

BOARD OF EDUCATION
The School District of Independence

The Board of Education met in special session Thursday, October 22, 2020, at 4:30 p.m. in the Board Room at the Board of Education Office, 201 North Forest Avenue, Independence, Missouri.

Members Present: Mr. Eric Knipp, Vice President
Mrs. Jill Esry, Director
Mr. Blake Roberson, Director
Mr. Greg Finke, Director
Mrs. Carrie Dixon, Director

Members Absent: Mrs. Denise Fears, President
Dr. Matt Mallinson, Treasurer

Also Present: Dr. Dale Herl, Superintendent
Dr. Cindy Grant, Dr. Randy Maglinger, Dr. Pam Boatright, Dr. Prissy LeMay, Mrs. Sherry Potter, Mrs. Denise Textor, Mr. Duane Martin, Mr. Mark Nasteff, Ms. Amy Harris, Ms. Mackenzie Smith, and Ms. Annette Miller.

The meeting was called to order by the Vice President, Mr. Eric Knipp, and minutes of the meeting were recorded by the secretary, Ms. Annette Miller. The Court Reporter, Mackenzie Smith, recorded the meeting and will prepare a transcript.

Mr. Knipp called the meeting to order and stated the purpose of the open meeting was for a Personnel Hearing. He also stated that the Board of Education had posted for an executive session in the event that it was needed to discuss certain matters outside the context of the public hearing.

Blake Roberson made the motion to approve the Agenda and also approve the motion to schedule an executive session if needed, The motion was seconded by Jill Esry and approved as follows:

Ayes: Eric Knipp Blake Roberson Jill Esry Greg Finke Carrie Dixon	Absent: Denise Fears Matt Mallinson
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Mr. Knipp stated that this hearing is convened pursuant to the Revised Statutes of Missouri and Board of Education Policy, which provides hearing procedures for professional staff members against whom charges have been preferred. During the hearing, both parties may call witnesses, cross-examine witnesses called by the other party, and enter exhibits. At the close of the hearing, counsel for both parties will be permitted to make a brief closing argument if desired. A stenographer is present and will make a written record of these proceedings. Copies of the transcript will be made available to both parties within ten (10) days of this hearing.

Mr. Duane Martin stated that he was legal counsel representing the Independence School District Administration. Mr. Mark Nasteff stated that he was legal counsel representing Independence School District staff person Ms. Amy Pedersen Harris.

Mr. Knipp asked if legal counsel wished to make opening statements.

Mr. Martin reviewed and presented a list of Exhibits (1-12) for admission into evidence. Mr. Knipp stated the items would be admitted and entered into the record of this proceeding. In Mr. Martin's opening statement, he read the Facebook posting that Ms. Harris submitted on September 23rd at 7:08 a.m.

Mr. Nasteff reviewed and presented a list of Exhibits (A-H) for admission into evidence. Mr. Knipp stated the items would be admitted and entered into the record of this proceeding. Mr. Nasteff stated that Ms. Harris admitted she made a mistake in issuing this posting and that it was focused on the Blue Springs School District's lawsuit about the number of students at events and that it was not against the Independence School District, parents, students, or staff. He stated that Ms. Harris would like to continue in her teaching position at William Chrisman High School.

Mr. Martin called Amy Harris as the first witness. She was sworn in by the Court Reporter. Mr. Martin questioned her regarding the time she reports to work at William Chrisman High School, what class she teaches, her routine at the start of each work day, what time students arrive, if she was familiar with the District's employee handbook, was she aware of Board of Education Policy 4630 rules, and that she was to be a role model for students.

Mr. Nasteff then questioned Ms. Harris regarding Exhibits A-H. He also asked her to share her background information on how she started in her teaching career. He then asked her that if she were allowed to return to the classroom would she avoid posting on social media during the day and would she avoid using profanity in any of her postings. She said that yes, she would abide by those requirements.

Mr. Martin called Dr. Dale Herl, Superintendent, to testify. Dr. Herl was sworn in by the Court Reporter. Mr. Martin asked Dr. Herl about the Statement of Charges issued to Ms. Harris, the language and time of the posting done by Ms. Harris on September 23rd, her exhibit of unprofessionalism, her violation of Board Policy 4630, and what recommendation he would give based on her actions. Following responses to the questions, Dr. Herl stated that he would recommend that Ms. Harris be terminated.

Mr. Nasteff asked Dr. Herl if he had reviewed Ms. Harris' employment file, viewed her evaluation reports, or viewed her interaction with students, parents, or colleagues. Dr. Herl said that he had not pulled her employment records and had not viewed her interacting with others.

Mr. Martin called Mrs. Denise Textor, Associate Principal at William Chrisman High School, to testify. Mrs. Textor was sworn in by the Court Reporter. Mr. Martin questioned Mrs. Textor about how she received information of the September 23rd Facebook posting by Ms. Harris. Mrs. Textor said approximately 15 teachers had reported the posting to her. She interviewed Ms. Harris regarding this posting. Mrs. Textor said the posting should not be excused as it was disruptive and created a hardship for students and staff and that the District should part ways with Ms. Harris.

Mr. Martin said this concluded the Administration's case. Mr. Nasteff said he did not have any further information.

Mr. Martin provided a closing statement saying this was a straightforward case of Ms. Harris not following the Board of Education Policy 4630 and she demonstrated willful and persistent violation of this Policy. He stated that the Board of Education should uphold the Administration's recommendation to terminate Ms. Amy Harris.

Mr. Nasteff stated in his closing statement that Ms. Harris' quality as a human being had not been considered. He said that the posting cannot be ignored and that Ms. Harris was sorry for her language usage and posting of the comments. He stated that Ms. Amy Harris would like to continue in her teaching position for the Independence School District.


Mr. Knipp thanked Mr. Martin and Mr. Nasteff. He stated that the transcript of this hearing will be ready ten (10) days from the date of this hearing. The Board of Education will render its decision within seven (7) days after the transcript is furnished to them and a written copy of that decision will be furnished to Ms. Harris within three (3) days of the Board of Education reaching its decision.

Greg Finke made the motion to adjourn the meeting and go into executive session pursuant to RSMo 610.021 for legal, personnel, and staff employment record information at 5:48 p.m. The motion was seconded by Jill Esry and approved by the Board of Education as follows:

Ayes: Eric Knipp
Blake Roberson
Jill Esry
Greg Finke
Carrie Dixon

Absent: Denise Fears
Matt Mallinson


Secretary


Vice President