

NOTICES TO DEAN STAINBROOK ABOUT HIS BEHAVIOR

1994-95, Concerns about "uncomfortableness" of female student
1995-96 athletes addressed in coaching evaluation
(Auburn School District)

11/4/96 **Memorandum to Dean Stainbrook from Dr. Herren** 
(Auburn School District)

"Given the fact that we have previously discussed issues of proximity and touch..."

"Your professional effectiveness is seriously compromised by your inappropriate boundaries around proximity and touch with female students. In addition, your playful interaction with females is often deemed 'juvenile' and 'silly.'"

"In addition, further violations around issues of proximity, physical contact, or inappropriate interactions will result in further discipline including possible termination...."

12/3/96 **Memorandum to Dean Stainbrook from Larry DeBruler** 
(Auburn School District)

"I have been informed that concerns of uncomfortableness by female students has been previously reported while you were acting in your capacity as a coach. These concerns occurred when you were a cross country coach during the 1994-95 school year and, subsequently, as a track coach in the 1995-96 school year. These concerns were addressed in your coaching evaluation."

"I'm informed that while you do not refute the findings of the investigation (November 4, 1996), you have been very clear in attempting to assure that you have no intent to cause the feelings of discomfort reported by female students. In his comments to me, Dr. Herren makes very clear the fact that he has communicated to you that it is not the intent of a person's actions that are judged when it comes to potentially harassing behaviors but the effect of those behaviors."

harassment does include proximity concerns and inappropriate touching. Further instances will be cause for further disciplinary action, including the possibility of termination.

4/21/98

**Memorandum to Dean Stainbrook from Heath Merchen
(Auburn School District)**

"While the above behaviors do not rise to a level that would justify disciplinary action, they do evidence a failure to establish comfortable boundaries with students. In fact, they reflect the same type of behavior which Kip Herren discussed with you in 1996. These past concerns intensify the need to bring about a change in your classroom interactions with students."

"As we discussed, maintaining these boundaries with students is imperative to effective teaching and to ensure that students feel comfortable in the classroom. Furthermore, in today's environment, failing to keep an appropriate distance from students can expose you and the District to severe liability, even though your conduct may not be intentional or egregious."

"As a teacher, it is impossible to predict which students will be offended or feel uncomfortable when you hold their hand or rest your hand on their shoulder. While some students may not mind such interactions, for others such behavior is an invasion of their personal space that can lead to severe feelings of discomfort and perceived harassment. Hence, you will refrain from any lingering touching of any female student unless done for self defense, defense of another, or as necessary to provide emergency care to a student."

7/13/98

**Memorandum to Dean Stainbrook from Jim Mancuso
(Franklin Pierce School District)**

"As you described to us in the conference, the concerns raised by the Auburn School District were related to issues of your proximity to students in your classes. You also stated that you had worked on these concerns with a resource person supplied by the Auburn School District. You communicated to us that you clearly understand the issue of proximity with students and your responsibility to manage your behavior such that these types of concerns do not arise in the future.

We agreed in our conference that if concerns similar to those which occurred at Auburn High School were to occur while you were in the employ of the Franklin Pierce School District, the district would not respond as if it were a first incident."

5/18/99

**Memorandum to Dean Stainbrook from Jim Mancuso
(Franklin Pierce School District)**

"While you may not have been fully been (sic) aware of how these athletes perceived you as a coach and as a person (touchy/feely, lack of respect for personal space), I feel that you need to take note of these concerns and adjust your relationship with students accordingly. This is especially true in light of the pre-employment conference we held in early July and the follow-up memo dated July 8, 1998."