



Draper Notes

December 19, 2014

(Matthew Kane started work today, December 19, 2014, as assistant principal at DeSoto County High School)

Matthew Kane, Former Manatee High School Assistant Principal, Resigns from Manatee County School District

BY MEGHIN DELANEY

mdelaney@bradenton.com December 12, 2014



Former Manatee High administrator Matthew Kane, at center, is accompanied by his attorney Brett McIntosh as they give an interview with members of the press outside the Manatee County Judicial Center in Bradenton on June 18, 2014, after the 3-day

long trial of 3 former Manatee High administrators. Judge Peter Dubensky acquitted Kane of all charges. Standing to Kane's left is Bay News 9 reporter Summer Smith. PAUL VIDELA/Bradenton Herald

PVIDELA@BRADENTON.COM [Buy Photo](#)

BRADENTON -- Matthew Kane, former assistant principal at Manatee High School, has officially resigned from the Manatee County School District pending Manatee County School Board approval.

Decisions to formally fire Kane and Greg Faller, another former assistant principal at Manatee High School, were postponed by the school board Tuesday, the same day that Kane submitted his resignation letter. The timing of his resignation letter prevented the board from addressing the issue Tuesday, but the item is expected to go on a future agenda.

Administrative law judges ruled this fall that the board was justified in firing the two men after they failed to report suspected child abuse in the Roderick Frazier case.

Frazier, a former parent liaison and assistant football coach at Manatee High School, pleaded no contest April 30 to four misdemeanor counts of battery and two counts of interfering with school attendance. Prosecutors dropped four battery charges in a plea deal between the defense and the State Attorney's Office.

The board has yet to formally end ties with the two former assistant principals, tabling the issue once in October and again Tuesday.

Kane's three-sentence resignation letter is dated Oct. 13, 2013, the day he was put on unpaid administrative leave from the district. When reached Thursday by phone, Kane told the Bradenton Herald it was time to move on and seek other employment and submitting his resignation allowed him to do that.

"It's on my terms," he said. "I resigned as any other employee."

A similar deal was on the table for Kane in October, but he did not resign in lieu of termination then. He sent emails to the district claiming it didn't give him enough time to consider the offer and he couldn't accept the conditions attached to his requested resignation.

If the board accepts Kane's resignation, it would negate accepting the administrative judicial ruling. The next board meeting is Jan. 13. Until the board takes official action, the judicial ruling remains in play and Kane can be fired from his job.

"In the interim, the quasi-judicial proceeding remains before the board until the resignation is addressed by the board," said staff attorney Mitchell Teitelbaum.

The district is not obligated to provide back pay or benefits to Kane whether the board accepts his resignation or votes to fire him.

Kane said he is looking for education-related employment with other school districts.

"I'm best with kids," he said. "That's what I want to do."

Kane said he is optimistic he'll be able to find employment soon and he said he would like to stay in Manatee County, as he grew up in the county and his family is here.

Meghin Delaney, education reporter, can be reached at 941-745-7081. Follow her on Twitter @MeghinDelaney.

Read more here: <http://www.bradenton.com/2014/12/12/5526764/matthew-kane-former-manatee-high.html#storylink=cpy>

Administrative Judge Rules Manatee School Board Justified in Firing Ex-Assistant Principal Matthew Kane in Rod Frazier case

BY JESSICA DE LEON

jdeleon@bradenton.com October 1, 2014



Kane PAUL VIDELA — pvidela@bradenton.com | [Buy Photo](#)

BRADENTON -- An administrative judge has ruled the Manatee County School Board had cause to fire former Manatee High School assistant principal Matthew Kane.

Kane had been recommended for termination Oct. 14, 2013, by Superintendent Rick Mills for mishandling allegations of inappropriate behavior between former Manatee High School parent liaison and assistant football coach Roderick Frazier and female students.

In June, Kane was found not guilty of one misdemeanor count of failing to report child abuse and one felony count of failing to report

child abuse.

School district spokesman Steve Valley declined to comment on the judge's latest ruling.

"Petitioner proved that Respondent knowingly failed to report to appropriate authorities known allegations of misconduct by instructional personnel, which affected the health, safety or welfare of students," wrote Administrative Law Judge Elizabeth McArthur. "The allegations were appropriately reported to him by several different sources over the span of three school years."

The violations constitute misconduct of office, McArthur added.

Kane's violations did not support the charge of immorality, she ruled, but it was a failure to perform duties prescribed by law and considered to be inefficiency, which supports the charge of incompetence.

"Respondent's violations found above, based on the allegations and charges in the Complaint, provide just cause to terminate his employment during the annual contract term," McArthur wrote.

Kane issued a statement Tuesday evening taking strong issue with the judge's ruling, which he said he intends to appeal.

"It was again made explicitly clear by yet another judge that I had no duty to report child abuse," Kane said in his emailed statement. "I completely disagree with the judge's decision of supporting the termination and absolutely plan on taking the next step in this never-ending process to restore my reputation and clear my name."

Kane said as an educator his utmost priority has always been about children and their safety. He said the entire situation became about politics and not about children and the safety of students.

"Unfortunately, the judge based her decision on a prosecutorial rather than fact-finding investigation that was politically targeted at Mr. Gagnon from the beginning," Kane emailed. "I was merely a casualty of that

targeted assault. The judge obviously made a credibility call between myself and witnesses who decided to protect themselves against arrest, suspension and possible termination by the district.

"Ironically, the people that admittedly violated district policy by not reporting suspected abuse were allowed to pass the buck and implicate innocent people. They have then kept working in the district, which only allows more children to be at-risk in the future."

Frazier pleaded no contest April 30 to four counts of battery and two counts of interference with student attendance. As part of the plea agreement, the state dropped three counts of battery and one count of interference with a student's attendance.

Kane, along with former Manatee High Principal Robert Gagnon and former assistant principal Gregg Faller, were all placed on unpaid leave pending termination last October when the Manatee County School Board decided all three violated district policy in handling the allegations.

In a separate administrative ruling, the school board was also found to be justified in terminating Faller.

Faller was found guilty of one count of failing to report child abuse in June.

Another administrative judge previously ruled in favor of Gagnon.

Jessica De Leon, Herald law enforcement reporter, can be reached at 941-745-7049. You can follow her on Twitter @JDELeon1012.

Read more here: <http://www.bradenton.com/2014/10/01/5388629/administrative-judge-rules-manatee.html#storylink=cpy>

Matthew Kane Appeal of Manatee School District Firing Nears End

BY JESSICA DE LEON

jdeleon@bradenton.com June 24, 2014



Matthew Kane, one of three former Manatee High School administrators, listens to lawyers as they stand trial to determine whether they had knowledge of, and therefore the legal obligation to report allegations of inappropriate actions by former coach and parent liaison Roderick Frazier. TIFFANY TOMPKINS-CONDIE/Bradenton Herald TTOMPKINS@BRADENTON.COM [Buy Photo](#)

MANATEE — Testimony is expected to conclude Wednesday in the appeal by former Manatee High School assistant principal Matthew Kane of the Manatee County School District decision to fire him.

Kane lost his job for actions in connection with the case of former football assistant and parent liaison Roderick Frazier, who later took a plea deal to settle charges he inappropriately touched students.

Kane, former Manatee High Principal Robert Gagnon and assistant principal Gregg Faller were all placed on unpaid leave pending termination last October after a vote by the Manatee County School Board. The three were accused of violating district policy in handling allegations against Frazier.

Last week, Kane and Gagnon were found not guilty of one misdemeanor count of failing to report child abuse and one felony count of failing to report child abuse.

Gregg Faller, former Manatee High School assistant principal, was convicted of one misdemeanor count of failing to report child abuse and cleared of the felony count of failing to report child abuse.

Frazier pleaded no contest to three counts of battery for inappropriately touching students, faculty or staff and three counts of interfering with attendance of a student. As part of the deal, the state agreed to drop four additional battery charges.

Investigators claim Kane, Gagnon and Faller were all aware of the abuse allegations but failed to report them to the child abuse hotline as legally required.

All three are appealing school district terminations. Gagnon and Faller are awaiting decisions already.

Kane's hearing was continued until now after two scheduled days of testimony in April failed to culminate in a decision.

Kane testified Tuesday he had difficulty remembering what he was told about Frazier's questionable behavior.

"I want to remember things," Kane said. "From the very beginning of this with the (Bradenton Police Department), I wanted to remember so I could get to the bottom of this."

Kane said the only incident he remembers was in February 2012 when he was interim principal at Manatee High. He testified then-district investigator Debra Horne called him about an anonymous complaint received at the district Office of Professional Standards about Frazier riding in golf carts with students.

"Ms. Horne called me with a vague report so I had no details to go by," Kane said.

Kane said he went to Frazier with the complaint and told him it didn't look right.

"I talked to him and told him to stay off the golf carts," Kane said. "I told him I'm not accusing you of anything but act professional." Kane said he did not recall an incident Manatee High teacher Jacqueline Peebles previously testified she reported to him about seeing a student sitting on Frazier's lap feeding him cake in his office. Peebles said she yelled and made the student get off his lap.

"Ms. Peebles never came to me in the manner she describes," Kane said. "We wouldn't be here right now if she would have come to me in the manner she describes."

The student, who is not being named as a minor, testified about the cake-eating incident. She said Peebles walked in, looked shocked and walked out.

Kane said he also did not remember an incident parent liaison Stephen Gulash testified about seeing Frazier shove a water bottle up between the same student's legs. Gulash said he reported it to Kane.

Gulash also admitted to lying early in the investigation by saying a parent and student had witnessed it in order for Horne to take the allegation seriously, he said. The witnesses were his wife and child and he, too, saw it, he said Tuesday.

The student, however said although similar situations had occurred, she did not remember the one Gulash described. Two former students took the stand for the defense Tuesday after the school board concluded its case.

One student testified Frazier was all over her, groping her when she ran into him at a local bar where she was drinking while still a student at Manatee High.

"He did offer to buy me a drink," she said. "And he did almost kiss me."

She denied, however, Frazier pressed himself against her as Peebles testified she told Kane.

Another student testified she considers Frazier a friend. She denied, however, having a conversation with Frazier about a lingerie party, which another student testified to hearing.

Jessica De Leon, Herald law enforcement reporter, can be reached at 941-745-7049. You can follow her on Twitter @JDeLeon1012.

Read more here: <http://www.bradenton.com/2014/06/24/5223987/matthew-kane-appeal-of-manatee.html#storylink=cpy>