



November 17, 2022

Christina Hodge

VIA EMAIL – mchodge71@gmail.com

Re: FOIA 22-67 request dated 11/7/2022

Subject:

1) Any communication to or from an sd308 BOE member, district staff, or non-employee about a change in practice with FOIA requests. Communications including but not limited to:

- a) A change in practice with posting FOIA requests and not the content in full
- b) Disabling or enabling hyperlinks on the district's website for the year 2022
- c) Using a different approach for the processing of FOIA ID# 22-38
 - i. Records sufficient to show communication about the decision to withhold FOIA ID#22-38 from the CFO's FOIA summary memo for the BOE meeting on September 12, 2022
 - ii. Records sufficient to show communication about the decision not to post the response document for FOIA ID# 22-38 in Board Docs.
 - iii. Records sufficient to show any communication about decisions to process FOIA ID# 22-38 differently than other FOIA requests
- d) Any change in practice with how FOIA requests are handled not already mentioned from January 1, 2022, through November 7, 2022.

2) The full report from the district's investigation of Deryl Leubner that occurred on or around 5/1/2021 – 9/1/2021

Dear Ms. Hodge:

This letter will serve as Oswego Community Unit School District 308's response to your FOIA request received on November 9, 2022 under the Freedom of Information Act (5 ILCS 140/1 et seq.), in which you asked for the above referenced information. Attached is the information you requested.

Regarding Item 1; 1a; 1b: There are no records regarding a policy change as no policy was changed. The district made a change in practice with posting FOIA requests, and not the content in full. There are no further records responsive to your request.

Regarding Item 1 c (i-iii) FOIA 22-38: SD308 followed all FOIA requirements when responding FOIA 22-38. However, it was inadvertently left off the BOE agenda for September 12, 2022. FOIA 22-38 was presented as part of the November 14, 2022 FOIA Memo.

Regarding Item 2: Redactions have been made due to the following exemption(s) under the Illinois Freedom of Information Act as follows:

Section 7(1)(c) - Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. (22-38 and 22-64)

Section 7.5(r) disclosures prohibited by the Illinois School Student Records Act.

The decision to withhold the redacted information was made by me consulting with our District legal counsel. You have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor Office
of the Attorney General 500
South 2nd Street Springfield, IL
62706

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC. You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

To promote district transparency and assist others who may have a similar question, this responsive document will be posted online on the district's website. To access it, go to www.sd308.org and select *Our District > Freedom of Information Act Request > FOIA Request Responses>FOIA Requests Responses -2022 – 22-67*.

Please be advised that to comply with your FOIA request, the district incurred an expense that comprised of the cost of labor and resources used to search for records responsive to your request. Let me know if you have additional questions. Thank you.

John Petzke

John Petzke

Assistant Superintendent of Operations/

Freedom of Information Officer



MEMORANDUM

To: Kenneth Miller
From: Val Patterson and Stacy Turner
Date: September 27, 2021
Re: Deryl Leubner - Oswego Girls' Swim/Dive Coach Investigation Report

Background

On June 16, 2021, the District received a written complaint from PARENTS of [REDACTED] an [REDACTED] student, after an incident that occurred during a June 15, 2021, girls' Delta Aquatics practice where their daughter, [REDACTED], was allegedly yelled at / verbally abused by Coach Deryl Leubner (Leubner). A copy of that complaint is attached as **Exhibit A**. They alleged that Leubner had created a negative climate and engaged in appropriate behavior on June 15, 2021, by yelling at their daughter for not having completed her swim set on time during a Delta Aquatics swim team practice. Leubner is alleged to have told the swimmers that *"there was a reason that everyone else on the team was better than them;" "they were mental minimalists;" "they had no drive and motivation, and never try."* In the email, the parents also alleged that Leubner has used [REDACTED] against her and that he told another swimmer that she was *"completely useless and should just become a professional lifeguard."*

The complaint also alleged that there is a culture of bullying/abuse in both the Delta Aquatics and Oswego Swim/Dive programs that has been known, is systemic, and has not been properly addressed by the District. The parents discussed their concerns with Patterson and Turner prior to scheduling an interview on 6/28 for [REDACTED]

The District had previously disciplined Leubner for inappropriate actions with high school swimmers during a Delta Aquatics practice on November 16, 2019. On that date, Leubner was extremely agitated and began to yell at the male swimmers in the pool. He was in a rage and repeatedly yelled "F**k" and "F**ing" in describing the male swimmers. He resigned as the Oswego Boys' Swim/Dive coach, received a long-term unpaid suspension from his roles as the Program Administrator and Swimming Coach of Delta Aquatics, was ordered to participate in and fully comply with a district-provided anger management referral, and was warned that any future ethics and conduct violations would result in further disciplinary action up to and including termination. The December 13, 2019 written discipline is attached as **Exhibit B**.

As a result of the investigation into the June 15, 2021, incident during the Delta Aquatics swim practice, Leubner was terminated from his positions as the Program Administrator and as a Swim Coach with Delta Aquatics. A copy of the August 19, 2021 termination notice is attached as **Exhibit C**.

Since receiving the complaint, the District has received many emails from community members that are supportive of Mr. Leubner. Additionally, the District has received many emails from community members with allegations of inappropriate interactions between Leubner and swimmers including misconduct that extended to his role as a High School Swimming Coach. In addition to the specific June 15, 2021 Delta Aquatics incident, the investigation uncovered additional inappropriate conduct on Leubner's part in his role as the High School Swimming Coach as described below.

Applicable Policies

The following Board Policies, attached as **Exhibit D**, apply to this matter:

- Board Policy 5:120 "Ethics and Conduct" requires all District 308 employed to maintain high standards in their school relationships, to be considered in cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others.
- Board Policy 5:230 "Maintaining Student Discipline" requires employees to refrain from disciplinary methods that may be damaging to students such as ridicule, sarcasm, or excessive temper displays.
- Board Policy 7:20 "Harassment of Students Prohibited" prohibits conduct that includes the name-calling, using derogatory slurs, stalking, and causing psychological harm.

Witness Interviews

Val Patterson and Stacy Turner interviewed students (current and former) and parents who had firsthand knowledge of Mr. Leubner's actions as a swim coach. The witnesses who addressed Leubner's actions and/or impact as a swim coach for Oswego School District are summarized below. Witnesses whose accounts addressed only the Delta Aquatics program are not summarized below. There are additional individuals who may have relevant firsthand knowledge but who declined to be interviewed.

1. [REDACTED]

On June 15, 2021, Mr. Leubner yelled at three female swimmers in lane 8 during a Delta Aquatics practice at Oswego East High School from 7 a.m. – 9 a.m. Mr. Leubner belittled the swimmers and made insulting comments to them. Mr. Leubner has done this before, despite being aware that [REDACTED] and was on the verge of wanting to leave swimming.

[REDACTED] stated that seniors typically participate in leadership planning for the swim team, including designing team shirt, pick competition suit, and plan team outings. During the 2020-21 school year, Leubner denied seniors this opportunity and, instead, appointed a council of four swimmers, one per grade level.

•9/9/20- seniors got called ungrateful and that there are more important things than senior night, told us that snarky and rude comments in the group chat need to stop even though we didn't say anything and demanding gifts is rude even though we didn't demand anything, called us spoiled and disrespectful because we were "complaining" about ballon arch and senior night being inside even though we hadn't talked about senior night at all

•9/12/20- got yelled at for getting senior shirts even though he told us we could do whatever we wanted for senior night

Other things without dates:

•4 out of 5 seniors will not be on the sectional team

•the team is screwed because of the seniors

•distance swimmers are like curling iron, you give them a set and then forget about them

•repeatedly told the senior girls that we need to stop talking and being friends with the senior boys because they are stupid and slow and they are going to make us stupid and slow

•at a boys meet one of the boys in our class tried to jump out of the pool and hurt himself so he walked past and said to the girls timing that "the boys team is a bunch of f[REDACTED] idiots"

During her interview, [REDACTED] stated that there were issues with Leubner on day one of their senior year on the OSD girls' swim team in 2020. On the first day, he told the students:

- Nobody cares that you're seniors; it is no accomplishment and only means that you hadn't gotten hit by a bus.
- COVID is Karma related to the class of 2021 because they are toxic.
- The team is toxic and the varsity seniors are to blame. Leubner's attitude was that seniors are toxic and not special.

[REDACTED] stated that Leubner told the team on the first day of practice to not tell their parents the things he said to the team. [REDACTED] described how Mr. Leubner made her feel bad. She believed that his yelling got worse year after year from freshman year to senior year. Previously, his yelling was related to practice. Yet, during the 2020-21 school year, it seemed different, being more frequent and targeted to Seniors in the Class of 2021. [REDACTED] left Delta Aquatics the day after sectionals and swam for [REDACTED]. The coaches there are respectful [REDACTED]

[REDACTED] stated that, during the 2021 high school season, Leubner got very angry at [REDACTED] around the middle or end of the season. It was 45 to 50 degrees outside and Leubner told [REDACTED] to get out of the pool and he made her stand outside the building with him for 20 to 30 minutes until they came back inside. [REDACTED] were swimming in lane two next to [REDACTED] who was in lane one. They began a 20-minute set just before [REDACTED] and Leubner went outside. When she returned, [REDACTED] said that she was freezing outside and had begged Leubner for her towel/shoes while they were outside but he said 'no.' [REDACTED] told her mom when she got home, and checked the temperature which was 45-50 degrees.

The female and male swimmers in [REDACTED] class were good friends with one another. Leubner did not like the boys. The boys assumed that it was because they were loud, goofy, had inside jokes and acted like nerds. Leubner told the girls that the boys are slow and stupid and that hanging with them would make the girls slow and stupid. He told the girls that if you talk to the boys you won't be successful swimmers. Some of the girls were in the hall when Leubner yelled at the boys during the November 2019 incident. They also heard about it from the boys as well a 7th grade female who was at the boys' Delta practice on the date of the incident.

3. Parent. [REDACTED]

[REDACTED] She submitted an email on July 8, 2021 detailing an incident that had occurred on October 22, 2019. A copy of that email is attached as Exhibit F.

On October 22, 2019, [REDACTED] was at the pool at Oswego East High School setting up a breakfast for the girls at 6:15 AM. At the end of practice, Leubner got mad and threw his clipboard to the ground and then screamed for several minutes at the students. [REDACTED] Parent remembered that she became so uncomfortable that she counted bricks in the wall and turned her back to the girls. [REDACTED] Parent had never seen anyone go on such a tirade before. She could see the girls were embarrassed and some of them walked past her and apologized for his behavior. When the girls were changing in the locker room before they came to breakfast, Leubner came out of his office and loudly explained to [REDACTED] Parent, the only person on the deck at the time, why he was angry. He still sounded very angry. When he walked away, he turned [REDACTED] and told her that it was not [REDACTED] that he was yelling at [REDACTED] she remembered that she got in her car and called her husband immediately. While she had heard about his temper, this was the first time she had experienced it.

4. [REDACTED]

[REDACTED] stated that Leubner told the swimmers to not tell their parents any of the things that happened because he didn't want to get emails from parents. She stated that on one of the first days of OSD practice in August of 2020, the students were getting ready for dryland (weightlifting). The Seniors were together talking about doing the T-shirt design and some team bonding ideas (like Seniors had done each year before). Leubner got mad and took all of the Senior leadership responsibilities away from the Seniors. He also yelled at everyone to be more team oriented. One of the girls suggested that while they were waiting for Leubner to come into the weight room, that they should get in a circle and go around to say something about themselves to get to know each person - they were trying to be team-oriented. When Leubner came in and heard one of the girls sharing, he yelled, "What are you guys doing?" The girls responded that they were trying to do what he said and get to know the other girls. Leubner yelled at the girls saying, "that's not what I told you to do." Later, Leubner made a 4-person committee (one person from each grade) to make all the team decisions (pick the competition suit, coordinate team outings, etc.)

During her sophomore year, [REDACTED] One time, [REDACTED] Leubner called [REDACTED] and asked her about two of the Senior girls that year who didn't get along. When [REDACTED] told him that said she didn't know anything, he didn't believe her and kept pushing her and raising his voice at her. [REDACTED] stated that she just stood there awkwardly and Leubner finally gave up. [REDACTED] did tell her mom about the incident.

[REDACTED] said her best stroke is [REDACTED]. Leubner was yelling at her because what he was telling her to do to make it better wasn't clicking with her. Although she was trying, Leubner got angry and said he wouldn't let her race in [REDACTED] and that he would take her off Varsity. This made her feel frustrated and defeated.

5. [REDACTED]

[REDACTED] She swam the [REDACTED] in high school. She believes her experiences under Leubner gave her anxiety about dealing with authority. Once, [REDACTED] and about 5 other students went into the pool area to put their belongings in the locker room. Leubner started screaming, banging his hand on a table saying "get out of my pool." The students, who were all members of the swim team, left the pool area. They went to the OE vs OHS basketball game that was underway at OEHS. Leubner came to the game to find all the people that didn't show up for practice asking why they weren't there even though he had just yelled at them to leave the pool area.

[REDACTED] stated that Leubner called her 'stupid' on several occasions. He called her 'stupid' once because she missed a time of .02 seconds, he called her stupid once because she misstarted on the block, and he told her that she had asked a stupid question after she asked him a question about swimming. She never asked another question and wouldn't talk unless he said something to her.

During one season, a male swimmer missed about two weeks because of a sinus infection. Leubner told everyone that the absent swimmer wasn't really sick because sinus infections aren't real – that they are like unicorns that don't really exist – and that he just used that as an excuse to get out of swimming.

[REDACTED] stated that she used to love swimming and swim practice. Coach Aaron made sure the students had fun but he also pushed them to always get better. Once she moved to Leubner's level, she would cry because she dreaded to go to practice. Although she was trying her best, Leubner would tell her mother that she wasn't trying hard enough. The students 'celebrated' when Coach Bob was at practice instead of Leubner.

[REDACTED] wanted to leave Delta and swim for a different team but Leubner would say that you would be seen as nothing to him if you left Delta. Once [REDACTED] left Delta, she quit swimming at the high school.

[REDACTED] stated that she doesn't know if Leubner thought that the way he treated the swimmers and yelling at them would motivate them, but she still has nightmares still today because of the

way he coached her many years ago. She has had dreams in which she is drowning in the pool and Leubner is yelling at her.

Once she stopped swimming, [REDACTED]
She never saw any of those team coaches treat the athletes the way Leubner treated swimmers. None of those coaches yelled and degraded the team like Leubner did.

6. [REDACTED]

[REDACTED] stated that "Deryl was a dick" and that he "hated" the boys' team. He explained that the girls got special treatment and that the girls' high school team was favored. Leubner told the boys' he didn't want to coach them anymore and talked down to them.

During [REDACTED] freshman year on the high school swim team, Leubner was always mad: throwing his glasses and his clipboard. Leubner told [REDACTED] and other swimmers that there was no word "try," and that [REDACTED] was not a smart swimmer. Leubner told him he was replaceable and worthless and kicked him to the JV team. Leubner asked [REDACTED] why he was always "messing around", told that he was a "one-trick pony", he should "do more", he "sucked", and "use my [your] head".

During [REDACTED] sophomore year, Leubner was again always yelling, told [REDACTED] to 'pull your head out of your ass' and told [REDACTED] that he was not a smart swimmer. This was the year that Leubner grabbed [REDACTED] neck at a meet. According to [REDACTED]:

- Leubner didn't care about the boys' practices.
- At the conference meet, Leubner called the boys 'failures.' Someone's shoes were tied together and hung over the pipes in the boys' locker room. [REDACTED] was getting them down (but didn't put them up there). The shoes fell to the floor and Leubner yelled at them.
- When [REDACTED], Leubner told him that if he got a certain time, he could go to [REDACTED] got the score and went up to Leubner, said he got it and that meant he could go, right? Leubner said no and [REDACTED] didn't get to go.
- Leubner said that [REDACTED] was a "failure of his" (Leubner's)
- Leubner's yelling and throwing things intensified with HS boys.

During [REDACTED] junior year:

- Leubner told the boys he would kick them off Delta if they swam for the Park District (Otters) or got help from third parties (Swim Labs)
- Leubner stopped caring and he resigned before the beginning of the boys' high school swim season
- Leubner told [REDACTED] he would never swim a relay because he would mess up every time.

Regarding the November 2019 incident: The boys who had gone to Sectionals the previous year would get together and "TP" the houses of the girls going to Sectionals (in November 2019) and make signs for the girls and leave the signs in the girls' yards. [REDACTED] explained that signs had the girl's name and positive things/sayings on them and that the boys signed them. He said the boys wrote positive, goofy things and had math equations or "I love you's" on all the girls' signs except [REDACTED]. Her sign had her name and some positive sayings on it and was signed by each of the boys. They did not write any goofy inside jokes or "I love you" on her sign and did not "TP" her house [REDACTED].

[REDACTED] stated that there were six boys, including himself, who had gone to sectionals the year before who were still swimming and hadn't yet graduated. After they TP'd the houses, the boys had a sleepover at one of the boys' homes. In the morning, [REDACTED] were the only two of the six boys who woke up early enough to go to the Delta practice run by Coach Temo (since Leubner was going to be at Sectionals with the girls). Thirty (30) minutes before the end of practice, Leubner came into the pool area while the Delta boys were swimming and started yelling at the boys in the pool by name and telling them each, (e.g. "F [REDACTED] you, [REDACTED] F [REDACTED] you Student [REDACTED], F [REDACTED] you, [REDACTED], etc.). Leubner yelled at them and then when he was leaving, he told them to "Butterfly" the rest of the practice. [REDACTED] said there was one younger girl swimmer who doesn't go to Oswego in the pool. Her eyes were big and she looked scared. [REDACTED] later learned that this was [REDACTED] said that the boys still went to Sectionals that day to cheer on the girls.

At the following Monday's high school practice, Leubner pulled all the high school boys and apologized to the three boys ([REDACTED]). He said he was sorry he yelled at them but said 'you bullied [REDACTED]'. Leubner said he resigned, and he knew their parents may have questions. Erik Enslen took over the boys' team and he was an "amazing/awesome coach." Enslen was an IMer (Individual medley swimmer) and Leubner was a freestyler; with Enslen they swam more varied strokes.

During [REDACTED] senior year, some boys were "trash talking" Marmion swimmers because there was a Delta swimmer named [REDACTED] who swam for Marmion. The boys got in trouble when one boy (in a chat) took it too far and said [REDACTED]. The mother called the AD at OE and he talked to Erik Enslen. The boy who did it got in trouble and had to apologize. [REDACTED] said while Enslen was in the office with Athletic Director Millard, Leubner walked by the boys and said "why can't you boys behave?"

[REDACTED] said he was so mad about the [REDACTED] incident when Leubner grabbed [REDACTED] by the neck.

[REDACTED] said that Leubner's wife had been his teacher for English and she was one of his favorite teachers.

7. [REDACTED]

██████████ couldn't remember a moment when Leubner yelled at everyone. He had pulled her out of the water in the past to talk to her off to the side. ██████████ said she liked Leubner as a coach and she gives him credit for who she is. She said:

- You put in the work or you won't see the result
- She wasn't the fastest; she was at the bottom for the longest time
- She swims backstroke and freestyle
- He was a good coach to her; he has high expectations for swimmers

██████████ explained that Leubner wants you to work hard- with the intention to swim for college. He asks if you are "talking to coaches (college)?" ██████████ said she didn't like swimming after freshman year, but she did club one more time. She told herself she wanted one year of Varsity, then she was in a good place her senior year.

██████████ said Leubner never "tossed" (threw) stuff. She said people left and she respects their experience, but they are hurting people who are still with Leubner. She doesn't bStudent Weve that is OK. ██████████ said some of the claims are true: Leubner does raise his voice. She said she doesn't think he is unreasonable. He wants swimmers to talk to him but when less and less swimmers talk to him, he gets upset and then he gets over it.

██████████ said that there were incidents involving Leubner in the past, that the district stepped in and things needed to change. She said he seems calmer and there is less voice-raising by him. Leubner expects the same amount but kids can be kids. She knew about the boys' Delta practice when it was the girls' sectional. Coach Temo told her that he had never seek Leubner so mad.

██████████ said Leubner doesn't swear but he is intimidating, and you are not always sure you can talk to him easily. It's better if you set a time to talk to him. ██████████ said that with Leubner, if he is quiet and stops yelling, that's when he is really upset and doesn't care. She explained he had different coaching styles with girls and guys: with the girls he was "on them," and with the guys he said they "don't want to work hard." She said Leubner doesn't like the excuse that "boys will be boys."

8. ██████████

██████████ father called Val Patterson to ask her that ██████████ be interviewed as part of the Leubner investigation. ██████████ was interviewed on July 12, 2021.

Background: ██████████

██████████ stated that there is a stigma on our team, and that 'the easiest way to put it is that everyone is just afraid of him' [Leubner]. She doesn't think that is a bad thing because some people are afraid of their parents because they are so stern. ██████████ stated that she understood Leubner's "point of view" now that she is a college swimmer and can interact with him adult-to-adult, versus only "swim-related conversations." (related to coach/student athlete relationship)

██████████ had heard it [complaint] was said that Leubner was bullying ██████████ on June 15, 2021. Leubner was critiquing ██████████ for not swimming fast enough because 31 seconds is not fast enough. According to ██████████, that isn't bullying; that is coaching.

██████████ went on to say that everything is "good for you" and that swim (team) is a family and that as a freshman you always have the older girls to look up to. During her Senior year ██████████ there was no team captain- all the seniors worked together to do the team bonding. She knows that Leubner took away the senior seniority things ██████████. ██████████ said that she can see both sides of it [the issues reported about Leubner's behavior]. When she was a high school swimmer, she too felt that she could not do it anymore and she was "never coming back." But, once she was in college, she knew that she needed the training. Leubner is very understanding and a man of few words. He has a weird way of showing it but he's doing it because he cares; he gives up his summers too and has six hour practices and meets during the summer.

██████████ said the biggest thing that she would want others to do is to see the situation from the perspective of the coach and not through the swimmers' eyes. This [investigation] is hard on Leubner -- he loves coaching -- he does it full time. Her advice for current swimmers would be to know that "Deryl got her where she is" and it "pains her" to see the girls not "understand they won't get there" [without him]. She stated that Leubner "is the coach to guide you- not joke around." He is about goals- "he is a numbers guy" that gives you the splits you need to "get where you want to go." ██████████

9. ██████████

Parent: ██████████

██████████ were interviewed together. ██████████ said that during his freshman year, he could tell the distinction between how Leubner treated girls and boys. The Oswego high school girls had morning practices in August (went from summer Delta directly into high school season), while the boys had a six-week break between summer and fall Delta seasons. Leubner was always comparing boys (after their 6-week break) to girls who were in their high school season with no break. ██████████ shared that high school guys in their Delta season were not allowed to come and practice with the girls when they were in their high school season (Aug-November). However, Leubner allowed high school girls who were in their Delta season (after

their high school season was over) to come and practice in the pool when the boys were having their high school season.

He also explained that under Leubner, the morning practices were for high school Varsity only- no JV. Also, JV swimmers got no "dryland" (weightlifting). When Coach Enslen started coaching the high school boys' team in 2019, morning practices were optional for JV and all of the boy swimmers (varsity and JV) got dryland/weightlifting in their program.

██████████ remembered the first practice after a meet when Leubner had assigned breathing sets and ██████████ felt like he ██████████. ██████████ Leubner's reaction was to tell ██████████ to get out of the pool and go to the JV practice with Bob. ██████████ went to a minute clinic because he was stuffy and at times had trouble breathing. He was diagnosed with ██████████.

██████████ said when he asked Leubner how to get back on Varsity, Leubner told him to "swim for JV." When he asked a second time, ██████████ said Leubner told him to swim for Bob and if he asked again, it would be "never." ██████████ said that Leubner said this to him in an angry way -- Leubner's tone and eyes told ██████████ that he was in trouble.

██████████ said he was brought up to Varsity for 2 meets and he and his parents talked to Leubner 6 months later. His mom had set the meeting and she knew her son was afraid to talk to the coach. ██████████ stated that he was so nervous that day.

██████████ spoke about the day that he witnessed his friend, ██████████, get grabbed by the back of the neck by Leubner on the OE pool deck after a swim meet with Plainfield. [This was ██████████ year- ██████████ thought it was January, but records of the meets showed it occurred in February of ██████████.]

██████████ described how he "saw it happen" and that ██████████ face had gone from anger to "straight fear". He said that ██████████ had false started in two relays. ██████████ said he was on deck getting his stuff when he heard Leubner's clipboard clatter and ██████████ looked for the sound. He saw Leubner and ██████████ eye-to-eye and Leubner's hand was on ██████████ neck. He said ██████████ eyes looked angry and afraid-- he looked frozen.

██████████ each confirmed that Leubner routinely threw his clipboard. Parents in the stands would say, "There goes the clipboard."

██████████ talked about the "November 19th" incident when Leubner came into the morning Delta practice on a Saturday and addressed the male high school swimmers as "f██████████" a██████████s and said to the high school boys who were there, "F██████████ you [insert name]" one at a time. ██████████ said this was about the annual TP night [when boys who went to sectionals the year before decorated the houses of the girls who qualified with TP posters. This was a tradition that happened the night before the morning of the girls' sectional meet.] ██████████ said that Leubner thought the boys' team was bullying ██████████. ██████████ said it had to do with Leubner not

thinking that there were enough signatures on [REDACTED]. According to [REDACTED] only 8 boys were involved as they were the only remaining male swimmers who had qualified for sectionals the previous year. [REDACTED] wondered if Leubner didn't know that not all male swimmers would [REDACTED].

[REDACTED] said junior year was the hardest year. One example they gave was the boys were supposed to have the pool from 7:00 a.m. to 12:30 p.m. on the day of Senior Night/Day with no interference from Delta. The boys' high school swim meet started at 9:00 a.m. on that day. [REDACTED] had spoken to the AD to ensure that the boys' swim team had the pool from 7:30 a.m. -12:30 p.m. Yet, the swimmers found out that Delta had scheduled their practice from 7:00-8:30 a.m. [REDACTED] and his mom believe that, if Leubner were still coaching the boys' high school swim team, he would never have scheduled a Delta practice that ended 30 minutes before the start of the meet.

[REDACTED] also stated that Leubner told everyone if you swam for Otters (Park District) at all, you would be kicked out of Delta. [REDACTED] left Delta [REDACTED]. He confirmed that it was his understanding that if a swimmer wanted to make OSD Varsity, they had to swim for Delta, and if they swim for Otters, they can't swim for Delta. [REDACTED] said when you are in Delta or high school, even if you have Coach Bob, you "don't feel safe" [because of Leubner]. [REDACTED] said Coach Enslin is calm, a mentor, and that he is better. He is still tough but doesn't give "garbage yardage" [When swimming lots of yardage is assigned with little focus on technique, starts, turns, etc.].

[REDACTED] explained that none of the swimmers wanted Leubner as a teacher or for study hall and that parents believe he is "untouchable" and that you will be told "your kids don't have to swim" if you complain/don't like it.

10. [REDACTED]

[REDACTED] had been coached by Leubner from a very young age. She was also present at Delta practice on June 15th and was swimming in Lane 8 with [REDACTED] reported that on June 15 she, [REDACTED] were swimming a hard set and were not making it [the time goal]. She said they were laughing about not trying and Leubner stopped them. She said he told [REDACTED] she was "going to have to do this in college" and he told her and [REDACTED] that they would have to "do this to make the high school team." [REDACTED] said "no one was crying" but that they "still weren't going to try."

[REDACTED] reported that people on the swim team [REDACTED] When asked who felt this way in her opinion she reported: [REDACTED]

[REDACTED] Student C cited group chats and Snaps [Snapchat content which disappears] as the way that she [REDACTED]

from others that the social media content existed [REDACTED]

[REDACTED]
[REDACTED] When asked how she knew these individuals were responsible, [REDACTED] shared that they were talking about it in the boys' locker room. When asked how she overheard it from the boys' locker room, she explained that Leubner heard it.

[REDACTED]
[REDACTED] said Leubner had yelled at the boys in November (of 2019) and after that they would "stop at nothing" to get Leubner fired. She said [REDACTED] would have sleepovers and say horrible things about [REDACTED]. When questioned about the relationship with [REDACTED], [REDACTED] said they used to be friends with them, but then [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] said during their senior year, [REDACTED] were upset about the changes to senior year planning for the OSD swim team because they had "knighted" themselves captains. [REDACTED] talked about having issues with the girls related to a "conference" sleepover and group chats from junior year that made the team "toxic". [REDACTED] said her junior year [REDACTED] is when the council took over. She reported that Leubner picked who was on the council, that the seniors were "toxic", and it was reasonable to get rid of it [having the seniors pick suits, design t-shirts, plan outings, etc., prior to the council being implemented]. [REDACTED] said the council is still how it works now.

She stated that both [REDACTED] have younger siblings that swim and, "if the atmosphere is so toxic, why are they here?" [REDACTED]
[REDACTED] She said she loves swimming and Leubner is the best coach in the state. She said he was a sprinter and knows everything about sprinting. She also said she is quitting Delta and might [REDACTED]

[REDACTED]

[REDACTED] said [REDACTED] is close with [REDACTED] and does what they say. She said that [REDACTED] were fine (with [REDACTED] until [REDACTED])

[REDACTED] and said she didn't understand how "they have the nerve to say they (the swimmers reporting Leubner) are being bullied by anyone." She said that "Delta created [REDACTED] "We' turned him into something."

[REDACTED]

11. [REDACTED]

[REDACTED] and his mother were interviewed by Valerie Patterson on July 14, 2021. [REDACTED] was one of the swimmers 'yelled at' by Leubner in the November 2019 incident. [REDACTED] wrote a very detailed statement about the incident at that time. A copy of [REDACTED] November 2019 statement is attached as **Exhibit G**. [REDACTED] mother submitted [REDACTED] statement to a District administrator in November 2019 and is very troubled by the fact that no one has ever interviewed [REDACTED] about the incident since that time.

[REDACTED] spoke about Conference meets with Varsity OSD when Leubner was coaching. [REDACTED] said almost no JV swimmers swam in the conference and the "dryland" (weightlifting) under Leubner was only Varsity and not offered to JV swimmers. [REDACTED] said under the new OSD boys' coach, OSD won the conference, [REDACTED] swam better during his senior year, and the weight room workouts are offered to JV swimmers as well as Varsity swimmers.

[REDACTED] explained that he believed Leubner liked the older female swimmers who were fast. Leubner would work with them and specialize. Leubner would give the boys on OSD another

coach and go work with the Delta girls during the boys' OSD practices. [REDACTED] said the boys were used to swimming "garbage yardage" under Leubner where there was less focus on technique and improving, and more "yardage" that was assigned. [REDACTED] said Leubner would specialize with some swimmers and that there was "one side of the fence" (the swimmers getting that attention) that loved him.

[REDACTED] said that Leubner would get mad if parents sent him emails and then he would take it out on the kid. [REDACTED] said taking it out on the kid meant that Leubner would yell at them and tell them, "I'm the coach, I know what's best." [REDACTED] said Leubner would also change the set -- making it harder for the swimmers -- when he was mad.

[REDACTED] reported that at times (no specific dates included- especially JV), if Leubner got mad, he would get everyone out of the pool to do pushups and the person he was mad at would watch (not do pushups). He also would at times make the person he was mad at get out of the pool and watch the rest of the boys swim for "punishment" while the person who messed up watched.

[REDACTED] recalled 2 things:

His friend [REDACTED] was swimming on Varsity and was not the fastest (but in the middle). One day he was having trouble with [REDACTED] and Leubner took it out on [REDACTED] and sent him to the JV.

[REDACTED] also said that he was a reserved guy and when he was swimming faster than others (hitting their feet in the lane when he caught up to them), Leubner told him to be more assertive and get in the front of others in the lane.

[REDACTED] mother stated that Leubner was not good at accommodating kids with other interests (such as [REDACTED]). She also believed that Leubner had too much "reach" into the boy's lives-- he would tell them who they could/couldn't be friends with and was furious if the swimmers (boys and girls) did something without his permission. An example of this was the matching pink shirts that the boys and girls created and wore for their 2021 Senior Night. [REDACTED]

[REDACTED] emailed a picture of the united girls/boys swimmers from the 2021 Senior Night, attached as Exhibit H.

12. [REDACTED]

[REDACTED] were interviewed on July 13, 2021.

Leubner had told [REDACTED] that he better be on Delta so Leubner would know that he is a good swimmer. During [REDACTED] sophomore year of high school, Leubner was always putting pressure on the swimmers. During one practice, Leubner called the boys 'clowns,' said they didn't want it bad enough, turned out the lights, left the gym and slammed the door shut on his way out. The swimmers didn't talk to him and he didn't talk to them; the boys would go and just swim.

[REDACTED] stated that Leubner was very bad [REDACTED], kicked her out, yelled at her. She would be in the pool crying. One time, Leubner picked up someone's stuff, punted it into the

water and told [REDACTED] to clean it all up and then get out of the water. [REDACTED] saw her crying because of [REDACTED] quit the team a few times.

One time, during dryland (weight training), another swimmer was doing pullups with a bench underneath him. [REDACTED] thought the student was done, so he pulled the bench to use it. The other swimmer fell, got up, and slapped [REDACTED] across the face. [REDACTED] looked at Leubner who looked at both boys, laughed and walked away.

[REDACTED] described the November 2019 incident: the tradition was if you went to sectionals, you went to the party and made posters for the girls that are going to sectionals and also TP their houses. The morning after the party, I went to practice. About halfway through the practice, Leubner came barging in, cursing and screaming. [REDACTED] walked in with him. He was so mad that he was shaking. He said to us boys, you know what you did last night. He said, "you know what you f [REDACTED] did, [REDACTED]" A few girls were there crying. He called out all the boys and told the coach to make us do butterflys and 'don't let them stop.' (Butterfly is the most difficult stroke). We swam the butterfly and then we all went to the girls' sectional meet to cheer them on. Everyone was so confused and no one knew what made him so angry. A short time after that, Leubner resigned as the OSD boys' swim coach. We were all very happy that he was gone. [REDACTED] recalled the incident when Leubner became physical with [REDACTED]. [REDACTED] was on the block and false started. Leubner was yelling and screaming at him. Leubner then grabbed [REDACTED] by the back of his neck and continued to scream at him. [REDACTED] was very scared and felt sorry for [REDACTED] knows that [REDACTED] wanted to swim [REDACTED] Because Leubner had told the boys that they couldn't [REDACTED] if they were on his team, [REDACTED]

Coach Enslin helped rebuild [REDACTED] confidence. Under Coach Enslin, [REDACTED] had the best swim years of his life; he [REDACTED]

[REDACTED] stated that he doesn't think that Leubner should be coaching kids.

[REDACTED] mother stated that as the parent of a high school swimmer, she was made to feel like Leubner was going to take it out on the kids. She is aware of many students who quit the sport because they couldn't 'take it any more.' In swimming, you couldn't get away from Leubner. He's had a few swimmers that are very good. Parents think: maybe he can do that with my child. [REDACTED] mother stated that she emailed Leubner multiple times without receiving a response. She was upset after [REDACTED] told her about Leubner laughing when another swimmer slapped [REDACTED] in the face. She wanted to talk to Leubner, but [REDACTED] begged her not to because Leubner would just take it out on [REDACTED]. [REDACTED] mother stated that the abuse got worse when [REDACTED]

At least five interviewees cited an incident on February 15, 2019, where Leubner allegedly grabbed [REDACTED] by the neck after a meet because Leubner was mad that [REDACTED] false started in two relays during that meet.

[REDACTED] and his father and mother were interviewed on July 14, 2021. [REDACTED] said he was on Delta and Varsity OSD. He swam [REDACTED] In November of his freshman year, he was on JV, but he said that he learned that Delta is how you get on Varsity with Leubner. [REDACTED] described Leubner as one who picks on some people—he yells at them on simple stuff. [REDACTED] said it is constant yelling and not constructive. [REDACTED] said the boys knew Leubner thought the female swimmers were better than the boys. [REDACTED] said the swimmers were insulted and picked on.

[REDACTED] talked about [REDACTED] and that Leubner was 'on him' the entire day. This was the meet where Leubner grabbed [REDACTED] by the back of his neck on the pool deck after the meet. He said some of the parents and [REDACTED] saw it. [REDACTED] said after it happened, he told himself he was never going to let that happen again. He also said the girls are now rebelling since Junior year in 2019 when things changed for the boys (the coaching changed).

[REDACTED] said Leubner picked on [REDACTED] He remembered Leubner saying "if we lose, it's on you" to [REDACTED] Leubner never let the boys swim double practices during the girls' OSD season, but the girls could swim double practices during the boys' OSD season. Leubner works with the top 2-3 swimmers and favors girls.

[REDACTED] said his senior year with Coach Erik (instead of Leubner) was better. Enslin would tell you what's good and what to work on. If he yelled, it was constructive.

[REDACTED] also remembered Leubner bullying [REDACTED] At one practice, [REDACTED] was having a hard time doing what Leubner wanted, so Leubner sent him to JV for 2 weeks. [REDACTED] could do nothing right and was "reamed out." Leubner would make a big "W" with his arms when he was upset, shake his head and throw his clipboard.

[REDACTED] said it was known that during boys' swim practices, Leubner would:

- play "Clash of Clans" on his phone
- leave the boys with no coach (this meant have the JV coach watch both)
- tell Delta swimmers if they swam for Otters they would be kicked out of Delta

[REDACTED] dad saw Leubner grab his son by the back of his neck at the Plainfield meet. He said that Leubner is vindictive and that, as [REDACTED] parent, he stopped short of confronting

Leubner about grabbing [REDACTED] that day because he didn't want [REDACTED] to lose his senior year of swimming on Varsity. [REDACTED] father also said that Leubner bullied kids all the time. Swim parents sometimes waited 30-45 minute after a meet because Leubner would take swimmers into the equipment room and scream and yell at them. The students often came out with tear-stained faces. [REDACTED] Father said that he feels bad about not reporting what happened to [REDACTED] out of fear of retribution.

[REDACTED] father said when he emailed Leubner, Leubner never emailed him back. He said there is an understanding that you don't talk to him, and if you don't like what's happening, you can leave. Parents agreed when you went to Delta meets as a parent, you never saw Leubner talk to parents, and they knew he doesn't talk much to parents.

14. [REDACTED]
[REDACTED]

[REDACTED] had concerns about Leubner. He was terminated as the boys' coach after he came into the pool area during a boys' practice (Delta) and screamed to several boys that, "You guys are F'ing a [REDACTED]." The Asst. Coach "never saw him that angry." This happened on the morning of the girls' sectional meet (November of 2019) - before he got on the bus to go with the OSD girls to sectionals. This issue involved [REDACTED] and was a personal issue from the night before involving the boys, posters, and TP Temo was there and witnessed everything that happened.

[REDACTED] quit both DA and OSD last season- she remembers garbage yardage (pointless swimming with no coaching), a toxic environment, and girls were closer. Deryl hated the boys but the girls did not get many "good jobs". [REDACTED] was a favorite swimmer of Deryl's; she made it [REDACTED] Sprint freestylers were the swimmers that got Deryl's attention and were his favorites.

When Deryl aimed anger at you it looked like this:

Deryl would scream/swear and throw kids out of practice for not swimming fast enough. [REDACTED]

[REDACTED] said he was scary. Swimmers would leave practice crying about his treatment of them sometimes. He would tell them to "get out." She remembered when Deryl would throw stuff into the water at [REDACTED] (swim fins, kickboard, buoy, shoe, etc.) Swimmers would stand there and not know what to do. She also reported that she had never seen Deryl go "hands on" with swimmers but that he had broken so many Safe Sport rules. She told me that Safe Sport were rules for club swimming programs in Illinois to keep swimmers safe and that throwing equipment and telling is not OK.

[REDACTED] there was a group chat without her. [REDACTED] another swimmer. [REDACTED] Deryl kicked [REDACTED] out for 5 weeks; [REDACTED] \$ [REDACTED] Deryl will scream at [REDACTED] all day. People told him that makes everyone uncomfortable. To defend himself, Deryl will tell a swimmer that "her "friends are toxic.

15. [REDACTED]

[REDACTED] mother [REDACTED], spoke to Val Patterson, and expressed her concern regarding the district hearing her daughter's perspective on Deryl Leubner and his suspension and [REDACTED] hopes that Deryl would continue to be her coach. She emailed Valerie Patterson to set an interview time for this purpose.

[REDACTED], accompanied by her mother, was interviewed on 7/15. [REDACTED] shared her perspective on the swim programs and coaching as follows:

Deryl was always so supportive to everyone, and he knows what to do to help swimmers "fix" it. Swimming sets assigned by Deryl are hard but if you had "6 on 6", off block, lactic acid, issues, Deryl would say it's just a bad day and tell you that you are working really hard.

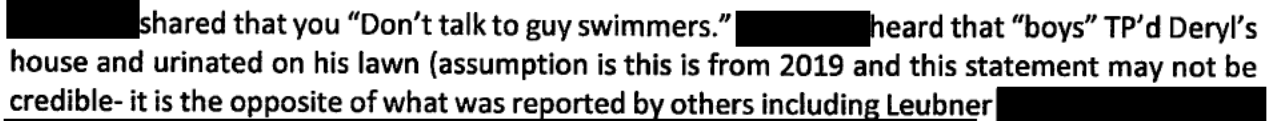
OSD practices were more aimed at your stroke and doing weights; Delta were more general swimming practices. You might get yelled at to fix things, but she has never been bullied; when you are younger it puts kids in line. On OSD, [REDACTED] went from 1:01 to 57 seconds for 100 yards.

Delta Coaches are all supportive- when having a hard time coaches had swimmers write down all their goals during the HS season; have a breakfast after morning practices (JV/V), when JV and working up to Varsity swimmers need to "stay in the water" (e.g. Delta- year round) and when you are on Varsity you need more training, weights, and specialized coaching/practice.

Improvements- [REDACTED] there were problems with team bonding and Deryl made a council with one student from each grade that he hand-picked to make the decisions for the team around the team bonding activities, uniform selections, etc. [REDACTED] reported that she [REDACTED]

Regarding the June 15, 2021 incident, [REDACTED] said there was one girl there who was fast when she was little and she stopped working and went to the bathroom. [REDACTED] identified that [REDACTED] were in the "problem lane" and "not making it." [REDACTED] were "making it." Deryl told them [REDACTED] to try harder and that he was tired of seeing "you guys" not work; that they work harder with other coaches- worked harder with Temo.

[REDACTED] reported that she thought [REDACTED] week. She said she always has been with [REDACTED] and that [REDACTED] stayed the same while [REDACTED] improved. She stated that she felt that [REDACTED] was getting frustrated because she was stuck and not getting faster.



Mom talked about [REDACTED] being [REDACTED] and Swim and that Deryl was supportive of this for her daughter.

When asked about the Delta Aquatics policy for accommodating swimmers with disabilities, Leubner said it would be based on ability. He denied ever telling the parent that Delta Aquatics may not be right for their child because their child has a medical condition. He also denied every discouraging a parent from seeking medical intervention or athletic training for their child. Leubner admitted to saying that 'orthopedics don't understand swimmers' but denied every stating that to a parent.

Leubner couldn't explain why the Delta Aquatics website states that the program has developed and adheres to the following policies when those policies haven't yet been developed:

- Anti-bullying action plan
- Athlete electronic communication
- Code of Conduct and travel policies
- Electronic Communication policy

Leubner admitted that, on June 15, 2021, he was disappointed with how some of the swimmers were performing. He wasn't disappointed with how [REDACTED] was performing because she wasn't trying and was on the verge of quitting. He was disappointed with [REDACTED] and another student. He said something similar to "you'll never make it on the high school swim team" and admits that he should have worded it differently. Leubner denied calling a student a 'mental minimalist.' He agrees that that phrase wouldn't be professional or appropriate for a coach to call a student. Leubner denied stating that a student was 'completely useless and should become a professional lifeguard.' He said it wouldn't be appropriate to state to a student unless joking; it wouldn't be good judgment for a coach to call a child 'useless.'

Leubner denied ever referring to the advice or restrictions of a physical therapist as 'idiotic' or 'stupid.' He stated that he respects if someone wants to take time off for an injury.

Leubner admitted that, during tryouts for the 2020-21 girls' OSD high school season, he told the senior girls that 'no one care that you are seniors.' He said that there was no hazing, bullying or harassment by the senior girls, but rather a 'tension issue.' Leubner said that he told the girls that COVID provided a unique year where nothing matters, and let's change the team culture and get rid of ageism that is part of the problem. He stated that he banned class-specific cheers to try to improve the climate.

Leubner didn't think he told the senior girls that "COVID is karma" for their class and agreed that it would not be appropriate to do so. He stated that the point he was trying to make was that the team had a chance to change the culture for a state trophy. When asked if he thought it is professional to tell students that "COVID is karma" for their class, Leubner stated that it would depend on what else was said.

Leubner didn't recall telling students that they were toxic during the 2020 girls' OSD high school season. He recalls a swimmer telling him that she no longer wanted to be on the team because it was toxic. Leubner agreed that it would not be professional or appropriate for a coach to tell students that they are toxic.

When asked if he told the swimmers that 80% of the team would be happy when the seniors were gone, Leubner admitted that he told the swimmers that 80% of the high school student body would be happy when the seniors are gone. He said everyone is tired of seniors, not any particular group of seniors.

Leubner admitted that he told the seniors that the only thing they accomplished was not getting hit by a bus. He said it was a joke, referencing that it is no great accomplishment to be a senior in high school. All it means is that you managed to stay on earth for 18 years. Leubner wanted to destress how important it is to be a senior and make the team better.

Leubner denied ever telling students to not report to their parents what he was saying to the students.

When asked if he followed a student athlete to her car while telling her that she would never get any better and shouldn't come back, Leubner admitted that he told a swimmer that given her attitude, she'd never get any better. He denied following her to her car, explaining that he didn't have to since the conversation occurred outside, right next to where the cars were parked.

Leubner admitted telling swimmers that they are disposable and replaceable. With a team as deep as theirs, the next person can come in if someone's not getting the job done. Leubner explained that 'disposable' and 'replaceable' are the same thing; from a coaching standpoint, it's important to let athletes know their positions aren't permanent.

Leubner didn't recall telling students that they are not special. He didn't recall telling students that they weren't grateful.

Leubner admitted calling a team of swimmers that he coached a 'bunch of f[REDACTED] idiots' but explained that he never said it in an official capacity. Leubner isn't aware that he ever told female swimmers that certain male swimmers were a bunch of f[REDACTED] idiots. He stated that he has never used the "F" word in the presence of girl swim team members. He didn't recall telling a swimmer that they need to get their act together or they'll end up pregnant or dead on the side of the road. He agrees that such a comment would be inappropriate and unprofessional.

Leubner denied ever losing his temper with any of the girls team swimmers. He denied ever screaming or yelling at the girls team swimmers. He did not recall ever throwing a clipboard in anger as a result of something any of the female swimmers said or did.

Leubner denied ever requiring students to do pushups as a form of discipline.

Leubner stated that he didn't recall placing his hands on [REDACTED] swim meet in [REDACTED]. He stated that it was 30 months ago and, generally speaking, he doesn't like to touch people. Leubner stated that he doesn't recall having a conversation with [REDACTED] while putting Leubner's hand on [REDACTED] neck. Leubner stated that he doesn't like people in his personal space, so he doesn't think he would do that.

Leubner admitted to allowing girls access to the Oswego East pool when they were out of season during the boys' OSD swim season. He claims that he also allowed boys access to the Oswego East pool when they were out of season during the girls' OSD swim season.

Leubner doesn't recall having witnesses an altercation between two swimmers in the weight room.

Leubner denied ever telling a student that they needed to swim for Delta Aquatics to make the Oswego swim team.

17. [REDACTED]

Because Mr. Leubner identified [REDACTED] as a student who was swimming in Lane 8 during the June 15, 2021 Delta Aquatics practice, Valerie Patterson set an interview for [REDACTED] on 8/9/21. [REDACTED] reported that she was in Lane 2 on June 15, 2021. She reported that she could hear some "stuff" but it was noisy in the pool area. She said possibly [REDACTED] was swimming in Lane 8 that day [checking of the video from that day showed [REDACTED] was moved to Lane 8 shortly after practice started but was not close/present during the times when Deryl was interacting with Lane 8 swimmers.] Lane 7 swimmers (later, after that day) told [REDACTED] the girls in Lane 8 were not making the times. [REDACTED] said Lane 8 was slow: not making basic regional time and they were slow for the group. Everyone knew they weren't making the times that day.

[REDACTED] shared that [REDACTED] would make comments, doesn't care for practice, and doesn't try hard. When Deryl Luebner yells at her to try harder, she doesn't reply and Deryl gets mad.

[REDACTED] explained that [REDACTED] didn't come back to Delta Aquatics and Deryl didn't show up at a meet (got suspended). Deryl finds a way to [help swimmers] stay motivated, be better swimmers, be a better person- he cares very much for all of us.

[REDACTED] Deryl was there for them every step of the way. [REDACTED] mother shared that she would never put her babies with someone they don't trust.)

[REDACTED] mother shared that Deryl has a reputation of being big and scary, yet [REDACTED] has had Deryl put his swim cap on for him at every meet. She said swimming is year-round with only about 7 days off (no swim) and their family has been with Deryl since 2006. [REDACTED]

Findings of Fact

1. Deryl Leubner resigned from his position as the head boys' OSD swim and dive coach in November 2019 after a profanity-laced tirade against male students who were part of the Delta Aquatics swim program. Mr. Leubner self-reported his behavior and left the impression that his inappropriate conduct on November 16, 2019 was an isolated incident of inappropriate behavior toward OSD swimmers.
2. In December 2019, Mr. Leubner was issued an unpaid suspension from Delta Aquatics, remedial support in the form of a mandatory anger management referral and a clear warning to not violate the District's ethics and conduct standards again. He was allowed to remain the head coach of the OSD girls' swim and dive program because, at the time, the Administration was unaware of any additional concerns Mr. Leubner's conduct.
3. On June 15, 2021, Mr. Leubner yelled belittling and insulting comments at female swimmers during a Delta Aquatics practice. The majority of the swimmers in the pool that day were students within OSD and many are swimmers with the OSD girls' swim and dive program.
4. After an investigation, on August 19, 2021, Mr. Leubner was removed as the Delta Aquatics' head coach and program administrator.
5. The investigation into the June 15, 2021 incident uncovered the following:
 - a. In February 2019, Mr. Leubner grabbed the neck of a male OSD high school student during an OSD swim meet at Plainfield High School. Mr. Leubner grabbed the student by the neck while yelling at the student because the student had two false starts during that meet.¹ Numerous witnesses observed this incident, including the father of the student who was grabbed.
 - b. On October 22, 2019, during an early morning girls' Oswego swim and dive practice, Mr. Leubner got mad and threw his clipboard to the ground and then went into an emotional tirade, screaming for several minutes at the female high school students because he was angry at them. Several of the girls were so embarrassed by Mr. Leubner's behavior that they personally apologized to a parent who was a witness to the incident. Mr. Leubner explained to the parent why he was angry at the girls but that he wasn't angry at that parent's child.
 - c. During the 2020 fall girls' OSD swim and dive season, Mr. Leubner verbally abused and insulted student-athletes. The following are representative of the types of comments/conduct he has engaged in throughout the years:
 - i. Telling the team that it is 'toxic' and that it is the senior girls' fault; that graduation is not important and no one but our parents care about it; that 80% of the team will be happy when the seniors are gone; that all the seniors have accomplished is not getting hit by a bus; and that the team they shouldn't tell their parents what he was saying to them.
 - ii. Telling the girls that they are not allowed to say 'senior,' and the coronavirus and everything that happened from the coronavirus is karma for the class of 21

- iii. Screaming at the girls during their stations for “not working hard enough;” calling the girls ‘lazy’ and ‘unmotivated’; and yelling at them for not doing a set the correct way without specifying what they were supposed to be doing
- iv. Yelling at the girls for not swimming fast enough at the mock meet and kicking out one of the students for asking a question to clarify during the talk afterwards
- v. Calling seniors ‘toxic’ and said the senior/junior clique is toxic; yelling at the swimmers across the pool deck in the middle of warm ups and then 10 minutes before the meet started; telling the senior girls at an away meet in front of the other team that they aren’t good senior leaders (even though he told them earlier that they weren’t allowed to be the leaders this season); not letting the seniors lead the cheer, telling them they didn’t deserve to lead the cheer; telling the swimmer that they are all disposable and replaceable and none of them are special
- vi. Calling seniors ‘ungrateful’ and telling them that there are more important things than Senior Night; called the girls spoiled and disrespectful because he thought that they were complaining about the plans for Senior Night
- vii. Yelling at the seniors for getting senior shirts even though he had previously told them that they could do whatever they wanted for Senior Night
- viii. Telling the girls that they needed to stop talking with the boys and stop being friends with the senior boys because the boys are ‘stupid and slow,’ and they’ll make the girls ‘stupid and slow.’
- d. Mr. Leubner admits that, during the fall 2020 girls’ OSD high school season, he told the senior girls that “no one cares that you are seniors.” He admits that he told swimmers that 80% of the high school student body would be happy when the seniors are gone. He told the seniors that ‘everyone is tired’ of them. He admits that he told seniors that he only thing they accomplished was not getting hit by a bus. He admits that he told a swimmer that, given her attitude, she’d never get any better. He admits telling students that they are ‘disposable’ and ‘replaceable.’ He admits calling a team of swimmers a bunch of ‘f[REDACTED]idiots,’ but never said it in an official capacity.
- e. Mr. Leubner doesn’t recall placing his hands on a student at the Plainfield swim meet in February 2019. He doesn’t recall ever throwing a clipboard in anger. He doesn’t recall telling students that they are not special or ungrateful. He doesn’t recall telling students that they are toxic. He didn’t think he told the senior goals that “COVID is karma” but said that he was trying to make the point that the team has a chance to change the culture to win a state trophy.
- f. Mr. Leubner denies ever losing his temper with any of the girls’ team swimmers. He denies ever screaming or yelling at the female student-athletes. He denies ever telling students to not report to their parents what he has said to the students.

- g. Mr. Leubner has the support of many student-athletes and their families; they admit that he yells, screams, and that everyone is afraid of him. However, they believe that Mr. Leubner's conduct constitutes 'good coaching'. Several students stated that they 'need' Mr. Leubner to be their coach and that they do not want to be by a member of the girls' OSD swim & dive team if he is not the coach.

Conclusions

1. Mr. Leubner's has violated Board Policy 5:120 "Ethics and Conduct" by engaging in unprofessional and inappropriate conduct when he has physically grabbed a student by the neck; and verbally insulted, berated, and screamed at student-athletes.
2. Mr. Leubner has violated Board Policy 5:230 "Maintaining Student Discipline" by exercising force against a student absent a legitimate threat to students, staff, or property when he has physically grabbed a student by the neck; and by engaging in an excessive temper display when he verbally insulted, berated, and screamed at student-athletes.
3. Mr. Leubner has violated Board Policy 7:20 "Harassment of Students Prohibited" when he physically grabbed a student by the neck; verbally insulted, berated, and screamed at student-athletes, resulting in more than one swimmer quitting OSD swim & dive.
4. Mr. Leubner's actions have created an unhealthy and psychologically damaging environment within OSD's swim program in which he bullies, shames, insults, and motivates students through fear.
5. While some in the swim community tolerate and even applaud Mr. Leubner's coaching methods, they are contrary to the District's mission to promote the positive growth of each student.
6. Every student who was interviewed agreed that Mr. Leubner who is the only coach who engages in these unhealthy behaviors; the other OSD coaches are helpful and promote the positive growth of each student.
7. In December 2019, Mr. Leubner was previously warned that any future instances of inappropriate conduct or violations of the District's ethics and conduct standards would result in disciplinary action up to and including removal from his roles as the Program Administrator and Swimming Coach for Delta Aquatics.
8. While the previous warnings related specifically to Delta Aquatics, they were based on OSD policies and involved the treatment of OSD students. Recognizing this connection, Mr. Leubner resigned as the boys' OSD swim and dive coach because of his actions toward the male OSD swimmers.
9. Mr. Leubner was recently removed as the Head Coach of Delta Aquatics. Some of the students impacted by the Delta Aquatics incident prompting Mr. Leubner's removal are current and future girls' OSD swim and dive team members.
10. Throughout this investigation, Mr. Leubner has denied any inappropriate conduct. This is either evidence of a lack of candor or a lack of self-awareness. Mr. Leubner's actions have caused harm to students and the OSD swim team that could not have been corrected had he been given any additional warnings.
11. Mr. Leubner should be permanently removed as the girls' OSD swim & dive coach.



ⁱ District administration placed a call to the DCFS hotline upon learning of this incident.

----- Forwarded message -----

From: [REDACTED]

Date: Wed, Jun 16, 2021, 9:20 AM

Subject: Incident and Concerns with SD308 Delta Aquatics and Girls Oswego Swim and Dive

To: vpatterson@sd308.org <vpatterson@sd308.org>, hkincaid@sd308.org <hkincaid@sd308.org>, dhoward@sd308.org <dhoward@sd308.org>, tmillard@sd308.org <tmillard@sd308.org>

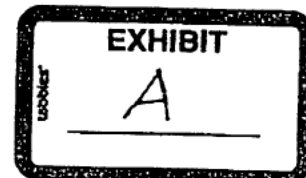
Cc: [REDACTED]

Dear SD308 Administrators,

I would like to report a specific instance that occurred Tuesday, June 15th between the hours of 7 AM-9 AM at Oswego East High School (OE) during a Delta Aquatics practice (Delta is presumably owned by SD308 as I write all my checks to pay for all things Delta to SD308). This instance involved my daughter, [REDACTED] who is [REDACTED] and her Delta Aquatics / Oswego Swim & Dive (OSD) coach, Deryl Leubner. Mr. Leubner's behavior has created a climate and culture of bullying, hazing and abuse that we are allowing to happen on school grounds to a group of our student athletes, including my daughter.

[REDACTED] called me yesterday at 9 AM to explain that during practice at Oswego East HS, upon not completing a swim set in the timing set by the coach, Mr. Leubner yelled at [REDACTED] while she was in the water, with other swimmers in earshot, that she "will never make it on the high school swim team given the way she's swimming." Mr. Leubner told [REDACTED] and her swimming lane-mates that "there was a reason that everyone else on the team was better than them. They were mental minimalists, had no drive and motivation, and never try." [REDACTED] also witnessed Mr. Leubner tell another girl in her swim lane that she was "completely useless and should just become a professional lifeguard." Per my conversation with my daughter, Mr. Leubner addressed the entire team today in this manner.

Similarly, in early May, [REDACTED] spoke with Mr. Leubner [REDACTED] hoped that Mr. Leubner would help her [REDACTED]. His response was that she had low motivation in general because she had older friends who were "done" with swimming and she wasn't. [REDACTED]



This behavior should never be used as part of a coaching style. The example I shared above is one in a long line of occurrences that have happened both at Delta and on Oswego Swim & Dive. As a parent, I have heard similar examples from Delta and OSD team members (many of whom are one and the same) where they have been subjected to this type of bullying and abuse every day. This type of anxiety on a daily basis isn't sustainable, and in [REDACTED] These girls constantly swim in fear that they are next to bear the brunt of his ire.

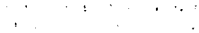
I know I'm one of many people to alert you to the dire situation occurring on the pool deck at OE. Many of these girls, including [REDACTED] are in some of the lowest mental states ever as a result of the abuse they endure/witness every day. Add that to an odd school year and the pandemic in general, allowing this type of bullying to go on is unacceptable. The culture and climate at Delta Aquatics and Girls OSD is toxic at best and morbid in the absolute worst case. Unfortunately, most adults can name or in some way relate to someone [REDACTED] and can only imagine what would happen if words were used as weapons towards that individual.

From a numbers standpoint, as a result of yesterday's two-hour tirade [REDACTED] and don't plan to swim high school season under Mr. Leubner, and I have written to Mr. Leubner to tell him this. I can tell you in 2019, after the girls high school season you had three national qualifiers leave Delta to swim for another area club, and two of the three swimmers have not returned to high school swim because of the toxic atmosphere. After the incident with the OSD Boys team that occurred in 2019, that resulted in Deryl not coaching the boys high school team, 10 boys left Delta and went to another area club. After the 2020 girls high school season, Delta lost 4 national level swimmers to other area clubs. One of those people actually left high school swim during the season due to the horrible climate. After the 20-21 boys season Delta lost another two boys to other area clubs. The bullying and unhealthy environment at Delta and the Girls high school swim team is absolutely well known and these programs are losing student athletes en masse.

Bullying, hazing and abuse is not permitted from our student athletes; why would we tolerate it from a coach? The toxic culture and climate that is running deep at SD308 Delta Aquatics and Girls Oswego Swim and Dive needs to be changed. I'm asking how many reports need to be filed at the school level or with USA swimming to enact change and save these girls?

Regards,

[REDACTED]

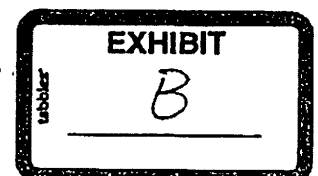


SENT VIA EMAIL (Dleubner@sd308.org)

This letter has been sent as formal notification that the District has concluded its investigation into your conduct on the morning of Saturday, November 16, 2019 at Oswego East High School during Delta Aquatics swimming practice.

- On the morning of Saturday, November 16, 2019 at approximately 10:30 A.M. you engaged in a conversation with Cuauhtemoc “Temo” Flores—Swim Coach for Delta Aquatics—while standing on the deck of the pool at Oswego East High School during a Delta Aquatics practice. The conversation was held in regards to your perception of how the members of the District 308 boys swimming team had handled signing a poster to wish [REDACTED] good luck at the sectional swimming meet the night before.
- You admitted to the use of inappropriate language during your conversation with “Temo” on the deck of the pool, and that you pointed to at least two swimmers and informed them that the conversation you were having with “Temo” was about them.
- On Monday, November 18, 2019, you self-reported your conduct to Kurt Weigt—Athletic Director at Oswego East High School, and resigned as the Head Swimming Coach for the District 308 boys swimming team. That afternoon you pulled the boys on the Delta Aquatics swimming team into the weight room adjacent to the pool at Oswego East High School, offered an explanation and apologized for your actions, and informed them that you resigned from the District 308 boys swimming team.

1. 1990-1991 2. 1992-1993 3. 1994-1995 4. 1996-1997 5. 1998-1999 6. 2000-2001 7. 2002-2003 8. 2004-2005 9. 2006-2007 10. 2008-2009 11. 2010-2011 12. 2012-2013 13. 2014-2015 14. 2016-2017 15. 2018-2019 16. 2020-2021 17. 2022-2023 18. 2024-2025 19. 2026-2027 20. 2028-2029 21. 2030-2031 22. 2032-2033 23. 2034-2035 24. 2036-2037 25. 2038-2039 26. 2040-2041 27. 2042-2043 28. 2044-2045 29. 2046-2047 30. 2048-2049 31. 2050-2051 32. 2052-2053 33. 2054-2055 34. 2056-2057 35. 2058-2059 36. 2060-2061 37. 2062-2063 38. 2064-2065 39. 2066-2067 40. 2068-2069 41. 2070-2071 42. 2072-2073 43. 2074-2075 44. 2076-2077 45. 2078-2079 46. 2080-2081 47. 2082-2083 48. 2084-2085 49. 2086-2087 50. 2088-2089 51. 2090-2091 52. 2092-2093 53. 2094-2095 54. 2096-2097 55. 2098-2099 56. 2100-2101 57. 2102-2103 58. 2104-2105 59. 2106-2107 60. 2108-2109 61. 2110-2111 62. 2112-2113 63. 2114-2115 64. 2116-2117 65. 2118-2119 66. 2120-2121 67. 2122-2123 68. 2124-2125 69. 2126-2127 70. 2128-2129 71. 2130-2131 72. 2132-2133 73. 2134-2135 74. 2136-2137 75. 2138-2139 76. 2140-2141 77. 2142-2143 78. 2144-2145 79. 2146-2147 80. 2148-2149 81. 2150-2151 82. 2152-2153 83. 2154-2155 84. 2156-2157 85. 2158-2159 86. 2160-2161 87. 2162-2163 88. 2164-2165 89. 2166-2167 90. 2168-2169 91. 2170-2171 92. 2172-2173 93. 2174-2175 94. 2176-2177 95. 2178-2179 96. 2180-2181 97. 2182-2183 98. 2184-2185 99. 2186-2187 100. 2188-2189 101. 2190-2191 102. 2192-2193 103. 2194-2195 104. 2196-2197 105. 2198-2199 106. 2200-2201 107. 2202-2203 108. 2204-2205 109. 2206-2207 110. 2208-2209 111. 2210-2211 112. 2212-2213 113. 2214-2215 114. 2216-2217 115. 2218-2219 116. 2220-2221 117. 2222-2223 118. 2224-2225 119. 2226-2227 120. 2228-2229 121. 2230-2231 122. 2232-2233 123. 2234-2235 124. 2236-2237 125. 2238-2239 126. 2240-2241 127. 2242-2243 128. 2244-2245 129. 2246-2247 130. 2248-2249 131. 2250-2251 132. 2252-2253 133. 2254-2255 134. 2256-2257 135. 2258-2259 136. 2260-2261 137. 2262-2263 138. 2264-2265 139. 2266-2267 140. 2268-2269 141. 2270-2271 142. 2272-2273 143. 2274-2275 144. 2276-2277 145. 2278-2279 146. 2280-2281 147. 2282-2283 148. 2284-2285 149. 2286-2287 150. 2288-2289 151. 2290-2291 152. 2292-2293 153. 2294-2295 154. 2296-2297 155. 2298-2299 156. 2300-2301 157. 2302-2303 158. 2304-2305 159. 2306-2307 160. 2308-2309 161. 2310-2311 162. 2312-2313 163. 2314-2315 164. 2316-2317 165. 2318-2319 166. 2320-2321 167. 2322-2323 168. 2324-2325 169. 2326-2327 170. 2328-2329 171. 2330-2331 172. 2332-2333 173. 2334-2335 174. 2336-2337 175. 2338-2339 176. 2340-2341 177. 2342-2343 178. 2344-2345 179. 2346-2347 180. 2348-2349 181. 2350-2351 182. 2352-2353 183. 2354-2355 184. 2356-2357 185. 2358-2359 186. 2360-2361 187. 2362-2363 188. 2364-2365 189. 2366-2367 190. 2368-2369 191. 2370-2371 192. 2372-2373 193. 2374-2375 194. 2376-2377 195. 2378-2379 196. 2380-2381 197. 2382-2383 198. 2384-2385 199. 2386-2387 200. 2388-2389 201. 2390-2391 202. 2392-2393 203. 2394-2395 204. 2396-2397 205. 2398-2399 206. 2400-2401 207. 2402-2403 208. 2404-2405 209. 2406-2407 210. 2408-2409 211. 2410-2411 212. 2412-2413 213. 2414-2415 214. 2416-2417 215. 2418-2419 216. 2420-2421 217. 2422-2423 218. 2424-2425 219. 2426-2427 220. 2428-2429 221. 2430-2431 222. 2432-2433 223. 2434-2435 224. 2436-2437 225. 2438-2439 226. 2440-2441 227. 2442-2443 228. 2444-2445 229. 2446-2447 230. 2448-2449 231. 2450-2451 232. 2452-2453 233. 2454-2455 234. 2456-2457 235. 2458-2459 236. 2460-2461 237. 2462-2463 238. 2464-2465 239. 2466-2467 240. 2468-2469 241. 2470-2471 242. 2472-2473 243. 2474-2475 244. 2476-2477 245. 2478-2479 246. 2480-2481 247. 2482-2483 248. 2484-2485 249. 2486-2487 250. 2488-2489 251. 2490-2491 252. 2492-2493 253. 2494-2495 254. 2496-2497 255. 2498-2499 256. 2500-2501 257. 2502-2503 258. 2504-2505 259. 2506-2507 260. 2508-2509 261. 2510-2511 262. 2512-2513 263. 2514-2515 264. 2516-2517 265. 2518-2519 266. 2520-2521 267. 2522-2523 268. 2524-2525 269. 2526-2527 270. 2528-2529 271. 2530-2531 272. 2532-2533 273. 2534-2535 274. 2536-2537 275. 2538-2539 276. 2540-2541 277. 2542-2543 278. 2544-2545 279. 2546-2547 280. 2548-2549 28



As a result of this finding, the following corrective action will be taken:

- You will serve a one week unpaid suspension from your Delta Aquatics Program Administrator and Swim Coach roles starting Monday, December 16, 2019 through Sunday, December 22, 2019.

Effective immediately upon the resumption of the Boys Delta Aquatics swimming season, you will serve a six week unpaid suspension from the coaching or administration of the Boys Delta Aquatics program. During this time you will have no contact with, nor will you conduct official business on behalf of, the Boys Delta Aquatics program.

As a result of these suspensions, you will see a reduction in your Delta Aquatics Program Administrator and Swim Coach salary equivalent to four weeks of pay. This reduction will be spread over the remaining payroll periods of the 2019-2020 fiscal year.

- You will meet with a District provided professional to undergo mandatory anger management therapy. It is the District's expectation that you will comply fully with the recommendations and course of treatment set forth by the professional.
- Upon your return to coaching and serving as the Program Administrator for the Boys Delta Aquatics program, you will be expected to honor any parent requests for you to recuse yourself from coaching or interacting with their swimmers.

Going forward, you are hereby directed to recuse yourself as a Swim Coach and/or Program Administrator from [REDACTED] interactions with other swimmers, to refrain from the use of profanity and inappropriate language while acting in a professional capacity, and to fully-comply with the recommendations and course of treatment set forth by the District-provided anger management professional.

You are hereby notified that any violation of the directives contained in this letter, and any future instances where you engage in conduct similar to what occurred on November 16, 2019, will result in disciplinary action, up to and including your dismissal from the roles of Delta Aquatics Program Administrator and Swim Coach.

It is your responsibility to contact me immediately if you have any questions regarding the contents of this letter or the District's expectations for your conduct going forward.

Sincerely,

[REDACTED]

Kenneth L. Miller, PHR

Executive Director of Human Resources, Payroll and Benefits

cc: Dr. John Sparlin, Superintendent (via e-mail)
Christi Tyler, Chief Financial Officer (via e-mail)
Personnel File



COMMUNITY UNIT
SCHOOL DISTRICT
World Class Schools Serving Growing Communities

To: Deryl Leubner, Delta Aquatics Swimming Coach & Program Administrator
From: Kenneth Miller, Executive Director of Human Resources, Payroll and Benefits
[REDACTED]
CC: Dr. John Sparlin, Superintendent
Personnel File
Date: August 19, 2021
RE: Investigation Findings With Respect To Delta Aquatics

This memorandum has been sent to communicate the findings and decision regarding an investigation into misconduct with respect to your roles as the Delta Aquatics Program Administrator and Swimming Coach.

Investigation:

On July 27, 2021, you attended an investigatory meeting at the District Administrative Center regarding allegations that your conduct as the Delta Aquatics Program Administrator and Swimming Coach and as the High School Girls Swimming Coach violated Board policies and District ethics and conduct standards. Also present at this meeting were Elizabeth Palatine—OEA Co-President, Raphael Daniels—IEA/NEA UniServ Director, Valerie Patterson—Executive Director of Student Services, and me. The allegations with respect to your role as the High School Girls Swimming Coach are still under investigation and will be addressed separately.

During the investigatory meeting, you were informed that the District has received a complaint alleging that you acted inappropriately toward swimmers in Lane 8 during a Delta Aquatics girls' swim practice on June 15, 2021. Specifically, it was alleged that you were yelling at the swimmers, telling some or all of the swimmers in that lane that they "will never make it on the high school swim team," that one was a "mental minimalist," and that another was "completely useless and should become a professional lifeguard." When you were questioned about these allegations, you admitted that you were disappointed with how the swimmers in that lane – [REDACTED] – were performing on June 15, 2021. You admitted that you did say something similar to "they will never make it on the high school swim team." You also admitted that you should have worded that differently, and that you had misspoken. Though you denied the allegations that you referred to a swimmer as a "mental minimalist," and that another was "completely useless and should just become a professional lifeguard," you stated that it's not inappropriate to refer to a swimmer as 'useless' in the context of a joke. A female swimmer present at the June 15 practice who came forward to defend your actions acknowledged that you were ranting at several swimmers on that date. She didn't know what you were specifically yelling about because you rant at the swimmers so frequently that she tunes out your rantings. At least two swimmers in Lane 8 did resign after the practice that occurred on June 15, 2021.

Kenneth Miller

*Executive Director of
Human Resources, Payroll
and Benefits*

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EXHIBIT

C



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In addition to the June 15, 2021 incident, the investigatory meeting also covered allegations of misconduct with respect to your role as the Program Administrator of Delta Aquatics. When you were asked about the accrediting agency that governs Delta Aquatics, you stated that it was governed by USA Swimming. The Delta Aquatics website of which you are administratively responsible as the Program Administrator states:

Delta Aquatics Swim Team Policies

As a club member of USA-Swimming, and for the physical and emotional safety of our athletes, parents, officials, chaperones, coaches, and other non-athlete members of the Delta Aquatics, we have developed and adhere to policies pertaining to athlete and non-athlete safety and conduct. These policies are listed below.

Anti-Bullying Action Plan
Athlete Electronic Communication
Code of Conduct and Travel Policies
Electronic Communication Policy
Safe Sport Initiative
Parent Conduct / Pool Deck Rules

The website has active links to the last two policies. When I asked you about the remaining policies during the investigatory meeting, you stated that the anti-bullying policy, code of conduct, travel, and electronic communication policies might be on the website. In an email exchange later that evening, you admitted that there are no active links to the first four policies listed as Delta Aquatics Swim Team Policies. When I asked you for hard copies of those policies, you admitted that those documents have not yet been developed.

Applicable Policies:

The following Board Policies are applicable to the allegations at hand:

- Board Policy 5:120 "Ethics and Conduct" which requires all District 308 employees to maintain high standards in their school relationships, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others.
- Board Policy 5:230 "Maintaining Student Discipline" which requires employees to refrain from disciplinary methods that may be damaging to students such as ridicule, sarcasm, or excessive temper displays.
- Board Policy 7:20 "Harassment of Students Prohibited" which prohibits conduct that includes name-calling, using derogatory slurs, stalking, and causing psychological harm.

Kenneth Miller

*Executive Director of
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Findings:

1. The allegations that you yelled at female swimmers in Lane 8, made statements such as “you will never make it on the high school swimming team,” referred to a swimmer as a “mental minimalist” and referred to another swimmer as “completely useless and should just become a professional lifeguard” during the Delta Aquatics Practice on June 15, 2021 are credible. There is no dispute that you made the inappropriate comment “you will never make it on the high school swimming team,” to the swimmers, and you acknowledged that you should have worded that differently. Your denial that you never said that a swimmer was a “mental minimalist” or was “completely useless and should just become a professional lifeguard” lacked credibility for the following reasons: No other witness to the events of June 15, 2021 including those who defended your actions disputed that you were either “yelling” or “ranting” at the girls in Lane 8 on the date; you admitted your disappointment with how the swimmers were performing; you admitted that you should have worded other comments differently to them; and you have previously been disciplined for lacking self-control and being verbally abusive to Delta Aquatics swimmers, as described below.
2. You were previously disciplined for misconduct in December 2019 after verbally abusing male Delta Aquatic swimmers in November 2019. On that date, you were upset at the swimmers and repeatedly yelled [REDACTED] directly at individual swimmers. You justified this action because you erroneously thought that they had each failed to do something that you thought that they should have done. As part of that discipline, you received an unpaid suspension, remedial support in the form of a mandatory anger management referral, and a clear warning that any future instances of similar conduct or violations of ethics and conduct standards would result in disciplinary action—up to and including removal from your roles as the Program Administrator and Swimming Coach for Delta Aquatics.
3. Your actions on June 15, 2021 violated Board Policy 5:120 “Ethics and Conduct” on the grounds that they were unprofessional and inappropriate for a coach to use with athletes, violated Board Policy 5:230 “Maintaining Student Discipline” on the grounds that yelling or ranting at the athletes is evidence of an excessive temper display, and violated Board Policy 7:20 “Harassment of Students Prohibited” on the grounds that your actions on that day were harassing and caused psychological harm to students and prompted more than one swimmer to quit.
4. Your comments regarding prior interactions with Safe Sport were evasive and not made in good faith. You denied having been previously warned about your behavior by USA Swimming, only to be reminded that the USA Swimming Safe Sport Program Director had previously warned you that USA Swimming didn’t condone your use of vulgarity in their program.

Kenneth Miller

*Executive Director of
Human Resources, Payroll
and Benefits*

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5. As Program Administrator, it was your obligation to ensure that the appropriate policies exist and are adhered to, and to ensure that the website provides accurate information to parents and students regarding such policies. You failed to ensure that the Delta Aquatics website is updated and contains accurate information for swimmers and their families. The Delta Aquatics website states that multiple policies intended to protect the physical and emotional safety of all constituents affiliated with that organization exist and are adhered to. This statement is false.
6. Your comments regarding the Delta Aquatics policies were evasive and not made in good faith. You were aware that these policies had not yet been created when you initially stated during the investigatory meeting that those policies were on the program's website. You recanted via email and admitted that, contrary to what is stated on the website, these policies have not yet been created, only after I asked you for hard copies of those policies.
7. Your inaction and evasiveness in your role as Program Administrator violated Board Policy 5:120 on the grounds that you misrepresented the status of the policies applicable to Delta Aquatics, you have allowed the Delta Aquatics website to falsely state that certain policies have been developed and are adhered to for the physical and emotional safety of those affiliated with the program.

Your positions as the Program Administrator and as the Girls' Swimming Coach for Delta Aquatics are at-will positions. Based on the above-listed findings, it is my conclusion that you have ignored the December 2019 warning and have again violated the District's ethics and conduct standards. I am exercising my authority under Board Policy 5:270 "Employment At-Will, Compensation, and Assignment" to terminate your employment as the Delta Aquatics Program Administrator and Swimming Coach, effective immediately. You are directed to immediately turn over all Program Administration information to me including but not limited to financial accounts, registration accounts, usernames and passwords, and contact information for events/meets.

You do have the right to file a written appeal to me by 5:00 P.M. on Monday, August 23, 2021. If you file a timely written appeal, you may have a name-clearing hearing before a hearing officer selected by the District. That hearing would allow you to clear your name and receive the stipends affiliated with the two Delta Aquatics positions through the end of the short course season that ends in February 2022.

Kenneth Miller

*Executive Director of
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and Benefits*

DISTRICT ADMINISTRATION CENTER • 4175 ROUTE 71 • OSWEGO, IL 60543

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General PersonnelEmployee Ethics, Conduct, and Conflict of InterestProfessional and Appropriate Conduct

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

Statement of Economic Interests

The following employees must file a "Statement of Economic Interests" as required by the Illinois Governmental Ethics Act:

1. Superintendent;
2. Building Principal;
3. Head of any department;
4. Any employee responsible for negotiating contracts, including collective bargaining agreement, in the amount of \$1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Ethics, Gift Ban, and Prohibited Political Activity

School Board policy 2:105, *Ethics and Gift Ban*, also applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

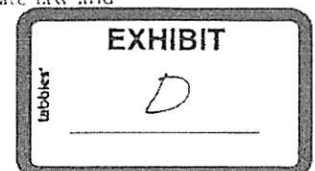
Prohibited Interests, Conflict of Interest, and Limitation of Authority

No District employee shall be directly or indirectly interested in any contract, work, or business of the District, or in the sale of any article by or to the District, except when the employee is the author or developer of instructional materials listed with the State Board of Education and adopted for use by the School Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest. A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in the entity selected for the contract:

1. Any person that has a close personal relationship with an employee that may compromise or impair the employee's fairness and impartiality, including a member of the employee's immediate family or household;
2. An employee's business partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above.

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.



Outside Employment

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

Incorporated

by reference: 5:120-E (Code of Ethics for Illinois Educators)

LEGAL REF.: U.S. Constitution, First Amendment
2 C.F.R. §200.318(c)(1).
5 ILCS 420/4A-101, Ill. Governmental Ethics Act.
50 ILCS 430/, State Officials and Employee Ethics Act.
30 ILCS 708/, Grant Accountability and Transparency Act.
50 ILCS 135/, Local Governmental Employees Political Rights Act.
105 ILCS 5/10-22.39 and 5/22-5
325 ILCS 5/, Abused and Neglected Child Reporting Act.
775 ILCS 5/5A-102, Ill. Human Rights Act.
23 Ill.Admin.Code Part 22, Code of Ethics for Illinois Educators.
Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).
Garcetti v. Ceballos, 547 U.S. 410 (2006).

CROSS REF.: 2:105 (Ethics and Gift Ban), 4:60 (Purchases and Contracts), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct)

Revised: February 14, 2011
Adopted: February 28, 2011
Revised: February 10, 2014
Adopted: March 10, 2014
Revised: June 12, 2017
Adopted: July 17, 2017
Revised: January 11, 2021
Approved: January 25, 2021

Professional PersonnelMaintaining Student Discipline

Maintaining an orderly learning environment is an essential part of the instructional responsibilities of teachers, other certificated educational employees, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student. In all matters relating to the discipline in and conduct of the schools, they stand in the relationship of parents and guardians to the students. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that all teachers, other certificated employees, and persons providing a student's related service(s): (1) maintain discipline in the schools as required in the School Code, and (2) follow the School Board policies and administrative procedures on student conduct and discipline.

When a student's behavior is unacceptable, the teacher, certificated educational employee or any other person, whether not a certificated employee, providing a related service for or with respect to a student should first discuss the matter with the student. If the unacceptable behavior continues, the teacher or other employee described above should consult with the Building Principal and/or discuss the problem with the parent(s)/guardian(s).. A teacher or other employee described above may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. A student's removal must be in accordance with Board policy and administrative procedures.

Teachers or other employees described above shall not use disciplinary methods which may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used, but teachers or other employees described above may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property.

LEGAL REF.: 105 ILCS 5/24-24.
23 Ill.Admin.Code §1.280

CROSS REF.: 2:150 (Committees)
7:190 (Student Discipline)
7:230 (Misconduct by Students with Disabilities)

Revised: January 11, 1999
Revised: February 10, 2014
Adopted: March 10, 2014
Reviewed/Approved: March 18, 2019

Students

Harassment of Students Prohibited

No person, including a School District employee or agent, or student, shall harass, intimidate or bully a student on the basis of actual or perceived race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; creed; physical or mental disability; order of protection status; status as homeless; or actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Complaints of harassment, intimidation or bullying are handled according to the provisions on sexual harassment below. The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, intimidation or bullying by including this policy in the appropriate handbooks.

Sexual Harassment Prohibited

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager or any staff employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's samegender.

An allegation that one student Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board Policy 2:265, *Title IX Sexual Harassment Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator for Students, Title IX Coordinator and Complaint Managers.

Nondiscrimination Coordinator for Students	
Valerie Patterson Executive Director of Student Services 1008 Douglas Road Oswego, IL 60543 (630) 608-5027 vpatterson@sd308.org	

Title IX Coordinator	
<p>Valerie Patterson Executive Director of Student Services 1008 Douglas Road Oswego, IL 60543 (630) 608-5027 titleIX@sd308.org</p>	

District Complaint Managers	
<p>Val Patterson Executive Director of Student Services 1008 Douglas Road Oswego, IL 60543 vpatterson@sd308.org (630) 608-5027</p>	<p>Jeremy Bell Director of Special Education 4175 Route 71 Oswego, IL 60543 jbell01@sd308.org (630) 636-3484</p>

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Any employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action..

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Sexual Harassment Grievance Procedure*).

Students should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

LEGAL REF.: 20 U.S.C. §1681 *et seq.*, Title IX of the Educational Amendments, 34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 22.5, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 *et seq.*, Illinois Human Rights Act, 23 IllAdmin.Code §1.240 and Part 200.
Davis v. Monroe County Bd. of Ed., 526 U.S. 629 (1999).
Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).
West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 7:10 (Equal Educational Opportunities), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Revised: January 26, 2009
Adopted: February 9, 2009
Revised: November 10, 2014
Adopted: December 8, 2014
Revised: December 2, 2016
Revised: February 12, 2018
Adopted: February 26, 2018
Names Updated: August 5, 2019
Reviewed: September 14, 2020
Approved: September 23, 2020

----- Forwarded message -----

From: [REDACTED]
Date: Wed, Jun 30, 2021, 8:03 PM
Subject: List
To: vpatterson@sd308.org <vpatterson@sd308.org>
Cc: [REDACTED]

Hi Ms. Patterson,

I am [REDACTED] and I wanted to send you the notes that I kept from the 2020-2021 girls swim and dive season. I have attached them below. Thank you for taking the time to look these over and if you have any questions I can clarify next week or you can email me sooner.

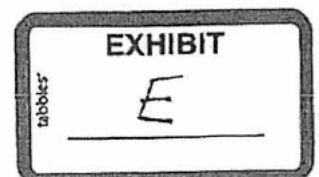
I look forward to speaking with you next week.

Have a great night,

[REDACTED]



Things we got yelled at for



Things we get yelled at for:

- 8/10/20- told us the team is toxic and that this is the seniors fault (the last 4 years), told us that graduation is not important and no one but our parents cares about it, told us that 80% of the team will be happy when we are gone, said that all we accomplished by being seniors is not getting hit by a bus, said that we can't say the word senior and if we did he would yell at us, told us not to tell our parents he was saying all of this
- 8/11/20- not allowed to say senior and corona and everything that happened from corona is karma for class of 21
- 8/12/20- screamed at during stations for "not working hard enough" and then got called lazy and unmotivated
- 8/13/20- created the leadership council but said they aren't in charge and got yelled at for a long time about not doing a set the correct way even though he didn't specify what we were supposed to be doing
- 8/14/20- yelled at for being in a big group after he called us over into a big group, rude comment about having cupping, telling seniors they aren't in charge but the leadership council is after saying days earlier that they are not in charge, yelling at us for introducing ourselves to the team and talking, told us no team bonding even though he told us 2 days ago that there should be a lot of team bonding events
- 8/15/20- not swimming fast enough at the mock meet and kicked [REDACTED] out for asking a question to clarify during the talk afterwards and then proceeded to follow her almost to her car yelling about how she is not going to get any better and that she shouldn't come back
- 9/1/20- gave us sets at morning practice and then sat on his phone most of practice and didn't acknowledge us, called seniors toxic and said the senior/junior clique is toxic(yelled at across the pool deck in the middle of warm ups and then 10 minutes before the meet started)- also at an away meet in front of the other team, we aren't good senior leaders even though he told us that we aren't allowed to be the leaders this season, had freshman lead the cheer because we don't deserve to, told us that we are all disposable and replaceable and none of us are special
- 9/4/20- got called selfish for going on the top even though he didn't tell us we shouldn't
- 9/9/20- seniors got called ungrateful and that there are more important things than senior night, told us that snarky and rude comments in the group chat need to stop even though we didn't say anything and demanding gifts is rude even though we didn't demand anything, called us spoiled and disrespectful because we were "complaining" about ballon arch and senior night being inside even though we hadn't talked about senior night at all
- 9/12/20- got yelled at for getting senior shirts even though he told us we could do whatever we wanted for senior night

Other things without dates:

- 4 out of 5 seniors will not be on the sectional team
- the team is screwed because of the seniors
- distance swimmers are like curling iron, you give them a set and then forget about them
- repeatedly told the senior girls that we need to stop talking and being friends with the senior boys because they are stupid and slow and they are going to make us stupid and slow
- at a boys meet one of the boys in our class tried to jump out of the pool and hurt himself so he walked past and said to the girls timing that "the boys team is a bunch of f [REDACTED] idiots"

Administrative Note: The following documentation was submitted to Valerie Patterson and Stacy Turner by [REDACTED] via email. [REDACTED] is the parent of [REDACTED] who were present during the reported incident described below.

Girls swim & dive breakfast incident: 10/22/2019 @ 6:15 am

On this morning, I was on the pool

Deck at Oswego East, waiting to serve breakfast to the varsity swimmers after their morning practice. I had set up the food and was waiting for them to finish up their practice and change into their clothes so that they could grab breakfast before school.

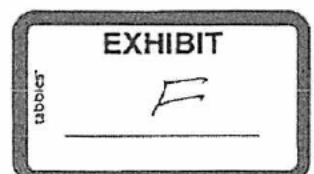
As the swimmers finished the last set of practice and got to the wall, Deryl Got very angry. He threw his clipboard across the room, and then proceeded to yell, very loudly and angrily at all of the swimmers. I was standing nearby and felt extremely uncomfortable with the level of discipline and the amount of yelling he was doing. The swimmers were visibly uncomfortable and embarrassed as he continued to yell very loudly about how they did not kick past the flags correctly. Some of the girls began to cry, while others looked from me to him and seemed to be very uncomfortable and embarrassed that I was standing there.

At this point I looked away and started counting the blocks on the wall, as it was extremely awkward for everyone. After his 2-3 minute tirade, he told them to get out of the pool, and he stormed off into his office. As the girls got out, they hung their heads low and looked very upset as they walked into the locker room to change. A few, including [REDACTED] were crying. As she walked by me, [REDACTED] said I'm sorry. I assured her that it was ok and she is not to blame. While the swimmers were in the locker room, deryl came back out on deck and proceeded to walk back and forth between the flags and me. He was talking loudly and explaining to me that some of the girls had not done the set correctly and he was tired of it. I stood silently listening to him rant about it. Then he walked off, turned around and told me "and just so you know, I was not talking to [REDACTED]. It felt as if he was justifying his rage and making sure I didn't think it was aimed at [REDACTED]."

A few moments later, the girls came out quietly and went through the line to get their food. A few apologized to me, most just kept their heads low shoulders slumped and quietly thanked me. I told them it was ok and it wasn't their fault and to have a good rest of the day.

This incident was extremely stressful, uncomfortable, and shocking. I got in the car and immediately called my husband to tell him what had happened. [REDACTED] had told me about these outbursts before, but to witness it first hand, it was very scary and extremely bothersome to see him so

Angry and to show such rage over a few swimmers not doing something right.



On Saturday morning November 16th, 2019 I was in the pool at Oswego East High School, for Delta Aquatics swim practice. Towards the last half of practice, Coach Deryl came onto the deck. He was enraged. I am used to being yelled at by Coach Deryl. He has been yelling at me since [REDACTED] which is when I started to swim for Delta Aquatics. There have been times that I've been yelled at personally, or with a group of swimmers, that I thought "this was the worst one yet. I don't see how a person can get angrier than that". I became numb to his anger outbursts. Then he yelled at one of my friends during a high school swim meet toward of the of the high school season last year, and I recall thinking now THAT was the worst one yet. It made me wonder what the next level of anger would look like, and I hoped that I would be nowhere near the situation when it occurred.

Unfortunately, I experienced Coach Deryl's worst rage attack yet. I do not think there is another level of rage than what I experienced that day. I don't know what the next level of outburst would or could be, but I am no longer numb to Coach Deryl's anger. I do not feel safe around him. He was so mad I don't think he even knew exactly who he was yelling at, and that scares me even more. It was a small group of swimmers; I think there were 6 of us. I literally had no idea why he was so mad. At first I thought he must be yelling at someone else because I knew I hadn't done anything wrong. However, I quickly remembered that you don't have to do anything wrong to be yelled at by Coach Deryl. Then it became obvious to me very quickly that I too was included in this rage attack. I knew this because he looked at me with his red angry face, and said "F [REDACTED] YOU" as he pointed at me. I think we may have each gotten own personal "F [REDACTED] YOU" with him pointing his finger. At least I know most of us did because I saw and heard it several times.

I missed out on a lot of what he was saying because I was stunned and confused. I did hear him call the group of us "F [REDACTED] BULLIES" several times. I was thinking at the time, that I knew I hadn't bullied anyone, but that he was bullying me in that moment. Delta Aquatics Coach Temo was there. He was running the practice. Then Coach Deryl walked away and got on the bus to go to the girl's sectional meet. A couple of hours later, he was awarded sectional coach of the year. I think whoever wins the meet receives the sectional coach of the year award. I think it is ironic that it was only a few hours after cussing out students / swimmers that he received this award.

The rest of Saturday and Sunday was complete confusion. No one knew what made him so mad. None of us wanted to go to practice on Monday, but we did go. We always go to practice. Despite what Coach Deryl says about us, we are dedicated to our sport. We were summoned to the weight room in the pool area. Nothing good happens in that small room. Being summoned to that room means trouble. I felt like we were walking into a trap, because I couldn't imagine what would come next.

Coach Deryl apologized for his actions on Saturday. He said his anger had been building up for a long time with the boys. He said he knows his actions on Saturday were inexcusable. He said that he is tired of [REDACTED]. Then he spent a long time giving different examples of how he thinks [REDACTED]. He was talking about students that were not even in the room. It didn't take long to realize that he was not sorry because he took a very long-time giving justification to his anger.

Finally, after all of that time, I learned why I was told "F [REDACTED] YOU" and that I was a "F [REDACTED] BULLY". It was about a poster board. The kind of poster board you would use for a school project. Coach Deryl said that [REDACTED] sectional poster had less signatures on it than the other girls on the sectional team. He thought the boys purposely didn't sign it [REDACTED]. It is tradition for the boys' sectional team to TP the houses of the girls' sectional team the night before sectionals.

EXHIBIT

G

tabbler

Part of the tradition is having a poster with the swimmer's name on it and wishing them good luck. I remember how excited [REDACTED] was when [REDACTED] was TP'd last year the night before sectionals. It's a fun tradition. What Coach Deryl didn't seem to realize is that most of the boys he was yelling at were not even on the sectional team last year. This means that we were not part of the group of swimmers who TP'd houses the night before. I know it shouldn't matter if I was part of the TP night or not. No student should be abused by a teacher or a coach, ever.

After Coach Deryl finished justifying his rage attack, he told us that he resigned as the high school boys' coach. He said that he will continue to coach the high school girls' team and that he will continue to coach delta aquatics. Then he said he would help interview and hire a new coach. He would not leave us "high and dry". He said that he will recommend Coach Temo as his replacement. The Coach that was standing next to him during his rage attack. Then he told us to go practice and we swam.

It took me the entire weekend to write this document. It is the night before high school swim season starts. I want to be excited about this swim season. I typically would be excited about the beginning of high school swim season. I don't know how I feel. I think I feel numb to the whole thing because we don't know what is going to happen. Even though Coach Deryl will not be coaching the high school boys, I will still see him at school. Just a few weeks ago he pulled me aside in the hallway during school and asked me about what someone had written on social media [REDACTED]. His version of what he thought was written was not accurate. I told him what I recalled reading. I want to continue swimming in the pool at Oswego East High School. I have been swimming in that pool since [REDACTED]. However, in order to ensure that I do not ever have to experience Coach Deryl's fury ever again, I would have to switch teams and not swim for Delta Aquatics. He told us in the weight room that he will always be a yeller, "that's just how he coaches". I do not want to be cussed out from a teacher or a coach in my high school. No one should be put at risk of experiencing another one of Coach Deryl's rage attacks at Oswego East high school. Whether you are swimming for high school, or you are swimming for Delta Aquatics, if Coach Deryl is coaching, you are in danger of being bullied.

