

The Board of Trustees of Circle Elementary and High School District No. One, McCone County, met in regular session on May 30, 2023 at 5:30 pm in the high school library. Trustees present: Bryce Hove, Cary Phillips, Emily Guldborg, Tyrel Massar, Charity Calderon, & Krista Beery. Also in attendance were Clerk Della Van Horn, Interim Superintendent Tara Hubing, (see list)

Chairman Hove opened the meeting stating the purpose that this is the time set for a policy 1700 appeal meeting of a formal complaint received on March 9<sup>th</sup>, 2023. This is a hearing. The investigation has been completed. Introduction of the parties to identify themselves to the Board. Josh and Britney Haynie and Lindsey Williams and Maggie Copeland, MFTE representative introduced themselves.

Bryce summarized the process of the meeting. This is an appeal of internal complaints made pursuant to District Policy 1700, the Board will consider the Superintendent's decision in this matter.

The complainant will be given the opportunity to address the Board. There is a time limit of 20 minutes for their arguments. Bryce designated Krista Beery as the time keeper.

The purpose of the meeting is to review the Superintendent's decision, therefore, the complainant's comments should be directed and limited to that decision. Any topic, fact, or argument not relating to a violation of law or policy and not relating to the Superintendent's decision will not be allowed.

The superintendent will be given the opportunity to respond. There is a time limit of 20 minutes for the Superintendent's argument. Krista will give you notice of 5 minutes remaining.

The Board members may ask questions at any time during the proceedings. However, since this is not a fact-finding hearing, the complainants and the Superintendent are not entitled to cross examination.

The Board will then discuss and act upon the appeal.

Josh and Britney Haynie continued with their complaint. Haynie had a formal complaint against Lindsey Williams about inappropriate comments that she has made in the classroom with students present. The 1<sup>st</sup> investigation came back with no findings. Haynie's then had more parents come up with other inappropriate comments made by Mrs. Williams that were concerning. The 2<sup>nd</sup> investigation was an extension of the 1<sup>st</sup> investigation. The report said that none of the student's comments were credible and that Lindsey was credible on every account. Haynies questioned why inappropriate things are being discussed in the classroom. This is not a one-time event, but reoccurring. It is a consistent issue with this teacher to discuss things with sexual content. Students feel comfortable to discuss things of inappropriate content in the classroom. It is hearsay, Haynie's weren't actually there so they received it 2<sup>nd</sup> hand. Some of the comments made were directly about him (Josh Haynie) by the teacher. Josh questioned why numerous students would make something up. There is also instances where she has brought things up on the school cameras of students in her classroom. It seems the amount of inappropriate talk happens a lot and gossip and talk with sexual comments take place. Other discussion was held on comments that have been made.

Superintendent Hubing proceeded with her comments.

"The district expects all of its employees to maintain high standards of honesty, integrity, professionalism, decorum, and impartiality in conduct of District business. Additionally, the District expects all employees to maintain appropriate employee-student relationship boundaries in all respects, including but not limited to personal, speech, print, and digital communications. In summary of the

alleged incident investigated, the investigator did not find credible evidence that you, the respondent, initiate or engaged students in a conversation of a sexual nature per the allegation.” As a reminder, Board Policy 5223 states that “All employees are expected to maintain high standards of honesty, integrity, professionalism, decorum, and impartiality in conduct of District business.” 4 considerations were noted : 1. Student/Staff Communications 2. Timely Intervention, Response and Support. 3. Risk Complacency and 4: Classroom effectiveness. The results from the formal investigation from the outside investigator were summarized as “In conclusion, there is no finding of substantial credible evidence from the initial or extended investigation to support a finding that the employee violated a district policy on or other rule, law or regulation”.

Hove asked if the Board had any questions. Calderon did inquire about whether there is a way for us to make it known for students that reports are anonymous. Hubing responded that we do have policies in place and that is addressed in the student handbook. Other discussion was held on how students can feel safe to voice concerns.

At this time Maggie Copeland, MFPE representative, asked to address the board and speak to the superintendent’s decision.

Hove called for a break at 6:10 pm to confer with legal counsel.

Hove returned at 6:15 pm and said that we had spoke with Jeff Weldon, legal counsel and he gave Maggie 10 minutes to respond.

Maggie said that the 1<sup>st</sup> charges allege criminal conduct, which you have to have evidence. An independent outside investigator, who has been a chief legal counsel with OPI, was hired. Mrs. William was placed on administrative leave. Mrs. Williams cooperated. There was no criminal conduct found. Nothing to these charges is truthful. Mrs. Williams was advised by the superintendent and she complied. Investigator came to the school the 2<sup>nd</sup> time. No credible evidence to support the charges was found. It was believed this was a personal vendetta towards Mrs. Williams. The school board can stop this tonight. Maggie continued that Lindsey Williams is not guilty and there never was an allegation that Lindsey was bullying students. She asked that this matter be put to rest, Lindsey Williams was found not guilty and asked that this rest with the investigator’s findings.

Further questions were asked from the board. Guldborg inquired about the timeliness of the complaint.

With the conclusion of arguments and Board questions, the Board will now consider its alternatives.

Moved by Phillips, seconded by Guldborg to affirm the superintendent’s decision because the superintendent properly applied and enforced applicable law and policy and the superintendent did not exceed the Superintendent’s legal or policy authority.

Those in favor of the motion: Phillips, Guldborg, Massar, Beery, Hove. Opposed: Calderon

Motion carries. The hearing adjourned at 6:45 pm.