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Notes from editor (not for publication):

HEADLINE ELEMENTS:

####BEGIN HED####

1 Court says BUHS was justified in firing principal

####END HED####

####BEGIN SUBHED####

2 Perrin loses his appeal to superior court; judge dismisses

3 civil lawsuit against WSESD and its board members

####END SUBHED####

4 TEXT BODY:

####BEGIN TEXT####

5 The state Superior Court has upheld the firing of former

6 Brattleboro Union High School (BUHS) Principal Steven Perrin

7 for misconduct, effectively closing the case.

8 Judge David A. Barra, of the court's Bennington unit,

9 ruled Nov. 26 against Perrin, not only upholding his termination

10 by the Windham Southeast School District board in November

11 2022, but also dismissing all Perrin’s civil claims against the
12 district and individual school board members.

13 BUHS alum and survivor Mindy Haskins Rogers unveiled
14 a decades-long history and culture of sexual abuse in the WSESD
15 in an August 2021 essay in *The Commons*.

16 In October 2022, the newspaper broke the story of
17 another BUHS alumna who reported to authorities that when she
18 was a sophomore in 2010, Perrin started to make unwanted and
19 inappropriate sexual and romantic advances toward her.

20 The former student, identified in the newspaper and in
21 public facing court documents as Jane Doe, spoke with *The*
22 *Commons* on the condition of anonymity.

23 She had recounted the story to Windham County Safe
24 Place — an agency for children and adults reporting sexual abuse
25 and/or physical violence — and to the office of attorney Aimee
26 Goddard, who had been leading an investigation into patterns of
27 sexual abuse in the district as a result of Haskins Rogers’ account.

28 As a result of those reports, Doe also interviewed with
29 the Brattleboro Police Department.

30 The former student alleged that Perrin subsequently
31 found other ways to make her life difficult, including trying to
32 prevent her from graduating.

33 Doe also contended that the former principal did not
34 report her off-campus rape by a fellow student to the authorities
35 as he was mandated to do as an educator. Friends and classmates
36 corroborated her account of Perrin’s continuing treatment of her.

37 In addition, BUHS staff members came forward to say
38 Perrin instructed at least one former employee in 2020 not to
39 report to the Vermont Department for Children and Families
40 (DCF) when made aware of incidents involving a then-14-year-
41 old female student they believed required mandatory reporting.

42 Perrin, through his attorney, Theodore C. Kramer of
43 Kramer Law, PC, continues to deny the accusations and maintain
44 that his firing was unwarranted.

A long appeals process

On April 25, 2022, days after Doe came forward, then-WSESD Chair Kelly Young communicated that Superintendent Mark Speno had placed Perrin on a paid leave of absence.

The board fired Perrin on Nov. 8, 2022 in a unanimous vote. He had not been on the job since before spring break of 2022, although he continued to collect his \$122,000 annual salary and benefits until being fired.

After being fired, Perrin exercised his right to an appeal and the WSESD Board heard held a hearing and heard testimony over two weeks from about a dozen witnesses. The hearing ended on Monday, Jan. 30.

In February 2023, the WSESD Board upheld its original decision to fire Perrin.

Per Vermont law, after some pre-termination notice and process, a school board notifies a principal of a decision to terminate employment. The employee may appeal that decision to the school board, which then requires an evidentiary hearing at the board.

Doe was a witness at the WSESD Board's hearing, as were several staff members.

After such a hearing, a school board issues a decision based on evidence heard. The employee can then submit that decision for review to Vermont Superior Court.

Barra's ruling has affirmed the WSESD Board's hearing decision, which upheld its initial termination decision.

Testimony obtained from the hearing shows the Board found three "just cause" bases for termination, most significantly the mishandling of Jane Doe's reported sexual assault.

The Board found Perrin interviewed Doe alone behind closed doors when she was a minor; ignored her request to notify her parents; threatened her with filing a false report; engaged in repeated interactions afterward that she experienced as harassing, intimidating, and inappropriate; made comments about her

79 appearance and touched her hair; and displayed what was
80 described as a “fixation” on her.

81 In addition, the Board noted an ongoing pattern of
82 harassment toward Doe, and determined that Perrin directed staff
83 not to make a mandatory abuse report.

84 While a report was eventually made after staff insisted, in
85 his Nov. 26 ruling Barra held that “any interference with
86 mandatory reporting obligations is inherently serious and
87 supports dismissal, regardless of whether a report was ultimately
88 filed.”

89 Case closed

90 Perrin’s March 2023 civil complaint had requested a jury
91 trial and financial remuneration for wrongful termination, breach
92 of contract, due process violations, defamation, and intentional
93 infliction of emotional distress.

94 The Nov. 26 court ruling states that jury selection
95 previously set for Dec. 8 and a jury trial set for Jan. 20, 2026 are
96 canceled and the case is closed.

97 Named in the complaint were the Windham Southeast
98 Supervisory Union (WSESU), the Windham Southeast School
99 District (WSESD) Board, former WSESD Chair Kelly Young, former
100 and current Co-Chair Anne Beekman, and former and current
101 school board members Tim Maciel, Liz Adams, Lana Dever,
102 Michelle Luetjen Green, Robin Morgan, Shaun Murphy, Emily
103 Murphy Kaur, and current Board Chair Deborah Stanford.

104 SP&F Attorneys, a law firm in Burlington, was hired by
105 WSESU’s insurance company to handle the lawsuit because
106 Perrin’s complaint was an insured claim.

107 “I agree with the Court’s ruling that the WSESD Board’s
108 decision, which was the subject of the lawsuit, satisfied Vermont
109 law,” attorney John H. Klesch told *The Commons* on Dec. 1. “The
110 Board provided all process that was due an employee in this
111 situation and its decision to uphold termination of employment
112 was supported by evidence.”

113 Perrin's attorney, however, says he will now pursue the
114 case to the state Supreme Court.

115 "We will press on to our Vermont Supreme Court to seek
116 justice for Steve," Kramer, told *The Commons* on Dec. 1.

117 Kramer did not say what he intends to claim as basis for
118 appeal.

119 "Regrettably, from time to time a case comes along that
120 shakes your faith in fairness and our system of justice; this is one
121 of those cases," Kramer said. "But we are undeterred and
122 determined to secure justice for Steve. In the process of
123 defending him, many educators confided in us that 'there but for
124 the grace of God go I.' That is to say, one accuser can end a
125 career.

126 "We live in a day and age now when a lifetime of
127 devoted service to education of our children can be wiped out by
128 the most incredible and nonsensical of accusations, accusations
129 immediately deemed false by Steve's co-workers and colleagues,
130 the ones who know him best. The testimony of one accuser, no
131 matter how implausible, is considered more significant than an
132 individual's stellar reputation for integrity and devotion, earned
133 during three decades in education."

134 Kramer went on to comment on Perrin's comportment
135 throughout the proceedings.

136 "He has been the epitome of decency and dignity
137 through this whole long and arduous nightmare. Not a single
138 mean-spirited word during a most difficult and strenuous time, an
139 ordeal that would have defeated a lesser man. It has been an
140 honor to represent him."

141 Attorneys for WSESD abuse victims, including Doe and
142 others whose cases remain pending, from Shaheen & Gordon
143 and the Justice Law Collaborative, shared a statement from Doe
144 with *The Commons*.

145 "While it is reassuring to see that justice has prevailed in
146 this case, I am disheartened to see former Principal Perrin and his
147 attorney so callously dismiss the experience and testimony of

148 those who came forward after navigating his predation firsthand,”
149 she said.

150 “Their denigrating comments show just how little respect
151 they have for Steve’s accusers, his former colleagues and
152 students, and the Superior Court. From the start, Steve has
153 focused all of his time and energy on discrediting me and other
154 survivors across the school district,” Doe added.

155 “It is time that comes to a stop, and now the Court has
156 voiced its agreement,” she continued. “To anyone who has their
157 own story to tell, I hope you have the support and safety you
158 need to come forward. And to those whose stories will never be
159 spoken, I see you and I stand with you.”

160 Neither current WSESD Board Chair Stanford nor
161 Superintendent Speno replied to *The Commons’* request for
162 comment by press time. Former Chair David Schoales, however,
163 did.

164 “I was gratified to learn one of the many survivors of
165 sexual abuse in our schools has been believed,” he said. “I know
166 the WSESD Board had adequate evidence to fire Mr. Perrin and,
167 although the process took a long time, it was done carefully and
168 thoughtfully.”

169 He said his only surprise “is that it took so long for the
170 court to agree.”

171 “I hope the result will encourage the current board to
172 reconsider releasing the other substantiated complaints of sexual
173 abuse that turned up in their investigation a few years ago,”
174 Schoales said.

175 The judge’s analysis

176 Barra’s ruling affirms the WSESD Board’s hearing
177 decision, which upheld its original decision to terminate Perrin.

178 Per Vermont law, after pre-termination notice and
179 process, a school board notifies a principal of a decision to
180 terminate employment. The employee may appeal that decision

181 to the school board, which then requires an evidentiary hearing
182 at the board.

183 After the hearing, the board issues an appeal hearing
184 decision based on the evidence from the hearing. The employee
185 can then submit that decision for review to Vermont Superior
186 Court.

187 Barra says in his analysis the Board followed all
188 procedures correctly.

189 "The Board's factual findings are clearly supported by
190 evidence in the record," he writes. "Each of the Board's findings
191 is based on the testimony and evidence received at the hearings.
192 The Board decision is based on those findings. The court's on-the-
193 record review confirms that the Board decision has a reasonable
194 basis and must be confirmed."

195 The judge particularly noted that "Perrin spends much
196 time attacking Doe's credibility, but not the sufficiency of the
197 Board's findings if her testimony is believed. Witness after witness
198 when questioned confirmed the simple truth that if Doe's
199 testimony were true, the Board decision was proper. The question
200 for the court to consider is whether there was sufficient basis in
201 the testimony to support the findings and conclusions. There is."

202 Barra concludes his analysis: "Perrin's conduct was
203 egregious enough that discharge was reasonable and Perrin had
204 fair notice that such conduct could result in discharge. The Board
205 was empowered to hear the testimony of witnesses, including
206 cross examination, and issue a decision based on the weight of
207 the evidence. Because that is exactly what the Board did, its
208 decision must be affirmed."

209 Regarding Perrin's allegation of a series of procedural
210 deficiencies, the court denied all of them.

211 The judge rejected Perrin's claim of breach of contract
212 saying the Board "had just cause to terminate and followed
213 proper statutory procedures."

214 Claims of due process violations were rejected as “both
215 pre- and post-termination procedures met constitutional
216 standards.”

217 “Perrin’s speculation and unfounded allegations about
218 the potential for bias or outside influence on the Board does not
219 itself demonstrate an intolerably high risk of unfairness,” wrote
220 Barra. “Nor does it overcome the presumption of honesty and
221 integrity of the Board’s conduct in hearing and deciding his
222 appeal.”

223 Barra dismissed Perrin’s claim of intentional infliction of
224 emotional distress, saying that the Board’s actions were normal
225 administrative processes, not extreme or outrageous, and that
226 Perrin offered no evidence of severe emotional distress.

227 “Perrin’s formulaic claim that he suffered ‘immeasurable
228 harm to his reputation and emotional well-being and health’ is a
229 conclusory allegation or legal conclusion masquerading as a
230 statement of fact that this Court is not required to accept as true,”
231 Barra wrote.

232 “Further, Perrin has failed to demonstrate a genuine issue
233 of material fact that any actions of any defendant state a cause of
234 action for intentional infliction of emotional distress,” he added.

235 Finally, regarding Perrin’s allegation of defamation — a
236 complaint that the defendants had said that the principal had
237 been dismissed for cause — the court dismissed that claim.

238 “Truth is a complete defense,” Barra wrote. “It is true that
239 Perrin was dismissed for cause. ”

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