

HANCOCK COUNTY BOARD OF EDUCATION

ROLL CALL

The Hancock County Board of Education met in a Special Meeting on Monday, March 4, 2019 at JDRCC, New Cumberland, commencing at 5:00 pm. Board members present: Michelle Chappell, President, Danny Kaser, Caroll Rosenlieb, Toni Hinerman and Tim Reinard.

Motion Carried: Chappell, President, Rosenlieb, Reinard, Kaser, and Hinerman.

Michelle Chappell, President read a STATEMENT:

In response to what occurred at last week's board meeting. I would like to make a few comments as president of the Board.

First, persons who have evidence of improper conduct by any school employee should register their written complaint at the appropriate level and present their evidence in the appropriate forum so that action may be taken by the Board to address their concerns. This Board cannot take action on the basis of anonymous note.

With respect to Superintendent Woodward, the board is aware of one grievance filed by one individual who was fired by the School Board in a unanimous decision; and one internal complaint filed by one administrator. When the process is completed, and any official action is taken by the Board, that will occur in open session at a public meeting of the Board.

Employee investigations and any reports generated from those investigations are by lay, confidential. For example, Hancock County Schools Policy ACA state the following:

“Confidentiality of the filing of complaints, the identity of subjects and witnesses of any complaint and of any action taken as a result of such complaint is essential to the effectiveness of this policy. Only those individuals necessary for the investigation and resolution of the complaint shall be given information about it. Therefore, the RIGHT of confidentiality of complaints, subjects, witnesses, and investigators will be vigorously protected and violations of such confidentiality may itself be grounds for disciplinary action.”

Confidentiality of all matters relating to investigations is routinely required by the law. Once again, when an investigation is completed and the school board takes any official action, that will happen in open session at a public board meeting.

Finally, we ask the public to show patience while the Board properly concludes its investigation into the one formal complaint against the superintendent we have received.

Thank you,

END OF STATEMENT

Mr. Woodward recommended close session under Personnel Hearing to enter into Executive Session over brief personnel issue under WV Code 6-9A-4(B). This was approved to enter into Executive Session at 5:03pm by a 5-0 vote with Tim Reinard moved and was supported Toni Hinerman.

Mr. Woodward and the board members came out of Executive Session at 6:00pm. This was approved by a 5-0 vote with Toni Hinerman moved and was supported by Carroll Rosenlieb. Mr. Woodward recommended under WV Code 18a-5-1, Keri Everhart be suspended indefinitely without pay pending ligations. This was approved by 5-0 vote with Toni Hinerman moved and was supported by Danny Kaser.

Carol Rosenlieb asked Michelle Chappell, President to read a statement.

I have a statement to make in regard to the contract of the County Superintendent, Timothy Woodward.

Over the past several weeks, the public has become actively involved in the subject of the renewal of the Superintendent's contract. I appreciate receiving many phone calls, emails, and text messages from the public including several of the individuals that spoke at the last board meeting.

I have been asked whether I rent to the superintendent's adult daughter in Morgantown, West Virginia and if so, is this a conflict of interest that would prohibit me from participating in the discussion and decision-making process regarding the vote to renew the contract of the superintendent.

My daughter, husband and I own a home in Morgantown, West Virginia. Prior to renting to Mr. Woodward's adult daughter, I contacted the West Virginia Ethic's Commission in August, 2018 and asked for their opinion whether it was important to rent to the Superintendent's adult daughter.

I was told by the West Virginia Ethics Commission in August, 2018 that the West Virginia Ethics Act did NOT prohibit us from renting to the Superintendent's adult daughter and that it was not a conflict of interest.

After the last board meeting held on February 25, 2019, I had two individuals that spoke at the meeting call me and specifically ask if I rented an apartment to the superintendent's daughter and if it was appropriate to do so.

Based upon these inquiries, and out of abundance of caution, I again contacted the West Virginia Ethic's Commission and requested that I be provided with a written opinion regarding this issue. I have received the West Virginia Ethic's Commission written opinion and it advised me that it is NOT improper for my daughter, my husband and I to rent to Mr. Woodward's adult daughter. This is the same response received in August 2018.

This written opinion however, was equivocal in that it stated that if the adult daughter of the Superintendent is financially dependent upon him, for the duration of the lease, I should not vote

on any issues that would materially financially impact the Superintendent. No definition was provided to me by the Commission regarding what “financially dependent” means.

Accordingly, rather than to attempt to determine that nature and extent of the financial relationship between the Superintendent and his adult daughter, and in order to be completely transparent and to avoid even the appearance of impropriety, I have decided to voluntarily recuse myself from any discussions and any vote regarding the renewal of Mr. Woodward’s contract.

Carroll stated please make sure this reflects in the minutes under W. Va. Code § 6B-2-5(j).

Michelle Chappell, President recommended to enter into second Executive Session at 7:37pm under WV Code 6-9a-4. This was approved by a 5-0 vote with Danny Kaser moved and was supported by Toni Hinerman.

Carroll Rosenlieb recused herself from Executive session at 7:37pm.

Carroll Rosenlieb returned Executive session at 8:00pm.

Carroll Rosenlieb recused herself from Executive session at 8:42pm.

Tim Reinard left Executive session at 8:47pm.

The Board members came out of Executive session at 8:57pm. This was approved by 5-0 vote with Tim Reinard moved and was supported by Toni Hinerman.

ADJOURMENT

Michelle Chappell, President made a motion to adjourn at 8:58pm.

This was approved by 5-0 vote with Tim Reinard moved and was supported by Toni Hinerman.

Michelle Chappell, President

Mr. Timothy Woodward, Secretary