

Petition for Removal of School Board Officers

In that we, the people of York County, Virginia, wish to fully support our public school system, teachers, and students so that we may provide the best education possible for all students of all backgrounds, ethnicities, race and type, because we see students as human beings, with the function of the schools being:

To foster an environment of learning;

To encourage creativity in learning;

To encourage innovation in the classroom;

To fully support teachers and staff as they work to create the best possible learning environment for all;

To promote understanding between all students;

The people of York County, as undersigned, hereby present to the York County School Board a petition for resignation of the following members:

Zoran Pajevic, District 2

Kim Goodwin, District 3

Lynda Fairman, District 5

Should these members choose not to resign, we ask for Lynda Fairman, District 5 to step down in her role as chair and Kim Goodwin, District 3 to step down in her role as vice chair.

Reasons for Dismissal

The concerned parents, educators, staff, and citizens of York County, as stakeholders in the continued success of the York County School Division, have signed this petition to express our collective outrage and disappointment in the actions and leadership of the newly elected York County School Board members.

Our allegations of misconduct and incompetence are as follows:

It has become increasingly evident that Chair Lynda J. Fairman's conduct is not aligned with the best interests of our schools, students, or community. Ms. Fairman has demonstrated neglect of ministerial duties of the office, misuse of the office, and incompetence in the performance of the duties of the office thus having an adverse effect upon the conduct of the office.

Neglect of Ministerial Duties of Office:

1) Ms. Fairman consistently fails to carry out the ministerial duties of the school board office and of her role as Chair of the York County School Division Board. She has regularly appeared at meetings unprepared, without having read the minutes or materials distributed for review.

a) Ms. Fairman fails to adhere to proper parliamentary procedure (Roberts' Rules of Order Newly Revised) and mismanages school board meetings.

i) Disregarding Rules of Debate: Ms. Fairman continually violates rules related to debate by speaking out of turn and constantly interrupting others to prohibit them from expressing their views. She prohibits open discussion and debate on initiated motions.

ii) Misuse of Motions: Ms. Fairman makes improper motions and in general, the chair should exercise discretion when making motions to avoid any appearance of bias over the proceedings. If the chair does make a motion, she should temporarily relinquish the chair's duties to another member or the vice-chair to ensure the motion is properly seconded, debated, and voted upon.

iii) Chair's Failure to Remain Neutral: As chair, Ms. Fairman regularly exhibits bias in her conduct of board matters and fails to maintain impartiality and fairness in the meeting. She runs the board as a dictator thus neglecting the needs of the community represented by the varied officials of the York County School Board.

b) Ms. Fairman violates the Virginia Freedom of Information Act by holding unofficial board meetings.

i) The Virginia Freedom of Information Act defines a "meeting" as "meetings including work sessions, when sitting physically, or through telephonic or video equipment pursuant to § 2.2- 3708.2, as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body where the business of the public body is being discussed or transacted."

(ii) In communications received through FOIA between the new board members: Ms. Fairman, Ms. Kimberly Goodwin, and Mr. Zoran Pajevic and a large campaign donor: Gina Stevens, it is clear the group is meeting unofficially to discuss board matters. In addition, it appears as though Ms. Fairman potentially violated school board policy and the Freedom of Information Act by failing to provide public records as required by FOIA possibly destroying the requested records with the intent to avoid the provisions of FOIA. Although Ms. Fairman was mentioned in the FOIA texts between Ms. Goodwin and Ms. Stevens, Ms. Fairman failed to turn over any text communications.

(iii) Additionally, school board staff have seen and heard the three new board members: Ms. Fairman, Ms. Kimberly Goodwin, and Mr. Zoran Pajevic gather unofficially without Mr. Shafer or Mr. Richardson present and discuss board matters.

(iv) Further, citizens of York County have seen Ms. Fairman and Ms. Goodwin gather with the local political group, referred to as the "Breakfast Club" and the local chapter of the Republican party of Virginia to discuss school board matters.

2) Misuse of Office:

a) In their first meeting as a school board, Ms. Fairman, Ms. Goodwin and Mr. Pajevic immediately removed Dr. Shandor from his seated position at the dais with the school board members, then later acknowledged he may sit with them. As evidenced by text messages received through FOIA, it is clear that this tactic was used as a "big step to the separation of powers on the SB." According to communications received, Ms. Fairman used this ploy to demonstrate to Dr. Shandor "who is in charge." In addition, on the Next Door social media site after the 2023 election, it was stated that the new school board members would "put Shandor in his place." Ms. Fairman is signaling to constituents that she is using her position as school board member to retaliate against Superintendent Victor Shandor for her dismissal as a substitute teacher for the York County School

Division. Ms. Goodwin and Mr. Pajevic appear to want retaliation for the Covid-related issues of four years ago. Intimidation and retaliation tactics have no place in our school system.

b) After repeated complaints from students alleging that Ms. Fairman targeted them, treated them rudely, yelled at them, and made political comments in the classroom – Ms. Fairman was banned from substitute teaching in York County. This was not made clear to the voters in her district and, as such, York County voters are suitably outraged.

3) Incompetence in the Performance of the Duties of the Office:

a) As evidenced from FOIA communications received, on January 17, 2024, at 1:32pm, Ms. Fairman wrote an email to Dr. Shandor regarding that evening's Family Life event to be held at a school:

Please direct YCSD Communications staff to video record this entire presentation, including the entire question and answer period, and post on the YCSD website with any accompanying slide shows and handouts by 10:00 AM tomorrow morning, 18 Jan. 2024.

In addition, please provide copies of this presentation's slide shows, handouts, and all citizens' specific comments and questions, along with the names and titles of all presenters and staff participants, to all York County School Board members by noon tomorrow, 18 Jan. 2024.

Please respond to this email within 15 minutes of its receipt into how this will be accomplished.

When it became clear that employees could not, in fact, immediately respond to her demands, Ms. Fairman invited militia members to the above Family Life Education event for parents in order to intimidate and record staff.

b) Ms. Fairman serves as a special education committee member, yet she has made blatant efforts to cut all DEI support in schools. This ultimately harms students of varying backgrounds in the school systems and sends a message of non-inclusivity.

c) Ms. Fairman, Ms. Goodwin and Mr. Pajevic have tried to move the board to a partisan, ill-founded board association: the SBMA. The SBMA is an extremist group founded to further a political agenda. In contrast, York County has been a member of the VSBA for decades and relies on them to guide policy and decision making. The SBMA does not provide anything near the level of resources as the VSBA. In choosing to adhere to the partisan structure of the SBMA, and in choosing to avoid conflict, the new school board members have cost the taxpayers extra money in deciding to maintain membership in both organizations.

d) Including an "invocation" at the beginning of board business meeting thereby bringing prayer into the school system and exposing YCSD to lawsuits and marginalizing students and community of differing beliefs and non-beliefs.

e) Ms. Fairman has contributed to the creation of a hostile work environment, as is evidenced by the ongoing demands put forth to employees who she has authority to direct and through her behavior that has resulted in Dr. Shandor needing to have a witness present each time they speak, so he is not alone with her. Reference 3a for evidence of Ms. Fairman's bullying behavior.

f) Ms. Fairman, Ms. Goodwin and Mr. Pajevic have all misused social media in their roles as school board members.

- In her role as a school board member, Ms. Fairman has posted on Facebook and only allowed a select group of people to comment/respond;
- Ms. Goodwin has stated numerous racist comments/slurs which have not been removed. In addition, she has not apologized for her racist comments regarding slavery and the LGBTQIA+ community;
- Mr. Pajevic was using TikTok during the March 25, 2024 school board meeting instead of paying attention to the meeting.

g) Ms. Fairman and Ms. Goodwin fail to uphold the transparency and accessibility of this public official role by refusing to use official school board communication channels “Let’s Talk” and not responding to the majority of citizens who reach out to her via the “Let’s Talk” platform or by her individual YCSD e-mail address. By Ms. Fairman refusing to use school communication channels and encouraging other board members to do the same, she has isolated citizen concerns to one board member’s email thereby decentralizing community communication to the school board, which is unacceptable and undermines the school board’s commitment to serving the YCSD community effectively.

We denounce the conduct of the new school board members and ask that they step down for the good of our community. As concerned parents, educators, staff, and citizens of the York County School Division, we are initiating this petition to hold Lynda Fairman, Kimberly Goodwin and Zoran Pajevic accountable for their actions and to restore integrity, transparency, and accountability to the York County School Division Board.

PETITION FOR RESIGNATION SCHOOL BOARD MEMBERS FAIRMAN, GOODWIN, PAJEVIC

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