

STATE OF WEST VIRGINIA
COUNTY OF HAMPSHIRE TO WIT:

The Hampshire County Board of Education held a special meeting, their twenty-eighth (28th) meeting of the 2019-2020 school year, on Thursday, April 2, 2020 at the Offices of the Hampshire County Board of Education.

The following Board members were in attendance: Miss Debra Ann Champ, President; Mr. Ed Morgan, Vice President and Mr. Bernard Hott, Mrs. Deadre Rinker and Mrs. Bonita Wilcox, members.

PURPOSE: A special meeting was held for the purpose of conducting an employee hearing. Some regular business was also addressed.

Please note: Attendance was restricted due to CDC guidelines regarding the coronavirus. The meeting was live streamed.

President Champ called the meeting to order at 6:01 p.m.

Prayer was given by President Champ followed by the Pledge of Allegiance.

Superintendent Pancione recommended that Board members approve the agenda.

Mrs. Wilcox moved approval with Mr. Morgan seconding the motion that passed unanimously.

I. APPEARANCE(S):

There were no appearances.

II. CONSENT AGENDA ITEMS:

Superintendent Pancione recommended that Board members approve the following consent agenda item:

Personnel Items:

1. Transfer and employment of Service Personnel:
 - a. Transfer James W. See, III (JW), School Bus Operator for Route RM11, to Transportation Supervisor (001-52) effective April 6, 2020.
2. Resignation of Service Personnel:
 - a. Donnie Strickler, Sanitation Plant Operator for Hampshire County Schools, effective April 30, 2020.
3. Other:

- a. Permission to post for two (2) teachers for a four-week summer school program at the high school for four (4) hours per day/five (5) days per week at \$30.00 per hour.

Mr. Morgan moved approval with Mr. Hott seconding the motion that passed unanimously.

Since the employee hearing was scheduled to start at 6:30 p.m., Board members moved on to the discussion portion.

III. Topics of discussion were updates on the COVID19 activities (meals for students, etc.), bond levy public relations and special education programs (testing status and support for students on Individualized Educational Plans during the coronavirus restrictions).

IV. Employee #2 - Disciplinary Hearing (6:35 p.m.)

This hearing was held via teleconferencing.

Kim Croyle, Attorney for Bowles and Rice, represented the Board of Education.

Susan Thompson, Attorney, represented Employee #2 - DiAnna Liller, Principal at Hampshire High.

Mrs. Liller requested an open hearing.

The following individuals were sworn in as witnesses by Notary Public Shirley O'Dell: Jeff Pancione, Superintendent; DiAnna Liller, Principal at Hampshire High; Amy Crites, Teacher at Hampshire High; Vanessa McCallister, Teacher at Hampshire High; Micah Moreland, parent; Brian Hart, Teacher at Hampshire High; Bill Chaney, Retired Teacher; John Smyth, CPA from Cumberland, Maryland; John Ferraro, Principal at Capon Bridge Elementary; Candy Canan, Former Principal at Hampshire High (currently an employee in Allegheny County) and Letishia Grapes, Secretary at Hampshire High.

The Board's attorney, Kim Croyle, began with her opening statement. She asked the Board to uphold Superintendent Pancione's request to suspend DiAnna Liller, without pay and then after hearing the evidence, to terminate her. She also stated that the hearing was being held to understand the recommendation and give Mrs. Liller the opportunity to be heard. She further stated that the hearing was not about the stadium project (turf field), Trey Stewart, Athletic Director or personality conflicts. This hearing was about willful neglect of duty, violation of the harassment policy, retaliation and insubordination.

Because the hour was late, Ms. Thompson requested that witness #1 - Micah Moreland, be called to testify because he had to leave for his job. All were in agreement. Mr. Moreland stated that he had been a track and field parent and volunteer for 30+ years. He testified that he and his wife were attending a track meet on a hot day and that no water was supplied by the Athletic Director (Mr. Stewart) nor the trainer. Mr. Moreland asked why there was no water and Mr. Stewart stated that he didn't know he was supposed to supply water for the athletes. He further testified that Mrs. Liller was not involved in this matter whatsoever. There being no further questions, Mr. Moreland was excused.

Mrs. Croyle resumed her opening statement. She stated that Superintendent Pancione was the only witness for the Board's side.

Mrs. Croyle asked the Superintendent why he chose to make such a drastic recommendation. His decision was based on reports completed by an outside agency and the willful neglect of duty as well as retaliation measures.

Hearing Officer Champ asked why Mrs. Liller hadn't been put an improvement plan. Mrs. Croyle stated that this type of behavior didn't call for an improvement plan.

Ms. Thompson began her questioning. Her questions at this point revolved around Mr. Ferraro who had a complaint filed against him. Mrs. Croyle objected stating that the Superintendent could not talk about another employee. However, Mr. Ferraro was on standby and stated that the line of questioning was fine with him. Before questioning resumed, the Superintendent and Mrs. Croyle briefly left the room which was then objected by Ms. Thompson. However, an explanation was given whereby Mrs. Croyle stated that nothing had been said only that Superintendent Pancione said he was going to testify.

Ms. Thompson asked Superintendent Pancione what his involvement with Mr. Ferraro's case was. Mr. Pancione stated he was only involved in one meeting and that was the settlement. Prior to that, another person had been the Superintendent.

Questioning continued until 9:42 at which time a short break was taken. The meeting resumed at 9:57 p.m.

Ms. Thompson continued with Superintendent Pancione. She asked him if he had ever given Mrs. Liller a bad evaluation and he stated no. She also asked him what the exact reasons were for termination. He cited insubordination, harassment, intimidation, hostile work environment and retaliation.

Ms. Thompson began her opening statement. She stated that as a high school principal, Mrs. Liller is in charge of many aspects in her job including finances. Mr. Stewart circumvented Mrs. Liller to get approval (for the field project) at a higher level. However, before that time, Mr. Stewart's purchases were approved by Mrs. Liller. A representative from Bowles and Rice was hired to investigate allegations of harassment. Mrs. Liller was not given five (5) days to respond. Mrs. Liller is seeking relief. She wants her suspension rescinded, back pay (for days not paid), reinstated as Principal at Hampshire High, good references (for future positions) and that the negative documents in her file be removed. Ms. Thompson asked Board members to keep an open mind and consider that Mrs. Liller is defending the harassment charges - the charges were not appropriate to pursue. Further, the harassment charges went further and that the situation was suspect.

Ms. Thompson called Mrs. Liller's second witness - John Smyth, a CPA in Cumberland, MD who testified that Mrs. Liller had contacted him regarding the stadium project (turf and field). He stated that if he had been in the same situation, he would have made the same decision. "Mrs. Liller acted in the best interest of Hampshire High School. I would make the same decision".

Upon cross examination from Mrs. Croyle, Mr. Smyth stated that he had been paid \$1,000.00 from Mrs. Liller for his expertise but that he was not aware that the community and local banks were going to fund the project.

Ms. Thompson called Witness #3 - Letishia Grapes, Secretary at Hampshire High. Mrs. Grapes explained the purchase order process and the ordering of athletic equipment and needs. Her testimony revealed that Mrs. Liller had always approved Mr. Stewart's requests with the exception of the stadium project (turf and field).

Due to the lateness of the hour and law that doesn't permit a Board meeting to go beyond midnight, the meeting was adjourned at 11:46 p.m. A continuance of the hearing will be determined after everyone's schedules are looked at.

Jeffrey Pancione, Secretary
Hampshire County Board of Education

Debra Ann Champ, President
Hampshire County Board of Education