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May 17, 2023

VIA E-MAIL

Holly McDede
KQED News
2601 Mariposa Street
San Francisco, CA 94110
(E-mail: hmc dede@kqed.org)

Re: Public Records Act Request to Alum Rock Union Elementary School District

Dear Holly McDede:

You have requested the following documents:

“[A]ny and all emails, documents, or records related to complaints, reprimands, or investigations involving Israel Santiago, former teacher at Adelante Dual Language Academy.”

The School District has determined that the attached records are responsive to your request.

The District has further determined that the remainder of the records responsive to your request are exempt from disclosure under the Public Records Act as: (i) confidential student and education records under the Family Educational Rights and Privacy Act (34 CFR Part 99), and California Education Code section 49076 (see Gov. Code, §7927.705), (ii) confidential personnel information (Gov. Code § 7920.520), (iii) confidential and privileged attorney client information (see Gov. Code, §7927.705), and/or (iv) preliminary drafts, notes, or intra-agency memoranda where, as here, the public interest in withholding the records clearly outweighs the public interest in disclosure (see Gov. Code §7927.500).



Holly McDede
May 17, 2023
Page 2

In some instances, non-exempt information is not reasonably segregable from the exempt information in such records and the exempt information is inextricably intertwined with the non-exempt information. Therefore, and on that additional basis, such records are being withheld from disclosure in their entirety. (See Gov. Code, §7922.525.)

The District has further determined that, on the facts of this particular case including but not limited to the nature of the records requested, the public interest served by not making the record public clearly outweighs the public interest that would be served by disclosure of the record, and the District is withholding such records on that additional basis. (See Gov. Code §7922.000.) Per Government Code section 7922.540, you are hereby notified that the District representative responsible for the denial is Mr. Cesar Torrico, Assistant Superintendent of Human Resources of the Alum Rock Union Elementary School District.

We believe this response fulfills the District's obligations under the Public Records Act.

Thank you and please contact me if you have any questions.

REHON & ROBERTS,
A Professional Corporation

A handwritten signature in black ink, appearing to read "R.M. Ruiz".

Rogelio M. Ruiz
Enclosures

cc: Mr. Cesar Torrico, Assistant Superintendent of Human Resources

Investigation Report Regarding Student/Parent Allegations of Sexual Harassment
Against Israel Santiago

To: Ricardo Z. Medina, Chief Human Resources Officer
From: Imee Almazan, Principal, Sheppard Middle School
Date: February 20, 2014

I. INTRODUCTION

On January 9, 2014, [REDACTED] filed a written complaint with me alleging that his daughter [REDACTED], a Sheppard Middle School (“Sheppard”) student, had been sexually harassed by Sheppard music teacher Israel Santiago. The complaint alleged that Mr. Santiago had inappropriately touched and held [REDACTED]. In accordance with District BP 5145.3 and AR 5145.7, copies of which are attached, this report describes my investigation into the allegations of sexual harassment against Mr. Santiago, and sets forth the decision regarding the allegations, the reasons for the decision and summarizes the steps taken during the investigation.

II. BP 5145.3 AND AR 5145.7

District BP 5145.3 states in relevant part:

Non discrimination/Harassment

The Board prohibits, at any district school or school facility, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student’s actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

* * *

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student’s ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student’s academic performance; or otherwise adversely affects a student’s educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

District AR 5145.7 states in relevant part:

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.

* * *

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or proposition
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex

10. Displaying sexually suggestive objects

11. Sexual assault, sexual battery, or sexual coercion

III. INTERVIEWEE LIST

A. [REDACTED] grade, female student

B. [REDACTED] grade, female student

C. [REDACTED] grade, female student

D. [REDACTED] grade, female student

E. [REDACTED] grade, female student

F. [REDACTED] grade, female student

G. [REDACTED] grade, female student

H. [REDACTED] grade, female student

I. [REDACTED] grade, female student

J. [REDACTED] grade, male student

K. [REDACTED] grade, male student

L. [REDACTED] grade, male student

M. [REDACTED] grade, male student

N. [REDACTED] grade, male student

O. [REDACTED] grade, male student

IV. SUMMARY OF INVESTIGATION

A. Description of Allegation:

On December 19, 2013, an [REDACTED]th grade female student at Sheppard Middle School, [REDACTED], came to my office and reported to me that Mr. Israel Santiago, Band teacher at Sheppard, had touched her inappropriately on more than one occasion during the month of November 2013. She did not recall the dates when these incidents happened. [REDACTED] described that Mr. Santiago:

1. Invaded her personal space on more than one occasion (she could not recall the specific dates)

2. Touched her waist to move her
3. Physically moved her by holding her head and shoulders
4. Kept her in after class by herself
5. Called her out of her other classes to meet with him individually

B. Identification of Subject

1. Mr. Israel Santiago
2. Male, Hispanic
3. Band Teacher at Sheppard Middle School

C. Investigative Findings

On December 19, 2013, I met with student, [REDACTED], who came forward to report that Mr. Santiago had touched her inappropriately on several occasions during the month of November 2013 (See above.) [REDACTED] recommended two additional students that I should interview, [REDACTED] and [REDACTED], both current female [REDACTED]th grade Band students.

On the same day, I met with [REDACTED] and [REDACTED] separately and both students expressed their concern about Mr. Santiago. They expressed an overall discomfort by being in his class because they had knowledge of what happened to [REDACTED]. Though there were no physical contacts made toward [REDACTED] and [REDACTED] by Mr. Santiago, they expressed that they were worried that something might happen to them similar to [REDACTED]'s situation.

On January 8, 2014, I met with [REDACTED]'s father, Mr. [REDACTED]. He reported to me that his daughter was excited to join band class when she enrolled in the Fall quarter. However, shortly thereafter, Mr. [REDACTED] noticed that his child was coming home sad from school. He said it took a long time for [REDACTED] to tell him what happened in Band class. He recalled that his daughter told him that she was inappropriately touched by Mr. Santiago. I informed [REDACTED]'s parent of his options to file a formal complaint with me and/or report the incident to the police. He did not decide on either one of these at the time of our meeting and he wanted to think about it.

On January 9, 2014, at 11am, I met with Ricardo Medina and Robert Meteau in the HR department. We discussed the situation and I was advised by Mr. Medina to call the parent for his decision on the matter and to request a written testimony of the parent's concerns. I was directed by Mr. Medina to complete a prompt and thorough investigation regarding the student and parent concerns and allegations.

I followed up with Mr. [REDACTED] via telephone. I asked him if he had made a decision yet on filing a complaint. He did not decide. I requested that he submit, in writing, his testimony from our meeting.

On January 13, 2014, I met with Mr. Santiago, Dr. Robert Meteau (HR Director) and Jocelyn Merz (AREA President) to discuss the concerns and allegation that were brought to my attention by [REDACTED] and her parent. He recalled that he had a teachable moment with 4 students who played percussion and [REDACTED] was part of the group of students in this section. He showed them proper techniques and gave them examples. [REDACTED], in particular, did not understand what he explained therefore Mr. Santiago remembered grabbing her hands to show her how she should play the drum while standing beside her.

He reported that he did not recall invading [REDACTED]'s personal space, moving her by head and shoulders, touching her waist, and calling her out of another class to meet privately in his classroom. He did remember that he has called out groups of students during the break times to talk to them about music. The last time that he did this was on January 10, 2014.

Mr. Santiago recalled receiving an email from [REDACTED]'s father about his request to take [REDACTED] out of his Band class sometime in early December. He also remembered that he contacted the parent after receiving the email and said that [REDACTED] can come late to class if transportation was a problem. Mr. Santiago did not recall offering the parent the option of bringing [REDACTED] to his home early in the morning as an alternative.

Mr. Santiago said he was overwhelmed with preparing for the winter band concert and other things that he forgot to inform anyone about the parent's request. However, Mr. Santiago continued to mark [REDACTED] unexcused for band class.

Mr. Santiago reported that [REDACTED]'s demeanor in class in the beginning was happy and quiet. Then he noticed that she was not as cheerful. He recalled that she was not a discipline issue and she never mentioned any problems to him.

By mutual agreement between Dr. Meteau and Ms. Merz, I had asked Mr. Santiago if he recalled a conversation that I had with him in November of 2012 regarding a former female student and her parent who had similar concerns. He said he recalled the conversation and stated that I directed to not touch any student especially females. He also recalled the system that he came up with for ensuring appropriate space between students and him. I reminded him that he must use good judgment about physical contact with students such as "good touch vs. bad touch." I used an example of giving someone a "High 5" would be considered a good touch. Mr. Santiago was informed that there will be a follow up once I finished the investigation.

On January 15, 2014, I called Child Protective Services (CPS) to report the allegations and I spoke to Tuyen Yabe at 8:09 am. She informed me that these were allegations against a teacher and it is not a reportable CPS case. However, she offered to take a courtesy report and it was going to be forwarded to law enforcement. I agreed to the courtesy report and she took information from me to complete the report.

On January 16, 2014, on her own volition, a parent of one of the students, who I interviewed because he also came on his own volition, came to meet with me in the office regarding her concerns about band. Ms. Sandra Sarmiento, Dean of Academic Affairs, translated the parent's concerns to me. The parent was not happy that her child did not want to be in band. She expressed that her child's concerns were very serious. Even though nothing has happened to

her child directly, she did not want other children to be affected by what has happened to one of her child's friends. She asked that I investigate the matter.

In total, I interviewed 15 students including [REDACTED] on December 19, 2013, January 14, 2014, and January 15, 2014. Seven of the 15 students were randomly picked. Two students were referred to me by [REDACTED]. Two additional students were referred to me by the students that [REDACTED] recommended. Two students referred themselves to me because they had concerns about band.

On January 31, 2014, I was in a meeting with Mr. Santiago, Mr. Ricardo Medina (Chief Human Resources Officer), Mr. Santiago, Ms. Merz (AREA President), and Ms. Kris Clarke (CTA President). Mr. Medina facilitated this meeting. He informed the group that the matter regarding Mr. Santiago's conduct was not criminal in nature but it constituted a pattern of behavior over time that was not appropriate. Mr. Medina clarified that the purpose of the meeting was to follow up on a pattern of behavior and allegations concerning Mr. Santiago. The information from the January 13, 2014 meeting was reviewed as well as new allegations against Mr. Santiago that were brought to my attention during my interviews with students.

The following is a summary of the allegations presented to Mr. Santiago at the January 31, 2014 meeting.

1. Invaded personal space on more than one occasion of additional students.
2. Touched a female at her waist to move her
3. Physically moved a female student by holding her head and shoulders
4. Kept a female students in after class by herself
5. Called a female student out of another class to meet with Mr. Santiago individually
6. Asked a parent to drop off his child at his house
7. There is an overall discomfort and/or feeling of insecurity in Mr. Santiago's band class among female students that were interviewed
8. There were similar complaints last school year, 2012-2013, from different students at Painter and Sheppard. On three separate occasions, Ted Henderson, former VAPA Dean, Tereasa Smith, former Principal at Painter, and Imee Almazan, Principal at Sheppard met and discussed these concerns with Mr. Santiago.
9. Walked in on two female students who were getting fitted for dresses; one of the females was in her undershirt. Mr. Santiago stayed briefly to have a conversation with the two students and then left the room where they were getting fitted.
10. Finally, this year and last year numerous parents have requested their children to be dropped from the band program.

In response to the above, Mr. Santiago recalled the following during the meeting of January 31, 2014:

1. One student was interested in the band program. Mr. Santiago spoke with the student, informed the student options for band, and gave a parent permission slip.
2. Mr. Santiago called [REDACTED] out of class to come to the office. He was aware that there was a transportation issue. He remembered that [REDACTED] cut band class once because the student went to the store to buy supplies for a science project. Mr. Santiago contacted [REDACTED]'s parent to inform him of the incident and he also consulted with Bill Nicolosi, ARUESD band supervisor, regarding this student.
3. Mr. Santiago stated that 2 female students came in during lunch time while he was teaching the band class from Painter. The students needed to be fitted for their dresses for a band performance. Students were not clear about how long the dress needed to be. He knocked on the door before entering. He noticed that there was one student who had used a dress to cover herself and he immediately left the room.
4. Mr. Santiago claimed that computer problems at the beginning of the school year erased his band roster of students. He stated that he needed to recruit students on his own to fill his roster. He also reported that parents and students were dropping out of band because the class was scheduled too early. I followed up with Sandra Sarmiento, Dean of Academic Affairs, and Susan Allen, Office Assistant to follow up on the computer issue that Mr. Santiago had claimed. It was reported to me that there were no computer issues at the beginning of the year and even if there were computer issues, Mr. Santiago had hard copies of the band roster that was originally given to Ms. Sarmiento and Mrs. Allen by him.

On February 12, 2014, I spoke with Mr. [REDACTED] and Mrs. [REDACTED] regarding the extension of the investigation. They both agreed and had no concerns regarding the time extension.

V. FINDINGS

I interviewed a total of 15 band students; of those 15, 9 were female students. I found from my investigation that there were a number of allegations against Mr. Santiago made by current and former band students as follows:

- A. Of the 9 female students, seven female students that I interviewed do not feel comfortable in the classroom with Mr. Santiago.
- B. Of the 9 female students, two female students reported that they did not have any concerns about band and/or the teacher.
- C. Of the 9 female students, one female was touched inappropriately by Mr. Santiago on multiple occasions in November of 2013.

- D. A number of students indicated that Mr. Santiago had invaded their space and made them feel uncomfortable.
- E. Of the 9 female students, two students reported that Mr. Santiago walked in on them during a dress fitting. One of them was in her undershirt and was very uncomfortable. She also reported that she was physically moved by Mr. Santiago via her shoulders on multiple occasions which was uncomfortable for her. She did not recall the specific dates when it occurred.
- F. Of the six male students that I interviewed:
 - 1. Five male students reported that they had no concerns about band class and/or the teacher.
 - 2. Only 1 male student reported that he did not feel comfortable in the classroom with Mr. Santiago because of what happened to his friend in band class during the 12-13 school year when they were students at Painter Elementary. He attended band for a short time in the Fall quarter 2013 and dropped out because he was not comfortable being there.
 - 3. Two parents met with me individually on separate dates and expressed their concerns about band class and/or the teacher (Mr. Santiago). Both parents requested that I follow up on their concerns.

VI. CONCLUSIONS AND RECOMMENDATIONS

I have concluded from my investigation that:

- 1. There is an overall discomfort and/or feeling of insecurity in Mr. Santiago's band class among female students that I interviewed.
- 2. Mr. Santiago has failed to follow my directives that I explicitly spoke to him about in November of 2012. Specifically, I directed him to not touch students', in particular, female students and to respect their space.
- 3. Mr. Santiago has failed to practice good judgment regarding physical contact with students, in particular, females, and I find that conduct to be inappropriate and unprofessional.
- 4. Although I have concluded that Mr. Santiago has engaged in the conduct described in findings 1, 2 and 3 above, I do not find that that Mr. Santiago's conduct amounted to sexual harassment. I reach this conclusion because I further find that Mr. Santiago's conduct was not sufficiently severe and pervasive to establish a hostile learning environment to the degree that it

would constitute sexual harassment. However per Board Policy 5145.3, if this pattern of conduct persists, it could have the *“effect of having a negative impact on the students’ academic performance or creating an intimidating, hostile or offensive educational environment”*, thereby becoming sexual harassment.

5. I am recommending to the Superintendent that Mr. Santiago receive appropriate guidance and training to prevent any further inappropriate and unprofessional acts that are referred to in this report.
6. I am further recommending to the Superintendent that Mr. Santiago be reminded of the District’s no retaliation policy regarding sexual harassment complaints.
7. In addition, I am recommending that Mr. Santiago be transferred out of Sheppard Middle School.
8. Finally, in compliance with AR 5145.7, I will ensure that Mr. [REDACTED] and [REDACTED] are informed of the procedures for reporting any subsequent problems and I will make follow-up inquiries to see if there have been any new incidents or retaliation and I shall keep a record of this information.

cc: Stephen A. Fiss, Superintendent
[REDACTED], Parent
Israel Santiago, Teacher
AREA President
Complaint File



Commission on Teacher Credentialing

1900 Capitol Avenue Sacramento, CA 95811 (916) 322-4974 Fax (916) 323-6735 www.ctc.ca.gov
Division of Professional Practices

NOTICE OF MANDATORY SUSPENSION



December 19, 2022

Mr. Israel Alejandro Santiago



DOB: [REDACTED]
SSN: [REDACTED]

You were charged with commission of a mandatory leave of absence offense as defined in Education Code section 44940. You were charged with felony violations of Penal Code sections 288(b)(1) (lewd or lascivious act upon a child by force, violence, duress, menace, and fear) (7 counts), 288(a) (lewd or lascivious act upon a child under 14 years) (2 counts), and a misdemeanor violation of 647.6(a)(1) (annoy/molest a child) (3 counts), in Santa Clara County Superior Court, Hall of Justice/San Jose Courthouse, 191 N. First Street, San Jose, CA 95113.

Notice is hereby given that all credentials, certificates, permits, or other documents authorizing your employment in the public schools of California were **suspended** pursuant to Education Code section 44940 upon the filing of the criminal charges and the said credentials will remain suspended until entry of judgment by the court.

Your credentials will be reinstated within ten (10) days after receipt of proof in writing that the pending charges have been disposed of by the court by either (1) dismissal, acquittal, or (2) conviction of an offense other than an offense specified in Education Code section 44940. Such reinstatement is subject to subsequent review by the Committee of Credentials.

Eileen Klockgether
Division of Professional Practices

Cc: Alum Rock Union Elementary School District, Superintendent
Santa Clara County Office of Education, Superintendent

44940 and 44940.5 COMPULSORY LEAVE OF ABSENCE Whenever any certificated employee of a school district is charged with a mandatory leave offense as defined in section 44940 by complaint, information, or indictment filed in a court of competent jurisdiction, the governing board of the school district shall immediately place the employee upon compulsory leave of absence for a period of time extending for not more than 10 days after the date of the entry of the judgment in the proceedings. The employee's teaching or service credential shall be automatically suspended for the same period of time. The governing board of the school district may extend the compulsory leave of absence of the employee beyond the period by giving notice to the employee within 10 days after the entry of judgment in the proceedings that the employee will be dismissed at the expiration of 30 days from the date of service of the notice, unless the employee demands a hearing as provided in Education Code section 44930 et seq.

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Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

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Here
11/2/22

Sent to Israel Santiago

PS Form 3811, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Israel Santiago



9590 9402 6250 0265 9837 38

2. Article Number (Transfer from service label)
7020 1290 0001 4110 0172

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below: _____

3. Service Type

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Commission on Teacher Credentialing

Division of Professional Practices Voicemail: (916) 322-4974 Fax (916) 323-6735 www.ctc.ca.gov
1900 Capitol Avenue Sacramento, CA 95811-4213

MANDATORY LEAVE OF ABSENCE REPORT NOTIFICATION FORM (EDUCATION CODE SECTION 44940)

Name of Credential Holder: Israel Santiago

Date of Birth: [REDACTED] Last Four of SSN: [REDACTED] Incident Date(s): 10-28-2022

Employment Start Date: 10/11/10 Employment End Date: _____

Type of Leave: Compulsory leave of absence Beginning Leave Date: 12/1/2022

Current Address: [REDACTED]

Position and Title: Music Teacher

Arrest Date: 11-22-2022 Arresting Agency & Case #: San Jose Police Department-22-307-0640

Court Charges Filed In & Case #: Santa Clara County Superior Court Docket Number C2215843

Offense(s) Charged: See attached Criminal complaints.

Did the offense occur on School Property? Yes No If yes, explain when and where:
In the music band room at Adelante I Dual Language Academy located at 2999 Ridgemont Drive, San Jose, CA 95127

Employing School District: Alum Rock Union Elementary COE: Santa Clara

Contact Person: Dr. Hilaria Bauer Contact Number: (408) 928-6822

Please attach the following documents: (if available)

- Notification Form
- Cover Letter (Case Summary)
- Law Enforcement Report
- Copy of Complaint File in Court
- Correspondence with Employee
- All Other Relevant Documents

Relevant Evidence:

- Written Statement(s) of:
Victim(s)
Witness(es)
Parent/Guardian(s)
- Contact Information*
Name, Address, Phone Number of:
Victim(s)
Witness(es)
Parent/Guardian(s)

*NOTE: Parent permission is obtained prior to interviewing students.

Mail To: **Commission on Teacher Credentialing
Division of Professional Practices
ATTN: Nicole Lee
1900 Capitol Avenue
Sacramento, CA 95811-4213**

Fax To: (916) 323-6735

E-Mail To: DPPquestions@ctc.ca.gov

If you have any questions, Nicole Lee can be reached at the above email address or by calling (916) 322-8551.

Please Note: Notifying the Commission of misconduct pursuant to Education Code Section 44940 does not satisfy the district's responsibility to notify the Commission of the same misconduct should the district take disciplinary action against the individual pursuant to CCR Title 5, Section 80303. Please submit the appropriate documents & information using the Section 80303 Notification Form.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

Date: 12-1-2022

Commission on Teacher Credentialing
Division of Professional Practices
Attn: Dominick Conde
1900 Capitol Avenue Sacramento, CA 95811
DPPquestions@ctc.ca.gov

Re: Mandatory Leave of Absence Report Notification Form
Credential Holder Israel Santiago
SSN: [REDACTED]
DOB: [REDACTED]

Dear Mr. Conde:

In accordance with California Education Code Section 44940, the following correspondence constitutes notification by the Alum Rock Union Elementary School District regarding allegations of misconduct by District employee Israel Santiago.

The allegations include that the Credential Holder, while teaching Music classes at Adelante I Dual Language Academy School, committed multiple offenses under the California Penal Code involving children on or about and between October 1, 2021, and November 8, 2022.

Credential Holder Israel Santiago was arrested by the San Jose Police Department on November 22, 2022, and is currently being held in custody.

The School Board acted on November 30, 2022, as per Education Code 44940, and placed Credential Holder Santiago on a compulsory leave of absence.

In support of this notification, I am enclosing the Mandatory Leave of Absence Report Notification Form (with attachments). If I can provide further assistance, please contact me at 408-928-6822.

Sincerely,



Dr. Hilaria Bauer
Superintendent
Alum Rock Union Elementary School District

Hilaria Bauer, Ph.D., Superintendent

**Board of Trustees: Andrés Quintero, President · Minh Pham, Vice-President
Corina Herrera-Loera, Clerk · Ernesto Bejarano, Member · Linda Chavez,
Member**

11/26/22, 10:11 AM

Applicant Results

SAI,
State of California
Department of Justice
Bureau of Criminal Information and Analysis
P.O. Box 903417
Sacramento, CA 94203-4170

Date: November 22, 2022

CAUDALUM ROCK UNION - A5013
2930 GAY AVE
SAN JOSE, CA 95127

Subsequent Arrest Notification
Furnished pursuant to your prior Applicant Fingerprint Submission

This information is for OFFICIAL USE ONLY
Unauthorized use is a Criminal Offense

This information is being provided pursuant to Section 11105.2 of the California Penal Code and was verified at the time of submission. It is the responsibility of the authorized agency receiving the information to obtain independent validation of the current status of the arrest charge(s) prior to making any decision relating to the employment, licensing, or certification of the subject of this notice.

If this subject is no longer employed, licensed, or certified by your agency, Section 11105.2(d) of the Penal Code requires you to inform DOJ to update their records.

[REDACTED]
NAM/001 SANTIAGO, ISRAEL ALEJANDRO
[REDACTED]

APPLICANT:
2010/10/04 CAUDALUM ROCK UNION NAM:SANTIAGO, ISRAEL ALEJANDRO
SAN JOSE
001:
APPLICANT CREDENTIALLED SCHOOL EMPLOYEE

SCN:MT1D2790009 ATI-I277SAI959

ARR/DET/CITE:
2022/11/21 CACBSANTA CLARA CO CORR NAM:SANTIAGO, ISRAEL ALEJANDRO
EVI:40440080118

001:22032852

-CRT ORDER BOOK

288(B) (1) PC-L&L ACTS WITH CHILD -14:FORCE/ETC TOC:F
COM:005 ADD CNTS OF 288(B) (1) PC
ARR BY:CAPDSAN JOSE

002:

-CRT ORDER BOOK

288(A) PC-LEWD OR LASCIV ACTS W/CHILD UNDER 14 TOC:F
003:

-CRT ORDER BOOK

288(A) PC-LEWD OR LASCIV ACTS W/CHILD UNDER 14 TOC:F
004:

-CRT ORDER BOOK

647.6(A) (1) PC-ANNOY/MOL VICT UNDER 18 TOC:M
005:

-CRT ORDER BOOK

647.6(A) (1) PC-ANNOY/MOL VICT UNDER 18 TOC:M

11/26/22, 10:11 AM

006:

- --CRT ORDER BOOK

647.6 (A) (1) PC-ANNOY/MOL VICT UNDER 18 TOC:M

If the applicant wishes to obtain a copy of his/her criminal history record, he/she should either contact the Department of Justice Record Review office at (916)227-3835 or access the required forms at www.ag.ca.gov/fingerprints/security.php.

If there are any questions pertaining to this response, please contact the program at appagencyquestions@doj.ca.gov.
* * * END OF MESSAGE * * *

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
HALL OF JUSTICE

FILED
NOV 28 2022

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

ISRAEL ALEJANDRO SANTIAGO (09/18/1979),
UNKNOWN

Defendant(s).

**FIRST AMENDED
FELONY COMPLAINT
CASE SUMMARY**

Clerk of the Court
Superior Court of CA County of Santa Clara
BY A. Elorza DEPUTY

DOCKET NO. C2215843

DA NO: 221120490

CEN

22032852 EGW346 IAS HELD 11/28/22

3-11

CASE SUMMARY

Count	Charge	Charge Range	Defendant
1	PC288(b)(1)	5-8-10	Israel Alejandro Santiago
2	PC288(a)	3-6-8	Israel Alejandro Santiago
3	PC288(b)(1)	5-8-10	Israel Alejandro Santiago
4	PC288(b)(1)	5-8-10	Israel Alejandro Santiago
5	PC288(b)(1)	5-8-10	Israel Alejandro Santiago
6	PC288(b)(1)	5-8-10	Israel Alejandro Santiago
7	PC647.6(a)(1)	1-365 days Jail	Israel Alejandro Santiago
8	PC647.6(a)(1)	1-365 days Jail	Israel Alejandro Santiago
9	PC647.6(a)(1)	1-365 days Jail	Israel Alejandro Santiago
10	PC288(a)	3-6-8	Israel Alejandro Santiago
11	PC288(b)(1)	5-8-10	Israel Alejandro Santiago
12	PC288(b)(1)	5-8-10	Israel Alejandro Santiago

UPERIOR COURT OF CALIFORNI
COUNTY OF SANTA CLARA
HALL OF JUSTICE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

**FIRST AMENDED
FELONY COMPLAINT**

DOCKET NO. C2215843

vs.

DA NO: 221120490

ISRAEL ALEJANDRO SANTIAGO (09/18/1979),
UNKNOWN

CEN

22032852 EGW346 IAS HELD 11/28/22

Defendant(s).

The undersigned is informed and believes that:

COUNT 1

On or about and between October 1, 2021 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Yazmin Doe, a child under the age of fourteen years, namely 10-11, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 2

On or about and between January 15, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD UNDER FOURTEEN, in violation of PENAL CODE SECTION 288(a), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Kaia Doe, a child under the age of fourteen years, namely 8-9, with the intent of arousing, appealing to and gratifying the lust, passions, and sexual desires of the defendant(s) and of the child.

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 3

On or about and between August 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Karen Doe, a child under the age of fourteen years, namely 9-10, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 4

On or about and between August 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Karen Doe, a child under the age of fourteen years, namely 9-10, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 5

On or about and between August 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Karen Doe, a child under the age of fourteen years, namely 9-10, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 6

On or about and between October 20, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Maritza Doe, a child under the age of fourteen years, namely 10, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 7

On or about and between August 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of ANNOYING OR MOLESTING A CHILD UNDER 18 YEARS OF AGE, in violation of PENAL CODE SECTION 647.6(a)(1), a Misdemeanor, was committed by ISRAEL ALEJANDRO SANTIAGO who did annoy and molest a child under the age of 18 years, Fatima Doe, 10 years old.

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 8

On or about and between August 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of ANNOYING OR MOLESTING A CHILD UNDER 18 YEARS OF AGE, in violation of PENAL CODE SECTION 647.6(a)(1), a Misdemeanor, was committed by ISRAEL ALEJANDRO SANTIAGO who did annoy and molest a child under the age of 18 years, Tiana Doe, Ten years old.

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 9

On or about and between August 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of ANNOYING OR MOLESTING A CHILD UNDER 18 YEARS OF AGE, in violation of PENAL CODE SECTION 647.6(a)(1), a Misdemeanor, was committed by ISRAEL ALEJANDRO SANTIAGO who did annoy and molest a child under the age of 18 years, Yetzali Doe, Nine or Ten years old.

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 10

On or about November 1, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD UNDER FOURTEEN, in violation of PENAL CODE SECTION 288(a), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Ashly Doe, a child under the age of fourteen years, namely, Nine, with the intent of arousing, appealing to and gratifying the lust, passions, and sexual desires of the defendant(s) and of the child.

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 11

On or about and between September 1, 2021 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Ariana Doe, a child under the age of fourteen years, namely, 10, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

COUNT 12

On or about and between September 1, 2022 and November 8, 2022, in the County of Santa Clara, State of California, the crime of LEWD OR LASCIVIOUS ACT ON A CHILD BY FORCE, VIOLENCE, DURESS MENACE AND FEAR, in violation of PENAL CODE SECTION 288(b)(1), a Felony, was committed by ISRAEL ALEJANDRO SANTIAGO who did willfully and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Leylanie Doe, a child under the age of fourteen years, namely 10, by use of force, violence, duress, menace and fear of immediate and unlawful bodily injury on the child and another person and with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the defendant and of the child.

It is further alleged that the defendant(s) is/are not eligible for probation and the suspension of sentence, within the meaning of Penal Code section 1203.066(a)(1).

A conviction of the offense charged in this count requires the defendant to register pursuant to Penal Code section 290.

PENAL CODE SECTION 290.001/296(a) CLAUSE

The offense(s) alleged above was committed as a result of sexual compulsion and for the purposes of sexual gratification. A conviction of the offense, or any of the offenses, charged in count(s) One through eleven requires the defendant, ISRAEL ALEJANDRO SANTIAGO, to register pursuant to Penal Code section 290.

A felony conviction of the offense charged, or any of the offenses charged, requires the defendant to provide buccal swab samples, right thumbprints, a full palm print impression of each hand pursuant, and any blood specimens or other biological samples required pursuant to the DNA and Forensic Identification Database and Data Bank Act of 1998 as amended.

REQUEST FOR TRIAL PRIORITY PURSUANT TO PENAL CODE § 1048

The case charged above falls within the provisions of Penal Code section 1048, and the People therefore respectfully request that the case be given the trial priority provided by that section.

**NOTIFICATION OF EXPERT TESTIMONY PURSUANT TO CHILD SEXUAL ABUSE
ACCOMMODATION SYNDROME**

This case involves sexual assault of a child or children. At trial, the people intend to present expert testimony on the issue of Child Sexual Abuse Accommodation Syndrome in accordance with CALCRIM 1193 and Summit, Roland (1983) "The child sexual abuse accommodation syndrome" Child Abuse Negl. 7 (2): 177-93, and Summit, Roland (1992) "Abuse of the child sexual abuse accommodation syndrome", 1(4) J. of Child Abuse 153. Pursuant to Penal Code section 1054.1(a), the People intend to call Anthony Urquiza, Blake Carmichael, Anna Washington, or any other qualified expert if any of these three experts are unavailable at trial.

EVIDENCE CODE SECTION 1108 NOTICE

Notice is given that the People will offer evidence of another sexual offense or offenses within the meaning of Evidence Code section 1108 contained within the affidavit of probable cause and the attached reports. In compliance with Penal Code section 1054.7, the People will disclose any additional evidence that may become known or acquired during the pendency of this action.

EVIDENCE CODE SECTION 1360 NOTICE

In this case a child under age twelve (12) has provided one or more statements describing an act or attempted act of child abuse or neglect performed with or on the child by another. The prosecution intends to introduce said statement(s) at every stage of the proceedings in the instant case pursuant to Evidence Code section 1360.

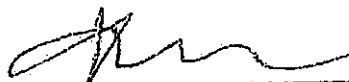
Any defendant, including a juvenile, who is convicted of and pleads guilty and no contest to any felony offense, including any attempt to commit the offense, charged in this complaint or information is required to provide buccal swab samples, right thumbprints and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to the DNA and Forensic Identification Database and Data Bank Act of 1998 and Penal Code section 296, et seq.

Further, attached and incorporated by reference are official reports and documents of a law enforcement agency which the complainant believes establish probable cause for the pretrial restraint of defendant ISRAEL ALEJANDRO SANTIAGO, for the above-listed crimes.

Complainant therefore requests that the defendant(s) be dealt with according to law.

I certify under penalty of perjury that the above is true and correct.

Executed on November 28, 2022, in SANTA CLARA County, California.



Zanutto 3657
(Zanutto 3657)
SJPD (408) 277-4102 223070640 S
Meeker/ D578/ FELONY/ MW



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Public Notification of Arrest

Post Date: 11/22/2022 9:00 AM

FOR IMMEDIATE RELEASE

TYPE OF CRIME: Sexual Assault of a Minor **CASE NUMBER:** 22-307-0640

LOCATION: San José

VICTIM: Multiple

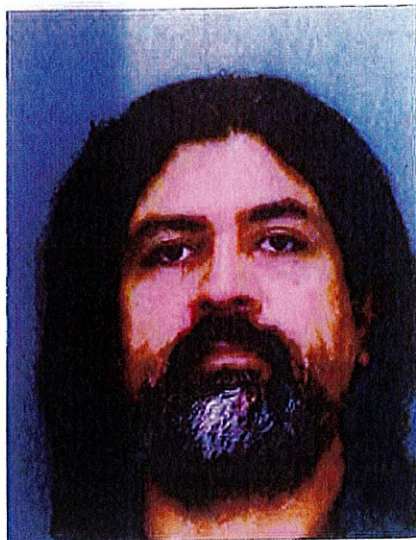
AGE: Under the age of 12

ADDRESS:

SUSPECT #1: Israel Santiago

AGE: 43 Years

ADDRESS: Morgan Hill Resident



**Suspect Israel Santiago
IN-CUSTODY**

On November 7, 2022, The San José Police Department's Internet Crimes Against Children (ICAC) /Child Exploitation Detail (CED) responded to the Adelante Dual Language Academy for an investigation involving an adult teacher having inappropriate contact with several minors at the school. Detectives interviewed several students who disclosed inappropriate touching by the suspect; the assaults occurred in the school's music and band room. At least 10 victims disclosed inappropriate conduct by the suspect.

Detectives presented the facts of the case to the Santa Clara County District Attorney's Office and an arrest warrant was issued for suspect Israel Santiago for multiple counts of sexual assault and annoying or molesting a child under the age of 12.

On November 21, 2022, members of the Silicon Valley Internet Crimes Against Children Task Force/Child Exploit Detail arrested suspect Santiago in the city of Morgan Hill. He was subsequently booked into the Santa Clara County Main Jail for multiple counts of sexual assault.

Detectives believe there could be additional victims due to the suspect's position as a music teacher.

Persons with information regarding this incident or any other similar incidents are urged to contact Detective Zanotto #3657 or Detective Gutierrez #3624 of the San Jose PD's ICAC/CED Unit at 3657@sanjoseca.gov and/or 3624@sanjoseca.gov or call (408) 537-1381.

Persons wishing to remain anonymous may either call the Crime Stoppers Tip Line, (408) 947-STOP (7867), or click the "Submit a Tip" link below. Persons providing information leading to the arrest and conviction of the suspect may be eligible for a cash reward from the Silicon Valley Crime Stoppers.

BY: Sergeant Christian Camarillo #3361

AUTHORIZED BY: Lieutenant Serjore #3789

DATE: 11/22/2022 TIME: 9:00 AM

DATE: 11/22/2022 TIME: 8:30 AM

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###



[Click to submit a tip anonymously.](#)

[Archived News: \(+1 year ago\)](#)

[Contact the Media Relations Unit](#)

[Older News: \(Prior to October 2020\)](#)

PRESS RELEASE, According to Cal Govt. Code Sect 6254(f), San Jose Police Department, Media Relations Unit, 201 W. Mission Street, San Jose, CA 95110, Ph (408) 277-5339 Fax (408) 286-0923



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

November 1, 2022

Via Certified Mail

Via Email: Israel.Santiago@arusd.org

Israel Santiago
[REDACTED]

Re: Paid Administrative Leave

Dear Israel Santiago:

This letter serves as written notice that you are placed on administrative leave with pay, effective November 1, 2022, until further notice.

During this leave, you are directed to:

1. Stay away from District property, unless directed otherwise by the Superintendent or designee.
2. Make yourself accessible by telephone and available to meet with District representatives during normal work hours, as well as to follow further District directives while on administrative leave.
3. Provide the Superintendent or designee, with a phone number where you can be contacted during regular business hours.

Should you have any further questions, please do not hesitate to contact the Human Resources Department at 408-928-6812.

Respectfully,

Cesar Torrico
Assistant Superintendent, Human Resources

Hilaria Bauer, Ph.D., Superintendent

Board of Trustees: Andrés Quintero, President · Minh Pham, Vice-President
Corina Herrera-Loera, Clerk · Ernesto Bejarano, Member · Linda Chavez, Member



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December 2, 2022,

Via Certified Mail

Israel Santiago
[REDACTED]

URGENT AND CONFIDENTIAL

Re: Compulsory Unpaid Leave

Dear Israel Santiago:

This letter serves as written notice that on November 30, 2022, the District's Governing Board took an action to place you on a compulsory leave of absence as per Education Code 44940 (d) (1) which states the following effective immediately.

Per the Education Code once a certificated employee is charged with a mandatory leave of absence offense, and upon being informed that a charge has been filed, "the governing board of the school district shall immediately place the employee on a compulsory leave of absence. The pending criminal charges against you meet the definition of a mandatory leave of absence offense.

The leave is unpaid unless the following conditions below are met as per EdCode 44940.5 (b) which states:

- An employee placed upon compulsory leave of absence pursuant to this section shall continue to be paid his or her regular salary during the period of his or her compulsory leave of absence if and during that time he or she furnishes to the school district a suitable bond, or other security acceptable to the governing board, as a guarantee that the employee will repay to the school district the amount of salary so paid to him or her during the period of the compulsory leave of absence in case the employee is convicted of the charges, or fails or refuses to return to service following an acquittal of the offense or dismissal of the charges. If the employee is acquitted of the offense, or the charges against the employee are dismissed, the school district shall reimburse the employee for the cost of the bond upon his or her return to service in the school district.

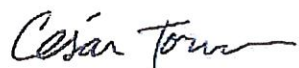
Hilaria Bauer, Ph.D., Superintendent

Board of Trustees: Andrés Quintero, President · Minh Pham, Vice-President
Corina Herrera-Loera, Clerk · Ernesto Bejarano, Member · Linda Chavez, Member

Information on how to continue your medical and dental benefits will be sent to you under separate cover.

Should you have any further questions, please do not hesitate to contact the Human Resources Department at 408-928-6812.

Respectfully,



Cesar Torrico
Assistant Superintendent, Human Resources

cc: AREA President

Hilaria Bauer, Ph.D., Superintendent

Board of Trustees: Andrés Quintero, President · Minh Pham, Vice-President
Corina Herrera-Loera, Clerk · Ernesto Bejarano, Member · Linda Chavez, Member

Documentation of incidents involving Mr. Israel Santiago, Music teacher at Painter and Sheppard Schools

On Monday, February 25, 2013, a female 5th grade student from Painter came to me at lunch on the playground and mentioned that during band she had felt uncomfortable with how Mr. Santiago had put his hand on her back and rubbed her back as he praised her. She also felt he was invading her personal space. I told her I would talk to him. Once lunch was over I went to the band room and let Mr. Santiago know that a female student had felt uncomfortable with him putting his hand on her back and that he needed to keep his hands to himself as it was making a student uncomfortable. He agreed and I left.

On Tuesday, February 26, 2013, the same female student came to the office before school to give me a note from her mother and also asked me to deliver a note to Mr. Santiago. After reading the attached letter, where another female student is mentioned as having felt uncomfortable with Mr. Santiago's actions, I interviewed the student mentioned to see if there was evidence of any inappropriate actions having taken place.

The mentioned student currently attends Sheppard Middle School, next door, so the student was called into the Sheppard office and was interviewed by myself and Ms. Almazan, the Sheppard principal. After speaking to the alleged victim and a friend of hers that she confided in, it was determined that on several occasions, Mr. Santiago would hug the student and also ask her for hugs. This would only happen when the student was alone with him. If she was with a friend he would not hug her. There were also times when he would call her out of her other classes to come over to help him. The student was unclear whether she was alone with him or not. There were also a few occasions when he hugged her and picked her up, putting his arms under her legs and carrying her. The student says this was happening in October /November of 2012.



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue

San José, CA 95127

Phone: (408) 928-6800

www.arusd.org

January 15, 2014

BY PERSONAL DELIVERY

Mr. Israel Santiago
[REDACTED]

Re: Placement on Administrative Leave

Dear Mr. Santiago,

This letter serves as notice that effective Wednesday, January 15, 2014, you are being placed on paid administrative leave, until further notice.

Effective Wednesday, January 15, 2014, you are directed to: (1) not contact or make any attempt to contact District employees during their working hours, other than myself; (2) stay away from District property unless directed otherwise by the Superintendent or his designee; (3) make yourself accessible by telephone and available to meet with District representatives during your normal work hours; (4) provide the Director of Human Resources a phone number or phone numbers where you can be contacted during your normal work hours; and (5) follow any further District directives while on administrative leave.

Please call me if you have any questions about this letter, at (408) 928-6812.

Sincerely,

Ricardo Z. Medina
Chief Human Resources Officer

cc: Stephen A. Fiss, Superintendent
Imee Almazan, Principal, Sheppard Middle School
Personnel File

Stephen A. Fiss, Superintendent

Board of Trustees: • Andrés Quintero, President • Andrea Flores Shelton, Vice-President
• Karen Martinez, Board Clerk • Frank Chávez, Member • Dolores Márquez, Member



ALUM ROCK

UNION ELEMENTARY SCHOOL DISTRICT

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Hand Delivery

TO: Israel Santiago, Classroom Teacher *RS*
FROM: Ricardo Z. Medina, Chief Human Resources Officer
RE: Letter of Reprimand
DATE: March 10, 2014

Recently (March 2014), you should have received a copy of Principal Imee Almazan's "Investigation Report Regarding Student/Parent Allegations of Sexual Harassment Against Israel Santiago." This Letter of Reprimand is being issued to you pursuant to the findings and conclusions in Ms. Almazan's Report.

The Report concluded the following:

1. There is a discomfort and/or feeling of insecurity in your band class among female students that were interviewed.
2. You failed to follow Principal Almazan's directives that she explicitly spoke to you about in November of 2012. Specifically, she directed you to not touch students, in particular, female students and to maintain appropriate space.
3. You have failed to practice good judgment regarding physical contact with students, in particular, females, and Principal Almazan concluded that your conduct was inappropriate and unprofessional.
4. Although Principal Almazan's investigation findings 1, 2, and 3 did not conclusively find evidence that your behavior was sufficiently severe or pervasive to be labeled sexual harassment per Board Policy 5145.3 if this pattern of conduct persists, it could have the "*effect of having a negative impact on the students' academic performance or creating an intimidating, hostile or offensive work environment,*" thereby becoming sexual harassment.
5. I am in support of Principal Almazan's recommendation to the Superintendent that you receive appropriate guidance and training to prevent any further inappropriate and unprofessional acts that are referred to in her Report..
6. Principal Almazan further recommended to the Superintendent that you be reminded of the District's no retaliation policy regarding sexual harassment complaints.
7. Based on Principal Almazan's recommendation to Human Resources and to the Superintendent we have decided to transfer you out of Sheppard Middle School.

Stephen A. Fiss, Superintendent

Board of Trustees: • Andrés Quintero, President • Andrea Flores Shelton, Vice-President
• Karen Martinez, Clerk • Frank Chávez, Member • Dolores Márquez, Member



ALUM ROCK

UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

8. Finally, in compliance with AR 5145.7, Principal Almazan will ensure that appropriate parents and students are informed of the procedures for reporting any subsequent problems and Principal Almazan will make follow-up inquiries to see if there have been any new incidents or retaliation and she will keep a record of this information.

Principal Almazan's conclusion that your conduct was "inappropriate and unprofessional" was based upon the following facts:

- A. Of the 9 female students interviewed, seven female students stated they did not feel comfortable in the classroom with you.
- B. Of the 9 female students interviewed, you touched one female student inappropriately on multiple occasions in November 2012.
- C. Of the 9 female students interviewed, two reported that you walked in on them during a dress fitting. One of them was in her undershirt and was very uncomfortable. This student also reported that she was physically moved by you via her shoulders on multiple occasions which was uncomfortable for her.
- D. Various students felt that you had invaded their personal space and felt very uncomfortable with you in that regard.

In issuing this Letter of Reprimand I am mindful of the following:

1. In the month of November 2012, Principal Almazan met with you regarding a former female student and a parent who had similar concerns as [REDACTED] had regarding your behavior toward his daughter, [REDACTED]. During that meeting Principal Almazan directed you not to touch any student, especially females. During your first interview with Principal Almazan in her investigation, you recalled the foregoing conversation and the direction from Principal Almazan not to touch any student, especially females.

2. In February 2013, Tereasa Smith, the Principal of Painter Elementary School spoke to you about a female student who had complained to her that you made her feel uncomfortable by placing your hand on her back. During your meeting with Principal Smith, she told you that you needed to keep your hands to yourself because it was making students uncomfortable. You told Principal Smith that you agreed to keep your hands to yourself.

3. In addition, in February 2013, you were spoken to by Ted Henderson, who was then the District's Music Coordinator, about a female student feeling uncomfortable with you because of the manner in which you were touching her. During Mr. Henderson's foregoing conversation with you, you told Mr. Henderson that in your excitement of students' success in your class you would sometimes hug a student, and on one at least one occasion even lifted up a female student. After hearing this, Mr. Henderson told you to find non-physical means of showing your approval of students' progress. At that time, Mr. Henderson also told you that any further physical contact you had with students could affect your continued employment with the District.

Stephen A. Fiss, Superintendent

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As the result of this meeting, Mr. Henderson felt that you seemed very aware that you should not physically interact with students in the future.

In light of the findings and recommendations set forth in Principal Almazan's report and the two foregoing incidents that I am mindful of, you are directed to:

1. Be mindful of students' personal space and not to either touch students nor get uncomfortably close to them.
2. Be cognizant of what students are doing and where they are in order to minimize walking in on students when they are changing clothes.
3. In accordance with District Board Policies and Administrative Regulations you are not to retaliate against any student or parent who participated in Principal Almazan's investigation that resulted in her report. Any such retaliation will be grounds for discipline, up to, and including dismissal.
4. Within 10 work days of receiving this reprimand, contact Robert Meteau, Director of Human Resources, so that he may set up appropriate training for you regarding sexual harassment and students. In this regard, you are hereby required to take a minimum of two (2) hour(s) of such training.
5. Work with your Music Coordinators/supervisors (Bill Nicolosi and Colin Ford) to receive guidance, training and mentoring regarding appropriate student contacts and interactions.

Your failure to follow any directive or directives in this reprimand will be grounds for further discipline, up to, and including dismissal.

cc: Stephen A. Fiss, Superintendent
Robert Meteau, Director of Human Resources
Imee Almazan, Principal
Jocelyn Merz, AREA President
Personnel File

THIS DOCUMENT WILL BE PLACED IN YOUR PERSONNEL FILE. YOU HAVE TEN DAYS FROM RECEIPT OF THIS DOCUMENT TO SUBMIT A SIGNED WRITTEN COMMENT WHICH, IF TIMELY SUBMITTED, WILL BE ATTACHED TO THIS DOCUMENT AND PLACED IN YOUR PERSONNEL FILE.

Stephen A. Fiss, Superintendent

Board of Trustees: • Andrés Quintero, President • Andrea Flores Shelton, Vice-President
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