

Ms. Rodriguez stated that she has never seen an act consummated by a student that she would consider an imminent danger of harm to Ms. Garrett thus justifying the use of force by Ms. Garrett.

In addition to acts of inappropriate physical contact toward the children, Ms. Rodriguez stated that Ms. Garrett would frequently use foul language toward the students such as "What the fuck are you doing?" or "Get the fuck to work" She has uttered those phrases to [REDACTED] when he wasn't on task and frequently to other students.

Another time Ms. Rodriguez recalled Ms. Garrett using foul language was one time this year when [REDACTED] had wet his pants. At the same time that she slapped [REDACTED] on his butt, she uttered, "You will not fucking piss in my room..." This greatly disturbed Ms. Rodriguez because as a parent, she said she would be highly upset if a teacher uttered those things to her children despite that fact the student probably doesn't understand what she said.

When asked why she had waited so long to disclose her concerns about Ms. Garrett's behavior toward the students Ms. Rodriguez stated that last school year Ms. Mort was not an assistant in the classroom. The previous assistant was a friend of Ms. Garrett. Ms. Rodriguez felt intimidated by both Ms. Garrett and the previous assistant. She was concerned about retaliation against her own children who attend the school and also for her employment. When Ms. Mort replaced the previous assistant, she discovered Ms. Mort was as concerned as she was so they decided after witnessing so many disturbing events to come forward and report them.

Another incident that occurred within the last month involved an ESE student named [REDACTED] Ms. Rodriguez stated that [REDACTED] was turning around and pinching people. Ms. Garrett got hold of [REDACTED] and placed him face down or sideways on his table and placed her entire weight on him to stop him from pinching others. [REDACTED] neck was down and pressed against the edge of the table with so much force that when Ms. Rodriguez returned from another task, she noticed a distinct red mark on the child's neck.

Ms. Rodriguez claimed that if one of the students was not behaving properly, Ms. Garrett would suggest to the assistants to take the offending child in to the bathroom and spank them. Ms. Rodriguez said she did not feel comfortable doing this so she never did. Ms. Garrett felt that if a child urinated in his pants, to spank the child would correct that behavior. She has witnessed Ms. Garrett spank [REDACTED] on his butt on at least one occasion while in the classroom when [REDACTED] was walking around the classroom being mischievous.

Another incident occurred this school year involving [REDACTED] [REDACTED] apparently was having trouble staying in his seat so Ms. Garrett went over and placed herself next to him in order to keep him at his desk. At one point, [REDACTED] leaned over toward her. Ms. Garrett raised her arm and struck the child on his mouth with her elbow. Ms. Rodriguez recalled seeing a wet mark from his mouth on Ms. Garrett's shirt sleeve near the elbow after hitting him on the mouth.

Other incidents that she recalled from last school year involved a non-verbal autistic child named [REDACTED] Ms. Rodriguez stated that Ms. Garrett would strike him on the head when he was not on task, or pacing around the room in an agitated state. Frequently [REDACTED] would put his hands down the front of his pants. One of the methods to prevent [REDACTED] from consummating this behavior was for Ms. Garrett to tighten his pants belt so tight around his waist that he wasn't able to slide his hand inside his pants. On other occasions, when [REDACTED] would be walking around putting his hands down his pants, Ms. Garrett would walk up to him and strike him on the head while his hands were down his pants. [REDACTED] was a student that would like to smell people a lot. If [REDACTED] walked up to her and place his nose near her to smell, Ms. Garrett would use her elbow to strike him with substantial force.

Before concluding the meeting, Ms. Rodriguez mentioned that sometime during the spring of 2004, and on one or more occasions while students were in the classroom working on task, Ms. Garrett would engage Ms. Rodriguez and/or Ms. Mort in conversation regarding her sexual activities and preferences. During these discussions Ms. Rodriguez learned from Ms. Garrett that she was a Dominatrix that involved acts of sadism and masochism. She said that Ms. Garrett would be talking loudly enough that someone at the door or