

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Dec 11 2020

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

S. Phillip Lenski, Administrative Law Judge

Case No. 2020-000950

Dr. Agnes Slayman,

Appellant,

v.

South Carolina Department
of Education,

Respondent.

SUPPLEMENTAL RECORD

Shannon Polvi, Esquire
J. Lewis Cromer, Esquire
PO Box 11675
Columbia, SC 29211
(803) 799-9530
Attorney for Appellant

Henry Gunter, Esquire
1429 Senate Street, Suite 1015
Columbia, SC 29201
(803) 734-1807
Attorney for Respondent

INDEX

Pages 1724-1775, Volume 8, Record on Appeal (omitted from original filing)..... 1

2. I conclude your staff's health has been adversely affected as a result of the harassing, intimidating and hostile work environment.
3. I believe the Superintendent has lost the trust and respect of her team to the point that she cannot be an effective leader. A system cannot move forward without effective leadership, trust and mutual respect.
4. I conclude that the Superintendent has the ability to show different faces to different groups of people in order to manipulate outcomes and serve her own purpose.
5. I believe that the Superintendent's ongoing conduct and pattern of comments have possible serious legal ramifications for this school system. Legal action is under consideration by the senior leadership team.

Submitted by: Betty T. Bagley

Date: September 14, 2015

From: [Winburn, Scott](#)
To: [Shannon Polvi](#); [Malane Pike](#)
Cc: [Moore, Tracy](#)
Subject: RE: Dr. Slayman
Date: Monday, November 26, 2018 11:07:56 AM

Shannon,

I was hoping to avoid a protracted back and forth with supplemental briefing and objections that you mention. Litigants often submit competing orders for consideration in complex matters. Mostly, I thought providing a written summation/proposed order would benefit Ms. Pike's deliberations given the span of time we've been dealing with. The Department has been more than accommodating to your client, your witnesses, and your schedule, including the two additional weeks Ms. Pike approved for Mr. Boyd's affidavit. The Department's 6 witnesses provided their testimony back on October 3rd. The Department **does not** contend that its case is prejudiced by the span of time. To the contrary, the length of this hearing speaks to the Department's interest to ensure due process. The Department does not contend that this is a particularly complex case based on the record, and our proposal was aimed at sharing the Department's view of the case in the form of a written summation or proposed order, only if doing so would aid the Hearing Officer.

Of course, I defer Ms. Pike.

Thanks,
Scott

From: Shannon Polvi <Shannon@CBPHlaw.com>
Sent: Wednesday, November 21, 2018 4:24 PM
To: Winburn, Scott <SWinburn@ed.sc.gov>; Malane Pike <pikemal@gmail.com>
Subject: RE: Dr. Slayman

Good afternoon,

Scott, sorry I missed your call. I'm assuming you were calling about this. I've been tied up coordinating witnesses for an arbitration next week since I'm about to leave out of town for the Thanksgiving holiday. I'm about to run out the door now.

I oppose the below since we have the hearing opening and closing and witness testimonies already on the record. Without the transcript, I would feel at a disadvantage that there is high likelihood something important could be left out. Both/either party has the opportunity to submit objections / supplemental brief prior to the final determination by the Board, so that should suffice.

Have a Happy Thanksgiving,
Shannon

Shannon Polvi
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1418 Laurel St., Suite A (29201) | P.O. Box 11675 | Columbia, SC 29211
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From: Winburn, Scott <SWinburn@ed.sc.gov>
Sent: Wednesday, November 21, 2018 2:57 PM
To: Shannon Polvi <Shannon@CBPHlaw.com>; Malane Pike <pikemal@gmail.com>
Subject: RE: Dr. Slayman

Mr. Pike,

Given the span of time from the first witness to the last, and for the sake of judicial economy the Department would propose that both sides send written closing argument and/or proposed orders in this matter. I believe this may, at a minimum, aid in your deliberations and simplify the issues for determination.

Thank you for your consideration of this request.

Scott

From: Shannon Polvi <Shannon@CBPHlaw.com>
Sent: Monday, November 19, 2018 10:47 AM
To: Malane Pike <pikemal@gmail.com>; Winburn, Scott <SWinburn@ed.sc.gov>
Subject: Dr. Slayman

Dear Malane and Scott,

Gene Boyd and I played phone tag over the last two weeks and unfortunately I was not able to get him in to do an affidavit, so I do not have one to supplement the record further. But thankfully we have Maggie James and Sandra Stroman testimony already in the record and his testimony would be similar to both of their testimonies.

Sincerely,
Shannon

Shannon Polvi
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From: [Shannon Polvi](#)
To: [Henry Gunter](#)
Subject: RE: In the Matter of Agnes M. Slayman
Date: Friday, September 6, 2019 12:56:40 PM

Thank you, I look forward to meeting you on Tuesday.

Shannon Polvi

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From: Henry Gunter <vhgunter@ed.sc.gov>
Sent: Friday, September 06, 2019 8:46 AM
To: Shannon Polvi <Shannon@CBPHlaw.com>
Subject: RE: In the Matter of Agnes M. Slayman

Hey Shannon,

I hope you are doing well. We are still on schedule for 11:30 on Tuesday. The State Board members are given a packet of documents from the case one week before the hearing. The materials do include the hearing officer's report and recommendation. The transcript of the hearing, the Department's exceptions, and the Hearing Officer's response to those exceptions are also included, so the State Board will have knowledge about the underlying facts going into the meeting. Please let me know if you have any other questions.

Thanks,
Henry

V. Henry Gunter, Jr.
Deputy General Counsel
SC Department of Education
1429 Senate Street
Columbia, South Carolina 29201
803-734-8105 | phone
803-734-4384 | fax
vhgunter@ed.sc.gov

<http://www.ed.sc.gov>

From: Shannon Polvi <Shannon@CBPHlaw.com>
Sent: Thursday, September 5, 2019 6:10 PM
To: Henry Gunter <vhgunter@ed.sc.gov>
Subject: RE: In the Matter of Agnes M. Slayman

Dear Henry,

Just wanted to reconfirm the below, that we're on schedule for the State Board hearing at 11:30am on Tuesday, September 10th.

With regard to the materials given to the Board members, will they already have Ms. Pike's recommendation available to them prior to the hearing? I want to plan my 3 minutes the most efficiently based on their level of knowledge on the matter already.

Thanks,
Shannon

Shannon Polvi

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From: Henry Gunter <vhgunter@ed.sc.gov>
Sent: Monday, July 15, 2019 8:51 AM
To: Shannon Polvi <Shannon@CBPHlaw.com>
Subject: In the Matter of Agnes M. Slayman

Hey Shannon,

I apologize for my late response, I was out of the office Thursday and Friday and am catching up on emails. The State Board hearing will begin around 11:30. Please just let me know if you have any other questions. Thank you.

V. Henry Gunter, Jr.

Deputy General Counsel
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<http://www.ed.sc.gov>

From: Shannon Polvi <Shannon@CBPHlaw.com>
Sent: Thursday, July 11, 2019 10:45 PM
To: Henry Gunter <vhgunter@ed.sc.gov>
Cc: Kate Ray <Kate@cbphlaw.com>
Subject: RE: In the Matter of Agnes M. Slayman

Dear Henry,

Thank you for the information. Dr. Slayman and I will attend the meeting. I intend to make a brief address to the State Board on Dr. Slayman's behalf.

What is the scheduled start time? Kate will calendar it for me and inform our client of the details.

Thanks,
Shannon

Shannon Polvi

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From: Henry Gunter <vhgunter@ed.sc.gov>
Sent: Monday, July 08, 2019 3:49 PM
To: Shannon Polvi <Shannon@CBPHlaw.com>
Subject: In the Matter of Agnes M. Slayman

Good afternoon Shannon,

I hope you are doing well. My name is Henry Gunter and I am the deputy general counsel in charge of educator certification at the SC Department of Education. I just wanted to reach out to you regarding the date Dr. Slayman's case will go before the State Board. We are planning to present Ms. Slayman's case to the board at their meeting on September 10, 2019. As you probably have been informed, you and Dr. Slayman have the right to attend the State Board meeting and, if you choose, you may address the State Board for up to three minutes regarding the case. If you decide to attend the meeting, please let us know in advance so that we may notify the State Board and make arrangements with our building's security to have your names added to the visitor list. If you have any questions, please let me know. Thank you.

V. Henry Gunter, Jr.
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**Licensure Cases
Before the State Board of Education Educator Licensure Committee
September 10, 2019**

Teacher's Name: Agnes M. Slayman
Certificate Number: 134958
Charge: Unprofessional Conduct
Recommended Action: Contested Recommendation
Education Summary: Agnes M. Slayman earned her Bachelor's Degree in 1982, her Master's Degree in 1987, and her Doctorate Degree in 1997 from the University of South Carolina-Columbia. Dr. Slayman earned her Professional Certificate in 1997 and has over 33 years of teaching experience.

Exhibits

09-10-19	Order of Public Reprimand (for consideration)	Page 2
09-10-19	Order of Dismissal (for consideration)	Page 5
05-29-19	Letter to Board Chair from Hearing Officer Report and Recommendation	Page 8
07-09-19	SCDE's Objections to Report and Recommendation	Page 19
04-19-19	Hearing Officer Report and Recommendation	Page 54
11-02-18	Transcript of Hearing	Page 85
11-01-18		
10-12-18		
10-04-18		
10-03-18		

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Agnes M. Slayman
Certificate 134958

ORDER OF PUBLIC REPRIMAND

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 10, 2019. The South Carolina Department of Education (SCDE) notified Dr. Slayman of potential disciplinary action against her teaching certificate and informed her of her right to a hearing via a certified letter dated March 28, 2018. Dr. Slayman timely requested a hearing through her counsel, and such was held, beginning October 3, 2018, with the record being closed November 19, 2018. On April 19, 2019, the SCDE and Dr. Slayman received the hearing officer's report and recommendation. The hearing officer recommended that the action against Dr. Slayman be dismissed. On April 26, 2019, the SCDE submitted its written objections to the hearing officer and counsel for Dr. Slayman. After considering the evidence, testimony, the report and recommendation presented, and objections of the SCDE, the State Board voted to publicly reprimand Dr. Slayman.

FINDINGS OF FACT

This is a disciplinary matter involving unprofessional conduct. It is alleged that Dr. Slayman acted in an unprofessional manner by harassing, intimidating, and creating a hostile work environment for employees while serving as Superintendent of the Chester County School District (District).

The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004). Dr. Slayman holds a valid South Carolina professional educator certificate and has over thirty-two years of experience. She has no prior record of disciplinary action with the State Board. Dr. Slayman was employed with the Chester County School District (District) as the Superintendent beginning in 2013 and ending with her resignation in 2016.

On October 14, 2015, the SCDE received a letter from the District reporting Dr. Slayman's resignation following an investigation into allegations that she threatened subordinates and created a hostile work environment for some employees. The District was made aware of allegations against Dr. Slayman in a grievance submitted by five employees (all cabinet level positions) on September 5, 2015. The District Board of Trustees, in executive session, heard the grievance on September 21, 2015. Dr. Slayman denied all allegations in the grievance hearing before the District Board of Trustees.

Dr. Slayman denied every allegation lodged by the cabinet members at the SCDE hearing as well. Yet, during the hearing, testimony revealed that the board members had considered at least some corrective action against Dr. Slayman in the form of an improvement plan. Dr. Slayman conceded that an improvement plan existed at the time of her resignation, giving credence to the allegations made by cabinet members (For example: The testimony of one cabinet member revealed that she was explicitly threatened by Dr. Slayman in front of her peers. More specifically, this threat occurred during a staff meeting where Dr. Slayman said to her that if she ever spoke directly to the Board again, Dr. Slayman would "slit her throat". The cabinet member further testified that she was shaken by the threat. This testimony was corroborated by the testimony of all of the SCDE's witnesses. Additionally, a second cabinet member provided testimony that corroborated the testimonies of the other SCDE witnesses. Most notable, the cabinet member described one specific instance where he was publically berated by Dr. Slayman in front of other principals in the district. Not only was this testimony corroborated by the other witnesses in this hearing, Dr. Slayman declined to call a single principal, assistant principal or a teacher in her defense, despite naming a multitude individuals as potential witnesses in this case). However, Dr. Slayman ultimately entered into a settlement agreement with the District and resigned her position as Superintendent, effective September 30, 2015. Further, as part of that agreement, Dr. Slayman continued employment as a consultant with the District until June 30, 2016.

After considering the evidence presented at the hearing, the hearing officer's recommendation and report, and the SCDE's objections, the State Board finds that the evidence presented demonstrates that Dr. Slayman engaged in conduct that was inappropriate and unprofessional for a District Superintendent.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (2018); The State Board may, for just cause, issue a public reprimand. S.C. Code Ann. Regs. 43-58 (2018). Just cause includes unprofessional conduct. S.C. Code Ann. §59-25-160. The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend or revoke the professional educator certificate of Agnes M. Slayman and that the issuance of a Public Reprimand to Dr. Slayman by the State Board is an appropriate sanction in this matter. The State Board finds that the record outlined above demonstrates that Dr. Slayman engaged in unprofessional conduct.

Now, therefore, it is hereby ordered that a Public Reprimand is issued to Agnes M. Slayman, certificate 134958. The public reprimand of Dr. Slayman, certificate 134958, shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

Del-Gratia Jones, Chair

Columbia, South Carolina
September 10, 2019

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the
Disciplinary Action of the
Educator Certificate of
Agnes M. Slayman
Certificate 134958

ORDER OF DISMISSAL

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on September 10, 2019. The South Carolina Department of Education (SCDE) notified Dr. Slayman of potential disciplinary action against her teaching certificate and informed her of her right to a hearing via a certified letter dated March 28, 2018. Dr. Slayman timely requested a hearing through her counsel, and such was held, beginning October 3, 2018, with the record being closed November 19, 2018. On April 19, 2019, the SCDE and Dr. Slayman received the hearing officer's report and recommendation. The hearing officer recommended that the action against Dr. Slayman be dismissed. On April 26, 2019, the SCDE submitted its written objections to the hearing officer and counsel for Dr. Slayman. After considering the evidence, testimony, the report and recommendation presented, and objections of the SCDE, the State Board voted to dismiss this matter.

FINDINGS OF FACT

This is a disciplinary matter involving unprofessional conduct. It is alleged that Dr. Slayman acted in an unprofessional manner by harassing, intimidating, and creating a hostile work environment for employees while serving as Superintendent of the Chester County School District (District).

The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (2004). Dr. Slayman holds a valid South Carolina professional educator certificate and has over thirty-two years of experience. She has no prior record of disciplinary action with the State Board. Dr. Slayman was employed with the Chester County School District (District) as the Superintendent beginning in 2013 and ending with her resignation in 2016.

On October 14, 2015, the SCDE received a letter from the District reporting Dr. Slayman's resignation following an investigation into allegations that she threatened subordinates and created a hostile work environment for some employees. The District was made aware of allegations against Dr. Slayman in a grievance submitted by five employees (all cabinet level positions) on September 5, 2015. The District Board of Trustees, in executive session, heard the grievance on September 21, 2015. Dr. Slayman denied all allegations in the grievance hearing before the District Board of Trustees.

Dr. Slayman denied every allegation lodged by the cabinet members at the SCDE hearing as well. Yet, during the hearing, testimony revealed that the board members had considered at least some corrective action against Dr. Slayman in the form of an improvement plan. Dr. Slayman conceded that an improvement plan existed at the time of her resignation, giving credence to the allegations made by cabinet members. However, Dr. Slayman ultimately entered into a settlement agreement with the District and resigned her position as Superintendent, effective September 30, 2015. Further, as part of that agreement, Dr. Slayman continued employment as a consultant with the District until June 30, 2016.

After considering the evidence presented at the hearing, the hearing officer's recommendation and report, and the SCDE's objections, the State Board finds that this matter should be dismissed.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (2018); The State Board may, for just cause, issue a public reprimand. S.C. Code Ann. Regs. 43-58 (2018). Just cause includes unprofessional conduct. S.C. Code Ann. §59-25-160. The State Board finds that the evidence presented supports its conclusion that just cause does not exist to suspend or revoke the educator certificate of Agnes M. Slayman in this matter.

Agnes M. Slayman, Certificate 134958
Order of Dismissal
September 8, 2019
Page 3

Now, therefore, it is hereby ordered that the matter of Agnes M. Slayman, certificate 134958, be dismissed. The dismissal of the matter of Dr. Slayman, certificate 134958 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

AND IT IS SO ORDERED.

South Carolina State Board of Education

Del-Gratia Jones, Chair

Columbia, South Carolina
September 10, 2019

MALANE S. PIKE

Attorney at Law

Post Office Box 729 White Rock, South Carolina 29177 (803) 622-1495

VIA EMAIL

May 29, 2019

Ms. Del-Gratia Jones, Chair
State Board of Education
1429 Senate Street
Columbia, SC 29201

RE: In the Matter of Agnes M. Slayman
Educator Certificate #134958

Dear Ms. Jones:

I am in receipt of the Office of General Counsel's (OGC) exceptions to my report in the above referenced matter. I would like to first state that I commend the OGC for providing its exceptions directly to the State Board in that it now allows us to air these issues prior to the State Board making its decision. Although I do not agree with the exceptions cited by the OGC, I certainly respect their position in that reasonable minds can differ. I have responded to the OGC's exceptions in the paragraphs below. I am also issuing an amended report to address the OGC's comments, however, my recommendation remains the same. Because of the wide disparity between the OGC's view of the evidence in this case and my view of the evidence in this case, I would strongly encourage the Board members to read the transcript and the exhibits before making a decision.

I was greatly troubled by this case and I spent many weeks analyzing all of the evidence provided at the hearing. The OGC presented the testimony of five grievants whose complaints against Dr. Slayman (Slayman) centered around several general themes common to all five. The OGC's sixth witness was Jeanne Ligon (Ligon). Ligon did not witness any of the behavior described by the grievants but did claim to have seen Brooke Clinton (Clinton) and Anna Stroud (Stroud) upset at various times, and Shawn Williams (Williams) upset on one occasion. Ligon testified that these people did not always discuss why they were upset but she understood it to be work related. She also observed Jeff Gardner (Gardner) when he appeared to be "visibly shaken or upset". However, she did not testify that this was linked to Slayman or was work related. When asked about her relationship with Slayman, she testified that she had a positive working relationship with Slayman and that she felt supported in the position that she held.

Ligon related one incident with Slayman in which she felt intimidated. That incident involved Slayman asking questions of Ligon relating to a previous IEP student who was about to graduate from college and needed a letter to address a purported disability which would have exempted him



**STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION**

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

April 26, 2019

Ms. Del-Gratia Jones, Chair
State Board of Education
1429 Senate Street
Columbia, SC 29201

Re: In the Matter of Agnes M. Slayman
Educator Certificate #134958

Dear Madam Chair:

Please find enclosed the Office of General Counsel's (OGC) exceptions to the hearing officer's report and recommendation shown in red. I have copied the hearing officer and Ms. Polvi on this correspondence. Given the sheer volume of testimony in this case, I thought it best to include the State Board of Education (SBE) in this correspondence and include excerpts of the testimony so that the SBE can be as fully informed as possible as to aid in your deliberations when you ultimately decide this case. I have also included the OGC's proposed order submitted to the hearing officer, which summarized our recommendation. As you can see, the hearing officer has sided with the testimony of consultants over the employees in this case.

Based on her uncharacteristic omission of critical details, the draft report and recommendation is atypical. As written, the recommendation presents a very misleading account of the hearing and the issues presented for consideration. Most importantly, it unnecessarily seeks to diminish the testimony of witnesses called by the OGC.

This a case about bullying. The hearing officer and Dr. Slayman have made this case about the alleged victims, rather than the accused. In the attached document, I have made a good faith effort to include information that I believe to be critical to your deliberations. I do not have a stake in the outcome of this case but I do have a duty to the SBE, and, I believe, to the witnesses who testified voluntarily, willingly, and in good faith to uphold our process.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Scott Winburn".

E. Scott Winburn
Deputy General Counsel
Office of General Counsel

Ms. Del-Gratia Jones, Chair
April 19, 2019
Page 2

Enclosed

cc: Malane Pike, Esq.
Shannon Polvi, Esq.

Former Assistant Superintendent for Instruction Chester County School District

Leonard Jeffers (Jeff) Gardner, Witness

Former Assistant Superintendent for Operations Chester County School District

Shawn Williams, Witness

Former Chief Human Resource Officer Chester County School District

Brooke Clinton, Witness

Former Public Information Officer Chester County School District

Anna Stroud, Witness Former Director of Finance

Chester County School District

Carol Jean Ligon, Witness

Executive Director of Special Services Chester County School District

On behalf of the Chester School District:

J. Alexander Sherard, Esquire

On behalf of Dr. Slayman:

Shannon Polvi, Esquire

Cromer, Babb, Porter & Hicks, LLC

John Mark Stiver, Witness

Consultant hired by Chester County School District

Sandra Stroman, Witness

Former member of Chester County School Board

James E. Stroman, Witness

Former member of Chester County School Board

John Agee, Witness Fire Chief in Richburg

Cyrus Corbett, Esquire Attorney for John Agee

Bill Bundy, Witness

Chester Health Care Foundation

Robert Allen Teal, Witness

Consultant for Chester County School District

Charles Gerald Moore, Witness

Consultant for Chester County School District

Dr. Jimmy Littlefield, Witness
Consultant for Chester County School District

Rev. William Stringfellow, Witness
Former member of Chester County School Board

Maggie James, Witness
Current member of Chester County School Board

Callie McConnell, Witness
Former Administrative Assistant to Slayman Chester County School District

Dr. Angela Bain, Witness
Current Superintendent Chester County School District

Dr. Agnes Slayman, Witness
Former Superintendent Chester County School District

FINDINGS OF FACT

Having observed the witnesses and exhibits presented at the hearing, I make the following Findings of Fact:

1. Slayman holds a valid South Carolina professional educator certificate and has over thirty-two years of experience. She has no prior record of disciplinary action with the State Board. She holds a Bachelor's, a Master's and a Doctoral degree, all conferred upon her by the University of South Carolina. Her past educational experience includes being a special education teacher, a high school assistant principal, a high school principal, Kershaw School District Assistant Superintendent for Curriculum and Instruction, and Chester School District Superintendent.
2. Slayman was employed in the Kershaw School District for over 20 years. She was the first female high school principal in the history of that district.
3. Slayman was employed with the Chester County School District (District) as the Superintendent in January 2012, and served in that capacity until her resignation on September 24, 2015.¹
4. Throughout her tenure with the District, she received various honors, awards, and accolades for her innovative methods of bringing the District into the twenty first century and for bringing additional money into the District. Some of those included:
 - a. Slayman received the Superintendent of the Year Award from the S.C. Career and Technology Education Association for the 2012-2013 school year.
 - b. For 2012, Great Falls Elementary was selected as a Pathfinder School.

1. The School Board voted 4-3 to accept Dr. Slayman's resignation

- c. For 2013, Slayman and the District were named a Duke Energy Power Partner.
- d. For 2013, the District was named a Microsoft Alliance Partnership. The District was the only one named in the Southeast and only one of 12 in the United States.
- e. In 2013, Slayman was invited to be a speaker at the Microsoft Mobility Conference in N.Y. This conference was attended by business and educational leaders from around the world.
- f. In 2014, Slayman was nominated for the S. C. Superintendent of the Year.
- g. In 2014, Slayman was named Educator of the Year by the S.C. Resource Officers Association.
- h. In 2014, two high schools in the District were named Bronze Schools by U.S. News and World Report.
- i. In 2014, Slayman was selected to serve on an international panel for Microsoft's Global Forum, to speak about the infusion of technology into education.
- j. In 2014, Slayman was one of 120 superintendents from across the U.S. invited to attend President Obama's White House ConnectED Superintendent Summit to discuss advancing education and advancing students across the U.S. through academics.
- k. In 2015, Slayman was recognized by the Martin Luther King Celebration Committee as the Grand Master of the parade. She was the first superintendent to be given that honor.
- l. In 2015, Slayman was nominated by the school board, the CEO's from business and industry, and the legislative delegation for Chester, Fairfield and Cherokee Counties for the S.C. School Administrators' S.C. Superintendent of the Year award.

Dr. Slayman was served by the same five senior cabinet members who filed the grievance. Further, Slayman conceded that the grievants were good employees who helped her achieve these accomplishments. Yet, this recommendation goes to great length to disparage and discredit these same individuals without telling the full story. Tr. p. 1326, L. 4-17.

5. On or about August 2015, Anna Stroud (Stroud), then Director of Finance, called Dr. Rick Hughes (Hughes), a District School Board member (Board), to advise him that Slayman's senior staff members intended to file a grievance against her. Hughes maintained the confidentiality of his informant and the other grievants. (Speculation and irrelevant. Further, this is not supported by the record as Dr. Hughes did not testify) Thus, the other Board members were not aware who the grievants were. (Speculation on the part of the hearing officer. Maggie James was the only witness to allege that Stroud called Hughes. The hearing officer implies that the full board testified in this matter. That is simply not the case. Of the witnesses called by Slayman, only two of them were members of the board when this matter occurred.)

6. Attorneys for the Board were contacted and the Board authorized an investigation to be done. At this point, nothing in writing had been submitted by the grievants and the Board was acting on the verbal communication between Stroud and Hughes. (Irrelevant and an assumption that the board was acting only based on Stroud and Hughes. Furthermore, the hearing officer erroneously finds below that Jeff Gardener was the "instigator" of the grievance. This is contradictory.)

7. Betty Bagley (Bagley) was hired to conduct the investigation. She was instructed by the Board that her investigation was restricted to interviews with the five senior staff members as well as Slayman and Slayman's administrative assistant. The Board, other than Hughes, did not know at this time that the five senior staff members were the grievants, but directed Bagley to interview

them in that those were the people who worked closest with Slayman. A very short time frame was given for this investigation and Bagley was instructed not to prepare a written report, but to verbally report her findings to the Board. Bagley made written notes of the interviews she conducted and these later became known as the "Bagley Report". Bagley delivered an oral report to the Board on September 3, 2015. Bagley did not testify at Slayman's disciplinary hearing, however her notes (i.e. the "Bagley Report") were entered into evidence.²

8. During Bagley's interview with Slayman, Bagley asked Slayman if she would resign. Slayman told Bagley that she would not. There is no testimony in the record that suggests that Bagley was authorized to request Slayman's resignation. Slayman was never again asked to resign.

9. A written letter, dated September 8, 2015, addressed to the Board Chair, Denise Lawson, and signed by each of the five senior staff members was filed with the Board. Those senior staff members were:

Dr. Charles King, former Assistant Superintendent for Instruction
Leonard Jeffers Gardner, former Assistant Superintendent for Operations
Shawn Williams, former Chief Human Resource Officer Brooke Clinton, former Public Information Officer Anna Stroud, former Director of Finance

The letter read as follows:

We are formally filing an official grievance due to a hostile work environment, implications of ethical violations, and racial and threatening remarks by Dr. Agnes Slayman, Superintendent of the Chester County School District.

We are requesting a closed door meeting of the Board as a group to present our concerns to the Board of Trustees. We respectfully request that Dr. Slayman not be in attendance during this meeting.

(See Petitioner's Exhibit 8).

10. On September 21, 2015, the five grievants were allowed to express their grievances regarding Slayman to the Board in executive session. Slayman was not present.

11. Slayman voluntarily resigned thereafter without the Board ever taking any formal action against her. (Misleading. Here, the hearing officer omits the fact that the board voted 4-3 to accept Slayman's resignation. Further, she omits the board agreed to pay Slayman \$300,000 in a settlement agreement. Tr. p. 586, L. 8-11. Most glaring is the hearing officer's omission of Slayman's "Improvement Plan", which was being considered by the board in response to Slayman's behavior towards the grievants. In fact, Slayman testified that she drafted one version of an Improvement Plan herself. Tr. p. 1375, L 15-17. Yet, the hearing officer completely omits this detail.) She and the Board entered into an agreement whereby Slayman was brought back as a consultant until June 30, 2016. The majority of the Board did not believe the claims being made against Slayman and wanted to vote that the claims had "no merit". (This is not substantiated by the record. Plus, it is belied by the IMPROVEMENT PLAN, and the fact that all board members DID NOT

² See Petitioner's Exhibit 14

TESTIFY.) However, the Board was strongly advised that they should vote that the claims were "moot" because Slayman had resigned. (This is favorable to OGC's position, but, nevertheless, the hearing officer should strike as the statement goes to attorney-client privilege between the full board and their attorney)

12. Slayman resigned because she felt that she would not be able to supervise the grievants in the future or provide direction to the District in that her actions would constantly be questioned.³

13. By letter dated October 14, 2015, SCDE received notice of Dr. Slayman's resignation and the allegations of the five employees. This letter was sent by the Interim District Superintendent, V. Keith Callicut, Ph.D (Callicut) pursuant to Regulation, R. 43-58.1. The school board did not vote on this action and was not aware that Callicut had sent the letter to SCDE. (Strike, irrelevant, gratuitous and confusing. Any certified individual who resigns or is terminated from employment amid allegations of unprofessional conduct (as is the case here), that educator must be reported to the SCDE by law). Thereafter, SCDE initiated an investigation into this matter which ultimately culminated in the five day hearing from which this recommendation is being written.

14. The events of this matter were chronicled in news reports and in postings on social media. The "Bagley Report" was anonymously leaked to the press. Slayman and the Board members were followed and continually harassed by the press and others. (Irrelevant, and confusing. Slayman testified that she was followed and harassed, but failed to provide any concrete evidence showing this was the case. Further, and again, based on my previous comments regarding board members testifying, the "board" did not testify).

15. Slayman has been unable to obtain employment since her resignation. (Strike, irrelevant. This statement might be relevant to mitigation of the penalty for unprofessional conduct. Yet, the hearing officer omits the \$300,000.00 settlement package (referenced above) and Slayman provided no concrete evidence that she had been turned down for positions specifically because of these allegations). Slayman was also a harmed in that she did not get to complete her TERI and had to begin drawing retirement. (This is not a damages hearing. It is not a civil tort matter. This is not a case about anyone's retirement. Further, it should be noted that Slayman was advised by counsel throughout this matter. Speculating about Slayman's harm is grossly inappropriate, and again, the statement warrants a response that Slayman VOLUNTARILY RESIGNED from her position, and signed a settlement agreement.)

16. The five grievants testified at the hearing. A summary of important facts (Obviously, the hearing officer omits a multitude of "important facts", please continue to review additions in red) about each of them as well as the allegations made by each is found below. Please note that the allegations referenced below are not findings of fact that the allegations are truthful, but rather, are findings of fact that these allegations have been made against Slayman.

Dr. Charles King (King)

17. King was hired by Slayman in July 2012 to work for the District as the Assistant Superintendent of Instruction. He reported directly to Slayman. Prior to this, King and Slayman

³ Tr. p. 1340, L. 5-9

had a long working relationship with each other in Kershaw County, spanning approximately 20 years, some of which involved King working directly for Slayman. When Slayman applied for the position of Superintendent in Chester, King wrote a recommendation to the Board in support of Slayman for this position.

18. In the Summer of 2015 just before the grievance was filed, Slayman discovered that King was using the District's Mi-Fi at home because he did not have internet service there. He was not authorized to use it for that purpose and Slayman made him return it. King became upset over this.⁴ (Competing testimony offered by King was intentionally omitted by the hearing officer. Testimony was offered by King where he stated that he had no idea Slayman even had concerns regarding the Mi-Fi. Further, he was given permission to use the Mi-Fi in place of having a district-issued cell phone. Both of which, King testified that Slayman was aware of. Tr. p. 132-134, L. 18-14.)

19. King continued to work for the District after Slayman's resignation until April 2016. (In fact, King was so well respected by his colleagues that he was initially appointed as acting Interim Superintendent by the Board Chair before Dr. Callicut was appointed). At that time, King was supervising an employee's administrative certification through Western Governor's University. As such, he was required to observe her and document her work to the University. He allowed this employee access to the portal where his documentation was to be placed. The employee, in turn, completed the documentation in King's name and submitted such to the University. He initially denied giving the employee access but was confronted with an email proving that he had provided such access. (Strike, confusing, blatant attempt to discredit King. This evidence was presented by Dr. Angela Bain, the current Superintendent in Chester County School District. Tr. p. 1089-1090, L. 7- 18. In this case, it would only make sense for the hearing officer to make a finding as to Bain's credibility. Interestingly, Bain testified that all five grievants were bad workers who lacked credibility. In addition, King did not testify to this situation, nor was he asked whether he denied it. It is worth noting that Ms. Polvi and the hearing officer could have asked King this question.) He left the employ of the District as a result of this matter and the matter was reported to SCDE.⁵ (Interestingly, Ms. Polvi argued fervently that King had been reprimanded by the SCDE. King has never been reprimanded by the SCDE. Tr. p. 135, L. 9-24.)

20. King aspired to be a school superintendent and applied for superintendent positions but was not hired. He was briefly appointed as Interim Superintendent in Chester until Callicut was hired and again, just before Dr. Angela Bain (Bain) was hired. He is currently employed as a principal at Midway Elementary School in Kershaw County.

21. In testimony at the hearing, King alleged the following:

- a. Slayman would summon him to meetings irrespective of other meetings he may be participating in.
- b. Slayman allowed her "breakfast group", composed of the fire chief, the coroner, and numerous other individuals, to influence her decisions with regard to the District.
- c. At an administrator's retreat, Slayman, in a very loud and boisterous tone with her finger

⁴ Tr. p. 1250-1252, L. 18-4

⁵ Tr. p. 1089-90, L. 4-19; p. 1130-1131, L. 10-16

- pointed at him, chastised and chided him in front of almost the entire cadre of principals.⁶
- d. Slayman did not support the newly elected sheriff and did not agree with him coming into the schools to point out security deficiencies. As a result, she endorsed the hiring of a security chief and contracting with a private security agency to provide security to the schools as a replacement for the School Resource Officers (SRO's).
 - e. Slayman was not truthful with the school board in that she did not advise them that the private security agency did not have arrest powers and she led them to believe that the officers present at a luncheon announcing the replacement of the SRO's were the actual officers who would be placed in the schools.
 - f. He observed aggressive behavior on the part of Slayman. To wit, he heard Slayman state "I will kill that son of a bitch" referring to Rick Hughes, then school board member; "I will rip your throat out" referring to Williams; "I will cut your knees out from under you if you do this again", referring to Gardner.
 - g. He was sent by Slayman to conduct an investigation of an alleged illicit affair between the cheerleading coach and the new sheriff. In doing this, King had to question some of the cheerleaders. The coach ultimately resigned.

22. King never attempted to talk to Slayman about any comments she made to him, however, he suggested to her that she may have been a bit strong with others.

Leonard Jeffers Gardner (Gardner)

23. Gardner was the principal of Chester High School at the time Slayman was hired. She promoted him to Assistant Superintendent of School Operations in August 2012 and he held this position until his TERI ended in 2018. During this period, he was over Food Service, Attendance, Transportation, Maintenance, Athletics, IT, Security, and Building and Construction Projects. He is currently employed with the Chester County Career Center as a Carpentry Instructor.

24. Gardner orchestrated the filing of the letter of grievance.⁷ (Misleading at best. The footnote only sites part of Mr. Gardner's testimony and frankly stands for exactly the opposite of what the hearing officer claims. In response to the **next** question on page 220 of the transcript, Gardner testified: "It **wasn't** organized by one person." (*Emphasis added*). Tr. p. 220, L. 1-13. Furthermore, the grievants were represented and advised by counsel to make the grievance in writing. The hearing officer also seems to rely upon a portion of King's testimony without giving the full account. Later, and throughout this report, the hearing officer makes every effort to paint King as a liar.) At or about the time that the letter of grievance was being drafted in 2015, Gardner opted to retire and go on the TERI program. (According to testimony, Gardner continued to work for the district as chief operations officers and was allowed to finish out TERI. Additionally, at the time of hearing, Gardner had returned to teaching as a carpentry instructor, a position that he had held for many years. Tr. p. 171, L. 19-25; Tr. p. 243, L. 3-15.) Prior to that, Slayman had raised concerns with him about his work performance in that his work was not being completed in a timely fashion. Angela Bain (Bain), the Administrator succeeding Slayman, also raised similar concerns with him during her tenure as superintendent, as well as various Board members and

⁶ In further testimony, King admitted that this conversation occurred outside of the meeting room and only four or five principals witnesses it. (Tr. p. 35-38, L. 22- 9)

⁷ Tr. p. 219, L. 7-25 ; p. 128-129, L. 18-2

consultants.

25. Gardner was a contender for the job of District Superintendent when Slayman applied. However, Gardner was given only a courtesy interview in that he was unqualified for the job. (Misleading, and Gratuitous. Gardner testified that he was asked by others to consider serving as interim Superintendent, prior to Slayman being hired. He also conceded that he never sought his Superintendent's certification. Tr. p. 245, L. 14-16. This statement of fact is obviously meant to belittle and discredit Gardner. A lifelong resident of Chester, who has spent his career as a teacher, serving his community honorably for almost thirty years without even a hint of blemish on his reputation. In fact, Mr. Stroman (a former Board member in Chester and later a thoughtful member of the SBE) testified that he had known Mr. Gardner for years and he vouched for his character.

26. In testimony at the hearing, Gardner alleged the following:

The hearing officer completely omits arguably the most substantive and policy related point of contention, which fell under Gardner's purview: Slayman's refusal to cooperate with the Sheriff, which was raised in the OGC's proposed order to the hearing officer, and dismissed out of hand. Gardner testified very clearly about the need for joint training, while Slayman refused. Tr. p. 193, L. 2 – p. 194, L. 6.

On this topic, Slayman's testimony included the following: "I was frustrated with the sheriff...I'd let him do some active-shooter training in the schools at one point...(emphasis added) Oh , my God, 2014 maybe (as to when training occurred)...I don't know – I think they attended, but I know they were invited...-- I don't think they attended; no...No. Might have been Brooke that had – I don't know. Jeff or Brooke. Somebody – we – the school district invited all these people. It would either have been Brooke or Jeff or myself. Probably not me, but probably have been Brooke or Jeff...But I know we held training and we invited them..." Tr. P. 1371 – 1374. "I don't know what he (Gardner) is talking about in terms of what he sees as training..." The hearing officer ignores this issue.

The hearing officer also fails to identify testimony related to the hiring of the chief SSO, which was corroborated by King. Gardner testified that he later determined that he lied to the other applicants also about the starting salary after Slayman immediately doubled the salary of the position as soon as the applicant was chosen. Tr. p. 185, L. 1-19.

The hearing officer also fails to mention that Gardner attributes major health problems to the stress created by Slayman. He even sought help and counseling through the employee assistance program, as well as through his family doctor. Tr. p. 200, L. 11-21. Gardner testified that he was never on medication before, but now takes anxiety medication. He also explained that he served as principal, but the stress created by Dr. Slayman was significantly greater than his time as principal. Tr. p. 204, L. 10-25.

a. Slayman made threatening comments such as "cut your throat out"; "kill you" and referred to the fact that she had a CWP because she was afraid of the politics in that area. (No, Gardner testified that he made a note (his notes are in evidence) about Slayman's paranoia related to the County Sherriff. Gardner's actual testimony is as follows: "She

referred to driving at night and not knowing whether she would be stopped by an officer that the sheriff may have put out. She said, I carry - I carry a CWP because I'm worried about the politics around here." Tr. p. 176, L. 4-10.)

b. Slayman forbade him from speaking to the new sheriff and the county supervisor. In addition, the SRO's did not have access to school cameras or keys to school buildings.

c. Gardner was left out of meetings involving his areas of responsibility but was later berated for not knowing what was going on in that area. He was told by Slayman that he would go down along with Dr. King and herself. (Slayman agrees she made similar comments, but conveniently claims they were in jest.)

d. Slayman was paranoid about making decisions. As a result, she would make decisions and then change them multiple times.

e. Slayman instructed Gardner to tell the school Board that the officers from the private security firm present at a luncheon announcing the replacement of the SRO's were the actual officers who would be placed in the schools, when, in fact, they were not. He was also instructed not to advise the Board that the private security firm did not administer first aid or CPR.

f. Slayman made racial comments to the effect that the criteria for the security officer assigned to Louisville Elementary School was that he be white. (Providing the actual testimony here would be helpful to the SBE. Jeff Gardner referred to his detailed notes about his exchange with Slayman regarding Louisville High School: "I flashed my lights to get her (Slayman) to stop. She said, have you see the permanent security guard he brought to LSS [sic]. I said no. She said, he's black. Fix it." Gardner testified that he then called Mr. Siebert at Defender and relayed that very directive from Slayman. Specifically, the directive that the officer had to be white. Tr. p. 188, L. 9-21.) Slayman also made a racial comment about Idaho being "Heaven, man, Heaven" in that it was 95% white.

g. Slayman berated Dr. King in front of principals and administrators at a retreat. This incident involved shaking a finger in his face.

h. Slayman instructed Gardner and King to get rid of a cheerleading coach who was allegedly having an illicit affair with the newly elected sheriff. Gardner was not comfortable with this in that he and King were interviewing students about this and the students were becoming upset. As a result of the interviews, it appeared that this may have been the product of a false rumor started by a cheerleader who was not pleased with her placement on the squad. The cheerleading coach opted to resign her position in that she felt she could no longer be effective.

i. In response to a situation where three bus drivers requested a meeting with Slayman regarding a raise, Slayman later met with the supervisor of the bus drivers and told her "if I find out that you sent those bus drivers over here, I'll have your job for inciting a riot."

j. Slayman told Shawn Williams in a cabinet meeting that she would cut her throat out.

27. Gardner did not discuss any of the above allegations with Slayman prior to instigating the letter of grievance. (Misleading as to Gardner's testimony. See comment above. Gardner specifically testified that it was a group decision to file a grievance, not to mention that the group was represented by Attorney Al Nickels. Furthermore, Gardner testified candidly that he "chickened out" about confronting Slayman; that he was afraid of being fired so close to retirement, and that he had witnessed Slayman make remarks such as "we need to get rid of

her...”; speaking about another principal who challenged Slayman. The OCG could find nothing in the record that Slayman ever refutes this particular claim that she threatened to get rid of the principal.)

28. Gardner frequently complained about others that he worked with to Slayman, such as Anna Stroud and Shawn Williams. (The OGC requests that the hearing officer cite this testimony) In addition, King and Gardner frequently approached Slayman individually encouraging her to reorganize the District Office to give that individual more power. (Not supported by the record. However, even if this is accepted as true, it undermines Slayman’s, and the hearing officer’s, theory about a grand scheme for a coordinated coup carried out by the grievants.)

29. Slayman's remarks about having a CWP were made in a conversation with several people, including Gardner, about home security. (This is not Gardner’s testimony. The hearing office must either declare that she believes Slayman’s account over Mr. Gardner’s account, or, she must somehow reconcile these two very different accounts about the CWP. The hearing officer should also determine whether portions of Gardner’s notes regarding this testimony are not reliable, since Gardner’s notes about his conversations with Slayman are in evidence.) Slayman testified she was asked if she could ever use it. She responded that she could if she felt threatened in her home.⁸ (The hearing officer must address claimant’s credibility specifically.)

30. Slayman is Hispanic and denies making any racial comments. Slayman's comments were that there were no people when she got off the plane.⁹ She also discussed her Idaho trip with Board Member S. Stroman whose testimony corroborated this account. See below.

31. Slayman informed the Board members that the Defender officers present at the "meet and greet" may not be the same officers assigned to the schools. (To reiterate a very important point, the Board did not testify. The hearing officer must state that she believes Slayman’s account over Gardner’s and the other witnesses. Furthermore, the hearing officer fails to address the fact that Slayman misled her cabinet, including her head of security, Gardner, about the meeting.) She also informed the Board that Defender did not have arrest capabilities. The testimony of the Board members corroborates this. (Misleading. Again, the Board did not testify, and it is not known.) See below. However, the Defender officers had not been fully staffed at the time of the "meet and greet" was due to Gardner's failure to complete the task. (This is a red herring. The hearing officer’s attempt to cherry-pick here is astounding. Rather than address the issue of who knew what, she includes this inaccurate claim, which is not relevant and not supported by the record. According to Gardner, Slayman told him that she had many conversations with Defender that he did not have, despite the fact that he was overseeing security. Tr. p. 225-227, L. 19-15. According to Gardner, Slayman knew more about the transition to Defender and would have been the one to know about the staffing issue, not Gardner as the hearing officer declares without providing the full record. It was during these same discussion about Defender that Slayman was heard to say; “if I am going down, you are going down with me.” This testimony is established in the record (Tr. p. 227, L. 6-15) and has not been refuted.)

32. Slayman denies instructing Gardner and King to get rid of the cheerleading coach. (To make

⁸ Tr. p. 1278-1279, L. 11-20

⁹ Tr. p. 1322-1324, L.24-1

this statement, the hearing officer is essentially determining that Gardner and King lied, under oath, about this directive from Slayman. The report and recommendation must so reflect.) A distraught parent along with her distraught daughter came to Slayman's office to report that the cheerleading coach was using the students to cover for her sexual rendezvous and taking the students to locations to meet with this individual. The parent and the daughter were in Slayman's office when she assigned the task to Gardner and King to meet with the principal and interview the students. Slayman only had one side of the story and she asked Gardner and King to "find out what was going on".¹⁰ (Again, for these allegations to be accepted as factual, the hearing officer must make a finding she does not believe Gardner's and King's testimony about their impression and recollection of the directive and they both perjured themselves by lying under oath.)

33. Gardner had strong connections to Hughes in that Hughes was the baseball coach for Chester High School when Gardner was the principal of that school.¹¹ (This is pure speculation on the part of Slayman and the hearing officer accepts it as gospel. The hearing officer and Ms. Polvi could have asked Gardner about Hughes. But, instead, Gardner testified very specifically that Slayman made the following statement about Hughes: "we've got a board member that's gone rogue. He's -- we're gonna fix him. She said, I've got one of the board members talking to him now. We're going to fix him. I'll -- that was when she said, I'll cut his throat out." Tr. p. 203, L. 16 -24.)

Shawn Williams (Williams)

34. Williams was the Director of Human Resources (later renamed the Executive Director of Human Resources) in the District from July 2011 until June 2016. Thus, Williams was employed with the District for the entirety of Slayman's tenure as superintendent.

35. In testimony at the hearing, Williams alleged the following:

- a. On August 19, 2013, Williams thanked Board Members for participating in the new teacher orientation. The next day in a cabinet meeting, Slayman told Williams that she would slit her throat if she ever spoke to the Board members again. Williams left the meeting and reflected on the statement. She later went back to Slayman and discussed that she felt the statement was a threat. Slayman apologized and told her that she did not mean it that way. Slayman never made such a statement to Williams again.
- b. Williams heard Slayman tell other people that she would crucify them, rip his/her throat out, and kill them. Williams does not believe that she intended to do such things but nonetheless used this type of intense language.
- c. Williams acknowledged that it was a very tense time in the District with the SRO/private security transition.
- d. Certain principals expressed concerns to Williams that Slayman had told them she would kill them if they talked to anyone about the school security issue.
- e. Slayman had an open door policy but employees did not feel comfortable going to her.
- f. Slayman would be "the nicest person ever"¹² on one day and then be upset the next.
- g. Slayman's threatening comments exhibited a level of frustration and anger.

¹⁰ Tr. p. 1283-1284, L.8-24; p. 1355-1356, L. 5-5

¹¹ Tr. p. 1391 , L. 20-24

¹² Tr. p. 301, L. 2-3

h. The "breaking straw"¹³ for Williams was the racial comment about Idaho being Heaven. Williams did not hear this comment personally but was relying on information provided to her by Gardner. (However, Ms. Williams testified that principals or an assistant superintendent would complain to her as the Human Resources Director. She described the complaints as: "constant, constant, constant..." Tr. p. 268, L. 1-22.)

36. Williams is currently employed with Richland School District 2 as the Chief Human Resource Officer. She was also employed in Orangeburg after leaving the District.

37. Slayman denies making the statement that she would slit Williams' throat. She admits making a remark to Williams to the effect of "I'll have to kill you". However, this remark was made in the vernacular and not meant as a threat. (Again, the hearing officer must make a finding about who she believes. Specifically, the hearing officer either accepts Williams' account as the truth, which is corroborated by all other witnesses, except Slayman, OR, does the hearing officer believe Slayman's account over the testimony of multiple witnesses? As to the specific words used: "slit your throat" is not considered vernacular in any region on earth) When Williams later advised Slayman that the remark was offensive and that she interpreted it as a threat, Slayman apologized and never made such a comment to Williams again.¹⁴ (No. Williams advised Slayman that others could be fired for making such a statement. Tr. p. 328-329. "I'll have to kill you" "in the vernacular", the phrase Slayman claims to have used and the words the hearing officer has opted for, would not have warranted such an admonition from the Director of Human Resources.)

Brooke Clinton (Clinton)

38. Clinton was the Public Information Officer for the District. She was hired by Slayman shortly after Slayman's employment with the District and remained after Slayman's departure. Clinton left the District in April 2016 and is currently employed with the Chester County Chamber of Commerce.

39. Clinton was not a part of the original group that verbally complained about Slayman. She was later drawn into signing the grievance after conversations with the other complainants and reading the "Bagley Report". (Misleading. Hearing officer omits Clinton testified she cared for Slayman, which is why her involvement in the grievance was personally difficult. Clinton also explained that she was a witness to many of the allegations contained in the Bagley Report and she was asked to corroborate the accounts. Tr. 363, L. 10-20.)

40. In testimony at the hearing, Clinton alleged the following:

- a. Slayman would tell them one thing in the morning and change her mind by the afternoon. She frequently elevated matters to crisis stage when, in fact, the matter was not a crisis.
- b. Slayman's decisions were based on emotion and not rational behavior which could have put school children in danger. An example of this was that Slayman refused to allow SRO's to view live camera feeds from the schools in that this would be giving the sheriff that access. Clinton believed that this decision was based on Slayman's dislike of the sheriff and

¹³ Tr. p. 268, L. 18-22

¹⁴ Tr. p. 1264, L.19-22; p. 265, L. 6-11

not the safety of the school children.

c. Slayman always provided professional support when Clinton needed it in her position (e.g. with wording or getting additional information from other sources).

d. Slayman "could hold you on a hook and scare you".¹⁵ As an example, Clinton relayed an incident in which Slayman sent her an email stating that she was really upset with her. Clinton could not get access to Slayman that day and was distressed regarding what the issue was. The next morning, she met with Slayman who advised her that she expected Clinton to produce correct work and that Clinton had misspelled a word. Clinton produced evidence to Slayman that her spelling was correct in that the word had an American and an English spelling. Slayman was then fine.

e. Clinton's most stressful event was the incident between Williams and Slayman. Slayman told Williams that she should not have spoken to the Board. She further told Williams, "I will slit your throat if you ever do that again."¹⁶ (Understatement. No. Clinton testified that in her "entire career...one of the most stressful moments of my career....And I will never forget. She told Shawn that she should not have spoken to the board, she looked at her, and in a very deliberate voice she said I will slit your throat if you ever do that again.... My hands were shaking so hard. I've never gotten over it." Tr. p. 328, L. 1-21. It is also critical to note that all witnesses were sequestered to maintain the integrity of the hearing. No witness heard any other witnesses testify. Yet, each of their account about this exchange in particular were strikingly similar. Furthermore, the hearing officer even had to admonish Ms. Polvi for suggesting somehow that the SCDE was "coaching" witnesses.)

f. Slayman used a lot of threatening language but she would use it in different ways. She would commonly use it in a joking manner (e.g. "I'm gon' kill you"¹⁷). However, she could also use it when she was agitated (e.g. "I'll crucify him"¹⁸).

g. This type of language was a part of Slayman's vernacular. (In an effort to somehow excuse Slayman for her unprofessional behavior, the hearing officer suggests Slayman used her own slang or vernacular. Someone's "own" vernacular is an oxymoron. It is possible Chester County, as a region, had its own vernacular, but Slayman did not establish that she was using Chester County vernacular when she threatened to "slit" Ms. Williams' throat. Webster's Dictionary defines vernacular as "using a language or dialect native to a region...") She would tell Clinton, "take this to your grave or I'll, you know, kill you if you say it".¹⁹ Clinton never interpreted this as a threat in the way that she interpreted Slayman's statement to Williams.

h. There were comments reported in the "Bagley Report" that Clinton had never heard.²⁰

i. Clinton's decision to sign the grievance hinged on her learning "the depth of what was happening to some of the other senior staff members".²¹

Anna Stroud (Stroud)

41. Stroud began working for the District in 2001 as an accounting supervisor and retired from

¹⁵ Tr. p. 325, L. 24-25

¹⁶ Tr. p. 328, L. 15-18

¹⁷ Tr. p. 329, L. 11-15

¹⁸ Tr. p. 329, L. 18-20

¹⁹ Tr. p. 331, L. 5-7

²⁰ Tr. p. 360, L. 9-13

²¹ Tr. p. 336-337, L.24-3

the District as the Executive Director of Finance. Her position was eliminated by the Board at the end of her TERI in May 2017. She is currently employed with an accounting practitioner in Chester.

42. Stroud's husband was a past SRO in the District and she had strong ties to the newly elected sheriff. (Red herring. Speculation and irrelevant.)

43. Stroud also had strong ties to Hughes, a board member who did not favor Slayman. Hughes had been her son's coach and also served as her son's emergency contact when it was discovered that he had a heart ailment. (Irrelevant. Again, Hughes did not testify. Must we have called every board member? And if so, why did Slayman not call all board members herself? She obviously was selective in the board members she asked to testify. This is made evident by the fact that of the "board" members Slayman did call, only two of them were board members at the time of the matter in question. Thus, to reiterate, any assumption the hearing officer places on testimony from the "board" members should automatically be taken with a grain of salt as she has mischaracterized them as being active members of the board during this time.)

44. Stroud's lack of education and credentials to perform her job as Director of Finance had long been a point of contention with the Board. Stroud only possessed an Associate degree. The Board froze her salary until such time as she completed certain financial courses. This was done prior to Slayman's employment with the District. In the summer of 2015, Slayman discovered that Stroud had been giving herself raises each time the school employees were voted a raise but had failed to complete the requisite financial courses. Slayman confronted Stroud about this prior to the filing of the grievance. (This is yet another red herring and an effort to discredit and belittle Ms. Stroud. The hearing officer omits the fact that the district received favorable audit reports every year Stroud served as Director of Finance. The hearing officer omits the testimony confirming that the Board approved proposed budgets, which included the purported illegal raises Stroud supposedly gave herself. The hearing officer omits testimony, uncontroverted by Stroud, that Stroud once reported a sexual harassment claim against a vendor and was subsequently reprimanded by Slayman for reporting the incident.)

45. Slayman was asked by the Board to terminate Stroud but Slayman argued against that in order to allow Stroud to complete her TERI.

47. It was Stroud who contacted Hughes to complain of the hostile environment created by Slayman. (Red herring. Strike. Irrelevant. This case is about the victims of alleged bullying, not board politics.)

48. In testimony at the hearing, Stroud alleged the following:

a. Slayman dispensed with a dual enrollment agreement with York Technical College and increased the District's relationship with USC Lancaster. Stroud alleged that this did not benefit the children in that it lessened the number of courses that were available for the children toward a college degree while in highschool.

b. Stroud was never given a copy of the Defender Contract (the contract for the new school security officers) in that Slayman wanted to keep the terms close to the vest. All

other District contracts were kept in the Finance office.

- c. Stroud was concerned for her child's safety under the new security officers.
- d. Slayman became concerned that one of her senior staff had leaked confidential information. She lined them up and asked each one of them "Did you tell?"²²
- e. Slayman told her senior staff that she would cut their knees out from under them if they told certain things.
- f. Slayman was constantly finding or creating problems that were not factual about Stroud's job performance and about the Finance Department.
- g. Slayman frequently summoned her senior staff to her office because something was wrong or someone had done something.
- h. Slayman told Williams that she would cut her throat out.
- i. Slayman told the senior staff that if they talked to a board member, she'd fire them.
- J. Slayman told the Board that the security officers could carry guns and make arrests when, in fact, they did not have that legal authority.
- k. Slayman would not work with the new sheriff to provide active shooter training.

49. Active shooter training was provided by the sheriff.²³ (The Hearing officer completely misses the point here. In the same testimony the hearing officer cites, Slayman refers to training provided before "things didn't go well" with the Sherriff. Gardner testified very clearly as to his effort to mend fences after things had gone off the rails. And he testified regarding the extent to which Slayman was willing to maintain a grudge against the Sherriff by refusing to hold a joint training with Defender employees. Slayman refers to this same training in earlier testimony, which is also referenced above, that she let the Sherriff do training "at one point." Further, Gardner's testimony was never directly refuted by Slayman.) In addition, there was also training for first responders. The sheriff was invited to this but did not attend.²⁴

Jeanne Ligon (Ligon)

50. Ligon, a school psychologist and the executive director of special services for the District, testified on behalf of SCDE. She was not a member of Slayman's senior cabinet. She never witnessed the events described by the five complainants. (Hearing officer omits critical testimony here. Testimony which was most certainly probative of the facts at issue. Ms. Ligon testified very clearly that she witnessed various members of the senior cabinet come to her office to seek refuge and counsel from the very stressful environment created by Slayman. Tr. p. 478-486. She was a fact witness, and observed these professionals when they were visibly upset by the behavior of Slayman. For the hearing officer to dismiss, out of hand, the value of Ligon's testimony makes a mockery of the process she is presiding over and diminishes the courage Ligon showed in providing her testimony. Below, the hearing officer goes out of her way to describe all the corroborating witnesses the OGC *should* have called, in addition to the five grievants, yet she reports to the SBE that Ligon's testimony had no bearing on this case. Absurd. Furthermore, Ligon also presented a testimony that she felt pressured by Slayman to change a student's records related to his eligibility for a 504 plan. Ligon provided this testimony as the overseer of special education and felt so threatened by Slayman that she asked whether she should have a lawyer present.) She claimed to have heard senior cabinet members being summoned to Slayman's office by

²² Tr.p.387,L.15-18

²³ Tr. p. 1409, L. 16-21

²⁴ Tr. p. 1404-1405, L. 5-11

Slayman calling out their first name, however, several other witnesses disputed this in that the positions of the offices would not have allowed this.

51. To counter the above allegations, Slayman produced the testimony of four (4) school district members, four (4) consultants hired by the District, the current school superintendent who replaced Slayman, Slayman's administrative assistant, and two other people who had significant dealings with Slayman. The significant points of this testimony are found below.

Consultants on Behalf of Slayman

The hearing officer spends a disproportionate amount of time inflating the value of the witnesses presented by Slayman. The OGC tried (in vain apparently) to point out that every witness presented by Dr. Slayman had very little interaction with the grievants. Slayman's own testimony could not have more clearly articulated the OGC's position. Yet this testimony is disregarded by the hearing officer:

Q: Why was Callie McConnell the only employee to testify?

A: She is the only one that would have worked close enough to me, other than the senior cabinet. And, you know, this has been hard enough to get people to come in here. And I have had no contact with those people since I left.

52. The four (4) consultants testifying on behalf of Slayman were:

John Mark Stiver (Stiver)

Robert Allen Teal (Teal)

Charles Moore (Moore)

Dr. Jimmy Littlefield (Littlefield)

53. All four consultants found Slayman to be extremely professional and never witnessed the behaviors described by the five senior staff members.

54. Both Stiver and Teal worked under Slayman's supervision in the Kershaw School District. Slayman was always pleasant and professional. Neither had any experiences with Slayman similar to the allegations of the five complainants. Neither saw any evidence of a hostile environment in their work as a consultant with the District or evidence of low morale.

55. After retirement, Stiver became a technology consultant and contracted with the District during Slayman's tenure. Having worked with King, Gardner, and Stroud during the contract period, it was his observation that all three had problems managing their assigned responsibilities. (The hearing officer must qualify this finding, and explain/cite for the SBE the amount of time Mr. Stiver actually spent in the district, so the SBE may judge the appropriateness of a consultant providing an opinion about the work ethic of his employers.)

56. Teal had 22 years of association with Slayman. Their last task together in Kershaw was a comprehensive Title 9 audit complaint. This required that they spend a very large amount of hours together. Slayman never exhibited harmful, negative, or hostile behavior. Every association with her

was professional.²⁵

57. Moore, another consultant, was hired by the District to do a salary study. After working with Stroud, he had concerns about her abilities. His study advocated the hiring of a CFO.

58. Moore read the Bagley Report and concluded that somebody conspired to damage Slayman. He never experienced any of the behaviors Slayman was accused of. The content of the Bagley Report ruined his positive feelings for Betty Bagley. (Moore's conclusion about a report is a red herring, irrelevant and including Moore's conclusion about the report is wholly inappropriate in light of the fact the hearing officer opines about how the author of the report should have done a better job, but gives her report no weight)

59. Littlefield was also a consultant in the District. Slayman requested that he analyze her budget in an effort to find money to train the District's reading specialist. Prior to his consultancy business and his retirement, Littlefield was a District Superintendent in Spartanburg for 23 years. Littlefield found Slayman to always be professional. In his words, "She knew what she wanted for the District and what she needed from other people to move the District along".²⁶ Having been a superintendent for so long, he could sense the environment by his interactions with the people employed there. His sense of the District office was that the environment and the morale were good. (Red herring. The hearing officer must qualify this finding, and explain/cite for the SBE the amount of time Dr. Littlefield actually spent in the district, so the SBE may judge the appropriateness of a consultant providing an opinion about the morale of his employers. Dr. Littlefield spent 15- 20 total days in the district over a two year period. Tr. p. 823, L. 8-10.)

60. Littlefield also addressed the need for a superintendent to have communication with the surrounding community. As superintendent, Slayman worked at the pleasure of the school board, who was elected by the community. Thus, she needed to know the pulse of the community to deal with issues in the District. Also, the superintendent should be the only person who should be communicating with the school board in an official capacity.

School Board Members on Behalf of Slayman

61. Four members of the school board testified on behalf of Slayman. Those members were:

- a. **Sandra Stroman (S. Stroman)** - School Board member from 2014 to 2017, which encompassed the filing of this grievance and Slayman's resignation.
- b. **James Stroman (J. Stroman)** - husband of S. Stroman - School Board member when Slayman was hired - left position in 2014 to become member of State Board of Education.
- c. **Rev. Bill Stringfellow (Stringfellow)** - School Board member for 28 years - He rotated off the Board in December 2014 after being defeated by Hughes and just before the allegations involving Slayman arose.
- d. **Maggie James (James)** - School Board member from 1993 to 2007, and again from 2011 to present. She was on the School Board throughout Slayman's tenure with the District.

62. The testimony of these Board members is important in that they were able to explain the events

²⁵ Tr. p. 749-751, L. 11-25

²⁶ Tr. p. 815, L. 11-14

that transpired during this period and put into perspective many of Slayman's actions that the grievants complained of. (Misleading. Many of the board members were not serving at time in question. Further, the hearing officer fails to reconcile how she believes these individuals, who were not employees, could provide valuable context, and yet, Ligon, a longtime employee and actual eyewitness to the morale and conditions existing at the time, had absolutely no worthy testimony.)

63. The following represents a synopsis of the testimony that was common to most or all board members:

As mentioned above, conspicuously absent in the hearing officer's report is any mention of the various Improvement Plans being considered by the Board (and Slayman) immediately prior to her voluntary resignation)

- a. Slayman's interactions with the Board were always professional and cordial and Slayman's interactions with her staff always appeared to be professional and cordial. Slayman was an outstanding leader of the District. She was innovative and brought technology to the forefront in that county. The Board was very pleased with her. (Yet, immediately prior to Slayman's resignation, multiple versions of Improvement Plans were being considered in response to Slayman's unprofessional behavior toward her staff and principals.)
- b. The Board members as well as other witnesses expressed disbelief that behavior of the nature expressed by the five complainants could exist without the knowledge of others. Chester is a small community and each of these Board members have strong ties to that community. For example, S. Stroman taught in 3 schools in that community for over 25 years; has friends on Slayman's staff and in the schools; attends the largest church in Chester; and her husband, J. Stroman, is a previous Board member. Neither she nor her husband heard of any problems regarding Slayman. Conversely, the Board heard immediately about problems with a prior superintendent. (Red herring. Misleading. Even the hearing officer describes a so-called media frenzy regarding Slayman.)
- c. The Board, as a body, never voted to terminate Slayman. (Misleading. The Board did vote to accept Slayman's resignation).
- d. Slayman was very good at keeping the Board advised of what she was doing and how she was doing it. She made personal telephone calls to each of the Board members as opposed to sending emails or text messages.
- e. Members of Slayman's senior cabinet regularly addressed the Board members throughout Slayman's tenure with the District.
- f. The issue of security in the District's schools had been an issue for many years prior to Slayman's tenure with the District. At the time of the Sandy Hook incident, the District only had four School Resource Officers (SRO's) serving nine schools. The elementary schools had no SRO's. If there was an accident on the interstate, the SRO's were subject to being called by the sheriff to go to the accident, thus leaving the schools with no security. Another determining factor was that the County had advised the District that it could no longer fund a part of the SRO's salary and the District could not afford this additional cost. The Board determined that Defender was a cost effective means of providing the needed security to all the schools. It was a Board decision to contract with Defender and to have that contract remain confidential.

- g. Slayman advised the Board that officers at the "meet and greet" may not be the permanent officers. (According to Stroman, one of just two board members serving at the time.) Board was also aware that Defender did not have arrest powers. However, there was nothing to prevent law enforcement from being called.
- h. Board members noted various problems with members of Slayman's staff as follows:

1) Slayman promoted Gardner to the District office but he struggled in that role. He had difficulty getting tasks completed and it appeared that he could not handle the position. He came across as weak minded and did not want to obey authority. (Including the comment about Gardner being "weak-minded" is inappropriate and only aimed at belittling this good man. As a reminder, testimony establishes that senior cabinet members were to have no contact with board members. Tr. p. 143, L. 17-23.)

2) Gardner applied for the Superintendent position at the same time as Slayman. He was given a courtesy interview but was never really considered for the position because he was not qualified.

3) Stroud was not qualified for the job she held and could not seem to provide the school board members with the information that they wanted and needed. When asked by Board members to report on how much money the District had in various funds, she could not do so.

4) Stroud was instructed by the Board to obtain the necessary educational requirement for her job and was given a time frame in which to do it. Her salary was frozen until such time as she met the Board's requirements.

5) Clinton did not display good attention to detail in that she would send documents out with grammatical errors in them.

- i. The filing of the grievance against Slayman appeared to be politically motivated.

(Speculation. The grievants were advised by counsel to file the grievance. Additionally, Slayman could not identify a single way the grievants benefited.)

- j. The investigation conducted by Betty Bagley into the allegations against Slayman and the resulting "Bagley Report" did not produce reliable information.

- k. Dr. Callicutt, the interim superintendent, never informed the School Board that he was going to notify the State Board of the Slayman matter. The Board members were surprised by his actions and felt that they should have been notified of this prior to him taking action.

64. Stringfellow is a pastor and a lifetime resident of Chester. He was on the School Board for 28 years. He has numerous family members employed in the District's schools and is very well known in the Chester community.

65. Stringfellow was in and out of the District office almost every day. He never witnessed evidence of a hostile environment nor did he ever hear of any complaints against Slayman relating to a hostile environment or otherwise. Stringfellow had worked with many past superintendents in the District and he felt that the morale in the District office during Slayman's tenure was the highest he had ever seen it.²⁷(Misleading to the SBE. Mr. Stringfellow was not a member of the board when Slayman resigned voluntarily, and he was not party to the proposed improvement plans being discussed at that time.)

²⁷ Tr. p. 860, L. 9-15

66. Stringfellow observed that Slayman was a superintendent with leadership skills and she demanded that her employees do their job. He also observed that some employees were not doing their job.²⁸ (Misleading. The testimony cited: “And they had a bunch of people that wasn’t doing their job.” This testimony is not substantial enough for a finding.)

67. Stringfellow was aware that there was tension between the new Sheriff and Slayman. Stringfellow was aware of instances in which the sheriff was disrespectful to Slayman.

68. James asked that the Board limit Baggley's investigation to senior staff members to prevent unnecessary chaos in the District and because she felt that senior staff would know. She did not know at that time that senior staff had filed the grievance.

69. Hughes began his term on the board in January 2015 and the decision was made by the Board to replace the SRO's with a private security firm in April 2015. Hughes was also the doctor for the jail and thus worked with the sheriff. The sheriff was not in favor of the plan to replace the SRO's in that he would be losing the use of those officers. (Red hearing. Strike. The Sherriff did not testify.)

70. Slayman had a conversation with S. Stroman about her trip to Idaho. The comments were that Idaho was sparsely populated with vast territory; the air was clean; and the sky was beautiful. As such, it was close to Heaven. S. Stroman concluded that the allegations made by Gardner were taken out of context.²⁹ (Misleading. Ms. Stroman corroborated Gardner’s testimony. In fact, Ms. Stroman confirmed that Slayman commented about the lack of diversity. Tr. p. 543, L. 24-4).

Slayman's Administrative Assistant on Behalf of Slayman

71. Callie McConnell (McConnell) was Slayman's administrative assistant in the District. Her office is adjacent to the superintendent's office and she interacted with Slayman daily. (McConnell testified that due to her close relation with the superintendent, she had little interaction with the senior cabinet. McConnell also testified this had been her experience with all senior cabinets over the last 31 years. Tr. p. 1061-1062, L. 9-10.) She had a good rapport with Slayman and enjoyed working for her.

72. McConnell's opinion of Slayman as superintendent of the District is as follows:

She’s very knowledgeable about the job that was to be done. She was careful about the children, you know. She wanted the best for the children. And actually I felt, you know, she was really putting us on the map, 'cause Chester was so small, you know. But and she was bringing a lot of the technology. She brought a lot of that into play. She made it so that students could get access to tablets, computers, you know. And as I say, you know, she was good with the children, the parents, you know. She always tried to - if parents had problems, she would try to work them out, you know. I thought she did an exceptional job...³⁰

²⁸ Tr. p. 846, L 4-8

²⁹ Tr. p. 543-544, L. 9-18

³⁰ Tr. p. 1002-03, L. 20-9

73. McConnell never heard Slayman yell at anyone nor did she ever observe Slayman making racial or threatening remarks. Further, she did not hear anyone say that Slayman had made threatening remarks to them.

74. Slayman hired more African American people into administrative positions than any of the other superintendents that McConnell has known.

75. McConnell was interviewed by Betty Bagley for approximately 8 to 10 minutes. McConnell's comments were all positive with regard to Slayman. When the Bagley Report was later published, McConnell saw that it contained no references to her comments about Slayman. (Please see comments in red related to the multitude of omissions in this report and recommendation)

76. McConnell never observed Slayman misleading the Board in any way.

77. McConnell was familiar with the circumstances regarding the activities of the cheerleading coach that Slayman requested King and Gardner investigate. A parent reported to Slayman that the cheerleading coach wanted her daughter to cover for her while she met the Sheriff. The parent was disturbed about these facts and provided a written statement with regard to the matter. (Red herring. Irrelevant to the issues in question. McConnell also testified that she was not present when Slayman talked to King and Gardner about the situation. Tr. p. 1040, L. 6-8.)

Others Who had Dealings with Slayman

78. John Agee (Agee) was the originator of the "breakfast club", a group of residents who congregated at a local restaurant for breakfast. Slayman frequently joined them for breakfast. The "breakfast club" was open to anyone who wanted to sit with Agee and have breakfast.

79. The conversation at the breakfast club centered around community matters but was mostly about the fire service because Agee was chief of the fire service.

80. Slayman did not share any confidential information about the District during these breakfasts. Nor did she solicit guidance from the "breakfast club" on District matters.³¹

81. Slayman was very supportive of the fire service. She invited the fire service to participate in security training put on by the District. This was the first time that the fire service had ever been asked to participate in such events with the District and it was much appreciated by Agee and the fire service.³²

82. Slayman's relationship with community organizations was excellent. She did not just go - she participated.³³ (Red herring. Irrelevant to the issues in question.)

³¹ Tr. p. 653-654, L. 25-9

³² Tr. p. 657, L. 12-20

³³ Tr. p. 665, L. 15-23

83. Agee's observations of Slayman were nothing but professional. He never observed Slayman yelling at anyone or threatening anyone. Further, he never heard any rumors of a hostile work environment during Slayman's administration.³⁴ (It is inappropriate to make findings on the absence of rumors.)

84. Bill Bundy (Bundy) is president of the Chester Health Care Foundation and chairman of the District's Public Education Foundation. Slayman solicited funds from Bundy for mini-grants and scholarships. She obtained \$150,000 over time for various school programs. Bundy interacted with Slayman weekly with regard to these various matters. (Red herring. Irrelevant to the issues in question.)

85. Bundy found Slayman to be professional with a great deal of integrity.³⁵ Bundy saw no indication of a hostile environment, nor did he ever observe her yelling or threatening anyone.

APPLICABLE LAW

1. S.C. Code Ann. § 59-25-150 (2004) provides that the State Board of Education may revoke or suspend the certificate of any person for just cause.

2. S.C. Code Ann. § 59-25-160 (2004) defines "just cause". Section 59-25-160 (4) states that "just cause" may consist of unprofessional conduct.

3. S.C. Code Ann. (Regulations) 43-58 states that the State Board of Education has the legal authority to deny, revoke, or suspend a certificate, or issue a public reprimand for a variety of causes including unprofessional conduct.

4. The standard of proof in a professional disciplinary matter is preponderance of the evidence. *Anonymous (M-156-90) v. State Board of Medical Examiners*, 329 S.C. 371, 496 S.E.2d 17 (1998).

"A preponderance of the evidence stated simply is that evidence which convinces as to its truth". *State v. Scott*, 420 S.C. 108 at 113, 800 S.E.2d 793 at 796 (Ct. App. 2017). Stated differently, the "facts supporting the claim are more probable than their nonexistence". *US*.

Steel Min. Co., Inc. v. Director, Office of Workers' Compensation Programs, US. Dept of Labor, 187 F.3d 384 (4th Cir. 1999).

RECOMMENDATIONS

Having carefully considered all the testimony and exhibits, I find that there is insufficient probative evidence to prove the allegations of unprofessional conduct in the nature of workplace harassment and intimidation of employees or on any other basis alleged herein and described below. The evidence presented at the hearing in support of these allegations was the testimony of five

³⁴ Tr. p. 666-667, L. 14-8

³⁵ Tr. p. 709, L. 15-17

employees that comprised Slayman's senior cabinet.³⁶ (In this footnote, the hearing officer attempts to hide arguably the most important witness. A witness who was a longtime employee of the district, not a consultant, and not one of the five grievants accused of formulating a coup. Slayman testified: "And I'm gonna tell you, Jeannie Ligon is good." Slayman called Ms. Ligon "PROBABLY THE STRONGEST EMPLOYEE THAT THE DISTRICT HAS." Tr. p. 1291, L. 22-24. Therefore, who better to determine the "morale" of the district than the strongest, and actual, employee of the District? Who better to share with the hearing officer and the SBE what she observed regarding the work environment and the stress under which the senior cabinet was operating while Slayman was at the helm? This testimony was riddled with statements that were contradicted by the testimony of numerous other witnesses, thereby making the truth and veracity of such highly questionable. (The grievants testified consistently even though they were sequestered during the hearing and their stories mirror each other). Several of these employees were also disgruntled over job performance issues or other issues related to the job, raising further issues of credibility. Tragically, these five individuals put into motion a chain of events that culminated in a media frenzy, marking an end to Slayman's otherwise unblemished education career.

The bulk of their testimony mirrored each other. Of the allegations made, the ones that would be actionable against Slayman's certificate can be condensed into the following five categories:

The hearing officer mischaracterizes the issues. The OGC's focus was on Slayman's treatment of her subordinates. The security provided by Defender was not at issue, nor was the so-called "breakfast club" a primary issue, and nor was the fact that Slayman had a CWP ever an issue. The OGC's focus in this case can be summarized in its pre-hearing statement and its proposed Order of Public Reprimand (attached).

- A. Hostile treatment of the five complainants and others to include intimidation, public degradation, threats such as "I will rip your throat out", "I will kill you", "I will cut your legs off" as well as reference to the fact that she had a CWP;
- B. Failure to provide adequate security for the schools by hiring Defender Industries to provide such security as opposed to SRO's from the sheriff's office; (Training was the issue. Gardner's testimony reflects Slayman's willingness to continue her political grudge match with the sheriff to the possible detriment of student safety.)
- C. Providing false information to School Board members;
- D. Racists remarks; and
- E. Inappropriate discussion of confidential District matters with local "breakfast club" members and adherence to their opinions.

The paragraphs below will examine each of these allegations as well as issues involving the five employees making these allegations.

I. The Allegations

A. Hostile treatment of the five complainants to include intimidation, public

³⁶ Although a sixth employee testified, she could not provide probative evidence as to any of the matters complained of. False.

degradation, threats such as "I will rip your throat out", "I will kill you", "I will cut your legs off";

This allegation is by far the most serious of the allegations made against Slayman. However, in examining all of the evidence presented, I cannot say by a preponderance of that evidence that this allegation is truthful.

Prior to Slayman's employment with the District, she was employed in the Kershaw School District for over twenty years. Her record there was unblemished and she was continually promoted to higher positions. Two witnesses, Teal and Stiver, worked for Slayman in Kershaw and testified with regard to their experiences with her. Their experience with Slayman was professional and pleasant. Teal spent an extensive amount of time with Slayman while in Kershaw and was adamant that she never exhibited harmful, negative or hostile behavior. Notably, King (one of the grievants) also worked for Slayman in Kershaw. When Slayman offered him a job in the District working for her again, he did not hesitate to take it. Two other consultants for the District and four board members testified that their interactions with Slayman had likewise been professional and pleasant, with no evidence of the behaviors noted above.

The four Board members and the four consultants went on to testify that they had the opportunity to observe Slayman's interactions with her staff and that such interactions were always pleasant. Three of the Board members³⁷ and the four consultants had the opportunity to observe the atmosphere and morale in the District office. They all testified that such was very good. None of these eight people saw evidence of the hostile environment described by the five employees.

Slayman's administrative assistant, McConnell, whose office was adjacent to Slayman's, testified that she had a good rapport with Slayman and had never seen these behaviors that the five grievants alleged. In fact, she described the filing of this grievance as a "coup".³⁸

Curiously, the only evidence in the record regarding this egregious behavior is the testimony of the five grievants.

(Slayman called just one employee, and she provided this reasoning:

Q. Why was Callie McConnell the only employee to testify?

A: She is the only one that would have worked close enough to me, other than the senior cabinet. And, you know, this has been hard enough to get people to come in here. And I have had no contact with those people since I left.

(Further, please see Ligon's testimony.)

Despite the fact that King and Gardner allege that King was berated publicly by Slayman in front of certain principals, those principals were not brought forth to corroborate this behavior. **(The hearing officer refused to listen to the witnesses who were presented, specifically Ligon. Additionally, the hearing officer ignores Slayman's testimony about relevant witnesses (see above). How many witnesses must be presented in this case? 30? The OGC met its burden.**

³⁷ Tr.p.1009,L.15-24

³⁸ Tr. p. 1009, L. 15-24

Slayman has a right to present witnesses. Slayman claims that witnesses were hard to reach, ignoring the fact that she presented countless witnesses, the record was left open for her to present others, and she never utilized subpoena power which was afforded). Similarly, Gardner's allegation that Slayman treated the supervisor of the bus drivers in a hostile manner was not corroborated by testimony of the supervisor that purportedly suffered this treatment. (To the contrary, Slayman merely testified that she didn't "think" she behaved as described by Gardner during this exchange. Notably, Slayman never denied making the specific statements alleged by Gardner. Tr. P. 1354.) It should also be noted that none of the grievants other than Williams (discussed *infra*.) ever approached Slayman regarding any matters that offended them prior to filing this grievance. (As noted above, the hearing officer omits their explanations as to why they failed to confront their supervisor. Furthermore, Slayman's absolute refusal to acknowledge any wrongdoing whatsoever is patently obvious that confronting Slayman would have been futile. Tr. p. 1383.)

It was duly noted by several witnesses that Chester is a small, tightly knit community. As such, it is highly unlikely that knowledge of this type of behavior could be suppressed for three years, especially given the deeply rooted connections of the Board members and the fact that Slayman's purported behavior was not just behind closed doors. (Interestingly, the hearing officer omits testimony from Slayman confirming that an improvement plan being discussed by the board included a provision that she would have an "open door" and that Slayman would not "threaten any employee or board member." Tr. p. 1376, L. 12-23). Notably, problems with the prior superintendent quickly reached the ears of Board members. This begs the question of why this type of shocking and reprehensible behavior would not have been fodder for discussion all over Chester. (Strike, speculation).

I further place no reliance on the Bagley Report and the conclusions therefrom due to the limited scope of the investigation. The requirements imposed on Bagley's investigation by the Board were that she could only speak to the five grievants as well as Ligon, Slayman, and McConnell and the investigation was to be concluded in a very short timeframe (i.e. a few days). By placing time and scope limitations on Bagley, the Board unwittingly precluded Bagley from arriving at a fair and accurate conclusion.³⁹⁴⁰ As a result, the report made affirmative conclusions about Slayman's conduct toward her staff with no attempt to verify the truth of the information received, even though, as noted above, some of the alleged acts occurred in front of others.⁴¹ The report also made

³⁹ At the time that Bagley was hired for this assignment, the Board as a whole was unaware of who the grievants were. Thus, my statements regarding the restrictions placed on Bagley are not meant to suggest that the Board's intentions in imposing such restrictions were impure. In fact, the majority of the Board supported Slayman and felt that the allegations were false. (False. This is not verified. The board did not testify. The hearing officer could have subpoenaed the other board members Slayman failed to call. The Board voted that the findings of the Bagley report were moot, not that they were "without merit". The hearing officer certainly understands "moot" as a term of art, vs. "no merit". In her letter to the OGC, Slayman claimed the findings were without merit, and she claimed not to understand mootness during testimony.) The Board was, in fact, attempting to protect Slayman by limiting knowledge that these accusations had been made.

⁴⁰ Bagley is now employed with SCDE (Incorrect) and did not testify at the hearing. However, her "report", which was nothing more than her notes from the interviews, was introduced as evidence and admitted as Petitioner's Exhibit 14.

⁴¹ For example, see Petitioner's Exhibit 14, p. 5 at the fourth bullet; p. 7 at the seventh bullet. These incidents could have been corroborated with third parties. (The OGC's witnesses did provide corroborating testimony. Hearing officer has already declared Ligon's testimony pointless. Further, Slayman could have called an employee, but she obviously could not locate any other district employees. See Slayman testimony above regarding why she called just one employee witness.)

affirmative conclusions regarding Slayman's treatment of persons other than those being interviewed, without first verifying these incidents with the people involved.⁴² Finally, there is no mention in the report that further investigation was needed or advisable. **(The hearing officer first says that Bagley was hamstrung by the Board. Yet, she assumes Bagley should have, or could have, informed the board that she needed more time to investigate or expand the scope of the investigation. See Slayman's testimony regarding only calling one employee witness. Pure speculation and conjecture, which has no place here.)** There was no testimony and no documentary evidence introduced at the hearing to indicate that Bagley went back to the Board to request that the scope of her investigation be expanded to these other parties and there is no evidence that she informed the Board of these shortcomings in her presentation. **(Again, pure conjecture. Slayman voluntarily resigned less than two weeks after the Bagley report with a settlement agreement in hand worth \$300,000. The only conclusion to be drawn is that if the Bagley report was so woefully inadequate, resignation would not have been the answer.)**

Another serious shortcoming of the Bagley Report is that it did not portray all the information that was provided to Bagley. For example, McConnell was interviewed by Bagley but McConnell's comments, which were positive toward Slayman, were not reflected in Bagley's report. This is quite disturbing in that the purpose of Bagley's investigation was for use by the Board in making a determination with regard to serious allegations of misconduct. The fact that McConnell's office was immediately outside of Slayman's door and McConnell never saw or heard the behaviors described by the grievants is a significant fact and should have been reported to the Board. For all the reasons stated above, this report has been given no weight in my recommendation.

While the evidence does not support the behaviors as described by the five grievants, the evidence does support that Slayman used phrases such as "if you tell anyone, I'll have to kill you" in her everyday speech. These phrases were used in the vernacular and were never meant as a threat. In fact, there was testimony that Slayman used such phrases in her conversations with Board members. No board member ever took offense at the use of the phrase, felt threatened by it, or gave it any thought until the filing of this grievance. **(Misleading and should be removed. Slayman did not call the Board, and only one of her witnesses was a subordinate.)**

The evidence also supports the conclusion that some type of confrontation occurred between Slayman and Williams in August of 2013. To Williams' credit, she addressed the matter with Slayman and Slayman apologized. There was never another incident of this type between Slayman and Williams. Slayman's and Williams' testimony on these points is consistent. However, the language used and the severity of this incident is in question in that Slayman and Williams differ on the characterization of the event. In Williams' words, Slayman told her "she would slit my throat if I ever spoke to the Board members again".⁴³ Slayman denies using that verbiage but admits making a remark such as "I'll have to kill you".⁴⁴ Williams' further testimony was inconsistent with regard to whether she felt threatened. At one point in the testimony, she indicated that she was embarrassed, while in another she considered Slayman's

⁴² See Petitioner's Exhibit 14, p. 3 at first full bullet; p 6 at first bullet and last bullet.

⁴³ Tr. p. 264, L. 4-7

⁴⁴ Tr. p. 1262-1263, L. 21-6

language to be a threat. And in another, she testified that she knew Slayman was not going to act on the language. In later testimony, she stated that the language exhibited a level of frustration and anger.⁴⁵ (I am providing Williams' complete testimony since it has been mischaracterized by the hearing officer. It is worth reiterating that Williams' account of the exchange is corroborated by Gardner, King, Stroud, and Clinton.)

It should be noted that this incident occurred in 2013 and the grievance was filed in 2015. Pursuant to the Chester County School District Board Policy Manual, Policy AR GBK-R, grievances must be filed within 10 days following the event giving rise to the grievance.⁴⁶ Thus, the time frame for filing a grievance on this event had long passed. It is interesting that this event, which had been amicably settled, was dredged up in a grievance in 2015 by the Chief Human Resource Officer who should have been aware of the 10 day rule. (Outside the record. Red herring. Further, the hearing officer questions the rationale of Ms. Williams, whom Slayman nominated for HR Director of the year.)

B. Failure to provide adequate security for the schools by hiring Defender Industries to provide such security as opposed to SRO's from the sherifrs office.

This issue generated much testimony at the hearing. The five grievants allege that Slayman placed the District's children in danger by replacing SRO's with Defender Industry security personnel in all the District's schools. (No. The OGC only tried to highlight the fact that Slayman's running dispute with the Sherriff and her level of paranoia in that connection created a disturbance in the district. Specifically, Gardner testified that additional training and cooperation with the Sherriff was needed, and his efforts were thwarted by Slayman. There is virtually no testimony regarding the District decision to hire Defender. Questions arose regarding implementation.) However, this allegation was soundly contradicted by testimony of each of the four Board members. Each of the four board members testified that the issue of school security was being discussed prior to Slayman's employment with the District. The Board had long been concerned that the elementary schools had no security and the middle schools had very minimal security. Private security firms had been discussed as a possible solution. School security became a top priority during Slayman's administration due to the fact that the County could no longer support a portion of the costs for the SRO's and the District could not afford to fund the entire cost of such. The Sandy Hook Elementary School shooting incident in December 2012 emphasized the immediate need for security in all the District's schools. The testimony of the Board members establishes that the Board determined Defender to be the most cost effective solution and it was the Board's decision to hire Defender. Slayman was operating at the direction of the Board in contracting with Defender Industries and placing Defender's employees in the schools. As such, I find the grievants' testimony regarding this matter to be untrue and their allegations of misconduct as it relates to this issue to be without merit.

Stroud alleges that Slayman wrongfully refused to allow Stroud access to the Defender contract. This allegation is, likewise, false. The testimony of the Board members establishes that the Board decreed that the Defender contract was to be kept confidential. Slayman was once again acting at their direction. The allegation made by Stroud is thus without merit.

⁴⁵ 39 Tr. P. 264-265, L. 9-12; p. 266, L. 8-18; p. 308, L. 7-18 (NOTE: her report references 45 as 39)

⁴⁶ <https://boardpolicyonline.com/?b=chester>

C. Providing false information to School Board members

The grievants alleged that Slayman did not inform the Board that the Defender employees present at a meeting to introduce the new security firm were not the actual officers who would be placed in the schools. Each of the four board members testified that they were aware of this fact at the time of the meeting. Thus, this allegation is without merit. (Although Stroman testifies to this, it is still discredited by the fact that the four members were not all members of the board at the time.)

The grievants also alleged that Slayman did not inform the Board that the Defender officers did not have arrest powers. Again, each of the four board members testified that they were are aware of this fact. Thus, this allegation is, likewise, without merit.

In other testimony relating to this issue, the Board members were very complimentary of Slayman's diligence in keeping the Board informed. Her efforts were lauded for calling each Board member individually as opposed to texting or emailing the group. There was no testimony from the Board members that Slayman ever misled them or failed to inform them of matters they needed knowledge of. Accordingly, I find no evidence to support the grievants allegations in this regard.

D. Racists remarks

Gardner, one of the five grievants, testified to two racist remarks purportedly made by Slayman to him. The first was regarding Slayman's trip to Idaho. The remark was purportedly to the effect that Idaho had few African-Americans and was Heaven. Gardner then repeated this remark to other grievants who accepted it for the truth. In fact, Gardner's allegations of this remark influenced Williams, who is also African-American and admittedly did not hear the remark, to sign the grievance. ⁴⁷ (Please refer to Williams' complete testimony.)

Slayman denied this allegation stating that she had commented on the sparse population in Idaho, which she compared to Heaven. Slayman admits that she stated that Idaho lacked diversity but denies that her statement regarding Heaven referred to the lack of diversity. Slayman is Hispanic and was always concerned about having a balance in diversity in the schools.⁴⁸ Slayman discussed the Idaho trip with S. Stroman when she returned. S. Stroman's account of that conversation corroborated Slayman's testimony.⁴⁹ (Stroman's testimony that Slayman discussed diversity with her only corroborates Gardner's account. The hearing officer would have you believe that Slayman traveled to beautiful Idaho, was overcome by the beauty, overcome by the sparseness, and that her thoughts and concerns turned to that state's "lack" of diversity.) S. Stroman went on to testify that she had never heard Slayman say anything derogatory about "any person, any race, any people".⁵⁰ S. Stroman concluded that the allegation took Slayman's comments out of context, just as the Bagley Report took Slayman's use of the vernacular out of context.⁵¹ Stroman further observed that Slayman had facilitated the promotion of African Americans into higher positions.⁵²

⁴⁷ Tr. p. 264-265, L. 18-3

⁴⁸ Tr. p. 1322-23, L. 24-14

⁴⁹ 43 Tr. p. 543-544, L. 9-18 (NOTE: Malane's report references 49 as 43)

⁵⁰ Tr. p. 602, L. 19-21

⁵¹ Tr.p.543, L.9-15

⁵² Tr. p. 545, L. 1-8

The second alleged remark was to the effect that the security officer for Louisville Elementary School had to be white. Slayman denied this and alluded that the officer actually placed in that school was black.⁵³ There was no further testimony regarding this allegation. **(What Slayman “alluded” to is not known, and should not be a finding.)**

In addition to the comments made by S. Stroman above, James, who is African American, also expressed that she did not believe these allegations.⁵⁴

Likewise, Slayman's administrative assistant, McConnell, who is also African American, testified that she had never witnessed Slayman acting in a racist manner or making racist comments. She further testified that Slayman had promoted more African Americans than any other superintendent that she had known.⁵⁵

Finally, King admitted that he had never heard her make racial remarks.⁵⁶

By the preponderance of the evidence, I find that these allegations are without merit.

E. Inappropriate discussion of District matters with local "breakfast club" members and adherence to their opinions (Not at issue. Please refer to OGC's Pre-Hearing Statement and Proposed Order of Public Reprimand)

During her tenure as Superintendent, Slayman regularly had breakfast with certain community leaders. Her senior cabinet referred to the people who participated in these breakfasts as "the breakfast club". Each of the five grievants testified that Slayman made decisions based upon these breakfast club meetings. Slayman invited her senior staff to have breakfast with her and these leaders, however, only two, namely King and Gardner, testified that they had attended. Both testified that they attended one breakfast.

When the consultants and the Board members were questioned at the hearing about the propriety of Slayman having breakfast with community leaders, the overwhelming response was that this was both proper and a good practice. Further, John Agee, one of the county leaders comprising the "breakfast club", testified that the discussions centered around news in the County, with a lot of emphasis placed on the fire service since Agee was the fire chief. Per Agee, Slayman never shared confidential District business in these breakfasts.

From evidence cited above, it appears that this allegation is based upon conjecture as opposed to actual fact since only two of the senior cabinet members ever attended these breakfasts and they both attended only one. I find that neither King nor Gardner had sufficient knowledge on the basis of one breakfast to know if District business was discussed. Accordingly, I find that this allegation has no merit.

⁵³ Tr. p. 1324, L. 2-16

⁵⁴ Tr. p. 959-960, L. 23-6

⁵⁵ Tr. p. 1027, L. 16-25

⁵⁶ Tr. p. 83 , L. 8-14

II. Credibility Issues With Witnesses

A. Dr. Charles King

King has been involved in two matters that bring into question the truth and veracity of his testimony in this case. First, during Slayman's administration, King utilized the District's MiFi for personal use at his home without notice to or prior authorization by the District. When questioned about this by Slayman, he became very upset. (According to Slayman). The grievance was filed immediately thereafter and Slayman never got the opportunity to complete that discussion with him. (Hearing officer implies that King filed the grievance over MiFi...) Although King's defense was that he did not take a District cell phone when offered, this fact did not legitimize his appropriation of the District's MiFi.

The second incident occurred after Slayman's departure from the District. This incident involved King's clinical supervision of an employee who was seeking to upgrade her administrative certification. King gave the employee his password and allowed her access to his files where he was to observe and evaluate her. The employee accessed these files and prepared the reports that King was supposed to prepare. When this was discovered by the District, he denied having given the employee his password. However, the employee provided the email in which King did this. King left the employ of the District and was reported by the District to SCDE.⁵⁷ (What is extremely concerning is that the OGC has not been able to locate, in the record, that the "employee provided the email." The hearing officer appears to use this information from outside of this record. The only source of this information is from an unrelated matter before that came before this hearing officer and the SBE.)

In addition to the above, certain of the allegations espoused by King against Slayman have been conclusively proven to be false (i.e. namely those related to Slayman's truthfulness to the Board). (This implies the board testified. The full board did not testify.)

Finally, King aspired to be a district superintendent. This is made clear in Petitioner's Exhibit 13 at page 4 where he states "I like to think that I am ready to be a Superintendent and will have my own district one day". He also let this be known to Slayman's successor, Angela Bain.⁵⁸

Based upon all of the above, I do not find King's testimony to be credible in this matter.

B. Jeff Gardner

Like King, Gardner also had an interest in becoming superintendent. Gardner applied for the position of Superintendent in 2012 along with Slayman. He was never seriously considered for the position in that he was deemed unqualified and only given a courtesy interview.

According to the testimony of the four consultants, the four Board members and Slayman, Gardner

⁵⁷ Tr. p. 1089, L. 4-19

⁵⁸ Tr. p. 1086, L. 18-24

had problems completing his work on a timely basis. Some witnesses questioned his competency for the Assistant Superintendent position. Slayman had to address issues relating to Gardner's job performance with him during her tenure with the District. In her words, Gardner "struggled to keep all the balls in the air" and he was really frustrated.⁵⁹ Gardner was fearful of losing his job in that he was raising three children, two of which were in college.⁶⁰ Thus, Gardner had a motive to want Slayman gone.

Looking at the substance of his allegations against Slayman in light of other testimony at the hearing, it appears that certain of these allegations were false, taken out of context, or embellished. He then spread this information to others. Evidence of this is found in the testimony of Williams who signed the grievance because of Gardner's allegations of racial statements made by Slayman. (Misleading. Please read Williams' full testimony).

Based upon the above, I do not find Gardner's testimony to be credible.

C. Anna Stroud

Stroud's testimony at the hearing was the most venomous of the five grievants. (Stroud testified that Slayman was a hard worker. All grievants expressed genuine concern for Slayman. The hearing officer omits this testimony. These omissions are highly misleading.) In the Summer of 2015 just before the filing of the grievance, Slayman discovered that Stroud had knowingly taken pay raises in direct violation of an order by the Board that Stroud's salary was to be frozen until she completed certain educational requirements. This was an act of dishonesty and it brings into question the truth and veracity of her testimony in this matter. (This was not established by the record. To the contrary, the budgets containing her salary were approved by the Board, a detail which the hearing officer omits.)

It further establishes a motive for filing a grievance against Slayman in that Stroud was fearful of losing her job. The record in this case is resplendent with testimony by Board members and consultants critical of Stroud's job performance. Stroud was aware that the Board had discussed her termination on several occasions.

Finally, Stroud had strong ties to both the new sheriff and Hughes, neither of which favored Slayman. Stroud's husband worked for the new sheriff and was a prior SRO in the Chester schools. Stroud provided a significant amount of testimony regarding her affiliations with the new sheriff and Hughes as well as her opinions and fears regarding the failure to use SRO's in the schools. Certain allegations made by Stroud relating to the use of private security officers as opposed to SRO's were proven to false in subsequent testimony.

Based upon the above, I do not find Stroud's testimony to be credible.

CONCLUSION

⁵⁹ Tr. p. 1280, L. 3-16

⁶⁰ Tr. p. 238, L. 12-23

After reviewing all the testimony and exhibits presented in this case, I find that SCDE has failed to prove by a preponderance of the evidence that the allegations against Slayman are true. Slayman's witnesses were all credible and had nothing to gain by their testimony on behalf of Slayman. In contrast, three of the five grievants evidenced substantial credibility concerns. The remaining two were convinced to sign onto the grievance based upon the representations of others. While Slayman admittedly used phrases such as "I'll have to kill you", those phrases were used in the vernacular, were never meant as threats, and would not have been seen as a threat by a reasonable person.

The one issue that is concerning is the incident between Williams and Slayman. It appears from the testimony that the conversation between those two in August of 2013 became intense and Slayman admittedly used one of her common phrases in the vernacular. Williams admitted that she knew that Slayman did not mean the phrase literally (i.e. there was no intent on Slayman's part to harm Williams). While this was not an ideal choice of words, I do not believe that such rises to the level of unprofessional conduct. It has been well established that these phrases in the vernacular were a regular part of Slayman's speech. Notably, Slayman had vast experience in managing people over the years and this issue had never arisen in the past. This leads me to the conclusion that the use of the phrase in this incident was taken out of context. However, even if Williams' context is believed, Slayman has been punished in a manner that far exceeds any reasonable punishment for this type of infraction. Her career and reputation have been destroyed by the allegations in this grievance and the media frenzy that ensued. She will likely never work again.

Based on the preponderance of the evidence presented, I recommend that this action against Dr. Agnes Slayman's teaching certificate #134958 be dismissed.

The OGC believes the hearing officer has made her case against the five grievants. In order to justify the unjustifiable, she has had to omit critical facts and diminish other facts while inflating irrelevant ones. Conveniently, the hearing officer somehow determined that Slayman did say the more innocuous variety of threatening statements, while declaring that she did not say the most egregious and specific ones. This was a case about words and behavior. It was not about a "coup". It was not about politics. It was about workplace bullying. The hearing officer simply chose to overcomplicate this matter by making this case about the victims of bullying, rather than focusing on the alleged unprofessional behavior. In her zeal to find reasons why all FIVE grievants are not credible, she omits information, most importantly the improvement plan, and even had to eliminate the testimony of the "strongest employee at the district". The hearing officer even appears to pull in information from outside the record. These omissions are extremely uncharacteristic (with the exception of the Lunsford-Thomas matter) and are unfair to the process. But most importantly, the omissions are unfair to the grievants.

Ultimately, Slayman admits nothing and does not believe she has done anything wrong. When asked that question, she simply said she should have fought harder, that she became too familiar with her subordinates, and that she was sad. Tr. p. 1383, L. 11-20. After more than 1400 pages of testimony, that is simply unacceptable.

from the foreign language requirement of that college. The student had not been assessed for that disability while attending school in the District and Ligon testified that there was nothing that the District could now do with regard to this. However, Slayman continued to discuss this matter with her but phrased her comments in different ways. Slayman ultimately mentioned that the student's family may hire an attorney regarding this. Ligon testified that she felt pressured by this statement to do something she felt would be unethical. However, when Ligon's conversation with Slayman ended, Ligon testified that Slayman did not express any displeasure.

Slayman testified that she did not pressure her or coerce her, but was trying to make sure that the District was covered.

The OGC has criticized the fact that I did not give weight to Ligon's testimony. While I found her to be a credible witness, I did not find her testimony to be helpful in determining this matter. With regard to the circumstance where Ligon found Slayman's behavior to be intimidating, the testimony of Ligon and Slayman were both very credible and were not inconsistent. While Ligon may have found this type of questioning intimidating, Slayman was doing her due diligence to determine if there was a way to help the student and to determine if the District had any liability. Slayman's statement regarding the potential of the student's family hiring a lawyer telegraphed her concern about liability. Further, the fact that Slayman expressed no displeasure with Ligon at the conclusion of the conversation is evidence that there was no intent to pressure Ligon into a specified result. I see no evidence of misconduct in this instance. Ligon's testimony with regard to this matter is found at Tr. p. 470-476, L. 24-13. Slayman's testimony with regard to this matter is found at Tr. p. 1290-1292, L. 22-1.

In addition, Ligon's observations of distressed employees was not sufficient to attribute any misconduct to Slayman or, in the instance involving Gardner, to even link Slayman to the incident. However, out of an abundance of caution, I am adding these facts to my report.

Slayman presented the testimony of four consultants (two of which were previous employees under Slayman in Kershaw), two current school board members, two previous school board members, Slayman's administrative assistant, the current Chester School District Superintendent, two others who had dealings with Slayman as the Chester School Superintendent, and Slayman herself. Contrary to the OGC's assertions, all school board members who testified served at some point during Slayman's tenure. To make that point clear, I listed the tenure of each board member and how that member's tenure coincided with Slayman's tenure as superintendent on page 16 of my original report. As Slayman's witnesses began to testify, it became obvious that many of the issues cited by the five grievants were the product of misinformation or inaccuracies.

Of the complaints cited by the grievants, the most troubling was that of the hostile work environment and bullying. Since Slayman had served in supervisory roles in several positions with the Kershaw School District, I looked very carefully at the testimony of John Stiver (Stiver) and Robert Teal (Teal) in that they were former employees of Slayman in Kershaw. Notably, these