

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

c 2023-104

COMPLAINT FORM

COMPLAINANT: Joyce Gerald

RESPONDENT: Board Trustee Shalonda Toomer

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE: JCSD Board Trustee

TITLE: JCSD Board Trustee

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

On Monday, August 14, 2023, the Jasper County School District Board of Trustees held its regular monthly Board meeting. Attached is the published board agenda. As noted on the agenda, under Executive Session, the following item was heard in executive session: Employee Grievance Appeal Request. The Employee Grievance Appeal Request pertained to an employee employed by the district but also the husband of a School Board Trustee.

I am submitting this letter for several reasons, of which the following reasons are of extreme concern for me:

- 1.) As a Board Trustee, I was subjected to and witnessed egregious and unethical behavior, conduct, and conversations during the Executive Session and the General session of the Board meeting.
- 2.) The wife of the employee (C) was asked to excuse herself from Executive Session during the discussion of the Employee Grievance Appeal Request, but the wife of said employee refused the request and repeatedly verbally stated, "I will not excuse myself." "How do you all know that we're married?"
- 3.) During the discussion of the Employee Grievance Appeal Request, the wife of the employee (Shalonda Toomer) stated, "I read the policy, it states that I can't vote on the matter, but it does not state I can't listen or hear the matter because he is considered my constituent." As you can see, School Board Policy BCB does not state that.
- 4.) During the discussion of the Employee Grievance Appeal Request, the wife of employee (Trustee Shalonda Toomer) asserted several points in support of her husband to influence the Board. As a result, the Board Chair - Priscilla Green, stated, "I feel very uncomfortable having this discussion because it appears as though you are the attorney for your husband." Another board member stated, "How is it fair for the employee's wife to be sitting in here hearing what we are saying?"

If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA

COUNTY OF Jasper

Personally appeared before me Joyce Gerald who, first being duly sworn, says that he/she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this 10th day of August, 2023

[REDACTED]

Notary Public for South Carolina
My Commission expires 04/29/2026



[REDACTED]

Complainant Signature

SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
ELECTRONIC COPIES WILL NOT BE ACCEPTED

C102form

Ethics Violation against Board Shalonda Toomer page 2

5.) During the open session, when the matter was called to a vote, the employee's wife, Board Trustee Shalonda Toomer, stated, "I am thinking about recusing myself, but I am not." The wife of the employee voted 'nay' in response to the following motion:

Madam Chairperson, I move that we deny the request of Employee A to hear his grievance appeal according to Board Policy. I am including the link to the policy GCK that clearly states the Principal of a school has the right to transfer staff as they deem appropriate.

6.) The motion above passed 5:4 in favor of not hearing the grievance. As a result, the employee's wife said out loud as she was leaving the Board Meeting, "Honey, you can sign in for public participation at the next board meeting because you have a right to be heard."

As per Board Policy BCB Board Member Conflict of Interest, see attached, specifies the following:

- Board membership is an act of public service, and, as such, the Board strives to avoid any impropriety or the appearance of impropriety.
- Board members have a legal and ethical responsibility to avoid not only these conflicts of interest but also the appearance of conflicts of interest.
- Board members are required to disclose any potential conflict of interest to the Board. A board member with a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter.
- The board member may vote on matters where they have no greater interest than does any other member of the Board. However, the board member may not vote on the contract of the family member.
- A board member may not participate in an action relating to the discipline of his/her family member.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

Complaint C2023-104)

Joyce Gerald)
Complainant.)

Shalonda Toomer)
Respondent.)

NOTICE OF HEARING

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaints. The State Ethics Commission will, therefore, convene a formal hearing into the matters, in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, August 15, 2024 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

COUNT ONE
PARTICIPATION IN ACTION RELATING TO DISCIPLINE OF A FAMILY MEMBER
SECTION 8-13-750(B), S. C. CODE ANNOTATED, 1976, AS AMENDED

That Shalonda Toomer, Jasper County School District Board Trustee, participated in an action relating to the discipline of her spouse during an August 14, 2023 Board of Trustees meeting, in violation of Section 8-13-750(B).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 16th day,
of November 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on Respondent Shalonda Toomer, 3949 Tillman Road, Ridgeland, SC 29936 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 22nd day of November 2023, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant
State Ethics Commission

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
)
IN THE MATTER OF:)
)
Complaint C2023-104)
)
Joyce Gerald)
Complainant.)
)
Shalonda Toomer)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

**AMENDED
NOTICE OF HEARING**

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaints. The State Ethics Commission will, therefore, convene a formal hearing into the matters, in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, February 20, 2025 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

COUNT ONE
PARTICIPATION IN ACTION RELATING TO DISCIPLINE OF A FAMILY MEMBER
SECTION 8-13-750(B), S. C. CODE ANNOTATED, 1976, AS AMENDED

That Shalonda Toomer, Jasper County School District Board Trustee, participated in an action relating to the discipline of her spouse during an August 14, 2023 Board of Trustees meeting, in violation of Section 8-13-750(B).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 12th day,
of August 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **AMENDED NOTICE OF HEARING** was duly served on Respondent Shalonda Toomer, 3949 Tillman Road, Ridgeland, SC 29936 by depositing said **AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 16th day of August 2024, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

Complaint C2023-104)

Joyce Gerald)
Complainant.)

Shalonda Toomer)
Respondent.)

**SECOND AMENDED
NOTICE OF HEARING**

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaints. The State Ethics Commission will, therefore, convene a formal hearing into the matters, in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, April 17, 2025 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:


COUNT ONE
PARTICIPATION IN ACTION RELATING TO DISCIPLINE OF A FAMILY MEMBER
SECTION 8-13-750(B), S. C. CODE ANNOTATED, 1976, AS AMENDED

That Shalonda Toomer, Jasper County School District Board Trustee, participated in an action relating to the discipline of her spouse during an August 14, 2023 Board of Trustees meeting, in violation of Section 8-13-750(B).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 25th day,
of November 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **SECOND AMENDED NOTICE OF HEARING** was duly served on Respondent Shalonda Toomer, 3949 Tillman Road, Ridgeland, SC 29936 by depositing said **SECOND AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 9th day of December 2024, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.


Rachael O'Bryan, Administrative Assistant
State Ethics Commission

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
)
IN THE MATTER OF:)
)
Complaint C2023-104)
)
Joyce Gerald)
Complainant.)
)
Shalonda Toomer)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

MOTION FOR CONTINUANCE

This matter was scheduled for a hearing on April 17, 2025. Due to scheduling issues for both parties, the Commission and the Respondent have jointly agreed to continue this hearing until Thursday, June 19, 2025, which is the next scheduled meeting of the Commission. Accordingly, the undersigned, with the written consent of Respondent, seeks continuance of this matter until Thursday, June 19, 2025 pursuant to S.C. Code Ann. Regs. 52-208(B)(3) and 52-715(A).

Respectfully submitted,

Courtney M. Laster (77807)
South Carolina State Ethics Commission
201 Executive Center Drive, Suite 150
Columbia, SC 29210
803-253-4192
claster@ethics.sc.gov

March 20, 2025


STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2023-104)
Joyce Gerald,)
Complainant.)
Shalonda Toomer,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

**ORDER GRANTING
MOTION FOR CONTINUANCE**

The above-captioned matter was scheduled for an April 17, 2025 hearing. Prior to the call of the matter, a Motion for Continuance was filed wherein the parties agreed that the matter should be continued due to scheduling issues for both the Commission and the Respondent. The Commission hereby grants Respondent's request for a continuance and orders this matter to be re-noticed for the next Commission Hearing Panel on June 19, 2025.

AND IT IS SO ORDERED THIS 20 DAY OF March 2025.

STATE ETHICS COMMISSION


MATTHEW N. TYLER, PANEL CHAIR

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

Complaint C2023-104)

Joyce Gerald)
Complainant.)

Shalonda Toomer)
Respondent.)

**THIRD AMENDED
NOTICE OF HEARING**

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaints. The State Ethics Commission will, therefore, convene a formal hearing into the matters, in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, June 19, 2025 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:


COUNT ONE
PARTICIPATION IN ACTION RELATING TO DISCIPLINE OF A FAMILY MEMBER
SECTION 8-13-750(B), S. C. CODE ANNOTATED, 1976, AS AMENDED

That Shalonda Toomer, Jasper County School District Board Trustee, participated in an action relating to the discipline of her spouse during an August 14, 2023 Board of Trustees meeting, in violation of Section 8-13-750(B).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 26th day,
of March 2025.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **THIRD AMENDED NOTICE OF HEARING** was duly served on Respondent Shalonda Toomer, 3949 Tillman Road, Ridgeland, SC 29936 by depositing said **THIRD NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd day of March 2025, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.


Rachael O'Bryan, Administrative Assistant
State Ethics Commission

Columbia, South Carolina

(803) 253-4192



**JASPER COUNTY
SCHOOL DISTRICT**



OFFICE OF SUPERINTENDENT
Post Office Box 848/10942 N. Jacob Smart Boulevard
Ridgeland, S.C. 29936
Office (843) 489-8892 ext. 1001
Fax (843) 717-1199

Dr. Rechel M. Anderson, Superintendent **Mr. Travis Washington, Public Information Officer**

M E M O R A N D U M

TO: Members of the Board of Education
Jasper County School District

FROM: Superintendent Rechel Anderson

DATE: August 14, 2023

RE: Frederick Toomer
Appeal from Decision to Reassign

This memorandum is written to provide you with a brief summary of the procedural background of a grievance appeal filed by Frederick Toomer, a certificated employee in the District.

As a certified staff member Mr. Toomer, decisions regarding his assignment are guided by the provisions of Policy GCK and Administrative Rule GCK-R Certified Staff Assignments and Transfers. (Policy GCK and Administrative Rule GCK-R are included as Attachment One.)

By way of background, prior to spring break, Ridgeland Secondary Academy of Excellence Principal Adrienne Maybank advised Mr. Toomer that he would not teach biology classes during the 2023-24 school year due to his students' subpar performance on the End of Course (EOC) exam. At the time, Ms. Maybank explained she did not know where his specific assignment would be; however, there were openings in the middle-level science courses. When Mr. Toomer received his contract for the 2023-24 school year, he was advised that he would be assigned to teach middle school science. He then filed a grievance alleging that the area is out of his certification, and he neither desired a changed nor was seeking one. Mr. Toomer further alleged retaliation because his wife is an outspoken member of the school board. (Attachment Two.) Ms. Maybank met with Mr. Toomer on May 8, 2023 to discuss the grievance. Ms. Maybank upheld her decision and explained that based on his data, it was in the best interests of the students. Out of the 54 students enrolled in his biology course during the first semester, there were 34 failures. (Attachment Three) As to Mr. Toomer's concerns about his observations occurring after school board meetings, Ms. Maybank explained the schedule of observations was developed upon her arrival and any observation after a Board meeting was coincidental and had nothing to do with his

wife being on the school board.

Mr. Toomer next appealed to Corey Burgess, Director of Secondary Programs & CTE, JCSD. They met on May 19, 2023. Mr. Burgess upheld Ms. Maybank's decision and shared with Mr. Toomer the Proviso from the State Department of Education regarding teacher certification exemption permitting educators certified in a high school content area to teach the same content area in seventh or eighth grade middle-level course and also emphasized that his students were underperforming on the Biology EOC test. (Attachment Four). Thereafter, Mr. Toomer appealed to Director of Human Resources Wesley Terrill. They met on May 24, 2023. (Attachment Five) Mr. Terrill again explained that the Proviso passed by the legislature permitted Mr. Toomer to teach at the middle-level. With regard to Mr. Toomer's statement that he did not receive professional development in Biology, Mr. Terrill explained that Ms. Maybank was not concerned with Mr. Toomer's content knowledge. He also explained that Ms. Maybank offered professional development opportunities in the areas of deficiencies she observed in Mr. Toomer's class involving instructional delivery, teaching engaging lessons, and providing instruction from bell to bell. Mr. Terrill also noted that prior to Ms. Maybank's arrival, the previous administrator had determined that Mr. Toomer would not be teaching Biology. Mr. Toomer, however, was permitted to teach Biology after emailing Mr. Burgess on July 15 to discuss his course assignments, among other matters. (Attachment Six.) After receiving Mr. Terrill's response, Mr. Toomer offered a rebuttal. (Attachment Seven)

Mr. Toomer also appealed to me. (Attachment Eight) I met with Mr. Toomer on July 12, 2023 and after careful review of all of the available information, I upheld the decision to reassign Mr. Toomer to teach at the middle-level for the 2023-24 school year. (Attachment Nine) Most importantly, I agreed with Ms. Maybank that because of the failure rates of the Biology students, the reassignment is in the students' best interest. I also determined that Ms. Maybank had made a number of changes to her staff after reviewing her EOC teachers' fall data and a substantial number of students failing to meet expectation in the spring as well. Mr. Toomer was not the only teacher Ms. Maybank reassigned to teach a seventh or eighth grade course. I also determined that Ms. Maybank developed an observation schedule for administrators in the building and assigned teachers to groups. Administrators conducted observations based on their schedules and any correlation to Board meetings was coincidental since observations are expected to occur weekly and Board meetings are held each month. I concluded that Mr. Toomer's reassignment is consistent with Policy GCK and Administrative Rule GCK-R Certified Staff Assignment and Transfers which provides that all personnel are employed by the District, not a particular school and that the Superintendent is authorized to reassign personnel in the best interest of students and the District.

By email dated, July 20, 2023, Mr. Toomer requested to appeal to the Board. (Attachment Ten). In accord with Policy GBK and Administrative Rule GBK-R Staff Concerns/Complaints/Grievances, the Superintendent will, at the next regularly scheduled board meeting, present to the Board the request that the grievance be heard, together with copies of all correspondence and responses from the lower administrative levels. (Attachment Eleven) After considering Mr. Toomer's request, the Board is to notify him of its decision (whether or not to meet with him to discuss the grievance) within 10 days. If the Board decides to discuss the grievance with Mr. Toomer, the discussion will be informal and non-adversarial.

Attachments

c: Frederick Toomer (w/Attachments)

ATTACHMENT ONE

Policy GCK Certified Staff Assignments and Transfers

Issued 9/97

Purpose: To establish the basic structure for the transfer and assignment of certified staff in the district.

Assignment

The superintendent will assign instructional personnel on the basis of their qualifications, the needs of the district and their expressed desires. When he/she cannot meet all three conditions, the superintendent will assign personnel in this order.

- first, in accordance with the needs of the district and its students
- second, where the administration believes the employee is most qualified to serve
- third, as to expressed preference of the employee

The superintendent will annually determine the certified staff to be assigned each school. On or before August 15th of each year the superintendent will notify each teacher of his/her tentative assignment for the following school year.

All personnel are employed by the district, not a particular school. Differences in expected enrollment and the actual enrollment, as well as other district needs, sometimes result in changed assignments.

The superintendent is authorized to reassign personnel in the best interests of the district.

Transfer

The transfer of a teacher from one school to another may be initiated by the teacher, by the principal of the school or by the superintendent. In the case of transfers initiated by the teacher and with all other considerations regarding assignment being equal, the administration will grant employee preferences for transfer in order of seniority in the district subject to the approval of the principals involved and in accordance with administrative rule GCK-R.

Adopted prior to 1975; Revised 5/18/87, 5/28/96, 9/22/97

Legal references:

S.C. Code, 1976, as amended:

Section 59-25-410 - Teacher to be notified of assignment by August 15th.

Jasper County School District

AR GCK-R Certified Staff Assignments and Transfers

Issued 9/97

The superintendent may make personnel transfers within the district on a voluntary or involuntary basis. The district will use the following procedures in making transfers.

Voluntary transfer

The person who wants a transfer for the next academic year must discuss his/her desire with his/her principal/director (if in a school) or with his/her immediate supervisor (if on the district level).

The person must then write a letter of request to the superintendent or his/her designee no later than February 15 stating the reason for requesting a transfer and giving the name of the school to which the transfer is desired.

Upon receipt of the request, the superintendent or his/her designee will set a time for the person making the request to meet with the principal of the school to which the transfer is requested (if a vacancy for which he/she qualifies exists).

Based upon the recommendation of the two principals (and/or other immediate supervisors involved), the superintendent or his/her designee will give written notice to the person requesting the transfer that the request has been either approved or disapproved. The staff member must be recommended by the principal/director of the school to which he/she desires a transfer.

Involuntary transfer

If, in the opinion of the superintendent, an involuntary transfer would be in the best interest of the district, the district will use the following procedure.

- The superintendent or his/her designee will discuss the need for the transfer with the principal (if in a school) or with the immediate supervisor (if on the district level).
- The superintendent or his/her designee will have a conference with the principal of the school to which transfer is being contemplated.
- The superintendent or his/her designee will then talk with the person to be transferred giving reasons why the transfer is being made. Refusal to comply with the transfer may result in loss of employment for the following year.
- The administration will not use transfers as a disciplinary action.

Issued 9/22/97

Jasper County School District

ATTACHMENT TWO

GRIEVANCE FORM

FILE: GBK-E

Name: Frederick Toomer

Address: 3949 Tillman Road
Ridgeland, SC 29938

Home telephone: 843-726-8875 Mobile telephone: 843-290-6106

School: Ridgeland Secondary Academy of Excellence Telephone: 843-489-8844

Present assignment: RSAE, High School

1. Statement of grievance: Upon receiving a contract for the upcoming school year I was informed that the only position available for me was as a middle school Science teacher, after having served 25 years at this high school with certification in Biology, which is grades 9-12. This is outside my area of certification, and an unjust move based upon details in the attached description.

2. Date grievance occurred: April 21, 2023

3. Policy, procedure, practice or right violated: Being placed in an area outside my area of certification.

4. Relief sought: To remain employed as a High School teacher at RSAE

5. Comments: Please see comments on attached description.


Signature

4/28/23
Date

ATTACHMENT TO GRIEVANCE FORM

Name: Frederick Toomer

Address: [REDACTED]

Ridgeland, SC 29936

Home telephone: [REDACTED] Mobile telephone: [REDACTED]

School: Ridgeland Secondary Academy of Excellence Telephone: 843-489-8844

Present assignment: High School, Ridgeland Secondary Academy of Excellence

1. Statement of grievance: Upon receiving a contract for the upcoming year (2023-2024) I was told that the only position available for me was as a middle school Science teacher, after having served 25 years at this high school, with certification in Biology, which is grades 9-12. Having taught Biology, the area I am certified to teach in, this is out of my area of certification, and a change I am not seeking or desiring. I was informed that there was a switch being made in Biology due to EOC scores; however, I have not been the only Biology teacher at the school, and other individuals who have taught Biology at the school were not told that they would be moved to the middle school. It was shared with me during a conference I requested on Tuesday April 25 (approximately 2:30 pm) I would be moving due to low test scores. Research has shown students have failed two or more grade levels due to the pandemic in Reading and Math, especially in areas of low socio-economic areas. It is almost impossible for the students who were assigned to me to make a comeback as fast when the majority of them fall within the 13th-24th percentile in reading comprehension a key component to understanding, analyzing and making scientific inferences. It was also shared by the Principal during our conference this is a change being made for other End of Course teachers. However, upon further research none of the other End of Course teachers who do not hold Middle School Certification (6-9) are aware of being switched to Middle School. This makes me the only teacher of that subject, in the Science department, and who is certified, to be singled out to be removed from the high school. This also goes back to the beginning of the year when I was assigned to

teach non Biology courses and my colleague who was not and whom is still not certified was assigned to teach the Biology courses. I had to bring to the Director of Secondary Instruction's attention my certification and the certification of my colleague not being up to par. Again this should not have occurred; however, I was being targeted to not have a course within my scope of knowledge and certification. Upon review of the district website, the position of High School Science teacher at RSAB was advertised in September of 2022, and again November of 2022, both dates which are prior to EOC testing. Throughout the entire year there has not been Professional Development for Biology as a focus to assist with any deficits the building level administrator may have found in my teaching. I was not offered critical feedback throughout the entire school year with classroom observations from the building level nor the district level with the number of times they observed my classroom. I would hope my classroom observations were not used as a target on my behalf with my wife serving on the school board, as the majority of my classroom observations were the day after a board meeting was held (observed 9/23/22, Board meeting 9/21/22; observed 10/11/22, Board meeting 10/10/22; observed 10/19/22, Board meeting 10/18/22; on 1/6/23 attempt by Head of Secondary Schools who upon determining that the class I had was Earth Science and not Biology, said he would leave on that note (Board meeting was 1/5/23); observed 2/9/23, Board meeting 2/8/23). Again I would hope this is not the case, that there would be retaliation due to my wife being on the School Board and possibly questioning or disagreeing on matters; however it does not seem to be coincidental when I was observed. This abrupt change in my teaching assignment impacts the consistency of historical knowledge and educational practices I have provided to the department and school for 25 years, in all of its iterations (Jasper County High; Ridgeland High; Ridgeland-Hardeeville High; Ridgeland Secondary Academy of Excellence).

ATTACHMENT THREE



250 JAGUAR TRAIL UNIT 101
RIDGELAND, SC 29936

MS. ADRIENNE MAYBANK
PRINCIPAL

O: (843) 489-8844
F: (843) 717-3275
<https://rhs.icsd.net/>

May 12, 2023

ELECTRONIC COPY and HAND DELIVERED

Mr. Frederick Toomer



Dear Mr. Toomer,

This letter is a follow-up to the meeting held on Monday, May 8, 2023, where we discussed your grievance about your being assigned to teach science in the middle school for the 2023-2024 school year.

During the meeting you shared the following:

- You would like to remain a high school teacher based on that being your area of certification. You have never had a desire to be a middle school teacher.
- You feel as if you are being terminated from being a high school teacher.
- You want to be sure your value to the school is known, recognized and appreciated after being here for 25 years.
- You have been consistent through changes and a constant for students in the school.
- Last year, you were moved around (classrooms) until finally someone decided you would be where you are now.
- You did not have biology on your schedule at the start of this school year but spoke with Mr. Burgess about it and were given those classes. Last school year you only taught 1 section of Biology.
- You have a concern about the difference in the middle school environment.

I also shared with you during this meeting the following:

- I was unaware of the previous moves you mentioned. All of those moves took place in prior years or prior to my assuming this position on July 25, 2023.
- I have no desire to move you out of the building. I do believe you are a valuable employee.
- The observations you received following a Board meeting were a coincidence. We have a rotating schedule, and EOC classes in the high school were a focus. The second semester schedule was developed in December.
- You are not being terminated from being a high school teacher. We all work for the district not a particular school. This building is now a 6-12 campus and that allows more options for movement within.
- The science vacancy you saw posted on the district vacancy board and referenced in your grievance letter was not your position.

- I did not think that you had a need for professional development in biology content. I saw a need for instructional strategies and engagement strategies across the school, so that is the professional development that has been provided through PLCs this year.
- My focus this year has been on the data, and my decision to make a change was based on the data. We discussed the pass/fail rate of students enrolled in first semester biology courses (54 students; 34 failures).

Although I have considered the information you shared, my decision to uphold your reassignment to teach science in the middle school remains. While I recognize that this is a change for you, I assure you that you will be supported throughout the school year. I am hopeful that you will embrace the change and see this as an opportunity to positively impact a new group of students as we work to make significant improvements in the academic achievement of students at Ridgeland Secondary Academy of Excellence.

Sincerely,



Ms. Adrienne Maybank
Principal

ATTACHMENT FOUR



**JASPER COUNTY
SCHOOL DISTRICT**

10942 N. Jacob Smart Blvd.
Ridgeland, SC 29936

O: (843)-489-8892
www.jcsd.net

May 23, 2023

Mr. Frederick Toomer



Mr. Toomer,

This letter summarizes our meeting on Friday, May 19, 2023, at 2:30 p.m. The purpose of the meeting was to review a grievance you filed with Ms. Adrienne Maybank (Ridgeland Secondary Academy of Excellence Principal) after you were assigned to teach middle school science for the 2023 – 2024 school year.

During the meeting, you explained that your rationale for filing a grievance was based on two factors: 1. being moved next school year to middle school science (grades 6-12) after having taught at the high school level (grades 9-12) for 25 years; and 2. being assigned to teach outside of your certification area (Biology).

You further summarized multiple details outlined in the grievance form (GBK-E) you submitted to Ms. Maybank before your initial grievance meeting held May 8, 2023. These details included past student academic performance data (Biology 1 EOC), not receiving subject area professional development, your thoughts about being targeted because you were being moved out of your certification area, no other EOC teacher being moved to middle school, and your wife (S. Toomer) serving as a JCSD school board member who possibly questions or disagrees with matters during meetings.

After listening to your concerns, I summarized Ms. Maybank's rationale for your reassignment to the middle school that she provided in a letter to you on May 12, 2023. Her rationale addressed each of your concerns identified on the grievance form that, included your value as an employee, her desire not to move you out of the building, her classroom observation rationale, your receipt of instructional and student engagement-based professional development instead of content, and your students' underperforming on the Biology EOC performance data. Ms. Maybank concluded her letter by assuring you of her continued support after your transition. During the latter part of our discussion, I provided you with a copy of JCSD's Policy GBK (Staff Concerns/Complaints/Grievances). In addition, I referred you to Proviso 1.63 (Teacher Certification Exemption for Middle Level and First Grade) on the South Carolina Department of Education's website (Required Credentials for Educator Assignments). Finally, I explained that you did not have a grievance based on the definition and criteria outlined in Policy GBK (JCSD) and the certification information provided in Proviso 1.63 (SCDE).

Therefore, based on all the documentation/information presented and shared during our meeting May 19, 2023, I am upholding Ms. Maybank's decision to reassign you to teach middle school science at Ridgeland Secondary Academy of Excellence for the 2023 – 2024 school year. You may appeal this decision to Mr. Wesley Terrill (Director of Human Resources, JCSD) if you so desire.

Sincerely,



Corey A. Burgess
Directory of Secondary Programs & CTE, JCSD



**JASPER COUNTY
SCHOOL DISTRICT**

**10942 N. Jacob Smart Blvd.
Ridgeland, SC 29936**

**O: (843)-489-8892
www.jcsd.net**

**Cc: Adrienne Maybank (Principal, RSAE)
Personnel File**

ATTACHMENT FIVE



JASPER COUNTY SCHOOL DISTRICT

OFFICE OF HUMAN RESOURCES

10942 N. Jacob Smart Blvd - PO Box 848, Ridgeland, SC 29936

Phone: 843-489-8892 Ex: 4107 Fax: 843-717-1169

Website: www.jcsd.net

Dr. Rechel Anderson
Superintendent

Mr. Wesley Terrill
Human Resources Director

June 26, 2023

Frederick Toomer


RE: Grievance Follow-up

Dear Mr. Toomer:

This is my response to our meeting of May 24, 2023, concerning your grievance. Also present during our meeting was Mrs. Bethany Gray. I intended to provide you with a response a few weeks ago; however, I have been dealing with the health of a family member who unfortunately passed away.

At the conference you presented statements in support of your grievance appeal. Your statements were similar to the information you presented at the first- and second-level grievance hearings before Ridgeland Secondary Academy of Excellence Principal Adrienne Maybank and Director of Secondary Programs & CTE Corey Burgess.

As to your concerns regarding middle school science being out of your area of certification, this is untrue after further investigation. The South Carolina Legislature has passed Proviso 1.73 which allows educators certified in a high school content area to teach the same content area in seventh or eighth grade. Thus, your assignment to teach middle school science is permissible and will not be considered teaching out of your area of certification. As to other individuals not receiving similar assignments, while I cannot discuss personnel matters, I can assure you that other teachers will be moving to other job assignments to include, but not limited to, a middle school-level subject.

Turning now to your assertion that you did not receive any professional development to assist you with deficits in Biology, Ms. Maybank advised me that the professional development sessions were focused on concerns discovered during observations in your classroom. For example, during an administration walk through on or about September 23, 2023, students were observed off-task on their cellphones, talking to each other, and sleeping. You were observed sitting at your desk. Ms. Maybank said she met with you to discuss the observation and you told her that the students were taking a break after playing a game of Kahoot. In short, Ms. Maybank does not question your content knowledge. She is concerned with the lack of instruction taking place in your classroom. Ms. Maybank wanted you to focus on instructional delivery, teaching engaging lessons, and providing instruction from bell to bell, all consistent with the Artisan Teacher and Kagan structures focus of the school and the professional development offered during the school year.

You also claim that the observations and decisions regarding your assignment are due to your wife's status as a Board member. This is untrue. You sent an email to Mr. Burgess on July 18, 2022, following up your July 15, 2022, discussion with him. Among other things, the two of you discussed your schedule to teach only Earth Science. You noted that "[i]n my 24 years of teaching in this district I have experienced inconveniences, challenges, and uncomfortable situations which have been

overcome because I placed the needs of students as the priority, and I will continue to do so." I can assure you that the decision to assign you to middle level courses has not been made lightly and is being made in the best interest of the students. This has not been an abrupt change but a change that has been a real possibility for you for more than a year. In your grievance, you state, "it is almost impossible for the students who were assigned to me to make a comeback as fast when the majority of them fall within the 13th-24th percentile in reading comprehension a key component to understanding, analyzing and making scientific inferences." We cannot blame our students for their lack of success in the classroom, as adults, we need to pivot our practices to ensure their success in the classroom.

After considering all of the information available to me, I believe Ms. Maybank and Mr. Burgess appropriately addressed the issues in your grievance. I concur with their conclusions and uphold their decisions. Additionally, the assignment teaching middle-level is consistent with State law. I know you may be disappointed with this decision; however, I hope that you will again place the needs of students as a priority and perform successfully in the subject area assigned for the 2023-24 school year.

In closing, if you wish to appeal my response to your grievance, you may submit an appeal in writing to Superintendent Rechel Anderson, in accordance with the provisions of Policy GBK and Administrative Rule GBK-R.

Professionally


Wesley Terrill
Human Resources Director

cc:
Superintendent, Dr. Rechel Anderson
Personnel File

*The Commitment of Jasper: JCSD
"Student-Centered...Future-Focused!"*

ATTACHMENT SIX

From: Burgess, Corey <corey.burgess@jcsd.net>
Sent: Monday, July 18, 2022 5:47 PM
To: Toomer, Frederick <frederick.toomer@jcsd.net>
Subject: Re: Concerns

Thank you for providing the information and expressing your concerns. Thank you most of all for accepting your assignment to ensure our students are properly served. Like you, I have been in this profession for twenty-five (plus) years. Please understand that your current concerns are a direct result of the planning of a former principal. Your physical classroom assignment is not an issue for from my understanding, several classroom assignments were adjusted due to grade-level reconfiguration. I will have to see a copy of your teaching certificate confirm any misplacement. I can assure you that I have not set you up for failure and I will always do what is in the best interest of students. I will be happy to meet with you tomorrow to address your concerns and provide you with the necessary instructional/curricular resources that will allow you to provide your students with a stellar classroom experience. Let me know the time and I will accommodate. Thank you.

Corey A. Burgess

Director of Secondary Programs & CTE
Jasper County School District
10942 North Jacob Smart Boulevard
Ridgeland, SC 29936
Office (843)-489-8892 ext. 1403
Website: www.JCSD.net



JASPER COUNTY
SCHOOL DISTRICT

The Commitment of Jasper: JCSD "Student-Centered...Future-Focused!"

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From: Toomer, Frederick <frederick.toomer@jcsd.net>
Sent: Monday, July 18, 2022 4:59 PM
To: Burgess, Corey <corey.burgess@jcsd.net>
Subject: Concerns

Good Afternoon,

This email is a follow-up to our conversation this morning regarding the email I sent on July 15 about course assignments, along with some additional concerns. Per our discussion, I understand the temporary nature of your status as "interim" principal, as far as not wanting to make changes. However, it is my concern that with my certification being in Biology that I am scheduled to teach only Earth Science and no Biology 1 classes for the entire year (especially with me being one of only two teachers on staff with current Biology certification, neither of us slated to teach Biology 1, and the other already having certification in Earth Science). As a reminder, I did have one section of Biology 1 last year, and for that semester my class had the highest percentage of EOC passage rate, with one score of 100%. Further, the assigned Earth Science is a course for which I have had no training, nor advance warning prior to this year so that I may attempt to make preparations.

Having been both ADEPT and SAFE-T evaluator in the past, I know how any deficiency in content knowledge in general could also extend to classroom management issues and a low evaluation. This seems like a set-up for failure, which would be a failure to our students as well.

Then there is the issue of classroom location/assignment, for which I appreciate you and your team working to resolve. I understand we do not have "tenure" here, but having seniority as far as number of years present at this location should count for something in accommodating staff. Whether intentional or not, one may perceive this as a slight (there seems to be a pattern, as last year I was the only staff member whose classroom assignment was changed, with no explanation; no fault of yours, simply mentioned to establish a pattern).

I am all about doing what is best for all of our students, as I see them as my children. In my 24 years of teaching in this district I have experienced inconveniences, challenges, and uncomfortable situations which have been overcome because I placed the needs of students as the priority, and I will continue to do so. I am simply asking for consideration so that we all will have a great year (which we will). We will "fight," as Mrs. D. Brown stated in her speech, and we will win together!

Thank you.

Frederick Toomer
Science Teacher
Ridgeland-Hardeeville High School
250 Jaguar Trail
Ridgeland, SC 29936
843-489-8844

RHHS: "Preparing Today's Learners to be Tomorrow's Leaders while exemplifying College & Career Ready Citizens!"

District's Theme: "All In", All Means All... Tried, Tested & True - #LeaveNoDoubt

JCSD Commitment: "Student-Centered...Future-Focused!"



ATTACHMENT SEVEN

From: Toomer, Frederick <frederick.toomer@jcsd.net>

Sent: Wednesday, June 28, 2023 10:19:59 AM

To: Terrill, Wesley <wesley.terrill@jcsd.net>

Subject: Re: Follow-up

Good Morning,

I am in receipt of your response to my grievance. My condolences on the loss of your family; it is indeed unfortunate. However, the prolonged response is in violation of the required time frame prescribed in the policy that you attached (GBK, AR GBK-R).

In your letter you referenced concerns told to you by Ms. Maybank regarding one observation in September, about "lack of instruction taking place in my classroom, and a desire for focus on instructional delivery, teaching engaging lessons, providing instruction from bell to bell." However, I did not receive any written feedback from her to that end, and Ms. Maybank herself returned to my classroom only once more throughout the remaining 8 months of school (that time with a district team, after which I received a note of praise for an engaging, relevant lesson, from Ms. Tenika Evans on behalf of the team). Any other observations of my classroom were by assistant principals only, and the only written feedback I received was positive and not consistent with Ms. Maybank's concerns.

You also stated that the change to middle school has been a "real possibility for you for more than a year," even though the principal prior to Ms. Maybank only observed my classroom once and was called away by radio for an incident. In addition, this issue was never brought to my attention nor discussed with me within the more than a year's time so that I could seek to make adjustments, make preparations, or seek other options. Furthermore, after speaking with several colleagues who are administrators in other districts, they have assured me that if a teacher's observations are deemed problematic then they are pulled aside to address the problems afterwards, as well as given written feedback and suggestions. None of this occurred with me from Ms. Maybank or any of her assistant principals, nor any district personnel. Even further, for the 2021-2022 school year my 4.0 Evaluation was "Exemplary," previous evaluations/evaluators in the years prior to that saw no problems in engagement, instructional delivery, or bell-to-bell instruction. Again, this is inconsistent with Ms. Maybank's "concerns" based on one walkthrough observation.

Additionally, as far as "blaming students for their lack of success in the classroom," while we maintain high expectations for all students, we must also be realistic when they have major deficits in reading comprehension, language barriers and have obstacles to correcting those deficits because they have no transportation to get to school on time or at all, among other issues. It compounds the problem.

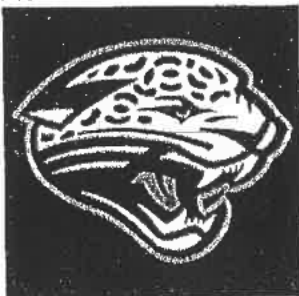
While you stated that my wife's status as a board member had nothing to do with the decision and observations, I disagree. One or two occurrences may appear coincidental, but a series of them is more than coincidence. Therefore, I am requesting that you provide within 24 hours the schedule of observations that was used for all teachers (you may blot out all but the last 2 digits of their teacher ID numbers to preserve their privacy, if necessary). Thank you.

Frederick Toomer
Science Teacher
Ridgeland-Hardeeville High School
250 Jaguar Trail
Ridgeland, SC 29936
843-489-8844

RHHS: "Preparing Today's Learners to be Tomorrow's Leaders while exemplifying College & Career Ready Citizens!"

District's Theme: "All In", All Means All... Tried, Tested & True - #LeaveNoDoubt

JCSD Commitment: "Student-Centered...Future-Focused!"



ATTACHMENT EIGHT

From: Anderson, Rachel <rechel.anderson@icsd.net>

Sent: Thursday, June 29, 2023 5:37 AM

To: Toomer, Frederick <frederick.toomer@icsd.net>

Subject: Re: Grievance

Greetings Mr. Toomer,

Thank you for your response. As a follow-up to your assertion that Mr. Terrill violated Board Policy AR GBK-R Staff Concerns/Complaints/Grievances, although the specific violation is not noted in your email, I am gathering that you are referring to him providing you a response within five (5) days.

After researching the matter, I am aware that Mr. Terrill did, in fact, notify you, via email, that he had a death in his family and would follow-up with you as soon as possible.

From what I've been able to gather, because I am not in the office, you did not respond to the email denoting your agreement or disagreement to Mr. Terrill's response.

As per the aforementioned policy, it is clear that the policy states the following:

"Upon mutual agreement between the employee and the supervisor, the time requirements under this procedure may be extended at any step, except that neither party will unreasonably refuse an extension or unreasonably delay the proceeding."

Without knowing specifics regarding this matter and /or reviewing any documentation, it is foreseeable that both you and Mr. Terrill violated the policy because there was not a mutual agreement between the two of you regarding an extension.

Rather, Mr. Terrill followed up with an email to you regarding a personal matter he was dealing with, and you did not respond back to his email in any form.

I've also come to learn that during the time of your son's injury, during a level of your grievance, there was a mutual understanding between both parties regarding an extension. While the extension length may not mirror the extension length in question, an extension was established.

Therefore, during an unexpected occurrence, you indeed communicated regarding the specific extension related to a situation that affected you.

As it relates to Mr. Terrill, he also experienced an unforeseeable occurrence involving a loved one's loss of life. However, as it relates to this matter, neither party agreed.

I am both empathetic and sympathetic to both matters because both parties have endured a level of loss and pain.

However, while I understand the policy, as it is written, clearly there was an underlying reason that Mr. Terrill did not respond within the allotted time frame. It was not because he was "unreasonably delaying the proceeding," but rather he was grieving the death of his loved one.

Agreeably, grief is not an easy thing to deal with, and there is certainly no way to enforce what length of time one may need to deal with such an occurrence. Such is this situation.

As I initially noted, I am more than happy to schedule a meeting with you to hear your grievance. You've indicated that you are not available during the Week of July 17, 2023.

I have no desire to prolong this matter any longer than you do; however, I am out of the office attending Professional Development.

Therefore, please provide me with at least three (3) dates and times when you are available to meet with me, and I will follow-up with you regarding my availability. If I am unable to accommodate your suggested dates, in-person, I am amenable to meeting with you, virtually, so that this matter can proceed.

I look forward to hearing from you.

Sincerely,

Dr. Rechel M. Anderson
Superintendent
Jasper County School District
10942 N. Jacob Smart Blvd.
Ridgeland, SC 29936
rechel.anderson@jcsd.net
843.489.8892 x1001

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From: Toomer, Frederick <frederick.toomer@jcsd.net>
Sent: Wednesday, June 28, 2023 2:34 PM
To: Anderson, Rechel <rechel.anderson@jcsd.net>
Subject: Re: Grievance

Greetings,

Thank you for your response. I acknowledge there is a mandatory shutdown for the district next week, and your expression of a return to the office the week of July 17, 2023 to contact me and schedule a meeting. However, this grievance process began April 28, 2023 (two months ago), and I have followed all the time requirements, however Mr. Terrill's failure to follow time prescriptions, up to a month later, has delayed the process to an unreasonable extent. In addition, I will be unavailable the week of July 17 as well. Therefore, I am requesting that this process be expedited. If you are unable to fulfill this request expeditiously, I am forced to contact the school board based on violation of the grievance policy. I look forward to your response.

Frederick Toomer
Science Teacher
Ridgeland-Hardeeville High School
250 Jaguar Trail

Ridgeland, SC 29936
843-489-8844

RHHS: "Preparing Today's Learners to be Tomorrow's Leaders while exemplifying College & Career Ready Citizens!"

District's Theme: "All In", All Means All... Tried, Tested & True - #LeaveNoDoubt

JCSD Commitment: "Student-Centered...Future-Focused!"



From: Anderson, Rechel <rechel.anderson@jcsd.net>

Sent: Wednesday, June 28, 2023 12:11 PM

To: Toomer, Frederick <frederick.toomer@jcsd.net>

Subject: Re: Grievance

Greetings Mr. Toomer,

I am in receipt of your email, today, Wednesday, June 28, 2023. Unfortunately, I am out of the office attending Professional Development. The district observes mandatory shut down the Week of July 3-7, 2023. I will follow up with you upon my return to the office, the Week of July 17, 2023, to schedule a meeting with you.

Sincerely,

Dr. Rechel M. Anderson
Superintendent
Jasper County School District
10942 N. Jacob Smart Blvd.
Ridgeland, SC 29936
rechel.anderson@jcsd.net
843.489.8892 x1001

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From: Toomer, Frederick <frederick.toomer@jcsd.net>

Sent: Wednesday, June 28, 2023 10:30 AM

To: Anderson, Rechel <rechel.anderson@jcsd.net>

Subject: Grievance

Good Morning,

On April 28, 2023 I filed a grievance concerning being moved from High School to Middle school, and have followed all the appeal steps. After meeting with Mr. Terrill on May 24, I finally received a response from him via email on yesterday, June 27, 2023. The length of time

for his response is a violation of policy (GBK, AR GBK-R). As a result, I am requesting the next-step appeal meeting with you as Superintendent. Thank you.

Frederick Toomer
Science Teacher
Ridgeland-Hardeeville High School
250 Jaguar Trail
Ridgeland, SC 29936
843-489-8844

RHHS: "Preparing Today's Learners to be Tomorrow's Leaders while exemplifying College & Career Ready Citizens!"

District's Theme: "All In", All Means All... Tried, Tested & True - #LeaveNoDoubt

JCSD Commitment: "Student-Centered...Future-Focused!"



ATTACHMENT NINE



**JASPER COUNTY
SCHOOL DISTRICT**

OFFICE OF SUPERINTENDENT

Post Office Box 848/10942 N. Jacob Smart Boulevard
Ridgeland, S.C. 29936
Office (843) 489-8892 ext. 1001
Fax (843) 717-1199

Dr. Rechel M. Anderson, Superintendent

Mr. Travis Washington, Public Information Officer

METHOD OF DELIVERY: ELECTRONIC VIA EMAIL

July 19, 2023

Frederick Toomer


Dear Mr. Toomer:

As you know, I heard your grievance appeal from the decisions of Ridgeland Secondary Academy of Excellence (RSAE) Principal Adrienne Maybank, Director of Secondary Programs & CTE Corey Burgess and Director of Human Resources Wesley Terrell. The purpose of this letter is to advise you that I am upholding the decisions of Ms. Maybank, Mr. Burgess and Mr. Terrell.

During the grievance hearing, I provided you an opportunity to share with me anything you wanted me to consider and after our discussion, I reviewed all of the information considered at the lower levels. You expressed concerns about being reassigned to teach middle school science, an area outside of your certification. You believe this move, as well as approximately five observations of your classroom after Board meetings, is in retaliation for your spouse being an outspoken member of the District's Board of Education. You also discussed Mr. Terrell's mention of Ms. Maybank's observation in comparison to the other positive observations from other observers who commended you for the engagement of your students and teaching from bell to bell. You acknowledged that biology has low EOC scores; however, you said you are not the only Biology teacher and the scores reflect all of the individuals in this area. In addition, you said you did not have the benefit of specific professional development in biology and noted that during the 2023-24 school year, a science coach has been designated.

Based on my review of all of the evidence before me, I have decided to uphold the decisions from the lower administrative levels. A review of the 2022-23 end of course data for Ridgeland Secondary Academy of Excellence dictates an extreme situation that neither Ms. Maybank nor myself may ignore. (copy of EOC Grade Distribution enclosed) After reviewing the data and speaking with Ms. Maybank, I was able to determine that you are not the only teacher she reassigned to teach a seventh or eighth grade course after reviewing her EOC teachers' fall data and a substantial number of students failing to meet expectation in the spring. For the 2022-23

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school year, you were the only Biology teacher at RSAE. As to your concern about teaching out of area, Proviso 1.73 allows educators certified in a high school content area to teach the same area in seventh or eighth grade.

With regard to observations of school staff, Ms. Maybank developed an observation schedule for administrators in the building and assigned teachers to Groups A, B, and C. (copy of RSAE Observation Schedule 22-23 enclosed.) She asked administrators to conduct walk-throughs on a weekly basis; however, she realizes that day-to-day activities may prevent certain observations from occurring. These observations are not "gotcha" sessions but an expectation that teaching at the expected level occurs daily. Because the expectation is for administrators to observe on a weekly basis, if you have been observed during a week of a Board meeting, it is merely coincidental. I also reviewed some of the written feedback of your classroom observations. The observations I reviewed occurred on October 19, 2022, January 26, 2023, February 7, 2023, and February 9, 2023. These observations varied in length and may have occurred during the middle or end of your lessons. Throughout the grievance levels, you have not claimed that what Ms. Maybank observed on September 23, 2023, that you were sitting at your desk, that students were off-task, and sleeping, is inaccurate. Based on my review of Ms. Maybank's observation and the observations of others, I believe you took what she said to heart and ensured the other observers saw you moving around the room and keeping the students engaged.

I understand that you want and would prefer to teach at the high school level, and I appreciate your 25-year commitment to teaching in this District. I must, however, ensure that adult "wants and preferences" do not compromise the needs and success of our students. Low end of course scores in any subject will no longer be tolerated or acceptable.

In closing, I find your assignment consistent with Policy GCK and Administrative Rule GCK-R Certified Staff Assignments and Transfers which provides that all personnel are employed by the District, not a particular school. The policy further states that the Superintendent is authorized to reassign personnel in the best interests of the District. I conclude that your reassignment is in the best interest of the students in this District.

If you wish to appeal my decision, you may do so within five days of this response through the submission of a request for a meeting with the Board of Education for the purpose of discussing your grievance. Such a request must be made in writing, addressed to me, and should include the basis upon which you believe the decision was improper. Upon receipt of any appeal, I will present it to the Board at the next regularly scheduled Board meeting, and provide the request along with copies of all correspondence and responses from the lower administrative levels. Thereafter, the Board will notify you of their decision whether or not to meet with you to discuss the grievance within 10 days. Should the Board decide to hear your grievance, the discussion will be informal and non-adversarial.

Sincerely yours,



Dr. Rechel Anderson

RSAE Classroom Observation Schedule 22-23

Semester 1

Administrators will take part in observations and feedback will be shared as an administrative Team. Walk-ins will be completed using the checklist of requirements that are expected and communicated to teachers with appropriate follow-up.

Observation Period	Principal	Assistant	Admin	Director	Director	Director
August 15-19	A	B	C	A	B	C
August 22-26	B	C	A	B	C	A
Aug. 29-Sep. 2	C	A	B	C	A	B
September 6-9	A	B	C	A	B	C
September 12-16	B	C	A	B	C	A
September 19-23	C	A	B	C	A	B
Sep. 26 & Oct. 3-7	A	B	C	A	B	C
October 10-14	B	C	A	B	C	A
October 17-21	C	A	B	C	A	B
October 24-26	A	B	C	A	B	C
Oct. 31-Nov. 4	B	C	A	B	C	A
November 9-11	C	A	B	C	A	B
November 14-18	A	B	C	A	B	C
Nov. 28-Dec. 2	B	C	A	B	C	A
December 5-9	C	A	B	C	A	B
December 12-15	A	B	C	A	B	C

GRADUATE	GRADUATE	GRADUATE
Ghufana, Amreen	Cella Goodall	Ja'Neil Russell
Sreekumar Asan	Deldra Brown	Adrianna Mikell
Deyin Brown	Frederick Toomer	Walisha Baines
Lament Nazarene	Naseema Begum	Shanetta Rayenell
Sheilah Mervin	Cassandra Bradley	Amsavelli Velayuthan
Kalyana Jayalakshmi	Derek Green	Shannon Brown
Sgt. Anthony Cuevas	Austin Coker	Wanda Woodberry-Murphy
Joseph Cocca	Sgt. Damien DeMalteris	Hannah Johnson
Zyon Smiley	Marion Sutherland-Hinds	Alexis Calloway
Trey Goodwin	Shane King	Nicole Dollar
Raj Elom	Princess Biggerstaff	James Daniels- Job Coach
Aurea Arnaldo-Majon	Genesis Tomouio	Debra Heyward-White
Desmond Brown	Alexa Dala Cerna	Lucille Karnick
Shameka Brown	Shaun Downs	Diane Richardson
Deidre Butler	Terry Grant-Robinson	Halle Kieffer
DaQuan Benford	Shayla Burnett- Job Coach	

RSAE Classroom Observation Schedule

Dates	Observers	Classroom	Teacher	Observer
Jan. 30-Feb. 3	Mr. Brown Mr. Staten Ms. Goodell Ms. Laurent Ms. Biggerstaff	Mr. Toomer Ms. Laurent Ms. Calloway Mr. Asari Mr. Raj	Mr. Brown Mr. Staten Ms. Goodell Ms. Laurent Ms. Biggerstaff	Mr. Toomer Ms. Hinds Ms. Calloway Mr. Asari Mr. Raj
February 6-10	Ms. Amreen Mr. Staten Ms. Maejan Mr. Smiley Mr. Brown	Ms. Amreen Mr. Staten Ms. Biggerstaff Mr. Smiley Mr. Brown	Mr. Benford Mr. Coker Dr. Richardson Ms. Goodell Ms. Russell	Mr. Toomer Ms. V Mr. Asari Dr. Jay Mr. Raj
February 21-24	Ms. D. Brown Ms. Begum Ms. Bradley Ms. Q. Garvin Ms. S. Brown	Ms. Russell Dr. Richardson Mr. Staten Mr. Brown Ms. Laurent	Ms. Russell Dr. Richardson Mr. Staten Mr. Brown Ms. Laurent	Ms. D. Brown Ms. Begum Ms. Bradley Ms. Q. Garvin Ms. Ledgister
Feb. 27-March 3	Mr. Coccia Mr. Smiley Ms. Hinds Ms. V Ms. S. Brown	Mr. Coccia Mr. Smiley Ms. Hinds Ms. Biggerstaff Ms. S. Brown	Ms. Mikell Dr. Richardson Ms. Russell Mr. Brown Mr. Staten	Ms. Amreen Ms. Baines Mr. Toomer Dr. Jay Mr. Asari
March 6-10	Ms. Amreen Ms. Baines Mr. Toomer Dr. Jay Mr. Asari	Ms. Begum Ms. Bradley Ms. Calloway Ms. Q. Garvin Ms. V	Ms. Goodell Ms. Laurent Ms. Dollar Ms. Mikell Mr. Brown	Ms. Begum Ms. Bradley Ms. Calloway Ms. Q. Garvin Ms. V
March 13-16	Ms. V Ms. Baines Ms. Milcell Dr. Richardson Ms. Russell	Ms. Russell Ms. Laurent Ms. Mikell Mr. Staten Ms. Biggerstaff	Ms. Russell Ms. Laurent Ms. Mikell Mr. Staten Ms. Biggerstaff	Ms. V Ms. Baines Ms. Calloway Ms. Begum Ms. Temonio
March 20-24	Mr. Asari Dr. Jay Mr. Brown Mr. Staten Ms. Mikell	Mr. Asari Dr. Jay Mr. Brown Mr. Staten Ms. Mikell	Mr. Coker Coach Green Ms. Dollar Ms. Goodell Mr. Brown	Ms. Amreen Mr. Asari Dr. Jay Ms. Mervin Mr. Coccia
March 27-31	Ms. Goodell Ms. Laurent Ms. Brown Ms. Begum Mr. Toomer	Mr. Smiley Mr. Toomer Ms. Begum Ms. Bradley Mr. Coker	Mr. Staten Ms. Biggerstaff Mr. Brown Ms. Goodell Mr. Coker	Ms. Temonio Ms. Maejan Ms. Woodberry Ms. Mervin Ms. S. Brown
April 3-5	Ms. V Mr. Asari Dr. Jay Mr. Toomer Ms. Amreen	Ms. Baines Mr. Coccia Mr. Toomer Mr. Smiley Ms. Ledgister	Dr. Richardson Ms. Goodell Mr. Brown Ms. Biggerstaff Ms. Laurent	Mr. Coccia Mr. Smiley Ms. Hinds Ms. D. Brown Ms. Calloway

April 17-21	Ms. D. Brown Ms. Calloway Ms. Hinds Ms. Q. Garvin Ms. Amreen	Ms. V Ms. Baines Mr. Asari Dr. Jay Mr. Raj	Ms. Mikell Ms. Russell Dr. Richardson Mr. Staten Mr. Brown	Ms. V Ms. Baines Dr. Jay Mr. Asari Mr. Coccia
April 24-28	Mr. Smiley Ms. Temonio Ms. Mervin Mr. Toomer Ms. Begum	Dr. Richardson Ms. Mikell Ms. Russell Ms. Baines Ms. V	Ms. Dollar Ms. Laurent Ms. Goodell Mr. Brown Mr. Mikell	Mr. Smiley Ms. Temonio Ms. Mervin Mr. Toomer Ms. Begum
May 1-5	Ms. Amreen Dr. Jay Mr. Asari Ms. Mikell Mr. Brown	Ms. Laurent Mr. Staten Ms. Mikell Ms. Goodell Dr. Richardson Ms. Russell	Mr. Brown Mr. Staten Ms. Mikell Ms. Goodell Dr. Richardson Ms. Russell	Ms. Baines Ms. V Mr. Coccia Ms. Amreen Mr. Asari
May 8-12	Ms. Ledgister Ms. S. Brown Ms. Baines Ms. V Dr. Jay	MS Testing	MS Testing	Ms. Calloway Ms. Hinds Ms. Baines Ms. Maejan Ms. Q. Garvin
May 15-19	Ms. Amren Mr. Toomer Ms. V. Ms. Baines Mr. Asari	MS Testing	MS Testing	Mr. Toomer Mr. Coccia Mr. Smiley Dr. Jay Mr. Asari

RSAE EOC Grade Distribution

1st Semester

Teacher(s) Toomer Grade Level 10, 11, 12
 Semester/Year Fall 22
 Subject Area Biology 1

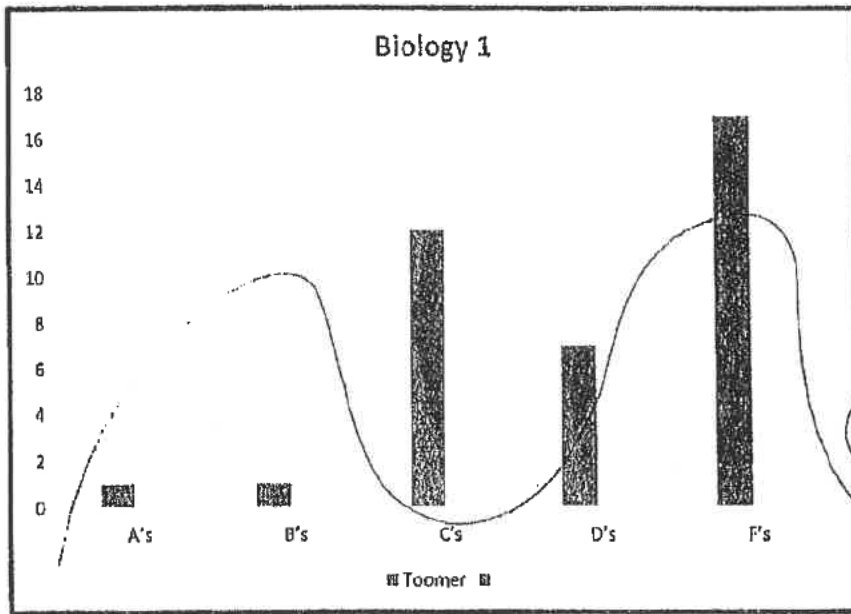
Record the number of students who have earned grades in the categories as listed below.

	A's	B's	C's	D's	F's	Total Tested
All Students	2	4	4	10	34	54

How many students did not report for testing or makeup testing? ☒

Were at least 50% of your students successful (made an A, B, or C)?

No



EOC Blitz

More release dates

laptops - not working

Classroom set

Gizmos

	A's	B's	C's	D's	F's	Total Tested
Toomer	2	4	4	10	34	54

What challenges have you noted that keep students from being successful?

Attendance, vocabulary, reading levels

What changes will you make to instruction based on the data shown above?

more practice tests
more rigorous questioning

ATTACHMENT TEN

From: Toomer, Frederick <frederick.toomer@jcsd.net>

Sent: Thursday, July 20, 2023 4:51 PM

To: Anderson, Rachel <rachel.anderson@jcsd.net>

Subject: Grlevance/ Appeal

Greetings,

I have received your summary of our meeting on July 12, and I am requesting an appeal at the level of the School Board. The appeal is based on my being abruptly reassigned to Middle School after serving solely as a High School teacher in this district for 25 years, and on the basis of the misapplication of policy GCK/ GCK-R, which does allow for the superintendent and administrators to reassign staff, however with the improper use being for retaliation against me as a means of retaliation against my wife (who is a sitting board member). The basis for that is due to the outspoken nature in which she carries out the duties of her office, which may be contrary to the approval of the superintendent and other related district staff, and any discomfort they may experience as a result. In addition to that is the matter of deviation from Policy GBK/ GBK-R by Wesley Terrill at the HR level, during which he unreasonably delayed the grievance process beyond the five days after my meeting with him on May 24, resulting in his response to me coming on June 27 (initial grievance was filed April 28).

I understand this request will be submitted to the Board at their next regularly scheduled meeting, and await their response. Thank you.

Frederick Toomer
Science Teacher
Ridgeland-Hardeeville High School
250 Jaguar Trail
Ridgeland, SC 29936
843-489-8844

RHHS: "Preparing Today's Learners to be Tomorrow's Leaders while exemplifying College & Career Ready Citizens!"

District's Theme: "All In", All Means All... Tried, Tested & True - #LeaveNoDoubt

JCSD Commitment: "Student-Centered...Future-Focused!"



ATTACHMENT ELEVEN

Policy GBK Staff Concerns/Complaints/Grievances

Issued 9/04

Purpose: To establish the basic structure for orderly and expeditious resolution of staff concerns, complaints and grievances.

The board recognizes the need for a procedure providing a prompt and effective means of resolving differences that may arise among employees and between employees and administrators.

A grievance is a disagreement involving the work situation in which an individual or group of individuals believes an injustice has occurred due to one of the following reasons.

- lack of policy
- unfair policy
- deviation from a policy
- misapplication or misinterpretation of a policy or contract

Employees should secure an equitable solution of grievances at the most immediate administrative level. Employees are encouraged to seek resolution of disputes under the existing grievance regulation and will have the right to do so with complete freedom from reprisal.

It is important that grievances be settled as quickly as possible. Therefore, there will be no extension of the prescribed time for moving through the grievance procedure except upon a compelling show of good cause. All appeals for such an extension of time will be to the superintendent, whose decision will be final.

Nothing in this policy limits the right of any employee to discuss a grievance with any appropriate member of the administration. Such grievance may be adjusted without formal proceedings, provided the adjustment is consistent with board policy and existing administrative rules and regulations.

The board does not consider actions which are subject to the Teachers Employment and Dismissal Act, S.C. Code of Laws 1976, as amended, Section 59-24-410, et seq., Section 59-26-40 (Rev. 1998) or employment decisions implemented under the district's reduction in force policy to be grievances under this procedure.

The superintendent is responsible for maintaining administrative procedures that will facilitate this policy.

Adopted 9/22/97; Revised 9/13/04

Jasper County School District

AR GBK-R Staff Concerns/Complaints/Grievances

Issued 12/09

The board encourages employees to discuss their concerns or complaints informally with their supervisors. Often, the cause of a problem or concern is merely a misunderstanding among the individuals involved. If, at any time, an employee believes that a formal mechanism for raising his/her concern or problem is needed, he/she should follow the procedure below.

Purpose

The purpose of this procedure is to settle, at the lowest possible administrative level, employee complaints relating to contracts, salaries and working conditions. "Working conditions" refers to areas of class loads, planning time, adequate physical facilities, activities, etc. The district will keep these proceedings as informal and confidential as may be appropriate at all levels of procedure.

Definition

A grievance is a claim by an employee of a violation, misinterpretation or misapplication of a provision of school board policies and administrative procedures or rules and regulations as they affect the employment or work of such employee.

Joint grievances

The district may allow employees to present a joint grievance where each grievant alleges essentially the same facts or circumstances and requests the same relief. Joint grievances must bear the signature of each grievant. The district reserves the right to consolidate individual grievances and the right to hear joint grievances on a separate basis.

Definition of supervisor

The term "supervisor" means any person having the authority to do the following.

- recommend employment of an employee
- transferring an employee
- suspending an employee
- laying off an employee
- recalling an employee
- promoting an employee
- discharging an employee
- assigning an employee
- rewarding an employee
- disciplining an employee
- directing or reviewing the work of an employee

Definition of day

A "day" is any day on which the administrative office is open.

Grievance procedure

Step one

An employee who wishes to file a grievance must complete the prescribed grievance form and present it to his/her direct supervisor within 10 days following either the event giving rise to the grievance or the time when the employee reasonably should have gained knowledge of its occurrence.

Should the employee believe that resolution of the grievance requires a decision beyond the supervisor's level or area of authority, the employee will so state such belief upon submitting the grievance form. If the supervisor is in agreement concerning authority to resolve the grievance, he/she will immediately pass the grievance on to the appropriate supervisor, who will handle the matter as a first level grievance. The direct supervisor may, however, determine that resolution of the grievance is not outside his/her authority and hear the grievance.

The appropriate supervisor will arrange a meeting with the employee within five days of receipt of the grievance. The supervisor will provide the employee with a written response to the grievance within five days after the meeting. The response will include the name of the next level supervisor to whom the grievance may be appealed, provided such appeal is presented in writing within five days.

Every school in the district will take all necessary steps to prevent recurrence of any harassment and will strive to correct any discriminatory affects on the complainant and others, where appropriate.

The district prohibits retaliation for filing a complaint or participating in an investigation or inquiry. Any person attempting to retaliate will be dealt with accordingly.

Step two

The grievance may be appealed through each supervisory or administrative level to the superintendent. At each level, the procedure set out above will be followed. The original grievance and the supervisor's response will serve as the basis of the meeting. The employee and the supervisor at the preceding level may summarize the facts previously presented.

On appeals to the superintendent, the superintendent will arrange a meeting within five days of receipt of the grievance and will respond in writing to the employee within five days of his/her hearing of the grievance. The superintendent will make summaries of the lower level presentations and responses, and may, at his/her discretion, hear witnesses and evidence directly.

Upon mutual agreement between the employee and the supervisor, the time requirements under this procedure may be extended at any step, except that neither party will unreasonably refuse an extension or unreasonably delay the proceeding.

Appeal to the board of trustees

After following the above procedure, an employee may request a meeting with the board of trustees for the purpose of discussing the grievance which arose from his/her employment. The request will be made in writing to the superintendent within five days of the superintendent's response to the grievance.

The superintendent will, at the next regularly scheduled board meeting, present to the board the

request that the grievance be heard, together with copies of all correspondence and responses from the lower administrative levels.

The board will notify the employee of its decision (whether or not to meet with the grievant to discuss the grievance) within 10 days. Should the board decide to discuss the grievance with the grievant, said discussion will be informal and non-adversarial for the discussion of employment as allowed under S.C. Code, Section 30-4-70 (Supp. 1984).

Procedure for appeal of termination of classified personnel

In the case of termination of a classified employee, an appeal of the decision may be made initially to the principal, department head or other person having final responsibility for the decision. The employee may take a further appeal of the termination to the superintendent or his/her designee.

Finally, the employee may request a meeting with the board to discuss the grievance in accordance with the procedure outlined above.

Civil rights grievances

The district will use the grievance procedures set forth above to process employee complaints based on alleged violations of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 and Titles I and II of the Americans with Disabilities Act of 1990 (referred to as "civil rights grievances").

However, if the grievance is not resolved after the first two levels above, the employee may appeal in writing to the district's civil rights coordinator. If the employee does not file such appeal within five days of the grievant's receipt of the written response, the employee waives his/her right to appeal.

If the employee files an appeal, the civil rights coordinator will investigate the claim as appropriate. He/She will conduct a hearing within five days following any investigation. All interested persons and their representatives, if any, will have an opportunity to submit evidence relevant to the complaint. The civil rights coordinator will render a decision on the matter within five days after receipt of the grievance or, if a hearing is conducted, within five days after the conclusion of the hearing. The decision and any description of the resolution will be in writing and a copy forwarded to the grievant.

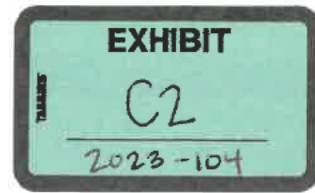
After appeal to the civil rights coordinator, the grievant may follow the procedures described above beginning with appeal to the superintendent.

The employee's pursuit of other remedies such as the filing of a complaint with the responsible federal department or agency will not impair his/her right to a prompt and equitable resolution of any civil rights grievance.

Issued 9/22/97; Revised 12/14/09

Jasper County School District

**Minutes of Regular Board Meeting
August 14, 2023**



**The Board of Trustees
Jasper County School District**

A regular monthly board meeting of the Board of Trustees of Jasper County School District was held August 14, 2023, beginning at 5:30 p.m. in the Jasper County Council Chambers.

Board Chair, Priscilla Green, called the meeting to order at 5:30 p.m.	CALL TO ORDER
In accordance with the agenda, the meeting was called to order by, Board Chair, Priscilla Green at 5:30 p.m. A quorum of trustees was present.	DECLARATION OF QUORUM
Present: Vice Chair, Carolyn Bolden; Secretary, Tom Balliet (virtual); Daisy Mitchell; Priscilla Fraser; Tedd Moyd; Joyce Gerald; Shalonda Toomer, and Berty Riley.	
Chair Green informed the Board of Trustees that notification of the meeting was forwarded to the media.	NOTIFICATION OF THE MEDIA
It was properly moved and seconded to enter into Executive Session to discuss Certified Personnel Report (New Hires, Transfers, Retirements, and Resignations), property matters, and employee appeal. The motion passed unanimously.	EXECUTIVE SESSION
Daisy Mitchell moved, and Berty Riley seconded the motion to come out of Executive Session and enter Public Session. The motion passed unanimously.	PUBLIC SESSION
Tedd Moyd moved, and Daisy Mitchell seconded the motion to approve the Certified Personnel Report. The motion passed 5:4 (<i>Berty Riley, Shalonda Toomer, Priscilla Fraser, and Daisy Mitchell voted Nay</i>). <i>Shalonda Toomer states, "The reason for my nay is because there were positions that the board did not approve."</i>	ACTION ITEMS
Tedd Moyd moved, and Joyce Gerald seconded the motion to approve the 2023 Fall Tax Anticipation Note Resolution not exceeding \$4,200,000. The motion passed 8:1 (<i>Priscilla Fraser voted nay</i>).	
Joyce Gerald moved, and Daisy Mitchell seconded the motion to approve the General Obligation Bond Resolution not exceeding \$8,700,000. The motion passed 7:2 (<i>Priscilla Fraser and Shalonda Toomer voted nay</i>).	
Joyce Gerald moved, and Shalonda Toomer seconded the motion to approve the agenda. The motion was carried unanimously.	AGENDA APPROVAL
Carolyn Bolden led the reciting of the pledge of allegiance. A moment of silence was observed.	PLEDGE OF ALLEGIANCE MOMENT OF SILENCE
There were no public comments.	PUBLIC COMMENTS

Berty Riley moved, and Joyce Gerald seconded the motion to approve the consent. The motion passed unanimously.

CONSENT AGENDA

Reports and Information

Chair Green yielded the floor to Mr. Eddie Brown because Mr. Bill Cram, Executive Vice President of MB Kahn, could not be present. Mr. Troy Tillman, Project Manager, was introduced by Mr. Brown. Mr. Tillman is involved in the day-to-day operations of the site. Mr. Tillman shared that the storm drain project has completed 6 of the 8 pipe areas.

CAPITAL PROJECTS
UPDATE
(Storm Water Drain
Hardeeville)

Bone Dry Roofing is currently working in Ridgeland. There was a major issue with the ceiling and roof work in Ridgeland and the team is working to address the issue quickly, safely, and most cost effectively. There are only three areas found so far that have this issue in Hardeeville, so fixing the issue will likely be faster in Hardeeville.

(Roof and Wall Repairs
Hardeeville and
Ridgeland)

In response to board member questions:

- Mr. Tillman referenced the ceiling in the room where the meeting was currently being held to explain the roofing issues at the Ridgeland and Hardeeville campuses.
- The construction work is happening on campus in the evening and there is coordination with principals for any work that needs to be done during the day. In Hardeeville, most of the work is taking place in the back of the school away from students and visitors.
- With the type of work that is being done, the team is past finding major issues. Mr. Tillman does not foresee any more major issues going forward.
- Mr. Tillman surmises that the issues with the roofs were a result of negligence at construction and not wear and tear.
- The site work will be completed by the end of September and the roofing in late March to early April.
- Mr. Tillman will investigate and report back to the board regarding the area of concern (whole hole that is not fenced in, facing the field) described during the meeting.

Chair Green yielded the floor to Mr. Ben Castillo, SSC STAT Project Manager, and Mr. John Camiscioni, Director of Operations. The board received and reviewed the report. Mr. Camiscioni highlighted the report sharing an update of the JCAP demolition. There were no board member questions.

HOT WATER HEATER &
WATER FOUNTAINS
DEMOLITION OF JCAP

The mobile unit sections have been delivered and will begin being assembled tomorrow. In ten days, they will be completed and prepared for inspection. Water and sewer, power, internet, and fire safety, amongst other things will all be added, connected, and considered. Once the occupancy permit is received, they will be ready for use. There will be 8 rooms.

JCAP MOBILE UNIT
PENNY SALES TAX
REMAINING FUNDS
(RIDGELAND)

In response to board member questions:

- The units have already been delivered.
- Mr. Camiscioni will consult with Mr. Shelton and respond to the board's question about a schedule.
- The mobile units are for the alternative program.
- There will be eight individual classrooms, a common area, and restrooms.

Mr. Camiscioni reviewed the needs for the athletic field to include items like ADA compliance. The timeline for completion has been shortened as requested. There were no board member questions.

The bid for the water fountains was approved, and items and equipment have been ordered. The equipment will begin arriving on site in the next thirty days. As the ordered items and equipment arrive, the schedules for work will be created. The work will happen after school hours, but in collaboration with principals for anything that happens during the school day.

In response to board member questions:

-In the next thirty days, as equipment begins to arrive the schedule and jobs will go out for the work.

-In next month's meeting, there will be schedules available so that the project timeline can be viewed and discussed.

-The fountains purchased will vary in size and be easily used by students. They are identical to those in the CATE center.

-There are no change orders foreseen with this project.

Chair Green yielded the floor to Mr. Tedd Moyd, JCSD Board Member. Mr. Moyd suggested that the board start an annual scholarship gala to honor the district's top nine students (top student from each district). He suggested incorporating support from local businesses and community partners. The gala could be an incentive to students and a support to teachers. Each board member and district could host events within their district to add to the funds that will be evenly disbursed to the evening's honorees.

DISCUSSION OF
BOARD SCHOLARSHIP
PROJECT

Chair Green yielded the floor to Mr. Russell Zimmerman, Finance Director. Board members received and reviewed the district's monthly finance report. He thanked the board for the passing of the TAN and GO Bonds. He introduced Mr. Skinner, the new County Treasurer, who will work with the district as the fiscal agent. Mr. Skinner and Mr. Zimmerman have met and will work together in the coming months creating efficient processes. In next month's finance report, revenues for July and August will be in the report. The current report reflects the budget that the board approved; however, without the millage increase, the county is operating as it did last year and Mr. Zimmerman explained how those changes are reflected in the budget. The result is a \$45,000 increase in the budget.

MONTHLY BUDGET

In response to Board Member questions,

-Mr. Zimmerman explained how the general funds labeled for technology were used for the bond and discussed the potential for use of the district's fund balance due to the county's decline of the millage increase.

In response to Mr. Zimmerman's incomplete explanation and in addition to Priscilla Fraser's statement, Berty Riley states, "This is a board- an operating board. I don't care what nobody says, that's not y'all's decision. That is why they have, you know, called meetings and I am not holding you I am holding the Superintendent because she is the person that is supposed to answer to this board. You answer to her, and she answers to us and I am saying that that was done incorrectly and I want the record to reflect that Berty Riley said it and I wish more people in the public could hear it. Now this board has got to get better. We got to take back this board and run it the right way! Thank you."

-Mr. Zimmerman shared that the Technology activities will still take place. The source of funding for some of the items and activities have been changed.

-Mr. Zimmerman explained that the TAN is used annually and only once per year to support during the year when taxes are not coming in as quickly as they do in December, January, and February, if necessary.

-Simultaneously, a verbal outburst occurred from Berty Riley towards Ms. Gerald asking her to be quiet because she was trying to listen, and she should respect others.

-Dr. Anderson shared that that Tax Anticipation Notice or TAN is used as the district anticipates funds such as taxes, ESSER, etc. In order to continue operation, districts put their name in for the TAN to get the lower interest rate and receive funds if you need to go in the pot to get it. The funds are not touched if not needed. She furthered that the GO Bond approved tonight was for the capital projects that are underway that the district is having issues with. It was approved for the storm water drain project that is running into issues and costing more than budgeted. The funds set aside are not enough for the work with the sink holes. The Ridgeland wall and ceiling projects are on hold because of issues. The Hardeeville project already has three concerns in the roof and ceiling, but that project is in the beginning phases and has not begun yet. The GO Bond funds are being set aside to deal with those issues that were not budgeted. The moving of the Technology funds was misconstrued to be a solution to the millage issue. The GO Bond can be used for capital projects and several of the capital projects include Technology, so that is why those funds were selected to move. The board has not been reconvened to address the millage issue because the Superintendent and Mr. Zimmerman will attempt to reappear before County Council to address the need for support. It may be necessary to come back before the board to request use of the fund balance to absorb costs. Additionally, Dr. Anderson shared that positions that are not student facing have been absorbed, as much as possible, without supplanting, and professional development has been placed in federal funding as much as possible, as well as special revenues are used first as much as possible with the intention of using general funds as a last option. Finally, having a board meeting to address budget issues and work toward balancing before teacher certificates are updated and all international teachers have arrived will not be effective as all the budget parts remain unknown.

Chair Green asked the board members to review their attendance.

No additional action needed.

Future Agenda Items:

- Board Policy regarding Board and Superintendent Relationship
- Audit on job qualifications and certifications to ensure salaries match
- Forensic Audit
- Band Equipment Information

Chair Green reviewed the upcoming events.

Joyce Gerald moved, and Berty Riley seconded the motion to enter Executive Session to discuss employee appeal request. The motion passed unanimously.

Daisy Mitchell moved, and Tedd Moyd seconded the motion to come out of Executive Session to Public Session. The motion passed unanimously.

BOARD MEMBER
MONTHLY
ATTENDANCE

ACTION ITEMS

FUTURE AGENDA
ITEMS

INFORMATION

EXECUTIVE SESSION

COME OUT OF
EXECUTIVE SESSION

Joyce Gerald moved, and Tedd Moyd seconded the motion made as follows:

ACTION ITEM

Madam Chair, I move that we deny the request of employee A to hear his grievance appeal. The motion passed 5:4 (*Berty Riley, Priscilla Fraser, Daisy Mitchell, and Shalonda Toomer voted nay.*)

Prior to Shalonda Toomer voting Nay, she made the following statement:

"I contemplated if I should refrain from voting, but I am not, the answer is No."

Following the board's vote, Shalonda Toomer verbally invited Mr. Toomer up to address the board; however, that was not permitted.

Tedd Moyd moved, and it was properly seconded to adjourn. The motion was carried unanimously.

ADJOURNMENT

Respectfully submitted by:

Priscilla Green, Board Chair

Tom Balliet, Board Secretary



Greetings this is in response to the complaint filed by Joyce Gerald. Joyce, deliberately falsified information and presented information about me in a negative way. Here is a link to review the Board Meeting that occurred on August 14th. I'm sitting on the far left with the white polka dot dress on.

https://www.icsd.net/apps/video/watch.jsp?v=359039&fbclid=IwAR2a40cqa8LYM3ptbWRyFjVPKfLT6C2gCpJmEB7cuC4K_COUypbreijyn7M

1. Please provide detail as to what the conduct, egregious and unethical behaviors in question were.
2. This information is untrue. I was never asked to excuse myself from the meeting. The Board Chair, Ms. Green asked if I would recuse myself before any information was shared with the Board. I respectfully said, "No m'am, I will not." Joyce inserted this matter is about your husband. I said, "How do you know we are still married? We can possibly be staying in separate locations." Joyce then says, "Well you need to inform the Board." I shared with her and the entire board, I don't have to disclose any of my personal business with this board because it's none of their business what goes on in my house and how we do things.
3. I never referenced which policy or where I received my information from. However, if you look at the policy in which she is referencing we were not voting on a contract nor disciplinary action. Therefore, I was well within my rights to vote when it came to a constituent in my district.
4. My talking was not to influence the Board. Several members of the board stated the packet was too long and they did not have the opportunity to read it in its entirety. Later the board received an email in which employee A shared there was information in the packet that was not in any of correspondences along with the Superintendent giving a summary of the packet all of which is a violation of the Grievance policy. I took it upon myself to read the entire packet during General Session; therefore the questions that Board Members were asking I answered based off of what was in the packet. There was never opinionated answer just information. Listed below are questions from Board Members and responses during Executive Session.

Questions from Board Members:

1. Did he receive support? My response based on the packet No, the entire school received support but not individual support.
2. Why did the HR Director take so long (several weeks) to respond? Dr. Anderson responded the HR Director had a family death and he asked Mr. Toomer for an extension. My response the packet does not show where Mr. Toomer agreed with an extension, this is a violation as both parties had to mutually agree on an extension and this went untouched for 4 weeks.
3. Why was Mr. Toomer offered a contract? If he's incapable of teaching high school students Biology why would you send him to the middle school and teach where the lower levels are foundations? My response if he can't teach I wouldn't want him teaching my children so why is it okay to send him to teach lower grades.

5.True

6. This is a lie all the way around. I separate the two when conducting business. I said Mr. Toomer would you like to say something. (He signed in for public input along with myself to address educational concerns of our children and were not provided the opportunity to share as they shared there was no public input). Saying I addressed him as honey the video in which I have the link in this response will clearly show she lied. The chair commented he was unable to do that and I thanked her; however, Joyce parrots what the Board Chair just told me. I did tell her I wasn't talking to her and Green had already addressed it. Joyce proceeds to mumble and make statements that were out of order and I told her we were not doing that here. If anyone behavior is in question it's Joyce Gerald's behavior at the meeting.

LICENSE AND CERTIFICATE FOR MARRIAGE
STATE OF SOUTH CAROLINA

<u>AP00500000</u> LICENSE NUMBER			<u>JASPER</u> COUNTY			BIRTHDATE (MONTH, DAY, YEAR)		AGE
(1) FREDERICK (FIRST)		JERMAINE (MIDDLE)		TOOMER (LAST)		(2a) 02/24/1974		(2b) 32
(3) SOUTH CAROLINA BIRTHPLACE (State of foreign country)			(4) BLACK RACE		(5a) [REDACTED] RESIDENCE (Street and Number)			
(5b) RIDGELAND CITY, TOWN OR LOCATION			(5c) JASPER COUNTY		(5d) SOUTH CAROLINA STATE		(6) 1ST NO. OF THIS MARRIAGE (1st, 2nd, etc.)	
(7) SHALONDA (FIRST)		MONIQUE (MIDDLE)		GARDNER (LAST)		(8a) 03/13/1979		(8b) 27
(9) SOUTH CAROLINA BIRTHPLACE (State of foreign country)			(10) BLACK RACE		(11a) [REDACTED] RESIDENCE (Street and Number)			
(11b) ALLENDALE CITY, TOWN OR LOCATION			(11c) ALLENDALE COUNTY		(11d) SOUTH CAROLINA STATE		(12) 1ST NO. OF THIS MARRIAGE (1st, 2nd, etc.)	
(13) GARDNER MAIDEN NAME OF BRIDE (If Different From Above)								

Application for a license was filed with this court at 3:49 PM, on the 27TH day of OCTOBER, 2006. These are, therefore, to authorize any person qualified to perform marriage ceremonies to perform the marriage ceremony for the persons above named and for the so doing this shall be sufficient warrant. Given under my hand and seal

at 3:49 PM, this the 28TH day of OCTOBER, A.D. 2006

[REDACTED] Signature of Issuing Officer		<u>JUDGE OF PROBATE</u> Title of Issuing Officer	
[REDACTED] GROOM Signature		[REDACTED] BRIDE Signature	
I certify that the above named persons were married on (16) <u>November</u> (MONTH) <u>11</u> (DAY) (YEAR) <u>2006</u>		(15) [REDACTED] Place of Marriage (17) (CITY) <u>Aiken</u> (COUNTY) <u>Aiken</u> SOUTH CAROLINA OFFICIANT-Title (18b) <u>Itinerant Elder and Pastor / A.M.E Church</u>	
[REDACTED] OFFICIANT-Signature		[REDACTED] OFFICIANT-Title	
[REDACTED] OFFICIANT-Mailing Address		[REDACTED]	

DHEC 0681 (12/1998)

PROBATE JUDGE

EXHIBIT

C4

2023-104

I certify that this is a True Copy of document in this office dated this 28th day of Oct, 2006

[REDACTED]
Jasper County Probate Court



No. 0200600308.....

The State of South Carolina

COUNTY OF JASPER.....

IN THE PROBATE COURT

MARRIAGE LICENSE

TO

FREDERICK JERMAINE TOOMER.....

AND

SHALONDA MONIQUE GARDNER.....

NOTICE

The Law requires that two of these Licenses be returned by party performing the ceremony to Probate Judge, within fifteen days, the other to be delivered to contracting parties.

Handwritten signature and notes at the top of the page.

2006 NOV 17 AM 11:21
JOHN H. CRUS, JR.
PROBATE COURT
JASPER COUNTY, S.C.

I certify that this is a true copy of document in the office dated _____
Jasper County Probate Court

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2023-104)
Joyce Gerald)
Complainant.)
Shalonda Toomer)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

This matter comes before the State Ethics Commission (Commission) by virtue of a complaint filed on August 21, 2023. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act), the complaint against Shalonda Toomer (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Present at the hearing held on June 19, 2025, were Commissioners Bryant S. Caldwell, Matthew N. Tyler, and Neal D. Truslow, Hearing Panel Chair. Respondent appeared *pro se* and the Commission was represented by Courtney M. Laster. The following charge was considered:

COUNT ONE
PARTICIPATION IN ACTION RELATING TO DISCIPLINE OF A FAMILY MEMBER
SECTION 8-13-750(B), S. C. CODE ANNOTATED, 1976, AS AMENDED

That Shalonda Toomer, Jasper County School District Board Trustee, participated in an action relating to the discipline of her spouse during an August 14, 2023 Board of Trustees meeting, in violation of Section 8-13-750(B).

FINDINGS OF FACT

Having carefully reviewed the evidence presented, the Panel finds as fact:

1. Respondent served on the Jasper County School District (District) Board of Trustees (Board) from 2020 through 2024.

NDT

2. At all relevant times, Respondent was married to Frederick Toomer (Mr. Toomer), who was employed by the District as a high school biology teacher.
3. In 2023, District administration advised Mr. Toomer that they were involuntarily transferring him to a middle school teaching position. According to the District's Superintendent, Dr. Rechel Anderson, Mr. Toomer's involuntary transfer was not accompanied by any change in pay or title and was driven by student achievement data (34 of the 54 students taught by Mr. Toomer had received a failing score on their end-of-course exam) and staffing needs.
4. Pursuant to District policy, Mr. Toomer appealed the involuntary transfer by submitting a grievance form to his principal, Adrienne Maybank. Maybank denied Mr. Toomer's appeal citing poor student achievement as the primary factor for the transfer.
5. Pursuant to District policy, Mr. Toomer appealed the denial of his grievance to Corey Burgess, the District's Director of Secondary Education. Burgess denied Mr. Toomer's appeal, reiterating that the primary rationale for the involuntary transfer was poor student achievement.
6. Pursuant to District policy, Mr. Toomer appealed the denial of his grievance to Wesley Terrill, the District's Human Resources Director. Terrill denied Mr. Toomer's appeal, reiterating that the primary rationale for the involuntary transfer was poor student achievement and also including discussion about Mr. Toomer's lack of classroom instruction.
7. Pursuant to District policy, Mr. Toomer appealed the denial of his grievance to Dr. Anderson. Dr. Anderson denied Mr. Toomer's appeal, reiterating that the primary rationale for the involuntary transfer was poor student achievement, and also discussing Mr. Toomer's lack of classroom instruction.
8. Pursuant to District policy, Mr. Toomer appealed the denial of his grievance to the District Board.

NDT

9. During an August 14, 2023 Board meeting, the Board considered hearing Mr. Toomer's grievance. Respondent was present and participated in the Board's executive session discussion about the grievance. According to Board Chair Priscilla Green, Respondent was questioned about whether she should recuse herself given her marriage to Mr. Toomer, but Respondent declined to recuse. Once the Board returned to public session, Respondent voted to have the Board hear Mr. Toomer's grievance.

CONCLUSIONS OF LAW

Section 8-13-750(B) of the Ethics Act prohibits public officials from participating in "an action relating to the discipline" of a family member. Here, it is clear that Mr. Toomer and Respondent were married and that Mr. Toomer constitutes Respondent's "family member" pursuant to Section 8-13-100(6). The relevant inquiry is therefore whether Mr. Toomer's grievance was "related to discipline" as contemplated in Section 8-13-750(B). The Panel finds that in this circumstance, the involuntary transfer was not related to discipline. According to all witnesses, Mr. Toomer's involuntary transfer was driven by performance-based, data-supported staffing needs, and did not serve as discipline for any misconduct. The Panel further finds that secondary references to Mr. Toomer's classroom instruction are insufficient to transform Mr. Toomer's grievance into a disciplinary matter. Because no disciplinary action occurred, the essential element of Section 8-13-750(B)¹ is absent. Accordingly, the Panel finds no violation of Section 8-13-750.

Although it ultimately concludes that Respondent did not violate Section 8-13-750(B), the

¹ The Panel notes that Section 8-13-750(A) of the Ethics Act prohibits public officials from causing the employment, appointment, promotion, transfer, or advancement of a family member to a state or local office or position that the public official supervises or manages. While this provision arguably aligns more closely with the facts presented, the Panel is unable to analyze the facts of this case under this Section 8-13-750(A) given that Respondent had no advance notice that this allegation would be adjudicated.

NDT

Panel cautions that public officials should exercise extreme caution in similar situations. The Panel further encourages public officials to recuse themselves to avoid even the appearance of impropriety, or the appearance of a conflict of interest, when voting or otherwise influencing matters involving a family member. In that regard, public officials are urged to carefully consider the Preamble to the Ethics Act, which provides:


Whereas, one of the most important functions of any law aimed at making public officials more accountable is that of complete and effective disclosure. Since many public officials serve on a part-time basis, it is inevitable that conflicts of interest and appearances of impropriety will occur. Often these conflicts are unintentional and slight, but at every turn those who represent the people of this State must be certain that it is the interests of the people, and not their own, that are being served. Public officials should be prepared to remove themselves immediately from a decision, vote, or process that even appears to be a conflict of interest.

ORDER

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the Panel hereby dismisses Complaint 2023-104.

AND IT IS SO ORDERED THIS 8TH DAY OF JULY 2025.

STATE ETHICS COMMISSION


NEAL D. TRUSLOW, HEARING CHAIR

Columbia, South Carolina