

**Special Grand Jury Report on the  
Investigation of the January 6, 2023  
Richneck Elementary Shooting**

**March 11, 2024**

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*Warning: This report contains graphic details and profane language.*

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## **I. Executive Summary**

We, the 11 members of the Special Grand Jury (“SGJ”) operating in Newport News Circuit Court, was impaneled on September 11, 2023 to investigate certain events that occurred at Richneck Elementary School (“Richneck”) located in Newport News, Virginia on January 6, 2023.

The SGJ was impanelled at the request of the Newport News Commonwealth Attorney pursuant to Virginia Code § 19.2-206 (A)(iii) to “investigate and report on any conditions that involves or tends to promote criminal activity.”

The SGJ heard the testimony of 19 witnesses, reviewed several hundred documents of school records, and watched both police body cam and video footage. We submit this report to the public as documentation of our findings. In addition, we’ve attached certain key documents to provide context for our conclusions in this report.

Based on the findings by the SGJ the purpose of this report is threefold:

- 1) Address the question if there was any decision or action taken that would have prevented the events that occurred on January 6, 2023.
- 2) Make practical recommendations for improvement.
- 3) Determine if any of the parties in the Newport News Public School System (“NNPSS”) administration should be criminally liable for their actions or lack of actions on January 6, 2023 in their duties to provide for the care and safety of the children attending Richneck.

## **II. Finding of Facts**

### **A. Overview**

In the afternoon of January 6, 2023 Abigail Zwerner (“Ms. Zwerner”) was shot with a loaded firearm by a six year old student (“the child”) in her first grade class. She survived after a bullet passed through her left hand and into her chest causing a collapsed lung.

A classroom of 15 vulnerable six and seven year old children witnessed the shooting firsthand. Several hundred elementary aged children and teachers throughout the school felt fear and panic during the event. Parents of those children suffered through terror as they stood in the parking lot waiting for hours to find out what happened; wondering if their child was alive.

These are the examples of the real life people who are now dealing with the traumatizing after-effects. The events described below and the decisions of certain adult administrators and faculty are what led to this tragic and avoidable event.

## **B. 2021-2022 School Year**

The child, who shot his teacher on January 6, 2023, was a kindergarten student at Richneck Elementary School located in Newport News, Virginia for the 2021-2022 school year. During that time Dr. Goodman was the Principal and Dr. Ebony Parker ("Dr. Parker") was the Assistant Principal.

Over the course of his kindergarten year the child exhibited many behavioral problems. He was disruptive in class and to his teacher Susan White ("Ms. White"). The child would "get in other kids faces" and when removed from class by a counselor would occasionally hit or punch that counselor. In one incident the child kicked and spit on the teacher assistant. After it was reported no action was taken by the administration, including Dr. Parker. The child also bragged about having access to his Mother's marijuana located in her purse and getting high off of it, prompting a report to Child Protective Services.

### **1. Choking Incident**

On September 27, 2021 Ms. White was concluding breakfast with the students when the child went to dump his breakfast in the hallway trash can and never returned. Ms. White went to search for him and found him with the security guard. When Ms. White tried to take his hand and bring him back to class the child hit Ms. White and yelled, "No! I don't want to go back to class." The child then aggressively twisted and pulled down on the security guards wrist. Due to his behavior the security guard took the child to Dr. Parker while Ms. White returned to class.

Subsequently, a counselor returned to the class with the child and told him to sit down. At some point Ms. White was sitting in a kids chair teaching the class. The child went up behind Ms. White, placed his forearms in front of her neck and pulled down so hard she couldn't breathe choking her. The teacher assistant saw Ms. White being choked by the child and rescued her by pulling the child's arms off and removing him from the class.

After only a couple of hours the receptionist returned the child to class. Understandably shocked, Ms. White stepped out of the class and told her that the child had "no business being back in class" after what had happened. The receptionist responded that the child was brought back because "there was no administrator available to deal with the situation."

Ms. White's teacher assistant took over the class while Ms. White went to get and fill out an incident referral form. She brought the incident referral form to Dr. Parker and Dr. Goodman. She also kept a copy for herself. She explained what happened to which Dr. Parker did not respond at all and Dr. Goodman responded by saying, "Prioritize."

While the school counselors and SRO's were frequently involved in assisting Ms. White with the child's behavior previous to this incident, no Functional Behavioral Assessment ("FBA") or Behavior Intervention Plan ("BIP") was initiated either prior to this incident or after

it. The administration instead decided that the child would be sent back to preschool and attend a different school. However, there was a subsequent clear lack of communication of that plan when the child returned the next day and was sitting in Ms. White's class eating his breakfast. Ms. White immediately went to see Dr. Parker about it and told Dr. Parker that either she (Ms. White) would leave or the child but that they would not be in the same class together. After this ultimatum the child was then removed and sent to a different school.

### **C. 2022-2023 School Year**

#### **1. Immediate Security Issues**

At the start of the 2022-2023 school year Briana Foster (aka Briana Foster-Newton) ("Ms. Foster") was the Principal and Dr. Parker was, again, the Assistant Principal.

From the start of the school year there were several security risks that were not addressed or were dismissed by the administration during this time.

First, Richneck did not have a consistent full time Security Resource Officer<sup>1</sup> ("SRO") at any point during the school year up to January 6, 2023. Instead one SRO was shared between two schools, one of them being Richneck, with time split between the morning at one location and in the afternoon at another location. The testimony by Dr. Parker was that if an emergency happened when the SRO was not present "it was known" that the teachers could call the non-emergency police number or the "surrounding SRO" who was at another location. However, that SRO did not have a work phone and there was not a number posted anywhere in the school that would inform any faculty what number to call.

Second, the front door system was set up so that an individual who wanted to gain entry to the school would buzz or call the main office in order to be let into the building. However, the system was broken for weeks prior to January 6, 2023. If a parent came to pick up their child they had to knock or pound on the door to try to get someone's attention or wait until someone passed by to open the door and let them in. There was no process in place to make sure the person entering was an actual parent or legal guardian with legitimate cause to enter. Although parents complained about this issue multiple times, including one parent who even suggested a fundraiser to the administration to fix the door. It was not fixed as of January 6, 2023 which proved to be an issue for the police responding.

Third, lockdown drills were required to be conducted by the school administration. However, according to the NNPSS records kept by a program called Raptor, there were no records from Richneck indicating that the required drills had been conducted for the 2022-2023 school year as of January 6, 2023.

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<sup>1</sup> The witnesses testifying referred to the security officer in the school building as an "SRO." In this case Security Resource Officer/SRO is not referring to a city or county certified police officer employed by the police department but a private security officer hired by the NNPSS.

Finally, the second grade classrooms did not have doors or permanent walls (the walls were made from partitions). If there was an emergency that required the movement of the second grade students, such as a lockdown, the students would leave the doorless area, walk across and down the hallway by a teacher into a safe room (See Attachment: Diagram of Layout for Richneck Elementary School).

## 2. Modifications Made for the Child

The two first grade teachers that year were Ms. Zwerner and Jennifer West ("Ms. West") Upon reviewing the files for their incoming students they noted the child did not have any kindergarten records. Dr. Parker told Ms. West that the child's Mother had taken him to Chicago for school. However, this information was not verified, and no further information or paperwork was provided.

Despite the fact that the child had never completed Kindergarten, was not at the same reading level of his peers and that he had enough documented substantial behavioral problems known by Dr. Parker to have him *physically removed* from the school the year prior, the child was placed in Ms. Zwerner's first grade class for a total of 23 students enrolled.

The child immediately exhibited behavioral problems similar to the year prior. He was reckless, physically aggressive, used profanity toward the teachers and even choked another student. Due to his behavioral problems the principal Ms. Foster, the assistant principal Dr. Parker, the reading specialist Amy Kovac ("Ms. Kovac"), Ms. Zwerner and the child's Mother, Deja Taylor ("Ms. Taylor") started the Student Success Team process ("SST")<sup>2</sup> in a meeting on September 20, 2022. The parties met again on October 18, 2022 and December 13, 2022.

Under both Ms. Foster and Dr. Parker's guidance and oversight certain adjustments for the child were made per the SST. The child's hours in school were reduced to a few hours in the morning, having him arrive by bus at 9:20 a.m. and leave for the day around 11:00 a.m. after receiving his lunch. Ms. Kovac also spent substantial alone time with the child trying to catch him up to the same reading level of his peers, making it very difficult for her to do her regular job of working with other struggling students. The child also began ADHD medication. In addition Ms. Foster implemented the highly unusual step where either Ms. Taylor or, occasionally, the child's Father would sit in class with him during that period. According to Ms. Foster, the idea was approved by her supervisor Dr. Katie Hermann, Director of Outreach Services for NNPSS. Despite the Father's public documentation of a criminal record and Ms. Taylor's habitual drug use, a background check was never run on either parent to ensure the safety of the other students also sitting in that classroom.

In addition, the parents of the other children in that class *did not know* that an unverified parent, one with a criminal history, was sitting in class with their children.

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<sup>2</sup> Formerly known as "Child Study."

Although the SST process was initiated for the child neither school administration or a school psychologist implemented a FBA, BIP or Individualized Education Program (“IEP”) which would have provided substantially more services for the child. In addition he was not recommended or considered for an alternative school placement or an Emotional Disturbed (“ED”) classroom that may have better addressed the child’s behavioral issues.

### **3. Updated New Plan for the Child**

On December 13, 2022 another meeting was held for the child regarding the SST. Dr. Parker, Ms. Zwerner, Ms. Kovac and Ms. Taylor were all present. It was agreed by all parties at the SST meeting that the child’s behavior had improved enough to elongate his hours from 11:00 a.m. to 2:30 p.m. A parent would also no longer be required to sit with him.

Upon returning to school on Tuesday January 3, 2023 the new plan was implemented. On January 4, 2023 the child became defiant during recess. He refused to join reading group, constantly spoke back to Ms. Zwerner and refused to participate in the lesson. During reading time in small groups the child grabbed Ms. Zwerner’s phone off the table, held it up high while staring her down and slammed it to the ground. The phone case flew off causing the screen to crack.

Ms. Zwerner then had to walk the child to the other first grade class to communicate for assistance as there was only one shared walkie talkie between the two classrooms and two teachers. When the child retrieved his belongings he told Ms. Zwerner, “I’m never coming back to your room again, you bitch.”

He was suspended for one day.

#### **D. January 6, 2023**

##### **1. Reports Made, Lack of Response and the Shooting**

The child returned on January 6, 2023.

He was taken to lunch by Ms. Zwerner from 11:15-11:45 a.m. He immediately started showing signs of aggression including threatening to beat up a kindergarten student and staring down a security guard and moving towards her like he was ready to pounce. Ms. Zwerner went to Dr. Parker’s office. Dr. Parker was sitting at her desk typing at her computer and looking at the screen. Ms. Zwerner told Dr. Parker that the child was in a violent mood.

Dr. Parker did not respond.

Dr. Parker did not look away from her computer screen.

Dr. Parker did not acknowledge Ms. Zwerner’s presence.

Only after Ms. Zwerner walked away did Dr. Parker say to Ms. Kovac who was standing there, "Tell her that she can call his Mom at any time and she can pick him up early." While saying this Dr. Parker was sitting next to her office phone and Ms. Zwerner was returning to line up her students to return to class.

Ms. Kovac was then walking in the hall when 2 students ran up to her saying that the child had a gun in his bag. Ms. Kovac took the initiative to enter Ms. Zwerner's class where the child was sitting. His backpack was next to his desk. She sat next to him and asked him if he had a gun. He said no. She asked if she could look in his backpack. He said no. Ms. Kovac continued to sit with him for approximately 45 minutes for his lesson and watch him. She did not however search his backpack at this time.

Before recess started the child asked if he could change his shoes. Ms. Kovac said, "Yes," and left the room to report to Dr. Parker per protocol. Ms. Kovac told Dr. Parker what the students had told her, that the child would not let her check his backpack and was acting unlike his normal self (where he would usually be throwing his backpack around). Dr. Parker said, "I know" to him throwing the backpack around and then said nothing else about it. When Ms. Kovac finished reporting it to Dr. Parker, Dr. Parker responded with orders for Ms. Kovac to return back to oversee state testing by 1:00 p.m. Dr. Parker did not inquire further with any questions, took no further action, and did not appear to show concern.

Around 12:20-12:30 p.m. Ms. Zwerner was lining the students up for recess. Ms. Zwerner saw the child put on a gray, oversized, zip up jacket with a hood. He then rummaged through his backpack and put both his hands in the pockets. Ms. Zwerner did not see the child remove his hands until later that day.

Ms. Zwerner texted Ms. Kovac what she had observed. Ms. Kovac, without Dr. Parker, then went to search the child's backpack. She did not find anything.

Ms. Kovac went back to Dr. Parker and told her that she had searched the backpack and found nothing. She also explained that Ms. Zwerner had reportedly observed the child put something in his jacket pocket and was not taking his hands out of his pockets. Dr. Parker responded, "He has little pockets." Ms. Kovac responded back that the child had a coat on.

Dr. Parker took no further action. In addition, Ms. Foster, the Principal, was not informed of these events as she was in and out of meetings all day. The testimony from all parties was that they reported the firearm to Dr. Parker and not Ms. Foster.

The child was now at recess, with thirty plus other small children running around the playground, with a firearm tucked into his jacket. The child was constantly running behind a rock wall with his friend ("the friend") where the teachers were not able to see them.



After recess Ms. West called the friend over to her classroom to find out what was going on. The friend was visibly scared and shaking. He said the child would hurt him if he told her. She encouraged him to tell her. He said that the child had a gun and that the child had showed him the bullets. Ms. West then spoke on the phone with John Sims, who was temporarily covering the receptionists lunch, where Ms. West relayed what the friend had told her. He told Dr. Parker who responded that the backpack had been searched.

Ms. West then had Rolonzo Rawles ("Mr. Rawles"), a counselor, come to her class and speak with the friend. The friend told Mr. Rawles that the child had bullets and said that the child had threatened him if he told anyone.

At approximately 1:40 p.m. Mr. Rawles, now the third person and fourth time this message had been relayed, went back to Dr. Parker and communicated that the child either had a gun or ammunition at least. He asked if the backpack had been checked or, if it had been checked, if the child's person could be searched, a decision that could have changed the course of this day.

Per the school's written policy in the school administration manual, "Principals and schools security officers under the direction of the school administrators may search students and students' property when there's reasonable suspicion to do so." Under these circumstances Dr. Parker had the authority per school policy to either give permission or to conduct a search of the child.

Dr. Parker said no.

Dr. Parker said hold off.

Dr. Parker said his mom would come pick him up soon.

Once again Ms. Foster was not informed of this decision or consulted whether or not to search the child's person. Dr. Parker took no further action and did not report the firearm, the search of the backpack or the request to search the child's person to Ms. Foster.

The child was not searched. The child was not removed from class. The police or SRO was not called. Mr. Rawles went to Ms. Zwerner's class and told her he was not given authorization to search the child.

The child was at his desk

By himself

Staring into space

With a loaded firearm tucked into his jacket.

Ms. Zwerner was then left alone with 16 first grade students in her class that day of which one had been reported by three different students over the course of two hours to have a firearm.

At 1:58 p.m. Ms. Zwerner was sitting at the reading table. She saw the child turn his whole body towards her. The child, for the first time since before recess, removed his hand from his pocket holding a firearm. He pointed it directly at Ms. Zwerner and, at less than six feet away, pulled the trigger and shot Ms. Zwerner.

Ms. Zwerner looked down to see a pool of blood forming. The child continued to stare at her, not changing his emotional facial expression as he tried to shoot again. The firearm had jammed due to his lack of strength on the first shot inhibiting him from shooting Ms. Zwerner or anyone else again. The firearm had a full magazine with seven additional bullets ready to fire if not for the firearm jamming.

At the loud bang of the firearm a small 6 year old girl sitting at her desk tried to run but was pulled back by the headphones on her head. In terror she was able to remove them and run out.

Another little six year old boy at the back of the class all of a sudden felt as if Ms. Zwerner was far away. To this day he will not talk to anyone about what happened.

All the children ran across the hall into Ms. West's classroom. She proceeded into lockdown procedures with 45 children huddled in her room.

The friend then said, "I told you. I tried to keep you safe. I told you."

## **2. The Main Office**

In the main office Ms. Foster was in her office with two children and Dr. Parker was outside her door. At the receptionists desk was a Grandmother of a student in the building ("Grandmother"), the receptionist and a small boy sitting in a chair with his feet dangling. A woman suddenly rushed in saying, "Someone's been shot," and ran into Dr. Parker's office. Dr. Parker went into her office and closed the door until the police arrived. Ms. Foster also closed her door.

The receptionist, confused by the lack of information and lack of direction, found her composure and called 911 and "lockdown" over the PA system. The small boy started crying to which the Grandmother, neither employed by the school or trained in lockdown procedures, jumped into action.

After knocking on the Principal's door saying there was a child out in the main room and both Dr. Parker's and Ms. Foster's door remained shut, the Grandmother comforted the boy by telling him she won't let anything happen to him and to go hide in a place where no one can find him. The boy squeezed his little limbs in the tight space between the copier and the wall and sat all alone waiting until the Grandmother retrieved him when it was confirmed to be safe.

In the meantime Ms. Zwerner had walked from her classroom, down the hall and into the main office where she passed out in front of Ms. Foster's door. Ms. Foster opened the door, saw Ms. Zwerner and shut the door again, telling the two kids in her office to get into the bathroom. Ms. Foster then emerged from her office while the Grandmother applied pressure with a rag to Ms. Zwerner's wound until the paramedics arrived.

The SGJ will note that there were some contradictions in the testimonies as to the above noted proceedings in the main office and as to who was involved. However, this Grand Jury finds that the most credible testimony was that Dr. Parker and Ms. Foster acted in the manner described above.

### **3. The Classroom with No Doors**

Down the hall the second grade class heard a bang. Since there were no doors the second grade teacher could see students running across the hall. She then gathered two classes of seven and eight year old children and brought them into the hall and then down the hall in order to access the safe room. While sitting in the safe room children were crying while one boy tried to comfort his classmates telling them it was going to be okay. After his father picked him up from Richneck that day the boy slept in his parents room for almost a year so that he could feel safe.

### **4. Prompt Police Response**

The Newport News sheriff and police response was prompt, efficient and admirable. At approximately 2:00 p.m. two sheriff deputies were in the area when they received a call over the radio of a shooting at Richneck. From the time Deputy Blyth heard the call to arriving at the school was less than three minutes. By 2:05 p.m. Deputy Blyth and Deputy Briggs had run to the door, guns drawn and ready to intervene, when they were immediately stopped. Due to the door buzzer system being broken they could not access the school. They banged on the door, they called the intercom system and even considered trying to shoot out the glass to gain access. After almost a full minute waiting and banging at the broken door a custodian roaming the halls saw the deputies and let them in.

Just prior to this Ms. Kovac had emerged from her classroom and heard the shot. She rushed in to Ms. Zwerner's classroom where the child said to her, "Fuck you. I shot my teacher." The firearm was on the ground. She pulled him away from it, sat in a chair and wrapped her body around the child and held him until law enforcement arrived.

When law enforcement arrived they observed the situation, secured the firearm and asked Ms. Kovac if she was okay. The child became agitated and punched Ms. Kovac in the face. He was removed from the building by law enforcement where he and his parents were interviewed. The child admitted to accessing the loaded firearm from his Mother's purse, the same place he had accessed the marijuana.

## **5. Chaos Post Shooting and Lack of Communication**

Parents began to arrive at Richneck sometime after 2:00 p.m. However, it was not because the school had contacted them. The consistent testimony from parents was that the earliest they received notification from the school was after dinner that evening when they arrived home, if they heard from the school at all. Most parents found out via the news, a group chat, social media or some other roundabout means that a shooting had occurred at Richneck. When they arrived it was total chaos and confusion as to where to go to pick up their children or as to what happened. After a few hours almost all of the children had been reunited with their parents.

The school was closed for thirty days before reopening and implemented several changes including clear backpacks, working metal detectors, security answering the front door and, eventually, having two full time SRO's.

Parents were provided with a hotline to call for counseling services, although some parents refused or instead chose to find their own counseling services. The school also had an available counselor for the children for a temporary time period.

### **E. Affect on Parents, Legal Guardians and Children**

Over and over the parents and grandparents of the students attending Richneck who testified asked the question why no one called the police. Why didn't the teachers who were suspicious of what was going on take the initiative to call the police? Why wasn't this threat taken more seriously when not just administration but the faculty were also aware of the child's behavioral history? Unfortunately there is no clear answer as to why the teachers felt that they could not step outside protocol in this situation. For whatever reason there was a general feeling amongst the faculty that certain decisions lay within the realm of administration and that their responsibility was to report it to the administration to take further steps.

For parents who wanted to transfer their child to a different location due to the traumatic effects this had on their child, particularly for those children who had witnessed the shooting, the school, including the NNPS administration, was difficult, obtuse and quite frankly insensitive.

In almost all cases the school refused a transfer causing a great deal of financial cost and heartache on the parents.

The friend, who was running behind the rock wall with the child and reported the firearm, is currently in therapy as he struggles with guilt that this was somehow his fault. He did not want to go back to Richneck because he had spoken up about it but nothing had been done. His mother is also in counseling due to this event. She immediately asked for her son to be able to transfer schools after the incident due to his statements to her. A transfer was refused. The

friend finished the semester at Richneck and his mother once again tried to get a transfer approved. A transfer was refused again. It wasn't until she obtained a lawyer that the transfer to a different school was approved. She is currently paying for her therapy, her son's therapy and lawyer fees to have obtained a transfer. No financial support or reimbursement has been offered by the school district.

A single mother whose daughter witnessed the shooting requested a transfer. A transfer was refused. As a result the Mother sold her house and drained her savings account so that her daughter could go to school without feeling afraid. Her daughter was an excellent student prior to January 6, 2023 but now struggles with feeling disconnected and is below average academically. She is showing signs of PTSD. No financial support for the transfer has been offered by the school district.

One mother, whose son witnessed the shooting, was crying hysterically when picked up from the school that day. Since then whenever he is asked about what happened by his mother, father or pediatrician he covers his ears so that he can't hear what anyone is talking about. He is afraid that the child will come back someday and hurt him. His mother is currently in therapy as a result.

The Grandmother, who sprung into action and applied pressure to Ms. Zwerner's wounds, to this day struggles with being able to sleep at night as a result of her experience.

## **F. Missing Files and Records**

On January 25, 2023 law enforcement executed two search warrants to obtain the child's school records and files from Richneck. The first search warrant was for the records stored in the database "Synergy" at the school administration building and the second search warrant was for the two physical files at Richneck.

### **1. Records from Administration**

Law Enforcement executed the first search warrant at the school administration building. They requested all the records on the child that were stored in Newport News Public School data system "Synergy."

NNPS provided the following disciplinary records of the child to law enforcement:

1. 9/21/2021: striking staff, no injury, no suspension
2. 9/6/2022: reckless behavior, endangering others or self, one day suspension
3. 1/4/2023: damage to schools or personal property, one day suspension

The electronic disciplinary records from Synergy did not include any other incidents including the September 27, 2021 choking incident with Ms. White or the incident referral form that she had turned into administration.

## 2. Missing Files at Richneck

There were believed to be two physical files in the school for the child: one located in the main office and one located in Ms. Zwerner's classroom. When law enforcement executed the search warrant to obtain those files they were not found. Every other students file was in both locations. The child's was the only file that was in neither location.

Law enforcement asked the administration about the files. Mr. Rashard Wright, formerly the Chief of Staff of NNPSS, called Dr. LaQuiche Parrott, the Director of Elementary School Leadership in Newport News. Dr. Parrott returned one file, where it was in her home, or, she claims, her car. This was the only file, the main office file, that was returned to law enforcement. The second file was not obtained or located.

The returned file was missing all the child's disciplinary records including the incident referral form provided by Ms. White about the choking incident. There was never any record recovered on the schools end about Ms. White being choked by the child. The choking incident was only confirmed through interviewing Ms. White and her providing her own copy of the referral form that she had kept for her personal records.

If Ms. White had not kept her own copy of the incident referral form or been interviewed by law enforcement the choking incident from 2021 would never have been discovered.

When Dr. Parrot was asked if there is any reason why the incident referral form was not in the file when returned to the police she responded, "I can't think of any reason why it would not be there."

The second file that was believed to have been in Ms. Zwerner's classroom was never found.

## II. Analysis

### A. SST and IEP Process

Throughout the course of the child's behavioral history from 2021-2023 there were several missed opportunities and baffling decisions by the school administration regarding the child. From 2021-2022, instead of implementing a BIP, FBA, or SST he was sent back a full grade.<sup>3</sup>

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<sup>3</sup> The acronyms are short for as follows: SST-Student Success Team; FBA-Functional Behavioral Assessment; BIP-Behavior Intervention Plan; IEP-Individualized Education Program; and ED-Emotionally Disturbed.

Due to his behavior at the start of the 2022-2023 the SST process was started. The initial process would usually be started by a teacher of the student or faculty by submitting a request to administration to start the SST process. The SST process sets goals for the student and tracks if the students reaches those goals. Goals include both academic and behavior goals.

The SST process is considered the first step to getting an IEP. An IEP is documentation for a student's disability, or diagnosis, and outlines other support services that they may need. Some examples of this may include extra time on a test, extra support in a classroom or placing a student in a smaller, self contained classroom.

Although the child would have greatly benefited from the resources of an IEP, an IEP was not required to initiate other behavioral supports such as a BIP or FBA. These plans would have involved a social worker and psychologist intervening. Prior to receiving an IEP the child could also have been placed in an ED classroom.

According to the consistent testimony of all the involved parties in the SST process, Dr. Parker never considered starting a BIP, FBA or IEP. In addition she never considered alternative educational settings that would have been more appropriate for his needs. The child would have greatly benefited from an IEP which would have opened the door to many resources that were currently not available to him in the general classroom. However, the SST process was very slow moving to get an IEP due to the length of time between meetings.

## **B. Mini-Referral System**

During the 2022-2023 School Year the Richneck administration, per Ms. Foster's idea, was using what was called a "Mini-Referral System" to report behavioral incidents of students. Although the testimony of the faculty versus administration was conflicting as to how it worked, the general idea seemed to be as follows.

When a student acted up or misbehaved in class in a "minor" way the teacher would give two warnings. After two warnings the teacher would write up a "think sheet." After three "think sheets" the teacher would submit a "mini referral" which was a google form that was sent to administration. The "mini-referrals" did not go into Synergy, the system-wide database used by NNPS. After 3 "mini-referrals" the behavior was submitted and recorded in the Synergy database. Although not inputed directly into Synergy the "mini-referrals" *should have been* placed in the student's physical file. However, the records indicate that this did not occur.

The testimony by Dr. Parrott was that if the student acted in a way that was a "major" behavioral incident the "mini-referral" system could just be skipped and it would be documented straight into Synergy. The purpose behind this system was apparently to keep "minor" incidents off a student's record.

There were several major issues with this system of submitting students disciplinary records. First, just one year later, none of the records sent via the mini-referral system can be located or found by current NNPSS administration. The current NNPSS administration and Richneck staff cannot access the forms and the data was never used or collected by NNPSS. Second, there was no training on a major versus minor behavioral incident. What was considered major or minor was subjective and “school based.”

Third, due to its confusing nature there appeared to be a lack of follow through on proper documentation of disciplinary issues for students. Many Richneck staff reported that they were unaware of who the form went to, if it was ever seen or if the behavior was addressed. Finally, due to its subjective nature it allowed Richneck administration to pick and choose so to speak what behavioral incidents should be documented in Synergy and which weren't. Ms. Foster testified that she herself did not know if a form had been submitted unless the staff member who filled it out also sent her an email alerting her to its submission.

Thus, any disciplinary records regarding the child submitted using the mini-referral system, if it existed, cannot be located and accessed by NNPSS, and thus, they were unable to provide it to the SGJ.

The testimony was that the mini-referral system was used for the 2022-2023 school year per Ms. Foster's direction. However, that system is currently not being used at Richneck and behavioral incidents are reported directly into Synergy. This is a more appropriate solution for documentation as the mini-referral system was not objective in its reporting, created a lack of accountability and were records that became inaccessible at a later time.

### **C. Secrets from the Parents**

It is completely inappropriate that the Richneck administration kept information from the other parents of the children in Ms. Zwerner's class and the entire school that compromised the children's safety. There are three specific areas that vital information was withheld from parents.

First, Richneck administration made the decision to allow the child's parents (either his Mother or Father) to sit with him in class without informing the other parents of this decision. A basic background check was not even conducted to determine if either of the child's parents could be a potential safety threat to the children. The lack of care by the administration in addressing the security related issues is only amplified by the decision to have allowed two adults to sit in the first grade class, one of which who had a criminal record and the other that was a habitual drug user, all while keeping it a secret from the parents of the other children.

Second, one parent testified that during the 2022-2023 school year her son was choked twice by another student in his class. This student was the child. However, she was never provided any other information including that it was the child who was the perpetrator or that he had a history of such behavior, such as choking his Kindergarten teacher. Knowing this



information and the child's history the administration not only did nothing to prevent it from happening again but kept this information secret from the parent.

Third, the school did not provide any information to the parents at the time of the shooting. All the parents testified that *if* the school did communicate with them it was at the end of the day. There was no communication plan in place to provide the parents with vital information at the time it happened.

The parents of the children attending school are the first line of defense and final decision makers for their children, not the school. The parents should have the ultimate say over what is and what is not allowed in the classroom where their children are taught. To think otherwise is unacceptable and allows for vulnerable children to become targets of gross misconduct. When an elementary aged child is sent to school by their parent, that parent should have the peace of mind that their child is going to a safe learning environment where they will be taught reading, writing and math.

#### **D. Unaddressed Security Issues for the 2022-2023 School Year**

Had this been an active shooter situation the unaddressed security issues at Richneck for the 2022-2023 school year would not have only guaranteed possible success, it would have guaranteed a probable massacre as many more children and faculty would have been seriously injured or fatally wounded. The lack of oversight and care by key administrative staff in charge of Richneck regarding the obvious lack of security could have brought on unspeakable tragedy just because no one cared enough to ensure a safe learning environment for the students attending Richneck Elementary.

The unaddressed overall security issues included the following:

1. The front door buzzer system not being fixed for weeks on end and no security as to who comes and goes in and out of the school.
2. No doors on the second grade classrooms.
3. No consistent full time SRO at any time.
4. Not every teacher having a walkie talkie or consistent means of communication with each other or to the front office.
5. The emergency button not working in each classroom.
6. No consistency in training for the faculty or protocol established for a variety of emergencies.
7. Keeping secrets from the parents of the other children in Ms. Zwerner's class and allowing unchecked parties to sit in the classroom.

Although these parties, including the administration not just at Richneck but those working in the upper echelons of decision making in the NNPSS may not be criminally liable in court for the security shortcomings, they are culpable nonetheless by their lack of action when they had full knowledge of the security issues at Richneck. Parents testified that these were

issues that they tried to bring to the administration's attention and the parents were repeatedly dismissed.

#### **E. Dr. Laquiche Parrott's Suspicious Lack of Memory**

When Dr. Parrott testified she had complete clarity as to her actions on the extremely chaotic and stressful day of January 6, 2023. She testified as to how she found out, who she was with, who she interacted with, where she went and what she was doing.

However, when Dr. Parrott was asked about the the child's file that was in her home/car she had total amnesia as to how she got the file, why she got the file, when she got the file, for what purpose she had the file, and who gave her the file. Her answer to every question regarding the file was "I can't recall."

This is a snippet of Dr. Parrott's testimony regarding the file:

Question:

How did you get [the file]?

Answer by Dr. Parrot:

I can't recall how I received his file. I do recall looking for it. I do recall that.

Question:

Were you looking for it at Richneck?

Answer:

It was being searched for at Richneck by office staff. How I received his file—because I do remember being asked to bring it back to the school for law enforcement.

...

I don't recall how I had physical—either it was in my office...so then how it got to my office?

Question:

But you at some point apparently opted to remove it and bring it to your house?

Answer:

I mean, I don't recall taking it from the school, but I do recall having it, and I did not take it from the school. But I do recall having it. How I got it from my office and why it was in my vehicle and then later returned to the officer, I don't recall how that all —how I became in possession of it. I don't recall that.

Question:

Do you have any idea how Mr. Wright knew that you had the file?

Answer:

I don't.

Question:

Would it have been Mr. Wright who gave you the file?

Answer:

I hate that I can't recall. I can't remember who gave me the file. I don't know.

Question:

Do you know a reason why you would have it?

Answer:

Someone would have given it to me?

Question:

For what purpose?

Answer:

To either give it to someone or—I just can't recall.

Ms. Foster testified that Dr. Parrott had called her sometime after Jan. 6, 2023 asking for the file to which Ms. Foster directed her to the records manager.

Dr. Parrott was also in a meeting during the 2022 semester, with Dr. Hermann, Dr. Parker, and Ms. Foster regarding the child's history and as to why he was placed in first grade when he hadn't completed kindergarten. However, Dr. Parrott testified that she had no idea at the time that the child had choked Ms. White as it never came up in the meeting, even though that is the *exact reason* why they were meeting and Dr. Parker, who was well aware of the incident, was also in the meeting.

Dr. Parrott claimed that she couldn't have known about the choking incident because, as she was a new employee that year, she didn't have access to the student files until April 2023 which is when she would have found out. This is a very interesting admission because she DID HAVE the child's file on January 25, 2023 when law enforcement were looking for it AND the choking incident wasn't actually in any of the files or records that law enforcement had received from the school. Thus, the question remains how did Dr. Parrott find out from the files if there was no documentation of the incident recovered in the files?

This also leads to several other questions such as how did Mr. Wright know Dr. Parrott had the file? Why did she have the file and why is it missing crucial documents that could potentially implicate certain administrators for their decisions regarding the child? Where is the

second file that has never been located? The root of this is what is Dr. Parrott hiding and who is she trying to protect?

In short, the SGJ finds Dr. Parrott's testimony highly suspicious and potentially obstruction of justice. It is at its best a complete lack of competence as to how things were run and recorded and at its worst a cover up for the child's past disciplinary record by the school administration. A continuing investigation into how Dr. Parrott obtained the file and why she had it would be appropriate to determine if she should be criminally charged with obstruction of justice.

#### **IV. Dr. Ebony Parker's Criminal Liability**

Dr. Parker's lack of response and initiative given the seriousness of the information she had received on January 6, 2023 is shocking. This is only heightened by the fact that she was well aware of the child's past disciplinary issues and had been involved in the decisions to address his behavior not just for the 2022-2023 school year but also the 2021-2022 school year.

Dr. Parker, with other administrators, are responsible for making poor decisions regarding the child prior to January 6, 2023 such as not providing him with certain behavioral resources sooner, requiring an alternative form of education that would have better suited his behavioral needs, dismissing his teachers concerns and allowing both of his parents to sit in a classroom full of children without even conducting a background check.

However, Dr. Parker is *criminally* liable for her actions, or rather, her lack of actions on January 6, 2023 for child neglect pursuant to Va. Code § 18.2-371.1 (B). The charge of Child Neglect under this section requires:

1. a person responsible for the care of a child under age 18
2. By willful act or omission in the care of such child
3. Was so gross, wanton and culpable to show a reckless disregard for human life.

We will take note here that Ms. Foster as Principal *should* have been informed of the firearm and the decision to not search the child. Ms. Foster testified that she was accessible throughout the day via her walkie-talkie. Her lack of knowledge does not mean she is, per say, faultless for certain decisions as Principal regarding the care of the children at Richneck previous to this incident. But, because she was not informed of the events on January 6, 2023 specifically, and thus was not given the chance to have acted appropriately, she is not criminally liable due to her lack of knowledge for the events that transpired. In other words, Ms. Foster did not willfully omit to act in her care for the children under Va. Code § 18.2-371.1 (B).

Dr. Parker, in her duties and employment as Assistant Principal at Richneck Elementary had the responsibility to care for the children in Ms. Zwerner's classroom and throughout the school. She had the decision making authority whether it came to suspensions, expulsion, or behavioral care available through the school system for each child. She also had the

responsibility for the care of each child while in school and could direct them where to go, what class to be in, what type of punishment they would receive if they misbehave or to intervene if a student misbehaved including requiring a parent or legal guardian to remove the child. She also had the jurisdiction over the adults who were teaching the students including telling them how they could treat the students and what they could or could not do.

On January 6, 2023 Dr. Parker was at Richneck in her role as Assistant Principal. Dr. Parker was not only well aware of the child's history but an active participant in the decisions that led to why the child was inappropriately in Ms. Zwerner's classroom on January 6, 2023. She had been the Assistant Principal when the child had choked Ms. White. She was part of the decision making to remove him from kindergarten and send him to another school. She never confirmed with Ms. Taylor if the child ever completed kindergarten in Chicago. She was part of the decision making to modify the child's schedule due to his behaviors. She also provided guidance throughout the SST process for the child. She was in agreement to change his hours to a longer day.

Most importantly, she then neglected to take any action upon receiving four reports of a potentially dangerous threat.

First, starting at approximately noon Dr. Parker was told by Ms. Kovac that two students informed her the child had a firearm in his backpack. Dr. Parker took no action.

Second, at approximately 12:30 p.m. Ms. Kovac returned to tell Dr. Parker that she, Ms. Kovac, searched the backpack and did not find anything. However, Ms. Zwerner had texted Ms. Kovac about the child putting something in his pockets. Dr. Parker took no action.

Third, Mr. Sims informed Dr. Parker about a call from Ms. West about the friend informing her that the child had a firearm. Dr. Parker took no action.

Fourth, at 1:40 p.m. Mr. Rawles informed Dr. Parker the child may have either a firearm or ammunition. He asked if he could search the child. Dr. Parker had the control to say yes and allow a search of the child's person. Dr. Parker refused and took no action.

At 1:58 p.m. the child shot Ms. Zwerner with a firearm containing a total of 8 bullets in a classroom full of first grade students.

Over the course of approximately two hours Dr. Parker acted in complete disregard for the safety of all the children in Ms. Zwerner's class, all the children the child played with at recess, and all the children who could have been shot in the school. This SGJ finds that Dr. Parker meets the threshold of probable cause to indict Dr. Parker for Child Neglect under Va. Code § 18.2-371.1 (B).

## **V. Recommendations**

### **A. Resolved Issues at Richneck:**

Since January 6, 2023 NNPSS has put into place several positive changes regarding the unaddressed security issues that should be acknowledged:

1. Richneck now has working, permanent metal detectors.
2. There are now two full time SRO's at the school during the day, including one to answer the door and screen individuals coming into the building.
3. The students wear clear backpacks with different file card colors inserted for each grade level.
4. Each teacher has a program called Raptor on their phone where a teacher can press the app and an alarm is sent to everyone in the building.
5. The emergency button that was broken in each classroom has been fixed and we recommend that this be maintained.
6. Temporary walls and doors were put up in the second grade classroom. We recognize that this is a partial fix and recommend that there should be a plan for permanent walls and doors.
7. The faculty goes through comprehensive training on safety and expectations for a variety of emergencies.

### **B. Further Recommended Changes**

Recommendation 1: All Newport News schools should have an automatic system (eg. key fob, swipe card) that allows Newport News Law Enforcement instantaneous entry.

Basis: If there is an emergency and the police are dependent on the receptionist to "buzz" them in for entry and the receptionist forgets to let the police in due to the emergency (as was the case here), the door is not working (as was also the case here), there is an active shooter that shot the receptionist or the receptionist is simply out for lunch then the police have literally no way to enter the school building. If this had been an active shooter and the deputies waited a whole extra minute before they could enter, that extra minute would have been the difference between life and death for many people in that building. Law enforcement should not be dependent on being buzzed in to enter in the case of an emergency but have instant access as soon as they arrive.

Recommendation 2: Every classroom in all of America should have doors and walls. If that is not to be so, at least every school in Newport News should have permanent doors and walls.

Basis: In order for a classroom to go into lockdown procedures, a classroom is required to have doors and walls. The process to move children to another part of the building in order to be safe, such as what was the case at Richneck, allows for a horrible tragedy in the case of an emergency such as an active shooter.

Recommendation 3: NNPSS should employ/contract a Board Certified Behavioral Analyst to work with the school administration.

Basis: A Board Certified Behavior Analyst ("BCBA") is licensed by the board of medicine and uses evidence based intervention that is different than the mental health based intervention currently employed. A BCBA would provide support to NNPSS administration and school counselors when determining the best course of action and the applicable resources when dealing with children who have behavioral issues.

Recommendation 4: When calling for a lockdown NNPSS should use a "code system" depending on the type of emergency where faculty and administration would receive training for the different types of codes.

Basis: Currently at Richneck when there is an emergency either a "partial lockdown" is called if it is something like a medical emergency somewhere else in the building and "full lockdown" is called for an issue that is more serious and the classroom needs to go into lockdown procedures. Using the term "lockdown" for all scenarios could be stressful to the children who are unaware of the nature of the lockdown and why it is being called. Alternatively a code system should be used similar to a hospital so that the teachers are aware of what the emergency is and if any action needs to be taken without causing undue stress on the students.

Recommendation 5: Children who are still affected by the shooting, as confirmed by a Licensed Medical Health Professional ("LMHP"), and are still attending Richneck should be allowed a transfer to a different school without difficulty as an exception to the general rule prohibiting transfers.

Basis: Many children who were affected by the shooting were denied a transfer per school policy. However, it is a reality that many of the children suffered trauma, and continue to struggle with the affects from witnessing the shooting. If that is the case, that should be taken into consideration and

the school should respond with the upmost understanding and allow an exception to the school policy by granting a transfer if it can be confirmed by a LMHP that a child is still suffering from the affects of the events of January 6, 2023.

Recommendation 6: NNPSS should reassess the SST process so that meetings are more often and timely and the children get the resources they need faster.

Basis: The meetings for the child's SST process were inconsistent and slow moving. The SST process should be reassessed so that the faculty and administration meet more frequently so that a student in the SST process could move through it faster if further resources are needed.

Recommendation 7: NNPSS should reassess the rule in the administration manual that only gives principals and SRO's authorization to search a child's person when there is reasonable suspicion of a weapon or other illegal paraphernalia.

Basis: There were many times at Richneck where both the Principal and Assistant Principal were unavailable. In addition there wasn't a consistent SRO available. The rule that allows a search of a child in the case where a search would be warranted should be re-evaluated to allow another person with authority in the administration to give permission should the Principal, Assistant Principal and SRO be unavailable.

Recommendation 8: NNPSS should create a crisis plan for parents in the case of an emergency that would include timely communication and an efficient crisis plan for parents picking up their children from the school.

Basis: The school did not contact the parents timely on January 6, 2023 and the process to pickup their children was confusing and chaotic. NNPSS should put into place a system to communicate with parents as to what happened, where to go and what to do to pickup their kids in the case of an emergency.

Recommendation 9: There should be a continuing investigation into the missing files and documents to determine if Dr. Parrott and/or other parties should be charged with obstruction of justice.

Basis: The testimony of Dr. Parrott leads to far more questions than answers as to why a student's private and confidential file would be in her car or home. Her inability to recall any of the events surrounding the file suggest something much more devious at play.

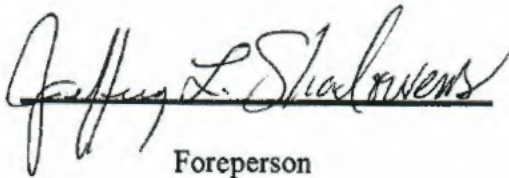


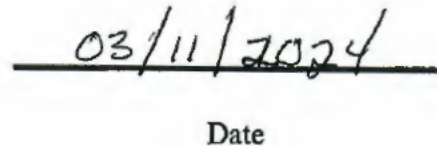
Recommendation 10: All student files should be securely locked and should be signed in and out when removed and returned.

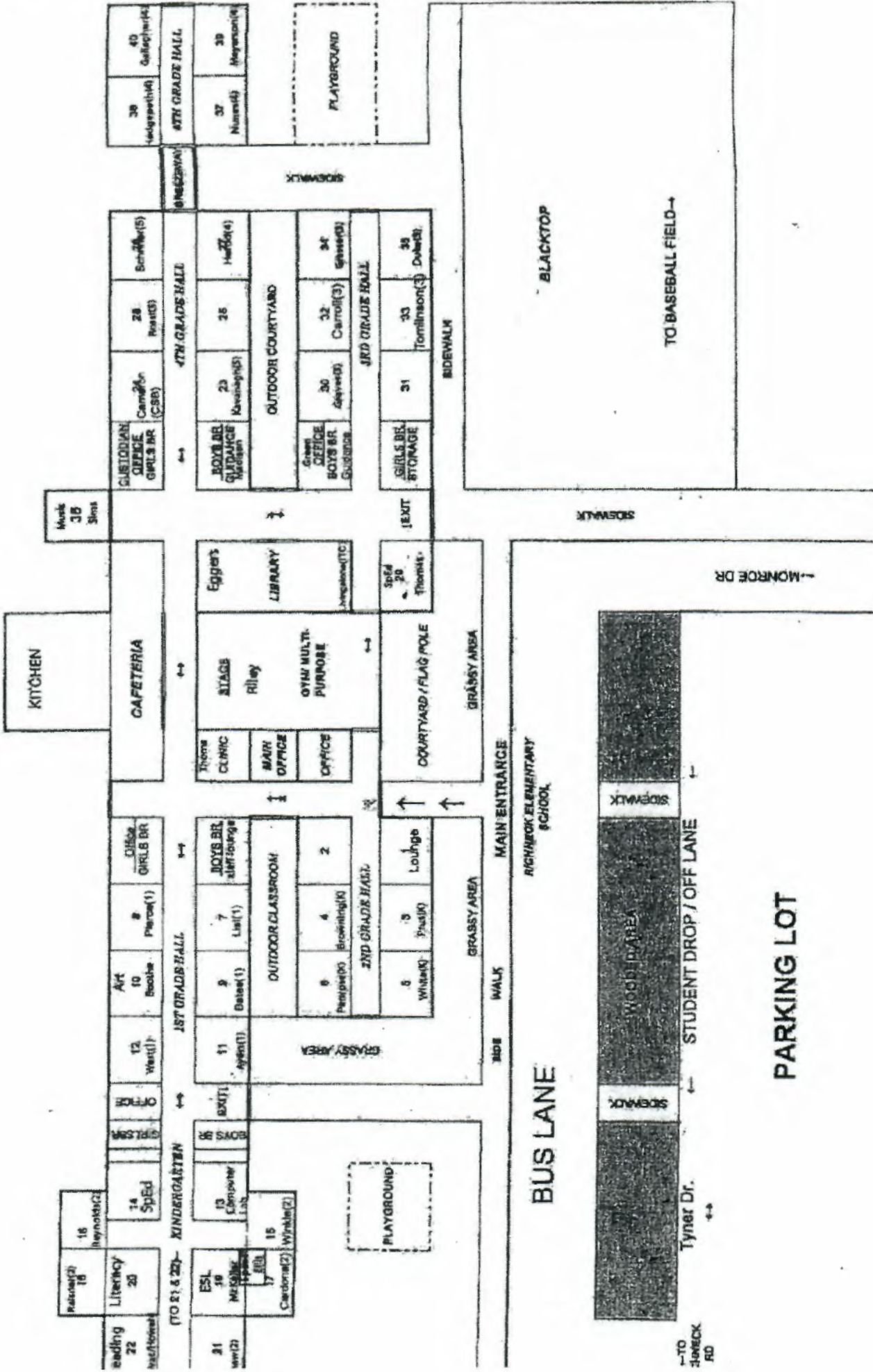
Basis: When law enforcement executed the search warrants for the child's files they were unable to be located. Although one file was recovered the second file was never found. In addition there was no standard protocol for how to find the files or who had them. A system should be put into place for anyone removing the files to sign them in and out so that the files can be tracked.

#### VI. Attachments

- Diagram of Layout for Richneck Elementary School
- Page from School Administration Manual that Allows a Search of a Student
- Law Enforcement's Collected Disciplinary Records from Search Warrant of Administration Building
- Susan White's September 27, 2021 Incident Referral Form

  
Foreperson

  
Date



## Rules & Sanctions

Newport News Public Schools Code of Conduct fosters the school division's mission to ensure all students graduate "citizen-ready." It provides guidance for students, families, and staff, and details the many options available to NNPS staff to address student conduct.

The rules of conduct for students in Newport News Public Schools are presented in this section of the Handbook. These rules and regulations have been adopted by the Newport News School Board and represent its official policy.

Examples for most rules are provided. Each rule is accompanied by the consequences for breaking that rule.

All rules and regulations will be enforced on all Newport News school grounds and premises, including Todd Stadium; before, during and after school hours, or at any other time when school buildings and/or grounds are being used by a school group; or off school grounds at any school activity, function, field trip or event; or when students are traveling to or from school. The rules contained in this Handbook also apply to bus behavior and behavior at the bus stop.

School personnel will take disciplinary action against any student who violates one or more of these rules and regulations in accordance with the consequences stated. Disciplinary action may include, but is not limited to, reprimand, after-school work, repayment for damages, clean-up, revocation of privileges associated with school activities (including participation in graduation exercises), suspension or expulsion.

Principals and school security officers, under the direction of a school administrator, may search students and student property (including automobiles and other vehicles) when there is reasonable suspicion to do so. Students should understand that they have no expectation of privacy to their lockers, personal property, or vehicles allowed to park on school property. Consistent with applicable legal requirements, school division personnel may use search techniques such as metal detectors and use other lawful search techniques.

Alternative schools/programs and magnet schools, such as Enterprise Academy and An Achievable Dream Academy, may require additional and/or more restrictive expectations of students consistent with the program design and mission. Such components may include, but are not limited to: attendance, participation, and dress code regulations.

### **Statement of Non-Discrimination**

The Newport News School Division does not discriminate on the basis of race, color, national origin, sex, religion, marital status, age, pregnancy, sexual orientation, sexual identity, veteran status, or disability in its programs, activities, or employment practices as required by the Title VI, Title VII, Title IX, Section 504, and ADA regulations. The Human Resources Supervisor, Newport News Public Schools, at 12507 Warwick Blvd., Newport News, VA 23606, (757-881-5061), is responsible for coordinating the division's efforts to meet its obligations under Section 504, Title IX, the ADA, and their implementing regulations.

### **A cautionary note is offered to the Parent as this Handbook and its rules are reviewed.**

A set of rules does not replace the administrator's judgment in the review of discipline incidents. In order for schools to be safe and orderly places of learning, rules must be obeyed. These rules are written to give direction. However, in daily activity, one basic rule is that good, sound judgment must be exercised in light of conditions of the moment.



**Richneck Elementary  
Disciplinary Action Form**  
School Phone Number: 757-886-7772

Year: 2022-2023  
Report: [REDACTED]

**Student Information**

Last Name: [REDACTED]	First Name: [REDACTED]	Middle Name: [REDACTED]	Gender: [REDACTED]	Grade: [REDACTED]	Birth Date: [REDACTED]
Student ID: [REDACTED]	Cell: [REDACTED]	Extension: [REDACTED]	Home Room: <b>011</b>	Home Room Teacher: <b>Zwerner, Abigail P.</b>	

**Custodial Information**

[REDACTED]	Type: [REDACTED]	Phone: [REDACTED]	Extension: [REDACTED]
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**Disciplinary Incident**

Incident Date: <b>01/04/2023</b>	Incident Time: <b>3:38 PM</b>	Incident ID: <b>8045</b>	Entered By: <b>Parker, Ebony</b>	Referred By: <b>Zwerner, Abigail</b>
Violations: <b>Behaviors related to School Operations &gt; BSO14 Damage to school or personal property</b>				
Description: <b>Around 2:00, [REDACTED] started becoming defiant, saying "no" back to anything I said to him and not following directions. He then began to threaten to walk out and leave my classroom. He then took my phone from my table and smashed it on the ground, causing the case to fly off and have 2 cracks in the screen. He then said, "I'm never coming back to your room again you bitch." He was removed to Mrs. West's classroom, and began to pinch her over and over saying "I can do this and I will."</b>				
Location: <b>Classroom</b>	Location Text: [REDACTED]			

**Action Taken**

Disposition Date	End Date	Disposition Code	Days	Hours	Staff Name
<b>01/05/2023</b>	<b>01/05/2023</b>	<b>Short-term out-of-school (1 to 3 days)</b>	<b>1.00</b>	<b>0.00</b>	<b>Foster, Briana R.</b>

Dear Parent,

From time to time, part of a child's growing process involves making mistakes at school. The purpose of this report is to inform you of action taken by the school staff to help your child correct his/her mistakes. You are encouraged to discuss this action with your child and to support the action. Please sign this copy and return it to school.

**Signatures**

<b>Principal/Designee</b> _____	<b>Parent/Guardian</b> _____ <small>(signature acknowledges receipt of form only)</small>
<input type="checkbox"/> The charges were explained to the student. The student was given the opportunity to explain his/her involvement or non-involvement.	<b>Student</b> _____



**Richneck Elementary**  
**Disciplinary Action Form**  
 School Phone Number: 757-886-7772

Year: 2022-2023  
 Report: [REDACTED]

**Student Information**

Last Name: [REDACTED]	First Name: [REDACTED]	Middle Name: [REDACTED]	Gender: [REDACTED]	Grade: [REDACTED]	Birth Date: [REDACTED]
Student ID: [REDACTED]	Cell: [REDACTED]	Extension: [REDACTED]	Home Room: <b>011</b>	Home Room Teacher: <b>Zwerner, Abigail P.</b>	

**Custodial Information**

[REDACTED]	Type: [REDACTED]	Phone: [REDACTED]	Extension: [REDACTED]
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**Disciplinary Incident**

Incident Date: <b>09/06/2022</b>	Incident Time: <b>10:01 AM</b>	Incident ID: <b>109</b>	Entered By: <b>Parker, Ebony</b>	Referred By: <b>Zwerner, Abigail</b>
Violations: <b>Behaviors of a Safety Concern &gt; BSC13 Reckless behavior endangering others/self</b>				
Description: [REDACTED] held two classmates in a choke hold in a span of 10 min when asked to transition to the carpet and follow directives.				
Comment (Discipline Letter Narrative): [REDACTED] held two classmates in a choke hold in a span of 10 min when asked to transition to the carpet and follow directives.				
Location: <b>Classroom</b>		Location Text		

**Action Taken**

Disposition Date	End Date	Disposition Code	Days	Hours	Staff Name
<b>09/07/2022</b>	<b>09/07/2022</b>	<b>Short-term out-of-school (1 to 3 days)</b>	<b>1.00</b>	<b>0.00</b>	<b>Parker, Ebony</b>

Dear Parent,  
 From time to time, part of a child's growing process involves making mistakes at school. The purpose of this report is to inform you of action taken by the school staff to help your child correct his/her mistakes. You are encouraged to discuss this action with your child and to support the action. Please sign this copy and return it to school.

**Signatures**

<b>Principal/Designee</b> _____	
<input type="checkbox"/> The charges were explained to the student. The student was given the opportunity to explain his/her involvement or non-involvement.	<b>Parent/Guardian</b> _____ <small>(signature acknowledges receipt of form only)</small>
	<b>Student</b> _____



# Richneck Elementary Disciplinary Action Form

School Phone Number: 757-886-7772

Year: 2021-2022  
Report: IDS801

### Student Information

Last Name: [REDACTED]	First Name: [REDACTED]	Middle Name: [REDACTED]	Gender: [REDACTED]	Grade: [REDACTED]	Birth Date: [REDACTED]
Student ID: [REDACTED]	Cell: [REDACTED]	Extension: [REDACTED]	Home Room: [REDACTED]	Home Room Teacher: [REDACTED]	

### Custodial Information

[REDACTED]	Type: [REDACTED]	Phone: [REDACTED]	Extension: [REDACTED]
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### Disciplinary Incident

Incident Date: <b>09/21/2021</b>	Incident Time: <b>2:15 PM</b>	Incident ID: <b>194</b>	Entered By: <b>Parker, Ebony</b>	Referred By: <b>Parker, Ebony</b>
Violations: <b>Behaviors that Endanger Self or Others &gt; BESO4 Striking staff: no injury</b>				
Description: [REDACTED] as had a difficult time adjusting to the school setting. When he is frustrated [REDACTED] emotions often become to big for him to handle. [REDACTED] hit several staff members today and refuses to go into his classroom. [REDACTED] is excluded from school for 2 days starting Wednesday, September 22 and may return Friday, September 24 with a parent conference.				
Location: <b>Classroom</b>		Location Text: [REDACTED]		

### Action Taken

Disposition Date	End Date	Disposition Code	Days	Hours	Staff Name
<b>09/22/2021</b>	<b>09/22/2021</b>	<b>FBA and BSP Development</b>	<b>0.00</b>	<b>0.00</b>	<b>Parker, Ebony</b>

Dear Parent,

From time to time, part of a child's growing process involves making mistakes at school. The purpose of this report is to inform you of action taken by the school staff to help your child correct his/her mistakes. You are encouraged to discuss this action with your child and to support the action. Please sign this copy and return it to school.

### Signatures

<input type="checkbox"/> The charges were explained to the student. The student was given the opportunity to explain his/her involvement or non-involvement.	<p><b>Principal/Designee</b> _____</p> <p><b>Parent/Guardian</b> _____ <small>(signature acknowledges receipt of form only)</small></p> <p><b>Student</b> _____</p>
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[REDACTED]

September 27, 2021

A positive start: Breakfast and provocations were fine. I thanked him for remembering his name tag. He followed the breakfast routine. He made a creation and told a story about a sword stabbing someone. I asked if he could think of another story where no one gets hurt. The sword turned into a tool to dump trash into containers. Clever! I recorded his story and he waved in the end.

9:25 left classroom (I thought to take out trash) but he did not return.

I went to look for him. Ms. O had him by the hand.

I tried to take his hand to bring him back to class. **He hit me.** Ms. O and I reminded him it was time to make things, which he enjoys. We tried to head back to the room with him. He yelled No he didn't want to go to class. **Pulled and twisted down on Ms. O.** She stopped and said we don't want you to hurt your wrist. We tried to each take a hand to protect his wrist. He lifted his feet so all of his weight would be on our arms. Ms. O took him back to wait for Ms. Parker.

9:45 Ms. P brought him back in and told him she couldn't leave until he was sitting.

Around 10:15, he sat in my chair at the smartboard and started changing what was on the smartboard.

Then he went to sit in back near [REDACTED]

Around 10:20, he had his mask off and had pulled his chair to the front of a classmate's desk and was leaning over it at the classmate with his mask off. I went over and moved the chair back slowly to give him time to stand so that I could return the seat to his desk up front. He grabbed the chair legs and leaned down to the floor to drag me down. I brought the chair up front and sat on it, continuing to teach as I went. **He stood behind me, put both forearms across the front of my throat and pulled back and down hard. I felt strangled.**—witnessed by [REDACTED]

Ms. Purter removed him from the room.

Ms. O and Ms. P brought him back to me. He said he didn't want to come back to class.

I explained to Ms. O and Ms. P why I agreed that he should not come back. They said no administrator was available.

I said if he came in I would need to leave, and that this was an incident severe enough to call police and file charges for assault and battery.

I was also upset that an administrator wouldn't be available for an attack—unless of course there was a worse one going on somewhere else.

(He did leave the room twice today without permission and without an adult. I don't remember when he left the second time.)

Ms. P = Ms. Palladini Ms. O = Ms. Olavarria