

AFFIDAVIT

State of Ohio)
) ss
County of Knox)

Before me, the undersigned notary, personally appeared Michael Molnar, who having first been duly sworn, deposes and says:

1. I, Michael Molnar, the affiant, state that I have personal knowledge of all matters set forth in this affidavit.
2. I have been a principal in public school administration for eight years.
3. Based upon my education, training, professional development and experience I am aware that Ohio Revised Code §2151.421 requires an educator or any school employee to report any abuse or neglect of a child under 18 years of age.
4. Based upon my education, training, professional development and experience if I were presented with the pictures shown to me by Attorney R. Kelly Hamilton which Mr. Hamilton stated depict an alleged injury to an 8th grade student’s arm supposedly caused by an 8th grade science teacher’s experiment with an electrical device I would have taken or would take the following actions:
 - A. I would immediately make notes about the complaint from the person reporting the matter to me.
 - B. I would immediately interview the student allegedly involved. My experience has been that students have a good window of memory for the next few hours after an event extending to maybe the next day.
 - C. I would make notes about what the student allegedly involved said to me and others and then begin interviewing all known, expected and anticipated witnesses.
 - D. If the continued safety of the student were in question either the student or the teacher would be removed from the classroom until additional information could be obtained.
 - E. Obviously the teacher would be notified of the allegation.
 - F. I would ensure that the staff handbook and contract and any other board policies were followed to protect the integrity of my investigation and the rights of the student and teacher.
 - G. I would meet and interview the teacher’s supervisor, the teacher, the student allegedly involved, any other students who may have witnessed the matter and any other staff who may have information.
5. Attorney Hamilton presented two pictures to me marked as “Board – Exhibit 7” and “Board Exhibit 8” and asked if I would have reported the alleged injury to children’s services. Yes, I would have reported the situation to the local children’s services whether or not I believed the allegation to permit children’s services to make its own

conclusion. I would have still gathered the information listed above before reporting the matter to children's services.

6. The importance of speaking to any and all witnesses would be to determine the validity of the allegation. Sometimes there could be a false accusation. Talking to witnesses would be important to forming a response.
7. Attorney Hamilton asked if I would have expected a parent to immediately advise if the allegation included an assertion that a student's arm was held down whether against the child's will or not. Based upon my education, training, professional development and experience I would have expected an allegation such as a teacher holding a child's arm against an overhead projector to be a material fact worthy of immediate reporting as there would be a difference between a science experiment and forcing a child to do something.
8. Based upon my education, training, professional development and experience, insubordination is a serious matter requiring detailed communications between a supervisor and an employee. I agree that insubordination is when a subordinate deliberately disobeys a lawful order. However, it is my understanding insubordination does not permit a supervisor to give an unlawful directive. Also, any direction from a supervisor to a subordinate must be spoken in clear and understandable language and written in clear language with reference to the staff handbook, contract and policies of the school. Preferably there should be some warning from the supervisor to the employee unless there is a life threatening situation.
9. Based upon my education, training, professional development and experience it is my opinion a religious display is a collection of items designed or intended to bring attention to a particular religion to proselytize that belief system. Proselytizing means to try to convert another person to a particular belief system. A Bible or Koran in and of itself is not a religious display otherwise the school library would be displaying a Bible or Koran simply by having those books there. It is okay for a public school teacher to have a Bible, Koran or other books in their classrooms. Bibles, Korans and other books are not inherently religious because, without reading, instruction, or explanation, if somebody does not adhere to the beliefs or teachings of a Bible or Koran then they are just books. A public school teacher can have a belief in any book they just cannot try to make converts of their public school students to a religious belief system. Public school teachers can talk about religious belief systems during class and answer student questions about religions but the teacher must be neutral and not emphasize conversion to that belief system. Teachers can read Bibles, Korans or other books during non-class time. Generally, teachers cannot promote or denigrate a religion. Yes, students may bring Bibles, Korans or other books and items promoting their (the student's) religion into school and the classroom.
10. Attorney Hamilton showed me a picture of a poster he called "The Bush/Powell Poster". Based upon my education, training, professional development and

experience I do not perceive the poster as a religious one. Context and purpose are important when evaluating whether something is deemed to be religious or a display. First, ask the teacher what was the context of having the poster, or for that matter even a Bible on their desk. If the purpose is for other than to proselytize that religious belief system then this poster and his Bible are permissible.

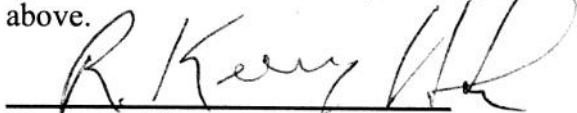
11. Based upon my education, training, professional development and experience it would be discrimination to let one teacher keep a Bible in their classroom but tell another teacher they could not.

FURTHER AFFIANT SAYETH NAUGHT.



Michael Molnar

The foregoing affidavit was sworn to and acknowledged before me this June 2nd, 2010, by Michael Molnar, who is personally known by me or who provided satisfactory identification and who did swear to the truthfulness of the above.



Notary Public



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