



Cloverdale Unified School District
Washington School Investigation
Executive Summary- Lucchetti

Prepared For:

Delivered by email.

Jennifer Henry
School and College Legal Services
5350 Skylane Boulevard
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June 3, 2022

SCOPE OF INVESTIGATION

At the direction of Jennifer Henry, Associate General Counsel, the undersigned was designated to conduct an investigation of alleged misconduct stemming from the following allegations.

A Scope and Focus

The investigation was focused on the following allegations:

- Allegation #17 Principal Lucchetti did not make a Child Protective Services report as a mandated reporter.
- Allegation #18 Principal Lucchetti conducted an incomplete investigation into inappropriate conduct of an employee.
- Allegation #19 Principal Lucchetti did not document findings from his investigation of inappropriate conduct from Teacher [REDACTED].
- Allegation #20 Principal Lucchetti did not attend training as instructed by his supervisor, Superintendent MacClain.
- Allegation #21 Principal Lucchetti did not investigate additional complaints, made after October 4, 2021, that Teacher [REDACTED] touched students.
- Allegation #22 Principal Lucchetti did not contact parents of students who reported inappropriate conduct from Teacher [REDACTED].
- Allegation #23 Principal Lucchetti yelled at staff members and lost his temper with other staff present.
- Allegation #24 Principal Lucchetti instructed his staff not to contact other district administrators during a safety breach or student emergency.
- Allegation #25 Principal Lucchetti did not contact his supervisor and follow direction provided by a fellow administrator.
- Allegation #26 Principal Lucchetti undermined and threatened to sabotage Superintendent MacClain's leadership.

CONFIDENTIAL REPORT

Subject to Attorney-Client Privilege and Work-Product Doctrine

Allegation #27 Principal Lucchetti yelled at his supervisor, Superintendent MacClain, and lost his temper in front of others during a meeting.

B Identification of Witnesses and Content of Interviews

Once the scope of the investigation was determined and agreed upon, the investigator operated independently when preparing the interview content, and preparation of findings.

The investigation was initiated on March 7, 2022 and concluded on May 30, 2022. The complainant and witness names have been excluded for confidentiality.

At the beginning of each interview, all subjects were advised of the following:

1. The investigator is a neutral fact finder investigating a complaint on behalf of the Cloverdale Unified School District.

2. The investigator would both record and take notes during the interview. Based on the information provided, the investigator would prepare a summary statement to be included as part of the final report.

The parties interviewed were asked not to discuss the subject matter of their interview with any peers. They were all advised they have a right not to be retaliated against for participating in this interview process and/or for making the original complaint. They were advised to report any suspected retaliation to Cloverdale Unified School District office or this investigator.

SUMMARY OF ALLEGATIONS AND FINDINGS

The standard of proof used by the investigator to reach a finding of fact specific to each allegation identified in this case was a **Preponderance of the Evidence**. A preponderance of the evidence, or when the evidence makes the allegation “more likely than not,” is the standard commonly applied to workplace, schools and EEOC investigations.

Allegation #17:

Principal Lucchetti did not make a Child Protective Services report as a mandated reporter.

Finding #17:

This allegation is sustained.

CONFIDENTIAL REPORT

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After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

Lucchetti acknowledged that he did not make a CPS report after learning of S1's allegations of [REDACTED] touching her. The respondent said he did not deem the incident between S1 and [REDACTED] to require a CPS report. The respondent did not see any "intent" on [REDACTED]'s part and did not feel the act was malicious.

Allegation #18:

Principal Lucchetti conducted an insufficient investigation into inappropriate conduct of an employee.

Finding #18:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

The respondent stated he spoke to S1 as part of his investigation. The respondent did not speak with any other students regarding S1 and her reported allegations against [REDACTED].

Witness statements contradict the respondent's statement about speaking with S1 regarding her allegations against [REDACTED].

Another witness stated the respondent did not ask [REDACTED] if he ever touched S1.

Allegation #19:

Principal Lucchetti did not document findings from his investigation of inappropriate conduct from Teacher [REDACTED].

Finding #19:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

No documentation of the investigation was provided from the respondent to the Superintendent. The respondent stated that he may have entered notes into an involved students Aeries account. A search of Aeries system found no notes were documented in that student's file.

The respondent did not write a letter of concern to [REDACTED], nor did he document any of his conversations with witnesses, staff, students, or [REDACTED], related to this matter. The respondent said if he did anything wrong, it was that he didn't do as good as a job in documenting this incident as he had done in the past. The respondent said there may be notes related to this incident in his desk or on his computer at school.

The investigator located notes in the respondent's desk that had been provided by [REDACTED]. No other documentation was located regarding the respondent findings of his investigation into allegations against [REDACTED].

Allegation #20:

Principal Lucchetti did not attend training as instructed by his supervisor, Superintendent MacClain.

Finding #20:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

On the day of the training, one witness asked the respondent if he was attending the training to which the respondent replied, "nope."

The respondent told the investigator he had previously attended the required training and he forgot about this training. The respondent told the Superintendent that he had previously attended the required training, on more than one occasion.

Allegation #21:

Principal Lucchetti did not investigate additional complaints, made after October 4, 2021, that Teacher [REDACTED] touched students.

Finding #21:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

Of the seventeen student witnesses interviewed, only one student stated the respondent asked her about her interaction with [REDACTED].

Another witness stated the respondent did not ask [REDACTED] about any of the allegations made by students after October 4, 2021.

The respondent stated he interviewed three students regarding complaints made against [REDACTED] after October 4, 2021. The respondent did not document these conversations he had with the students. The respondent said his investigation into [REDACTED]'s conduct concluded when there were no more student complaints. The respondent said the student complaints were ongoing and he felt if he was still at the campus, the complaints would still be ongoing.

Allegation #22:

Principal Lucchetti did not contact parents of students who reported inappropriate conduct from Teacher [REDACTED].

Finding #22:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

The respondent did not contact any other parents of children who complained about [REDACTED]. The respondent said after talking with the students regarding allegations against [REDACTED], he did not think it was pertinent to contact the parents of the students. The respondent said he did not feel like "much was there" after talking to other students and investigating the allegations against [REDACTED].

Allegation #23:

Principal Lucchetti yelled at staff members and lost his temper with other staff present.

Finding #23:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

Witness statements support this finding. Three witnesses described the respondent yelling at two staff members.

One witness described the respondent lashing out at her and embarrassing her in front of other staff.

Another witness stated the respondent snapped at her. The same witness stated she no longer felt comfortable bringing issues to the respondent because the respondent had been short with staff members.

The respondent said he does not think he has ever yelled at his staff. The respondent said there was one time this school year where he “snapped” at two staff members. The respondent later apologized to the two staff members.

Allegation #24:

Principal Lucchetti instructed his staff not to contact other district administrators during a safety breach or student emergency.

Finding #24:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

Witness statements and documents provided as evidence support this finding.

The respondent said he did send an email regarding the chain of command. The respondent said the email was sent after staff “went over his head” regarding an incident with a student.

Allegation #25:

Principal Lucchetti did not contact his supervisor and follow direction provided by a fellow administrator.

Finding #25:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

Witness statements and documents provided as evidence support this finding.

The respondent stated he did not contact police after an email was sent to him by another administrator, which stated the Superintendent believed the police should be contacted.

Allegation #26:

Principal Lucchetti undermined and threatened to sabotage Superintendent MacClain’s leadership.

Finding #26:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

Witness statements support this finding. Four witnesses described the respondent as making statements about MacClain including “taking MacClain down”, “working one more day” than MacClain, ruining MacClain’s reputation, and being a thorn in MacClain’s side. A witness also recalled the respondent, stating he would call in favors from families and have MacClain removed from her position as Superintendent.

The respondent said he told another teacher he would stay and work one more day longer than MacClain. The respondent said he only remembered saying this to one person.

Allegation #27:

Principal Lucchetti yelled at his supervisor, Superintendent MacClain, and lost his temper in front of others during a meeting.

Finding #27:

This allegation is sustained.

After carefully considering all the statements that were provided from the complainant, respondent and witnesses, the investigator finds there is sufficient evidence to support this allegation.

The complainant stated the respondent yelled at MacClain on more than one occasion.

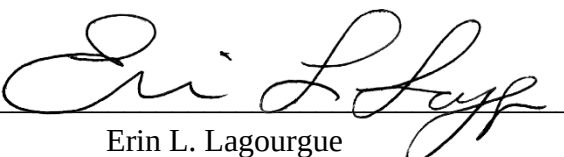
Witness statements support this finding. One witness described the respondent as red and appearing angry during an in-person meeting where the respondent raised his voice at MacClain. Another witness described the respondent as rude, unprofessional, and quick to react during meetings with MacClain.

Three witnesses described incidents where the respondent spoke with an elevated tone, raised his voice, and appeared angry while addressing MacClain.

The respondent said he did not yell or raise his voice at MacClain during the meeting where suspension letters were discussed. The respondent added that “raising his voice” is a subjective term and he did not yell at all. The respondent said he may have raised his voice during a meeting with MacClain.

This investigation is submitted as complete.

Dated: June 3, 2022

Signed: 
Erin L. Lagourgue