4 with Mr. Girvin about Stacey's case at  
 5 any time?**  
 6 A. No.  
 7 **Q. Have you had any discussions  
 8 with Ms. Buffington at any time about  
 9 the circumstances of this case, outside  
 10 the presence of counsel?**  
 11 A. About this case? About this  
 12 deposition?  
 13 **Q. Yes, either the deposition or  
 14 the case.**  
 15 A. Only recently. She wanted to  
 16 make sure I had the packet that I  
 17 brought today. She had to make sure I  
 18 didn't read it and I didn't.  
 19 ATTORNEY KELIN:  
 20 It was the deposition  
 21 transcript that she returned to  
 22 me through Mr. Huesken ---  
 23 through Dr. Huesken.  
 24 BY ATTORNEY VOIGT:  
 25 **Q. Did you discuss the nature of**

Page 16

1 **the case at any time with Ms.  
 2 Buffington outside the presence of  
 3 counsel?**  
 4 A. Outside the presence of counsel?  
 5 **Q. Correct.**  
 6 A. I can't recollect that I did.  
 7 **Q. Did you discuss this case at any  
 8 time with Nicole Reinking outside the  
 9 presence of your attorney?**  
 10 A. No.  
 11 **Q. Now, you have a couple of three-  
 12 ring binders available here. Turn to  
 13 Exhibit 97, please. Are you familiar  
 14 with this document?**  
 15 A. Yes.  
 16 **Q. This is the professional  
 17 handbook dated September 2007.**  
 18 A. Uh-huh (yes).  
 19 **Q. Do you know whether there were  
 20 any changes in the professional  
 21 handbook?**  
 22 A. I wouldn't be able to say, no.  
 23 I'm sure there were some updates.  
 24 **Q. Let me finish the question  
 25 before you answer. I know you might**

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1 anticipate my questions, but ---. The  
 2 event that we're here about occurred in  
 3 May of 2006. Do you know whether this  
 4 handbook was updated in any way between  
 5 May of 2006 and September 2007?  
 6 A. I can't say.  
 7 **Q. Turn to page 13 of the  
 8 professional handbook, please.**  
 9 A. That was page 13. I'm sorry.  
 10 OFF RECORD DISCUSSION  
 11 BY ATTORNEY VOIGT:  
 12 **Q. Now, the first paragraph last  
 13 sentence it says, this handbook applies  
 14 to all exempt, paren, salary, close  
 15 paren, employees certificated by the  
 16 Department of Education. Do you know  
 17 whether this handbook is provided to  
 18 student teachers at the time that they  
 19 start?**  
 20 A. They are given direction how to  
 21 access it. It's online.  
 22 **Q. Who gives them that direction?**  
 23 A. The building principal.  
 24 **Q. Now, based on this sentence, was  
 25 Ms. Snyder an employee of the Conestoga**



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1 **Valley School District at any time?**  
 2 ATTORNEY KELIN:  
 3 I object as to form. I  
 4 also suspect that's outside his  
 5 scope of knowledge.  
 6 ATTORNEY VOIGT:  
 7 That's fine. Let me  
 8 rephrase the question.  
 9 BY ATTORNEY VOIGT:  
 10 **Q. Was Ms. Snyder an employee at**  
 11 **Conestoga Valley School District at any**  
 12 **point in time?**  
 13 ATTORNEY KELIN:  
 14 And I'll just object to  
 15 the use of the term employee.  
 16 You can answer it to the best of  
 17 your ability as a layman.  
 18 That's a compliment.  
 19 A. Thank you. I appreciate that.  
 20 She was not a paid employee of the  
 21 school district.  
 22 BY ATTORNEY VOIGT:  
 23 **Q. Was she an unpaid employee of**  
 24 **the school district?**  
 25 A. Student teachers are really

Page 19

1 apprentices or teachers in training. I  
 2 look at them that way.  
 3 **Q. Was she certificated?**  
 4 A. That's what she was working on,  
 5 her certificate.  
 6 **Q. But she was not certificated at**  
 7 **the time that she was at Conestoga**  
 8 **Valley School District; correct?**  
 9 A. That's correct.  
 10 **Q. And the manual applies to salary**  
 11 **employees, is that what it says?**  
 12 A. That's what it says.  
 13 **Q. And did Ms. Snyder receive a**  
 14 **salary at any time while she was at**  
 15 **Conestoga Valley?**  
 16 A. No.  
 17 **Q. Now, are you familiar with the**  
 18 **contents of the professional handbook?**  
 19 A. To a certain extent. I don't  
 20 have it memorized.  
 21 **Q. Is there any definition in the**  
 22 **professional handbook for the word**  
 23 **apprentice that you used?**  
 24 A. I don't think so.  
 25 **Q. Now, turn to page 44. This**

Page 20

1 **appears to be a section on company**  
 2 **files, facilities and equipment,**  
 3 **personal use of the phone, fax and**  
 4 **computers, et cetera. Are you familiar**  
 5 **with this section in the handbook?**  
 6 A. To a certain extent, yes.  
 7 **Q. Are there any other policies or**  
 8 **procedures in effect at Conestoga**  
 9 **Valley having to do with internet usage**  
 10 **or computer usage of any type that**  
 11 **you're aware?**  
 12 A. There's an Appropriate Use  
 13 Policy.  
 14 **Q. Is that in the handbook?**  
 15 A. It should be referenced in here.  
 16 I'm sure it's in here. It talks about  
 17 use of the internet.  
 18 **Q. There's an Acceptable Use**  
 19 **Policy.**  
 20 A. On the next page Acceptable Use  
 21 Policy.  
 22 **Q. Page 46.**  
 23 A. Right. And it's not the policy  
 24 verbatim, but most of it's in there.  
 25 Consequences of inappropriate use, I

Page 21

1 think that's what follows.  
 2 **Q. Page 48, it says consequences of**  
 3 **inappropriate use.**  
 4 A. That's correct.  
 5 **Q. In May of 2006, did the district**  
 6 **have any policy having to do with**  
 7 **MySpace accounts?**  
 8 A. No.  
 9 **Q. As of May of 2006, did the**  
 10 **district provide any training or**  
 11 **education to its staff on appropriate**  
 12 **use of MySpace accounts?**  
 13 A. I can't answer that.  
 14 **Q. Why not?**  
 15 A. Well, I'm not directly involved  
 16 in staff development to say that we  
 17 didn't have a staff developer piece  
 18 that talked about MySpace at that time.  
 19 I can't say definitely one way or the  
 20 other.  
 21 **Q. Turn to page 54 of the policy**  
 22 **manual, please. This talks about**  
 23 **employment classifications. Are you**  
 24 **familiar with this section?**  
 25 A. Uh-huh (yes).

Page 22

1 **Q. Is that a yes?**  
2 A. Yes. I'm sorry.  
3 **Q. Now, there was no reference to**  
4 **apprentices in your employment**  
5 **classification section; correct?**  
6 A. That's correct.  
7 **Q. Turn to page 98 or not 98,**  
8 **Exhibit 98. This is a letter that I**  
9 **sent to Helen, dated February 2, 2008.**  
10 **Have you ever seen this letter?**  
11 A. Yes.  
12 **Q. And turn to Exhibit 99, please.**  
13 **Now, this is a response, dated February**  
14 **19, 2008. Have you ever seen this?**  
15 A. Yes.  
16 **Q. And on page two you are copied**  
17 **on the document; is that correct?**  
18 A. Yes.  
19 **Q. So am I correct that you had**  
20 **input into the preparation of this**  
21 **document?**  
22 A. Yes.  
23 **Q. Now, question number one asks**  
24 **for all employment manuals pertaining**  
25 **to the hiring of teachers in the**

Page 23

1 **district. And on page 99, or Exhibit**  
2 **99, you say, I'm not sure what you mean**  
3 **here.**  
4 ATTORNEY KELIN:  
5 Well, he didn't say it.  
6 I said it.  
7 BY ATTORNEY VOIGT:  
8 **Q. Well, it says, not sure what you**  
9 **mean here. Now, I take it there's a**  
10 **district professional manual.**  
11 A. Excuse me?  
12 **Q. There's a district professional**  
13 **employee's manual?**  
14 A. That's what we just looked at.  
15 ATTORNEY KELIN:  
16 Exhibit 98.  
17 BY ATTORNEY VOIGT:  
18 **Q. Exhibit 98, the professional**  
19 **employee's manual. So other than that,**  
20 **there are no manuals pertaining to the**  
21 **employment or hiring of teachers?**  
22 A. There is a hiring manual. I'm  
23 not sure --- I don't think he made you  
24 copies yet.  
25 ATTORNEY KELIN:

Page 24

1 No, I did. I'll just go  
2 on record --- I did provide you  
3 the hiring manual. It was after  
4 this letter ---.  
5 BY ATTORNEY VOIGT:  
6 **Q. I take it you're familiar with**  
7 **the procedures for hiring employees in**  
8 **the district, professional employees in**  
9 **the district; is that correct?**  
10 A. Yes.  
11 **Q. And you would agree with me that**  
12 **professional employees who are hired**  
13 **must be approved by the school board?**  
14 A. That's correct.  
15 ATTORNEY VOIGT:  
16 And you were kind enough  
17 to provide us with a list of  
18 student teachers for the spring  
19 semester of 2005-2006. And  
20 we'll mark that as Exhibit ---  
21 we'll call that 102 here in this  
22 file.  
23 (Exhibit 102 marked for  
24 identification.)  
25 BY ATTORNEY VOIGT:

Page 25

1 **Q. Do you have that in front of**  
2 **you, sir?**  
3 A. No.  
4 **Q. Was this approved, this list**  
5 **approved by the school board?**  
6 A. Yes.  
7 **Q. In what fashion was it approved**  
8 **by the school board?**  
9 A. It's on their consent agenda and  
10 they vote on that agenda.  
11 **Q. And what is a consent agenda?**  
12 A. Consent agenda is a list of  
13 items that are either routine or have  
14 been talked about by the Board before  
15 and they actually vote on them as a  
16 group.  
17 **Q. So the school board would be**  
18 **presented with a list similar to P-102?**  
19 A. Correct.  
20 **Q. And they would vote yes or no on**  
21 **it?**  
22 A. Yes.  
23 **Q. Is that procedure different from**  
24 **the procedure in hiring a teacher as a**  
25 **professional employee?**

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1 **Q. But Millersville performs the**  
 2 **clearance check; right?**  
 3 A. Millersville collects the forms  
 4 from the students.  
 5 **Q. Number five says, documentation**  
 6 **that the district reviewed appropriate**  
 7 **citizenship documents from Stacey to**  
 8 **ensure that she's not an illegal alien.**  
 9 **Did the district do so?**  
 10 A. No.  
 11 **Q. Why not?**  
 12 A. We don't do that for student  
 13 teachers.  
 14 **Q. But you would do that for**  
 15 **teachers --- with respect to teachers;**  
 16 **correct?**  
 17 A. That's correct.  
 18 **Q. Is there a reason for the**  
 19 **difference?**  
 20 A. I can't say that I have one.  
 21 **Q. And number six on P-98 asks for**  
 22 **copies of all W-4 forms and IRS**  
 23 **recordkeeping documents, returning to**  
 24 **Exhibit 99. There are no such**  
 25 **documents; correct?**

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1 A. Not for her, no.  
 2 **Q. And why not?**  
 3 A. She's not paid a salary.  
 4 **Q. And number seven asks for a copy**  
 5 **of Stacey's personnel file. And I**  
 6 **think there's no documents for that?**  
 7 A. She does not have a personnel  
 8 file in my office.  
 9 **Q. And the teachers do; correct?**  
 10 A. The teachers do? I don't know  
 11 what you mean.  
 12 **Q. Well, teachers that are employed**  
 13 **by the Conestoga Valley School District**  
 14 **have personnel files; correct?**  
 15 A. In my office, that's correct.  
 16 **Q. And number eight asks for proof**  
 17 **that the district's school board**  
 18 **approved Stacey's hiring. You gave me**  
 19 **P-102; is that correct?**  
 20 A. That's correct.  
 21 **Q. Is there any other proof that**  
 22 **the district approved Stacey's hiring?**  
 23 A. That would be the approval.  
 24 **Q. And number nine asks for a copy**  
 25 **of Stacey's written employment**

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1 **contract. And I take it there was no**  
 2 **such document; right?**  
 3 A. That's correct.  
 4 **Q. Why not?**  
 5 A. She doesn't receive a salary.  
 6 **Q. Are you familiar with the**  
 7 **guidelines under the school code for**  
 8 **employment contracts? Is that a yes?**  
 9 A. Yes.  
 10 **Q. Do you know whether the school**  
 11 **code differentiates between salary and**  
 12 **non-salary, or does it just apply to**  
 13 **all teachers?**  
 14 A. Teachers that we hire and pay a  
 15 salary, I would say that applies to  
 16 them.  
 17 **Q. And number ten asks for the**  
 18 **report of Stacey's pre-employment**  
 19 **medical examination. And I believe**  
 20 **that none was completed; correct?**  
 21 A. Not for us, no.  
 22 **Q. Do you know if Millersville did**  
 23 **one?**  
 24 A. I'm not sure that they do  
 25 require one or not. I know that that

Page 33

1 might be a possibility.  
 2 **Q. But the district requires**  
 3 **medical examinations for all**  
 4 **perspective teachers; correct?**  
 5 A. That is correct.  
 6 **Q. Number 11 asks for proof that**  
 7 **Stacey read, understood and agreed to**  
 8 **comply with the district's policy**  
 9 **manual. And you said, see the**  
 10 **acknowledgement at the bottom, Bate**  
 11 **stamped CVSD 204. Other than the**  
 12 **response that Mr. Kelin gave in**  
 13 **paragraph 11 on P-99, are you aware of**  
 14 **any other proof that Stacey agreed to**  
 15 **comply with the district's policy**  
 16 **manual?**  
 17 A. I'm not aware that she signed  
 18 off on anything other than what she  
 19 signed for Millersville. However, we  
 20 don't ask our employees to sign off  
 21 on ---.  
 22 **Q. Do you know whether Stacey**  
 23 **actually received a policy manual?**  
 24 A. As I said earlier, they're given  
 25 the website to access it online.

Page 34

1 **Q. Now, if teachers were hired, are**  
 2 **they actually given a copy of the**  
 3 **policy manual?**  
 4 A. No. They're given the address,  
 5 the web address, where they can access  
 6 it online.  
 7 **Q. And number 12 it asks for proof**  
 8 **that Stacey received a copy of the**  
 9 **district's collective bargaining**  
 10 **agreement. I take it that Stacey did**  
 11 **not?**  
 12 A. Stacey did not.  
 13 **Q. Did not receive a copy of the**  
 14 **district's collective bargaining**  
 15 **agreement?**  
 16 A. Not from my office, no.  
 17 **Q. And you would agree with me that**  
 18 **Stacey is not subject to the district's**  
 19 **collective bargaining agreement?**  
 20 A. That's correct.  
 21 **Q. But all your teachers are**  
 22 **subject to the collective bargaining**  
 23 **agreement; correct?**  
 24 A. Not all of our teachers belong  
 25 to the local association, but we would

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1 apply the document to all our teachers.  
 2 **Q. And number 13 asks for proof**  
 3 **that the district provided Stacey a**  
 4 **notice of her rights under the Family**  
 5 **and Medical Leave Act. And I take it**  
 6 **that you have no such proof; correct?**  
 7 A. That's correct.  
 8 **Q. And what would be the reason for**  
 9 **that?**  
 10 A. I don't believe that applies to  
 11 her.  
 12 **Q. And why not?**  
 13 A. I think it applies to folks that  
 14 work a certain number of hours during  
 15 the course of the year for paid  
 16 service.  
 17 **Q. You would agree that paid**  
 18 **service differentiates.**  
 19 A. A certain number of hours, but  
 20 I'm not an expert on all of that.  
 21 **Q. And number 14 asks for proof**  
 22 **that Stacey received a copy of the**  
 23 **district's Sexual Harassment and**  
 24 **Improper Conduct policy. Does the**  
 25 **district have such a policy?**

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1 A. Yes, we do.  
 2 **Q. Did the district provide a copy**  
 3 **of that policy to Stacey?**  
 4 A. Not specifically.  
 5 **Q. Would you say in some sort of**  
 6 **general way?**  
 7 A. There's information that talks  
 8 about appropriate conduct in our  
 9 materials that we give them, however,  
 10 the policy and a signoff on that policy  
 11 was not given to her.  
 12 **Q. And what was the reason for**  
 13 **that?**  
 14 A. We generally do that for the  
 15 paid employees.  
 16 **Q. But you don't do that for your**  
 17 **student teachers; correct?**  
 18 A. No.  
 19 **Q. Why not?**  
 20 A. Why not?  
 21 **Q. Why not?**  
 22 A. I think the requirement is for  
 23 the paid employees to get it.  
 24 **Q. Number 15 asks for proof that**  
 25 **the district notified Stacey of the**

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1 **requirement that she must report all**  
 2 **incidents of suspected child abuse to**  
 3 **the authorities and you did not supply**  
 4 **proof; is that correct?**  
 5 A. I believe that's in the Code of  
 6 Ethics that the state establishes. So  
 7 that's something that is referenced in  
 8 our employee manual that employees need  
 9 to be familiar with that. I'm sure  
 10 Millersville teaches that as well.  
 11 **Q. What makes you so sure?**  
 12 A. Because you're required to make  
 13 sure that folks be prepared --- know  
 14 about that Code of Ethics. In fact, I  
 15 go over that Code of Ethics with all  
 16 our induction --- pre-teachers in our  
 17 induction program.  
 18 **Q. But back to my point ---.**  
 19 ATTORNEY KELIN:  
 20 Are you making points or  
 21 asking questions?  
 22 ATTORNEY VOIGT:  
 23 Back to my question.  
 24 BY ATTORNEY VOIGT:  
 25 **Q. Do you have any proof that the**

1 **district notified Stacey of the**  
 2 **requirement that as an employee she**  
 3 **must report all incidents of suspected**  
 4 **child abuse?**  
 5 A. I have no proof.  
 6 **Q. And number 16 asks for a form**  
 7 **signed by Stacey documenting her**  
 8 **understanding of the district's**  
 9 **prohibition of unlawful discrimination?**  
 10 A. I believe I answered that one.  
 11 **Q. I don't think so, but could you**  
 12 **repeat it, if you did.**  
 13 A. Well, I said we have a copy of  
 14 our policy, and our paid employees sign  
 15 off on that. And I didn't have one for  
 16 her.  
 17 **Q. And number 17 asks for copies of**  
 18 **all notices given to Stacey concerning**  
 19 **the district's Workers' Compensation**  
 20 **designated physicians. Did you give**  
 21 **Stacey a copy of that?**  
 22 A. No.  
 23 **Q. Why not?**  
 24 A. She's not a paid employee.  
 25 **Q. So Stacey, to your knowledge,**

1 **would not have been covered under the**  
 2 **district's Workers' Compensation**  
 3 **policy?**  
 4 A. Correct.  
 5 **Q. Does the district have a Medical**  
 6 **Insurance Policy for its teachers?**  
 7 A. Yes.  
 8 **Q. Would Stacey have been covered**  
 9 **under the district's Medical Insurance**  
 10 **Policy?**  
 11 A. No.  
 12 **Q. Why not?**  
 13 A. She's not a paid employee.  
 14 **Q. Number 18 asks for a copy of an**  
 15 **acknowledgment form signed by Stacey**  
 16 **documenting the district's prohibition**  
 17 **against teachers wearing religious garb**  
 18 **or jewelry. Did you give that to**  
 19 **Stacey?**  
 20 A. There are references to dress  
 21 code in our employee manual. And,  
 22 again, we don't have our paid employees  
 23 or student teachers sign off on that.  
 24 **Q. But there is an acknowledgement**  
 25 **form that's required under the school**

1 **code; correct?**  
 2 A. For what?  
 3 **Q. For teachers to acknowledge that**  
 4 **the district prohibits them from**  
 5 **wearing religious garb or jewelry.**  
 6 A. I can't say where that signoff  
 7 is included, no. There are things that  
 8 we put our new teachers through.  
 9 **Q. But in any event, Ms. Snyder did**  
 10 **not sign one, to your knowledge?**  
 11 A. That's correct.  
 12 **Q. And number 19 asks for documents**  
 13 **or rather forms signed by Stacey**  
 14 **concerning or acknowledging her rights**  
 15 **under the Family Education Rights and**  
 16 **Privacy Act. You don't have one of**  
 17 **those either; correct?**  
 18 A. No.  
 19 **Q. And the reason for that is what?**  
 20 A. She's not a paid employee.  
 21 **Q. Number 20 asks for a copy of any**  
 22 **notice provided to Stacey concerning**  
 23 **her rights under the Pennsylvania**  
 24 **Whistleblower Law. I take it you don't**  
 25 **have one of those either?**

1 A. That's correct.  
 2 **Q. Same reason?**  
 3 A. Yes.  
 4 **Q. And number 21 asks for copies,**  
 5 **an acknowledgement form signed by**  
 6 **Stacey concerning her obligation to act**  
 7 **in accordance with the various state**  
 8 **criminal laws applicable to district**  
 9 **employees. And I take it you don't**  
 10 **have anything responsive to that?**  
 11 A. That's correct.  
 12 **Q. Same reason?**  
 13 A. She's not a paid employee.  
 14 **Q. And 22 asks for copies of all**  
 15 **acknowledgement forms signed by Stacey**  
 16 **concerning her eligibility for**  
 17 **unemployment compensation benefits**  
 18 **during holidays and school recesses.**  
 19 **Do you see that?**  
 20 A. Yes, I see that.  
 21 **Q. And there's no documents;**  
 22 **correct?**  
 23 A. That's correct.  
 24 **Q. And you would agree with me that**  
 25 **after Stacey or after the events of May**

1 **2006, Stacey would not have been**  
 2 **eligible for unemployment**  
 3 **compensation ---?**  
 4 A. Correct.  
 5 **Q. Let me finish my question,**  
 6 **please. After the events of May 2006,**  
 7 **you would agree with me that Stacey**  
 8 **would not have been eligible for**  
 9 **unemployment compensation through the**  
 10 **district by virtue of her**  
 11 **relationship with ---?**  
 12 A. Could you repeat the question,  
 13 please?  
 14 **Q. You would agree with me that**  
 15 **after the events of May 2006, Stacey**  
 16 **was not eligible for unemployment**  
 17 **compensation through Conestoga Valley;**  
 18 **correct?**  
 19 A. Correct.  
 20 **Q. And the reason for that is ---?**  
 21 ATTORNEY KELIN:  
 22 Can we take a break?  
 23 A. Yeah. That would be great.  
 24 ATTORNEY VOIGT:  
 25 Let's take a quick break.

1 SHORT BREAK TAKEN  
 2 BY ATTORNEY VOIGT:  
 3 **Q. And let's see, 23 asks for**  
 4 **copies of all forms signed by Stacey**  
 5 **concerning her duty not to falsify time**  
 6 **records. I take it that Stacey did not**  
 7 **execute one of those; correct?**  
 8 A. That's correct.  
 9 **Q. And you make your teachers sign**  
 10 **those; correct?**  
 11 A. I can't answer that directly,  
 12 because when you're talking about time  
 13 records, that sounds more like  
 14 classified employees, so I would check  
 15 on that personnel requirement.  
 16 **Q. All right. Twenty-four (24)**  
 17 **asks for proof that the district**  
 18 **notified Stacey of her eligibility for**  
 19 **healthcare benefits as required by**  
 20 **COBRA. Do you see that?**  
 21 A. Yes, I see that.  
 22 **Q. And to your knowledge the**  
 23 **district did not do so; correct?**  
 24 A. That's correct.  
 25 **Q. And am I correct that after the**

1 **events of May of 2006, Stacey would not**  
 2 **have been eligible for continued**  
 3 **healthcare benefits through the**  
 4 **district under COBRA; correct?**  
 5 A. That's correct.  
 6 **Q. And the reason for that is what?**  
 7 A. She was not a paid employee  
 8 eligible for benefits.  
 9 **Q. But your regular teachers would**  
 10 **have been. If they would have been**  
 11 **laid off during the school year, they**  
 12 **could have applied for COBRA; correct?**  
 13 A. If they were eligible for  
 14 benefits.  
 15 **Q. Why would they not be eligible**  
 16 **for benefits?**  
 17 A. If they were part time.  
 18 **Q. And 25 asks for a copy of the**  
 19 **new hire report filed with the state by**  
 20 **the district on Stacey. I take it you**  
 21 **didn't do one of those; correct?**  
 22 A. No, we did not.  
 23 **Q. But you do that on your new**  
 24 **teachers; correct?**  
 25 A. That's correct.

1 **Q. Are you familiar with the term,**  
 2 **professional employee, as it's used in**  
 3 **this book?**  
 4 A. Yes.  
 5 **Q. And you would agree with me that**  
 6 **Stacey was not a professional employee**  
 7 **here at the school district as used**  
 8 **under the school code?**  
 9 ATTORNEY KELIN:  
 10 Well, I'll object --- as  
 11 he understands it.  
 12 ATTORNEY VOIGT:  
 13 As you understand it.  
 14 A. As I understand it, I can't say  
 15 that I know all of the legal intentions  
 16 that were implied by the statute, but I  
 17 assumed it would be a paid employee.  
 18 BY ATTORNEY VOIGT:  
 19 **Q. And the professional employee**  
 20 **designation applies only to those who**  
 21 **are certificated as teachers; correct,**  
 22 **if you know?**  
 23 A. I don't know if that's always  
 24 the case, but in most cases it's a  
 25 certificated employee.

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1 **Q. Now, all of the teachers that**  
2 **you have at Conestoga Valley School are**  
3 **certificated; am I correct?**  
4 A. All the employees?  
5 **Q. All the teachers.**  
6 A. All the teachers are  
7 certificated.  
8 **Q. Are you familiar with the term,**  
9 **temporary professional employee at the**  
10 **School District?**  
11 A. Yes.  
12 **Q. You would agree with me that**  
13 **Stacey was not a temporary professional**  
14 **employee ---?**  
15 A. That's correct.  
16 **Q. Let me finish the question. You**  
17 **would agree with me that during her**  
18 **internship or her student teaching**  
19 **assignment in the spring of 2006,**  
20 **Stacey was not a temporary professional**  
21 **employee of the Conestoga Valley School**  
22 **District as defined by the school code;**  
23 **correct?**  
24 A. That is correct.  
25 **Q. Are you familiar with the**

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1 **Pennsylvania Ethical Standard and**  
2 **Financial Disclosure requirements?**  
3 A. Yes, generally.  
4 **Q. Are you familiar with the term**  
5 **public employee ---?**  
6 A. Yes.  
7 **Q. And let me finish the question.**  
8 **Are you familiar with the term public**  
9 **employee as it's set forth in the**  
10 **Ethics Standards and Financial**  
11 **Disclosures section of the Pennsylvania**  
12 **statutes?**  
13 A. Yes.  
14 **Q. And you would agree with me that**  
15 **Stacey was not a public employee at the**  
16 **time that she was performing her**  
17 **student teaching assignment?**  
18 ATTORNEY KELIN:  
19 I have a continuing  
20 objection to asking Dr. Huesken  
21 to apply his layman's knowledge  
22 to principle of law as covered  
23 by the regulations of the  
24 statute.  
25 ATTORNEY KRAMER:

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1 Well, I'm going to --- if  
2 you're going to go into the  
3 Ethics Act, the definition of a  
4 public employee is very  
5 different than the definition  
6 for an employee, in any event.  
7 So there's even further fuel  
8 here on the questions about  
9 employees.  
10 ATTORNEY VOIGT:  
11 Okay. Well, you can  
12 answer the question because it's  
13 a simple answer.  
14 A. Know what answer?  
15 BY ATTORNEY VOIGT:  
16 **Q. The answer to whether Stacey was**  
17 **a public employee under the terms of**  
18 **the Ethics Act when she was a student**  
19 **teacher here.**  
20 A. I'm not sure --- that document  
21 --- and I may be misaligning it with  
22 something --- applies to --- more  
23 applies to administrators and Board  
24 members and elected officials.  
25 ATTORNEY KRAMER:

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1 It doesn't apply to  
2 teachers, so I mean you're  
3 really wasting time.  
4 BY ATTORNEY VOIGT:  
5 **Q. You referenced that Stacey was**  
6 **an apprentice. Are you applying some**  
7 **definition of an apprentice that you**  
8 **can fill me in on?**  
9 A. My understanding, student  
10 teachers are apprentices. I use that  
11 term like a teacher in training. We  
12 expect them to come in and act like a  
13 teacher and not act like a student.  
14 They're learning the profession.  
15 **Q. Are you aware that during her**  
16 **time at Conestoga Valley School, Stacey**  
17 **attended some faculty meetings? Do you**  
18 **remember that?**  
19 A. Student teachers aren't required  
20 to attend faculty meetings, but many of  
21 them do so that they're gaining the  
22 full experience of being a teacher.  
23 **Q. And you're aware that one of the**  
24 **criticisms that Ms. Reinking levied**  
25 **against Stacey was that she spoke up at**

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1 **faculty meetings? Do you know that?**  
2 ATTORNEY KELIN:  
3 Objection to the form.  
4 ATTORNEY KRAMER:  
5 I'm just going to object  
6 as to form. Moreover, he's  
7 already testified he had no  
8 involvement in what took place  
9 in May 2006, so I'm not sure  
10 what you're ---.  
11 ATTORNEY VOIGT:  
12 I'll withdraw it.  
13 BY ATTORNEY VOIGT:  
14 **Q. You gave us a faculty and staff**  
15 **manual for 2007-2008. Do you have that**  
16 **or does your counsel have that?**  
17 ATTORNEY KELIN:  
18 Is it 2006 through 2007  
19 or 2005 through 2006?  
20 A. Well, do you want me to just  
21 explain what this packet ---?  
22 ATTORNEY KRAMER:  
23 They tried to approximate  
24 --- do you want me to explain  
25 it?

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1 ATTORNEY VOIGT:  
2 Well, let me ask the  
3 question, that way the reporter  
4 doesn't misunderstand.  
5 BY ATTORNEY VOIGT:  
6 **Q. Please explain what this purple**  
7 **pack is.**  
8 A. This is an approximation of a  
9 packet that would have been given to a  
10 student teacher in the spring of 2006.  
11 Unfortunately they have this year's  
12 date on the front cover, which might be  
13 confusing you. And some of the  
14 documents inside, like the calendar,  
15 like the student handbook, like the  
16 professional handbook are updated from  
17 that time. Also, if you look down the  
18 list on the itemized list, there's no  
19 parking tag in there.  
20 ATTORNEY KELIN:  
21 By the list he's  
22 referring to the documents.  
23 A. Student teacher packet, itemized  
24 list of what's included in here. There  
25 are certain things that aren't included

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1 in there, a parking tag that would  
2 normally be given to them. Let's see,  
3 the staff ID, which they would have  
4 their picture taken like our other  
5 employees and have to wear that. And  
6 then also the athletic schedule. We  
7 didn't have any more of those and we  
8 didn't think you needed it.  
9 ATTORNEY KELIN:  
10 And let me just add. I  
11 had asked Dr. Huesken, at the  
12 request of counsel involved in  
13 litigation, if he could bring to  
14 the deposition the packet that  
15 had been given to student  
16 teachers at the high school in  
17 the spring of 2006. And to the  
18 extent the materials from that  
19 time were no longer available,  
20 he simply produced the more  
21 updated version of those  
22 materials, and I believe that's  
23 what this includes.  
24 I will just note that the  
25 document that is affixed to the

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1 packet does appear to be the  
2 procedural manual from 2005-  
3 2006. So that does appear to be  
4 one document that was, as I  
5 understand it, given to student  
6 teachers in the spring of 2006  
7 at the high school. The others  
8 appear to be more updated  
9 versions of what had been given  
10 at that time.  
11 BY ATTORNEY VOIGT:  
12 **Q. Well, let's start with the**  
13 **faculty/staff procedural manual. Do**  
14 **you know whether this was given to**  
15 **student teachers at the start of the**  
16 **spring semester 2006?**  
17 A. This packet was given to student  
18 teachers when they start in our  
19 building, so, yes.  
20 **Q. Why did they receive a**  
21 **faculty/staff procedural manual?**  
22 A. They were given these materials  
23 because, as I said earlier, they're  
24 teachers in training and we expect them  
25 to act like teachers, not like



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1 students, which is why we share with  
2 them the same materials that we give  
3 our teachers.  
4 **Q. Now, I have not had time to**  
5 **review this, but I suspect that there**  
6 **is nothing in here about MySpace**  
7 **accounts?**  
8 A. That's correct.  
9 **Q. Why not?**  
10 A. I don't know if MySpace was  
11 something that was on the horizon at  
12 that time.  
13 **Q. And can we also agree that there**  
14 **is nothing in this procedural manual**  
15 **having to do with internet usage by a**  
16 **teacher or a student teacher outside of**  
17 **the confines of Conestoga Valley?**  
18 A. I know there are references to  
19 appropriate use, whether or not it  
20 defines it between on site or off site,  
21 I can't say.  
22 ATTORNEY KELIN:  
23 Just for the record, the  
24 document speaks for itself, so I  
25 don't think we need to get into

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1 a rhetoric this morning.  
2 A. That's true.  
3 BY ATTORNEY VOIGT:  
4 **Q. Did you personally brief any of**  
5 **the student teachers when they came to**  
6 **the building the first time?**  
7 A. No, I did not.  
8 **Q. Do you know who did?**  
9 A. The building principal.  
10 **Q. And in Ms. Snyder's case, who**  
11 **would that have been?**  
12 A. At the time, it would have been  
13 Mr. Ginter. She would have been a part  
14 of faculty meetings. The student  
15 teacher also works with their  
16 cooperating teacher. And to some  
17 extent I'm sure the department  
18 supervisor would be involved, but I  
19 would say the primary folks would be  
20 the building principal just in the  
21 general procedures, and the cooperating  
22 teacher who is directly responsible for  
23 the student teacher.  
24 **Q. And that would be --- you said**  
25 **the principal would be Mr. Ginner; is**

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1 **that right?**  
2 A. Ginter, G-I-N-T-E-R.  
3 **Q. Is he still employed by the**  
4 **district?**  
5 A. No, he is not.  
6 **Q. Do you know where he is?**  
7 A. He's the principal of Warwick  
8 High School.  
9 **Q. And you also --- it looks like**  
10 **you gave a notebook ---.**  
11 A. Well, that's a handbook, a  
12 student handbook.  
13 **Q. Student handbook. Why would you**  
14 **give a student teacher a student**  
15 **handbook?**  
16 A. Well, we give teachers a student  
17 handbook so they know what students are  
18 getting and they know what rules that  
19 they need to reinforce with the  
20 students. So this is also something  
21 that they use for passage in the  
22 hallways. Students have to have that  
23 with them at all times. And they sign  
24 off on it to give them permission to  
25 move from one area to another during

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1 classes. It's their passbook.  
2 **Q. Now, I'm just thumbing through**  
3 **this, but I don't see anything in the**  
4 **student handbook either about MySpace**  
5 **accounts.**  
6 A. I believe there are some  
7 references to use of the internet in  
8 there, but I'm sure it doesn't mention  
9 MySpace.  
10 **Q. Well, actually I'm looking at**  
11 **page 23 of this little spiral-bound**  
12 **notebook thing, where it appears to**  
13 **have an Internet Access, E-mail and**  
14 **Network Resources Acceptable Use**  
15 **Policy. Do you see that?**  
16 A. Yes, I do.  
17 **Q. Is that the same policy that**  
18 **would be in effect for teachers or is**  
19 **it different than that?**  
20 A. I'm sure it's different in some  
21 fashion, but basically the same things  
22 are imbedded in both policies.  
23 **Q. Now, under purpose at the top,**  
24 **you would agree with me that the**  
25 **purpose is to regulate internet use**

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1 **within the Conestoga Valley School**  
2 **District, at least within the building,**  
3 **use of computers in the building;**  
4 **correct?**  
5 A. That's correct, or where outside  
6 use impacts the inside school  
7 environment.  
8 **Q. Where do you see that?**  
9 A. Well, I would think if a student  
10 made a threat from home about a  
11 teacher, certainly we'd have to take  
12 some action on that.  
13 **Q. But my question is, where in the**  
14 **policy on page 23 do you see reference**  
15 **to usage out of ---?**  
16 A. I don't know if it speaks to  
17 internet out of school. It just talks  
18 about inappropriate use of the  
19 internet.  
20 **Q. Now, let's see here. Is there**  
21 **anything else that you gave to student**  
22 **teachers other than this purple packet,**  
23 **that you know of?**  
24 A. Not that I'm aware of.  
25 **Q. It looks like on this blue sheet**

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1 **there's a staff directory. Can we**  
2 **agree that --- well, this is from '07-**  
3 **'08. Was there a similar staff**  
4 **directory published by the district for**  
5 **'05-'06?**  
6 A. I'm sure there was.  
7 **Q. And can we agree that Stacey was**  
8 **not on it?**  
9 A. We generally don't put student  
10 teachers on that list.  
11 **Q. And what's the reason for that?**  
12 A. They're not permanent paid  
13 employees.  
14 **Q. Stacey testified that she**  
15 **brought her own desk in during her**  
16 **student teaching assignment? Am I**  
17 **correct that the district does not give**  
18 **student teachers desks?**  
19 ATTORNEY KELIN:  
20 I would object. That's  
21 actually not in evidence. In  
22 fact, the contrary is in  
23 evidence, but you can answer.  
24 BY ATTORNEY VOIGT:  
25 **Q. Does the district give student**

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1 **teachers desks?**  
2 A. If there is a workspace  
3 available in the room, we'd certainly  
4 provide that for a student teacher.  
5 **Q. If there is not one available,**  
6 **what would happen?**  
7 A. I'm sure that they always try to  
8 find some place where they can sit down  
9 and at least work on things.  
10 **Q. Does the district provide the**  
11 **teachers a desk?**  
12 A. Yes, we do.  
13 **Q. Turn to Exhibit 52. This is a**  
14 **note prepared by Deann Buffington.**  
15 **Have you ever seen this before?**  
16 A. I may have seen it through our  
17 discussions with Howard.  
18 **Q. I'm not concerned with that,**  
19 **really. Did you ever see this in or**  
20 **about May of 2006?**  
21 A. I can't say that I did.  
22 ATTORNEY VOIGT:  
23 I have no further  
24 questions.  
25 EXAMINATION

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1 BY ATTORNEY KRAMER:  
2 **Q. Good morning, Dr. Huesken.**  
3 A. Good morning.  
4 **Q. Barry Kramer, I represent the**  
5 **Millersville Defendant. I have just a**  
6 **few questions.**  
7 A. Okay.  
8 **Q. Are student teachers expected to**  
9 **comport themselves to act as employees**  
10 **in their relationship with other ---**  
11 **with the students in the school?**  
12 A. As I said earlier, I truly  
13 believe student teachers are teachers  
14 in training and we want them to act  
15 like teachers and carry themselves like  
16 teachers and follow the same levels of  
17 standards for behavior as we expect of  
18 our teachers.  
19 **Q. So the rules and regulations of**  
20 **Conestoga Valley that relate to how**  
21 **full-time paid teachers should behave**  
22 **would also apply to student teachers?**  
23 A. I would say so, since they're  
24 teachers in training.  
25 **Q. Was Ms. Snyder at Conestoga**

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1 **Valley to take courses?**  
 2 A. No.  
 3 **Q. Was she there in any sense as a**  
 4 **pupil?**  
 5 A. No.  
 6 **Q. Was she expected, or student**  
 7 **teachers, expected to comport**  
 8 **themselves as employees when dealing**  
 9 **with appearance?**  
 10 A. Yes.  
 11 **Q. Same question with respect to**  
 12 **dealing with other teachers?**  
 13 A. Yes.  
 14 **Q. How about same question with**  
 15 **respect to dealing with other school**  
 16 **personnel?**  
 17 A. Yes.  
 18 **Q. After the lawsuit was filed in**  
 19 **Federal Court, were you aware that**  
 20 **there was some media attention about**  
 21 **the lawsuit?**  
 22 A. Yes.  
 23 **Q. What do you remember about that,**  
 24 **about the media attention?**  
 25 A. I remember that there was an

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1 article in the newspaper and that there  
 2 was some subsequent information in the  
 3 newspaper following that. I'm not sure  
 4 I know what you're asking.  
 5 **Q. Well, naturally --- and what I'm**  
 6 **asking is, what kind of --- what do you**  
 7 **remember, if anything, ---**  
 8 A. Uh-huh (yes).  
 9 **Q. --- about the substance of the**  
 10 **articles, the media attention given to**  
 11 **the lawsuit?**  
 12 A. Well, the focus seemed to be  
 13 more on the MySpace issue than anything  
 14 else. And I knew there were other  
 15 issues below the surface that weren't  
 16 really being addressed in the articles.  
 17 **Q. And if you could explain to us,**  
 18 **what were these other issues below the**  
 19 **surface?**  
 20 A. Just concerns about her  
 21 performance as a student teacher.  
 22 **Q. And can you expand upon that at**  
 23 **all?**  
 24 A. I know there were concerns about  
 25 professionalism, directions, different

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1 things along those lines.  
 2 ATTORNEY VOIGT:  
 3 I'm going to object.  
 4 ATTORNEY KELIN:  
 5 Yes. I'm going to  
 6 object, too, to the extent that  
 7 you're going to go into detail.  
 8 Again, he said he wasn't  
 9 involved at the time.  
 10 ATTORNEY KRAMER:  
 11 Actually, that's not what  
 12 I'm asking. I'm asking about  
 13 what he saw in the newspaper.  
 14 ATTORNEY KELIN:  
 15 Well, I understand. I  
 16 understand. I'd just like you  
 17 to move on. I'm not sure what  
 18 the relevance of any of this is.  
 19 ATTORNEY VOIGT:  
 20 And newspaper articles  
 21 will speak for themselves. The  
 22 newspaper articles will say what  
 23 they say.  
 24 BY ATTORNEY KRAMER:  
 25 **Q. Did you have any involvement in**

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1 **preparing a notice that was on**  
 2 **Conestoga Valley's website?**  
 3 A. Yes.  
 4 **Q. What do you remember about**  
 5 **putting that together?**  
 6 A. Well, I think we wanted to put  
 7 together the facts of the case from our  
 8 perspective, that it wasn't just  
 9 MySpace, that there were other issues  
 10 involved. Although we didn't get  
 11 specific in that document, we did want  
 12 to make a statement to the public that  
 13 there were other issues involved.  
 14 **Q. But you don't have any personal**  
 15 **knowledge of these other issues that**  
 16 **you're referring to, I presume?**  
 17 A. Personal in terms of, did I  
 18 observe them, was I involved in being a  
 19 supervisor in the classroom, no.  
 20 **Q. But how did these other issues**  
 21 **come to your attention?**  
 22 A. Through my assistant.  
 23 **Q. Mr. Seldomridge?**  
 24 A. Yes.  
 25 ATTORNEY KRAMER:

1 I have no more questions.  
2 Thank you.  
3 ATTORNEY VOIGT:  
4 Thank you.  
5 ATTORNEY KELIN:  
6 No questions.

7 \*\*\*\*\*

8 DEPOSITION CONCLUDED AT 11:22 A.M.

9 \*\*\*\*\*

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1 CERTIFICATE

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