

**BEFORE THE BOARD OF SCHOOL DIRECTORS OF THE  
POTTSVILLE AREA SCHOOL DISTRICT**

**IN RE:       DERRELL JOHNSON-KOULIANOS**

**ADJUDICATION**

On January 15, 2025, March 4, 2025, and April 7, 2025, Marc S. Fisher, Esquire, a duly appointed Hearing Officer, conducted hearings pursuant to the requirements of the Public School Code of Pennsylvania concerning the termination of Derrell Johnson-Koulianos ("Johnson-Koulianos") from the Pottsville Area School District ("School District"). An initial hearing was scheduled for December 2, 2024, but was continued at Johnson-Koulianos's request. The hearings were held in an open, rather than a closed, session.

Incorporated herein are the following exhibits which were admitted into evidence:

**Joint Exhibit #A** – Loudermill Hearing Notice dated October 23, 2024.

**Joint Exhibit #B** – Statement of Charges and Notice of Hearing dated November 19, 2024.

**Joint Exhibit #C** – Letter from Attorney Nahas dated November 21, 2024.

**Joint Exhibit #D** – Statement of Charges and Notice of Hearing dated December 9, 2024.

**Joint Exhibit #E** – Policy 103 of the Pottsville Area School District.

**Joint Exhibit #F** – Policy 103.1 of the Pottsville Area School District.

**Joint Exhibit #G** – Policy 113 of the Pottsville Area School District.

**Joint Exhibit #H** - Policy 317 of the Pottsville Area School District.

- Joint Exhibit #I** – Policy 337 of the Pottsville Area School District
- Joint Exhibit #J** – Policy 340 of the Pottsville Area School District.
- Joint Exhibit #K** – Policy 618 of the Pottsville Area School District.
- Joint Exhibit #L** – Policy 702 of the Pottsville Area School District.
- Joint Exhibit #M** – Policy 815 of the Pottsville Area School District.
- Joint Exhibit #N** – Policy 816 of the Pottsville Area School District.
- Joint Exhibit #O** – Policy 824 of the Pottsville Area School District.
- Joint Exhibit #P** – Pottsville Area School District Employee Handbook.
- Joint Exhibit #Q** – Acknowledgement Forms signed by Derrell Johnson-Koulianos.
- Joint Exhibit #R** – Personnel File of Derrell Johnson-Koulianos.
- Joint Exhibit #S** – Employment Application Records of Derrell Johnson-Koulianos.
- Joint Exhibit #T** – Job Description for Director of Athletics and Student Activities.
- Administration Exhibit #1** – Email exchange between Dr. Sarah Yoder and Derrell Johnson-Koulianos dated October 12, 2024.
- Administration Exhibit #2** – Screen shot of Instagram Post.
- Administration Exhibit #3** – Email exchanges between Dr. Sarah Yoder and Derrell Johnson-Koulianos from July 10-14 of 2024.
- Administration Exhibit #4** – Screen shot of Instagram Post.
- Administration Exhibit #5** – Screen shot of Instagram Post.

**Administration Exhibit #6** – Screen shot of Instagram Post.

**Administration Exhibit #7** – Email exchange between Dr. Sarah Yoder and Derrell Johnson-Koulianos dated October 15, 2024.

**Administration Exhibit #8** – Email exchange between Dr. Sarah Yoder and Derrell Johnson-Koulianos dated October 15, 2024.

**Administration Exhibit #9** – Email exchange between Dr. Sarah Yoder and Derrell Johnson-Koulianos dated October 16, 2024.

**Administration Exhibit #10** – Email exchange between Dr. Sarah Yoder and Derrell Johnson-Koulianos dated August 2, 2024.

**Administration Exhibit #11** – Email Exchange between Dr. Sarah Yoder and Derrell Johnson-Koulianos dated May 14, 2024.

**Administration Exhibit #12** – Deposit slip dated October 11, 2024.

**Administration Exhibit #13** – List of athletic events relating to the deposit slip.

**Administration Exhibit #14** – Email exchange between Dr. Jared Gerace and Derrell Johnson-Koulianos dated October 17-18, 2024.

**Administration Exhibit #15** – Email from Derrell Johnson-Koulianos to Tiffany Hummel dated July 25, 2024.

**Administration Exhibit #16** – Text message exchange between a student and Derrell Johnson-Koulianos.

**Administration Exhibit #17** – Text message exchange between a student and Derrell Johnson-Koulianos.

**Administration Exhibit #18** -Text message exchange between Stacy Stair and Derrell Johnson-Koulianos.

**Johnson-Koulianos Exhibit #1** – Screen shot of Instagram Post.

**Johnson-Koulianos Exhibit #2** – Screen shot of Instagram Post.

**Johnson-Koulianos Exhibit #3** – Screen shot of Instagram Post.

**Johnson-Koulianos Exhibit #4** – Screen shot of Instagram Post.

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**Johnson-Koulianos Exhibit #11** – Screen shot of Instagram Post.

**Johnson-Koulianos Exhibit #12** – Screen shot of Instagram Post.

**Johnson-Koulianos Exhibit #13** – Email exchange between Scott Mattea, Dr. Sarah Yoder and Derrell Johnson-Koulianos dated May 14, 2024-September 13, 2024.

**Johnson-Koulianos Exhibit #14** - \* Exhibit marked but not introduced into evidence.

**Johnson-Koulianos Exhibit #15** – Screen shot of Instagram Post.

**Johnson-Koulianos Exhibit #16** – Text message exchange between Stacy Stair and Derrell Johnson-Koulianos.

**Johnson-Koulianos Exhibit #17 - Miscellaneous Posts.**

**Johnson-Koulianos Exhibit #18 – Miscellaneous Posts.**

The Administration charged Johnson-Koulianos with improper conduct, neglect of duty, and violation of the school laws of the Commonwealth of Pennsylvania. Based upon the record developed at the hearing, the Hearing Officer recommends, and the Board of Directors of the School District make, the following Findings of Fact:

**FINDINGS OF FACT**

1. Johnson-Koulianos was hired by the School District on May 22, 2024, as Director of Athletics and Student Activities, effective May 23, 2024. (N.T. 9, 34).
2. The Director of Athletics and Student Affairs was a newly created full-time position within the School District and was an offshoot of two (2) previously held part-time positions. (N.T. 91-92, 114-116, 164-173).
3. In formulating a new job description for that position, the School District emphasized a greater need for social media and communication and a greater focus on athletics. (N.T. 114-116, 164-173).
4. Job goals for the position included overseeing all aspects of School District athletics and coordinating district-wide student activities, ensuring students have a wide range of school activities, ensuring all federal, state and PIAA regulations are met, establishing and maintaining good sportsmanship standards at all athletic events and ensuring fair and respectful treatment of all student athletes, and collaborating with stakeholders as partners and to promote community-based programs. (Joint Exhibit T).
5. The Director of Athletics and Student Affairs reported directly to the Pottsville Area High School Principal, Tiffany Hummel, and was to be evaluated by both Mrs. Hummel and the Superintendent, Dr. Sarah Yoder. (N.T. 92, 514, 674-675, Joint Exhibit T).

**INAPPROPRIATE USE OF SOCIAL MEDIA**

6. After Johnson-Koulianos was offered the position of Director of Athletics and Student Affairs but prior to being officially hired by the School District, Dr. Yoder

met with Johnson-Koulianos to stress the importance of appropriate social media vis-à-vis a School District. (N.T. 104-110, 301-303).

7. Dr. Yoder had become aware of some posts and a photograph on Johnson-Koulianos's private social media accounts which she felt were not appropriate for a soon-to-be hired administrator, and Johnson-Koulianos agreed to delete them and to remove all posts except for a few family posts. (N.T. 104-110, 301-303, Administration Exhibit 11).

8. Johnson-Koulianos was provided with School District Policy 816 titled "Social Media Policy" and the accompanying Administrative Regulation 816.1, each of which he acknowledged receiving and reviewing on May 18, 2024, and May 29, 2024, and understanding and being aware of the consequences, including potential dismissal from employment, for violation thereof. (N.T. 301-303, Joint Exhibits N and Q).

9. Because she felt that Johnson-Koulianos did not have a background in education, administration and leadership, Dr. Yoder met with him on a weekly basis to ensure he would be successful. (N.T. 72-73, 148).

10. Dr. Yoder had previously received extensive training in human resources and maintaining appropriate boundaries. (N.T. 33-34).

11. At the meetings, each of them would bring a list of issues and/or questions to discuss. (N.T. 72-73).

12. Johnson-Koulianos described those weekly meetings as nothing other than gossip sessions during which he received no training, and the Board finds that testimony to be not credible. (N.T. 750-751, 818).

13. Among the issues addressed was maintaining appropriate boundaries with students, appropriate use of social media and the chain of command. (N.T. 148, 289, 305-309).

14. Those subjects were significant because Johnson-Koulianos had created a Pottsville Athletics Instagram account, and his newly created position called for an increased social media presence. (N.T. 43, 104-114-116, 301-303, Joint Exhibit T).

15. On or about July 4, 2024, Johnson-Koulianos and Dr. Yoder had a telephone conversation. (N.T. 303-304).

16. During that conversation, Johnson-Koulianos asked Dr. Yoder if it would be permissible to have a School District student swim at his house. (N.T. 303-304).

17. After learning from Jonson-Koulianos that he had no previous relationship with the student before he became employed by the School District, Dr. Yoder informed him that the student should not be allowed to swim at his house and re-emphasized the need to not cross professional boundaries. (N.T. 303-304).

18. In August of 2024, during one of their regular weekly meetings, Dr. Yoder and Johnson-Koulianos engaged in a conversation about social media during which Dr. Yoder stressed the need to never do or make any inappropriate posting because it may come back to haunt him sometime in the future. (N.T. 305-309).

19. At all times relevant hereto, Dr. Jared Gerace was the Director of Curriculum, Instruction and Assessment for the School District. (N.T. 438).

20. On October 4, 2024, Dr. Gerace met with Johnson-Koulianos. (N.T. 446-449).

21. During that meeting Dr. Gerace not only stressed the importance of maintaining professional boundaries with other School District employees and only contacting them for a purpose, and at appropriate hours, but also instructed Johnson-Koulianos to not follow students on social media and not have contact with students on social media if it was unrelated to his job. (N.T. 446-449).

22. During the evening of Saturday October 12, 2024, Dr. Yoder began an exchange via text message with Johnson-Koulianos. (Administration Exhibit 1).

23. On her own, Dr. Yoder had learned of a post on the Pottsville Athletics Instagram Page, made by Johnson-Koulianos, that she felt was inappropriate and needed to be deleted. (N.T. 35-41, Administration Exhibits 1 and 2).

24. The post included a photograph from a female student's personal Instagram account depicting two female volleyball players posing, with two (s) fire emojis above them. (N.T. 35-41, Administration Exhibits 1 and 2).

25. The students were not engaged in any sporting activity and were not dressed for any sporting activity. (N.T. 35-41, Administration Exhibits 1 and 2).

26. Dr. Yoder reminded Johnson-Koulianos that he should not be trolling and/or sharing student's personal social media accounts, should not comment on their appearance, and should not insert comments via words or emojis concerning their looks or how they are dressed. (N.T. 35-41, Administration Exhibits 1 and 2).

27. In the context of the students posing, not being engaged in any sporting activity and not in their sport uniforms, the insertion by Johnson-Koulianos of the fire emojis can only reasonably be interpreted as his comment that the female students were “on fire”, “hot” or “good looking”, which was inappropriate for him to do. (N.T. 35-41, 633-634, 709, Administration Exhibits 1 and 2).

28. The text message exchange ended with Johnson-Koulianos apologizing. (N.T. 35-41, Administration Exhibit 1).

29. On October 13, 2024, one day after being admonished by Dr. Yoder, Johnson-Koulianos made another post on the Pottsville Athletics Instagram Page. (N.T. 45-48, Administration Exhibit 4).

30. The post included a photograph from a female student’s personal Instagram account depicting two (2) female volleyball players posing with the words “immaculate vibes” inserted above the students. (N.T. 45-48, Administration Exhibit 4).

31. The students were not engaged in any sporting activity and were not dressed for any sporting activity. (N.T. 45-48, Administration Exhibit 4).

32. In the context of the students posing, not being engaged in any sporting activity and not in their sport uniforms, the insertion by Johnson-Koulianos of the words “immaculate vibes” can only be reasonably interpreted as his comment on the students’ “perfect” or “great” appearance. (N.T. 45-48, 639, 841, Administration Exhibit 4).

33. That post by Johnson-Koulianos demonstrated that he had ignored Dr. Yoder’s guidance from the previous day. (N.T. 45-48, 783-785, Administration Exhibit 4).

34. At a later investigatory meeting held October 22, 2024, Johnson-Koulianos apologized and acknowledged that it was wrong to use the words “immaculate vibes” when referring to female students. (N.T. 9, 274).

35. Also, on that same day, Johnson-Koulianos posted the same photograph from a female student’s personal Instagram account onto his personal Instagram account with the words “The fits hitting” followed by two (2) fire emojis. (N.T. 48-49, Administration Exhibit 5).

36. The words “The fits hitting” followed by the fire emojis can only be reasonably interpreted as commenting on the female students’ outfits and their appearance. (N.T. 48-49, 583, 639-640, 709, Administration Exhibit 5).

37. That post by Johnson-Koulianos also demonstrated that he ignored Dr. Yoder's guidance from the previous day. (N.T. 48-49, 783-785, Administration Exhibit 5).

38. Also, on that same day, Johnson-Koulianos posted another photograph from a different female student's personal Instagram account onto his personal Instagram account. (N.T. 51-52, Administration Exhibit 6).

39. That post depicted two (2) female students posing with the words "Okay fits" followed by two (2) fire emojis. (N.T. 51-52, Administration Exhibit 6).

40. The students were not engaged in any sporting activity and were not dressed for any sporting activity. (N.T. 51-52, Administration Exhibit 6).

41. In the context of the students posing, not being engaged in any sporting activity and not in their sport uniforms, the insertion by Johnson-Koulianos of the words "Okay fits" followed by two (2) fire emojis can only be reasonably interpreted as his comment on the students' outfits and their appearance. (N.T. 51-52, Administration Exhibit 6).

42. That post, too, demonstrated that he had ignored Dr. Yoder's guidance from the previous day. (N.T. 51-52, 783-785, Administration Exhibit 6).

43. On October 14, 2024, Dr. Yoder met with Johnson-Koulianos to address, among other concerns, his inappropriate use of social media. (N.T. 9, 58, 181-184).

44. Because October 14, 2024, was an in-service day for the School District, no other administrator was present for the meeting. (N.T. 58, 181-184).

45. Dr. Yoder's plan at that time was to meet the following day to develop an improvement plan, not to make a recommendation for Johnson-Koulianos' termination. (N.T. 58, 181-184).

46. At the hearing, Johnson-Koulianos claimed that this was the first and only time that Dr. Yoder discussed with him the subject of maintaining appropriate professional boundaries, which testimony the Board does not find as credible. (N.T. 731-732).

47. Dr. Yoder, together with Dr. Jared Gerace, met with Johnson-Koulianos on the morning of October 15, 2024. (N.T. 9, 53-57, 195-197, 313-319, 449-450).

48. At that time, Johnson-Koulianos was informed that new allegations had been made against him, the specifics of which were not shared by Dr. Yoder or Dr. Gerace. (N.T. 53-57, 195-197, 313-319, 482-483, 486-487).

49. At the hearing, Johnson-Koulianos testified that Dr. Yoder specifically informed him that the allegations were that Johnson-Koulianos was engaged in an inappropriate relationship with a cheerleader and inappropriate messaging of a teacher's wife, which testimony the Board does not find as credible. (N.T. 709).

50. Johnson-Koulianos was also informed that he was being placed on paid administrative leave pending the completion of an investigation into the new allegations. (N.T. 53-57, 195-197, 313-319, 482-483, 486-487).

51. Finally, Johnson-Koulianos was directed by Dr. Yoder not to communicate by any means with anyone from the School District including students, faculty, staff members, administrators, Board members, etc., except for herself and Dr. Gerace. (N.T. 53-57, 195-197, 313-319, 482-483, 486-487, 798-801, Administration Exhibit 8).

52. Later that morning, Johnson-Koulianos texted Dr. Yoder stating: "I will make every single professional boundary adjustment". (N.T. 53-55, Administration Exhibit 7).

**CONTACT WITH SCHOOL PERSONNEL AFTER BEING PLACED ON LEAVE  
INCLUDING INAPPROPRIATE CONTACT WITH STUDENTS VIA HIS PERSONAL  
CELL PHONE**

53. Notwithstanding Dr. Yoder's directive not to communicate with anyone from the School District, except for herself and Dr. Gerace, Johnson-Koulianos disregarded that directive and reached out to school personnel, a Board member and students. (N.T. 201, 798-801).

54. In particular, Johnson-Koulianos appeared at a Board member's place of employment, who was concerned enough to inform Dr. Yoder of the visit. (N.T. 289-291, 314-315, 371-372, 718-719).

55. Additionally, Johnson-Koulianos contacted two teachers, each of whom reported that communication to Mrs. Hummel, who then reported the same to Dr. Yoder. (N.T. 314-315, 507-508, 720, 798-801).

56. Johnson-Koulianos also reached out to the cheerleading coach. (798-801).

57. Dr. Yoder had previously discussed with Johnson-Koulianos the chain of command protocols within the School District, including not going directly to the School Board with any concerns. (N.T. 95-99).

58. Finally, after Johnson-Koulianos was placed on administrative leave, he text messaged a 16 year old male student concerning his employment situation. (N.T. 527-533, 732, 803-804, Administration Exhibit 16).

59. During that exchange, Johnson-Koulianos revealed what he believed led to his employment situation and shared his belief that information was "Fake news 100%". (N.T. 527-533, Administration Exhibit 16).

60. On the same day that he was placed on leave, Mrs. Hummel learned of a text message exchange between Johnson-Koulianos, from his personal cell phone, to another male student relating to a female student's Instagram account. (N.T. 534-544, 732, 803-804, Administration Exhibit 17).

61. During that exchange, the male student requested that Johnson-Koulianos delete comments he made on a female student's Instagram account because people were talking about it and found it "weird". (N.T. 534-544, Administration Exhibit 17).

62. Johnson-Koulianos admitted to the student that he had posted the comment but had since deleted it, and replied to the student "I do not fuck with bad energy". (N.T. 534-544, Administration Exhibit 17).

63. Johnson-Koulianos has admitted to texting students after he was told not to. (N.T. 507-508, 732, 803-804, 843-845).

#### **DISHONESTY REGARDING PRIOR EMPLOYMENT**

64. Prior to being employed by the School District, Johnson-Koulianos submitted a formal application for employment. (Joint Exhibit R).

65. The application for employment included, among other items, a resume detailing prior education, athletic achievements, work experience and references, a standard application for employment form with the School District, letters of

recommendation, and various forms mandated by the Commonwealth of Pennsylvania for employment in a public school. (Joint Exhibit R).

66. Sometime after Johnson-Koulianos was placed on leave, the School District learned that some of the information provided by Johnson-Koulianos was not truthful. (N.T. 154, 158-159).

67. Specifically, as part of his application, Johnson-Koulianos represented that in the last ten (10) years he had never been fired from any job or quit a job after being notified that he would be fired. (Joint Exhibit R).

68. During an investigatory meeting held on October 22, 2024, Johnson-Koulianos admitted that that information was false. (N.T. 75, 80, 322-324).

69. Johnson-Koulianos was then asked to provide details regarding the false information, but he never did so. (N.T. 80-83, 322-324).

#### **TRANSPORTATION OF STUDENTS IN A PERSONAL VEHICLE**

70. Policy 340 of the School District prohibits employees from transporting students in a personal vehicle except when specifically permitted by an employee's supervisor. (Joint Exhibit J).

71. Johnson-Koulianos was aware of that policy, and on two occasions, the first of which was on May 30, 2024, he had requested and received permission to transport a student in his personal vehicle. (N.T. 240-249, Johnson-Koulianos Exhibit 1 and Johnson-Koulianos Exhibit 2).

72. Notwithstanding his awareness of that policy, on two (2) subsequent occasions he transported a student in his personal vehicle without permission from his supervisor. (N.T. 249).

73. On September 6, 2024, Dr. Gerace received a report from Mrs. Hummel who had a safety concern because Johnson-Koulianos was seen driving high school students in his personal pickup truck going to and from the elementary school. (N.T. 445, 464-465).

74. Mrs. Hummel had a direct conversation with Johnson-Koulianos about the proper procedures involved in transporting students in his personal vehicle which were acknowledged by Johnson-Koulianos. (N.T. 522).

75. Dr. Gerace received that report from Mrs. Hummel. (N.T. 445, 464-465).

76. Dr. Gerace then met with Johnson-Koulianos during which they reviewed School District Policy 340, the potential liability to the School District and Johnson-Koulianos should he continue to transport students in his personal vehicle without permission, and alternative ways for students to be transported from place to place. (N.T. 445-446).

77. Johnson-Koulianos apologized for his actions, expressed that he understood the liability concerns, and indicated that it would not happen again in the future. (N.T. 445-446).

78. Based upon that conversation, Dr. Gerace imposed no discipline and considered the matter over and done with. (N.T. 465-466).

79. At the hearing, Johnson-Koulianos testified that he was unaware of Policy 340 and the requirement not to transport a student in a personal vehicle absent permission from a supervisor, which testimony the Board does not find as credible. (N.T. 740).

80. Notwithstanding all of that, on October 9, 2024, Johnson-Koulianos once again transported a student to and from the high school in his personal vehicle without permission from his supervisor. (N.T. 523, 807-809).

81. The Administration never had a chance to address that incident with Johnson-Koulianos prior to him being placed on administrative leave. (N.T. 185-186).

#### **FAILURE TO SUBMIT APPROVED VACATION DAYS**

82. All School District employees who take vacation time must enter that information into the School District ESS program which is then submitted to the payroll department. (N.T. 84).

83. That process was explained to him by Dr. Yoder. (N.T. 84).

84. At the hearing, Johnson-Koulianos claimed he was never instructed as to how to enter vacation time off, which testimony the Board does not find as credible. (N.T. 741).

85. Johnson-Koulianos took a week of vacation at the end of July of 2024, but did not enter that time off into the School District ESS program. (N.T. 84, 192).

86. It was not until after Johnson-Koulianos was placed on administrative leave when Dr. Yoder was calculating the amount of outstanding personal time off that Johnson-Koulianos had remaining did she determine that he had not entered his vacation time off taken at the end of July of 2024 into the School District ESS program. (N.T. 84, 186, 193).

#### **APPOINTMENT OF A SPECIAL EDUCATION STUDENT AS AN INTERN**

87. During one of their weekly meetings, Johnson-Koulianos asked Dr. Yoder about the process to hire a particular student intern. (N.T. 85).

88. Dr. Yoder explained that all interns, paid or unpaid, must be approved by the School Board. (N.T. 87).

89. Johnson-Koulianos had little familiarity with the proposed student intern or his abilities; however, Dr. Yoder knew that the student was eligible for special education, had an IEP, and because of his physical and academic disabilities would need significant supports to be successful.

90. In addition to approval by the School Board, Dr. Yoder explained to Johnson-Koulianos that he would need to contact Dr. Gerace and special education staff to revise the student's IEP to best support him. (N.T. 87-88, 745).

91. Based upon that feedback from Dr. Yoder, Johnson-Koulianos expressed that he was unsure what duties the student would perform and whether he still wished to take on the student as an intern. (N.T. 88).

92. After Johnson-Koulianos was placed on administrative leave, the Administration reviewed his emails. (N.T. 88-89).

93. Those emails revealed that Johnson-Koulianos sent emails to the student's personal email account not his school-issued email account and that Johnson-

Koulianos was providing the student with his personal telephone number and contact information of School District coaches without their consent. (N.T. 88-89).

94. The emails also showed that Johnson-Koulianos was having the student gather college coach information on behalf of a female student. (N.T. 90).

95. The student intern was never approved by the School Board, no contact was initiated with Dr. Gerace, neither Dr. Yoder nor any special education staff were made aware of the internship, and no revision was made to the student's IEP. (N.T. 90, 278-282, 745, 813-814).

96. One of the parents of the student did make a complaint to the School District. (N.T. 282-283).

### **FAILURE TO SUBMIT TICKET SHEETS**

97. As part of his duties, Johnson-Koulianos was responsible for preparing and submitting ticket sheets. (N.T. 392).

98. Ticket sheets are used to reconcile an account balance to verify that the number of tickets sold at an athletic event where an admission fee is charged matches the dollar amount received at the event. (N.T. 391-392).

99. More specifically, a ticket sheet is prepared whereby the first numbers of both adult and student tickets are stapled to the top of a ticket sheet, and when the tickets are returned, the ending numbers of both adult and student tickets are used to reconcile the account. All money received is then deposited and the ticket sheet for each event is submitted to the business office to verify the amount of each deposit slip. (N.T. 391-392).

100. On the back of each deposit slip appears the name of the sport, the date of the event, the identity of the opponent and the amount of the deposit. (N.T. 394, Administration Exhibit 12).

101. After Johnson-Koulianos was placed on administrative leave, the Administration discovered that a deposit was made on October 11, 2024, covering events from August 30, 2024, through October 8, 2024, however, sixteen (16) ticket sheets were missing. (N.T. 390-405, Administration Exhibits 12 and 13).

102. Because of the missing ticket sheets, there is no way to verify that the amount received at the athletic event corresponds to the amount deposited. (N.T. 402).

103. At meetings held October 22, 2024, and October 30, 2024, Johnson-Koulianos was asked to supply the missing ticket sheets to the Administration, but failed to do so. (N.T. 286-287).

104. At the hearing, counsel for Johnson-Koulianos stipulated that his client failed to submit the sixteen (16) ticket sheets. (N.T. 392, 400, 403).

#### **REFUSAL TO OBTAIN TWO (2) SIGNATURES ON CHECKS**

105. School District policy requires two (2) hand signatures on all checks. (N.T. 287-288, 405-406, 551-552).

106. A stamped signature of an authorized signer is permitted provided that person has consented to the use of his/her stamped signature. (N.T. 287-288).

107. Notwithstanding the two (2) person hand signature requirement, the bank would process a check if only one person signed the check. (N.T. 405-406).

108. Johnson-Koulianos was aware of the two (2) person hand signature requirement. (N.T. 405-406).

109. Mrs. Hummel was made aware that Johnson-Koulianos had submitted checks with only one signature; however, there was no evidence that he had refused to obtain two signatures or whether it was simply an oversight on his behalf. (N.T. 551-552).

#### **LEAVING FUNDS UNATTENDED IN MARTZ HALL/DHHL MIDDLE SCHOOL**

110. On October 14, 2024, as stipulated by the parties, Johnson-Koulianos left funds unattended in Martz Hall/DHHL Middle School in front of hundreds of educators from Schuylkill County who were present for a teacher in-service day. (N.T. 288-289, 748-749).

**FAILURE TO FOLLOW THE SCHOOL DISTRICT CHAIN OF COMMAND  
AND PROPER COMMUNICATIONS WITH SCHOOL BOARD MEMBERS**

111. Following the chain of command and proper communication with school board members was a subject that was regularly reviewed by the Administration with Johnson-Koulianos. (N.T. 95-98, 289-291, Administration Exhibit 10).

112. In fact, that subject was first addressed by Dr. Yoder with Johnson-Koulianos after he was recommended for employment but before he was hired when a School board member was set to meet with Johnson-Koulianos for lunch. (N.T. 96-98).

113. Notwithstanding the directive issued by Dr. Yoder to not communicate with anyone connected with the School District, including school board members, following being placed on administrative leave, Johnson-Koulianos went to a school board member's place of employment. (N.T. 289-291, 371-372, 718-719).

114. That attempted communication with a school board member not only was violative of the directive given to him but was also insubordinate and in complete circumvention of the chain of command. (N.T. 289-291, 371-372).

**VIOLATION OF THE SCHOOL LAWS OF THE COMMONWEALTH**

115. School District policies were provided to Johnson-Koulianos at the time of his hire and at the outset of the 2024/2025 school year and were reviewed by him. (N.T. 786-787, Administration Exhibits O and Q).

116. Policy 103 of the School District is designed to provide an equal opportunity for all students to achieve their maximum potential through programs offered in schools without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability. (Administration Exhibit E).

117. While Johnson-Koulianos's social media activities violate other policies of the School District as hereafter found, his actions do not violate Policy 103 because they do not meet the definitions of discriminatory harassment or sexual harassment as defined in that policy. (Administration Exhibit E).

118. Policy 103.1 of the School District is designed to ensure that all School District programs and practices are free from discrimination against students with Disabilities. (Administration Exhibit F).

119. While Johnson-Koulianos's actions in engaging a special education student as an intern violate other policies of the School District as hereafter found, they do not violate Policy 103.1 because they do not meet the definition of harassment as defined in that policy. (Administration Exhibit F).

120. Policy 113 of the School District is designed to ensure that the School District complies with all federal and state laws and regulations for students thought to be and deemed to be eligible for special education services. (Administration Exhibit G).

121. Johnson-Koulianos violated Policy 113 by having a special education student serve as an intern without revising his IEP. (Administration Exhibit G).

122. Policy 317 of the School District is designed to ensure that all employees conduct themselves in a manner consistent with appropriate and orderly behavior by complying with all School Board policies, Administrative Regulations, and rules and procedures. (Administrative Exhibit H).

123. Johnson-Koulianos violated Policy 317 by participating in activities that included nonprofessional relationships with students, use of profane or abusive language, failure to comply with directives of School District officials, violating Board policies, rules or regulations, and violating federal and state laws and regulations. (Administration Exhibit H).

124. Policy 337 of the School District establishes the vacation requirements for employees of the School District. (Administration Exhibit I).

125. While Johnson-Koulianos's failed to properly document his time off despite being instructed to do so, he did not violate Policy 337 because nothing therein related to the procedure for recording vacation time off. (Administration Exhibit I).

126. Policy 340 of the School District is designed to ensure appropriate oversight of and responsibility for student welfare by employees. (Administration Exhibit J).

127. Johnson-Koulianos violated Policy 340 by transporting a student in his personal vehicle, after being advised of the dangers in doing so and being instructed not to do so, without being specifically permitted by his supervisor. (Administration Exhibit J).

128. Policy 618 of the School District establishes rules governing student activity funds. (Administration Exhibit K).

129. Johnson-Koulianos did not violate Policy 618 because the Administration produced insufficient evidence that he refused to obtain two (2) signatures on checks. (Administration Exhibit K).

130. Policy 702 of the School District deals with rules and regulations pertaining to gifts and donations received by the School District. (Administration Exhibit L).

131. Johnson-Koulianos did not violate Policy 702 because none of the charges brought against him related to gifts or donations. (Administration Exhibit L).

132. Policy 815 of the School District establishes rules and regulations for the acceptable use of communications and information systems of the School District. (Administration Exhibit M).

133. Johnson-Koulianos violated Policy 815 by using the School District's communication and information systems without a legitimate educational purpose and to disseminate inappropriate matter. (Administration Exhibit M).

134. Policy 816 of the School District governs the use of social media by employees on behalf of the School District. (Administration Exhibit N).

135. Johnson-Koulianos violated Policy 816 by accessing personal Instagram accounts of female students, sharing photographs of female students not engaged in any sporting activity onto the School District Athletics Instagram account and then making comments about the appearances of female students. (Administration Exhibit N).

136. Policy 824 of the School District establishes standards for maintaining professional adult/student boundaries. (Administration Exhibit O).

137. Johnson-Koulianos violated Policy 824 by disclosing employment concerns to one or more students, exchanging communications with a student of a personal nature, singling out a particular student or students for personal attention or friendship beyond the ordinary adult-student relationship, and initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason. (Administration Exhibit O).

## **DISCUSSION**

Section 514 of the Public School Code of 1949, as amended, provides in pertinent part as follows:

“The board of school directors in any school district, except as herein otherwise provided, shall after due notice, giving the reasons therefor, and after hearing if demanded, have the right at any time to remove any of its officers, employees, or appointees for incompetency, intemperance, neglect of duty, violation of any of the school laws of this Commonwealth, or other improper conduct.....”

24 P.S. Section 5-514.

Here, there is no dispute that the procedural prerequisites of Section 514 have been met. A statement of charges was prepared and provided to Johnson-Koulianos charging him with improper conduct, neglect of duty, and violation of the school laws of the Commonwealth. Each of the charges is addressed below.

### **A. IMPROPER CONDUCT**

Improper conduct has been defined as conduct not in accord with propriety, modesty, good taste or good manners. See Rice v. Board of Directors of Easton Area School District, 90 Pa. Cmwlth. 447, 495 A.2d 984 (1985). It is not necessary that the conduct be “wicked and injurious”. Barhight v. Board of Directors of Bradford Area School District, 689 A.2d 327 (Pa. Cmwlth. 1997). Facts which establish a “breach of trust” or “misuse of power” are sufficient to constitute improper conduct. Id. at 329. Courts have held that the school board has discretion in deciding what conduct is improper for its employees. School District of Philadelphia v. Puer, 92 Pa. Cmwlth.

329, 331-332, 500 A.2d 905, 907 (1992). Even a single incident of improper conduct is sufficient to support termination. Bolden v. Chartiers Valley School District, 869 A.2d 1134, 1139-1140 (Pa. Cmwlth. 2005). The Administration argues that Johnson-Koulianos engaged in improper conduct by: (1) inappropriately using social media; (2) inappropriately communicating with students; and (3) dishonestly misrepresenting his prior employment.

The record is clear that Johnson-Koulianos was repeatedly counselled, warned and admonished by the Administration regarding his use of appropriate social media. Even before he was officially hired by the School District, Dr. Yoder impressed upon him the importance of appropriately using social media in the school setting. Those warnings were regularly reinforced in her weekly meetings with Johnson-Koulianos culminating in her specifically reminding him to never do or make any inappropriate posting because it may come back to haunt him. Moreover, Dr. Gerace also instructed Johnson-Koulianos to not follow students on social media and to not contact students on social media if it was unrelated to his job. Lastly, Johnson-Koulianos was provided School District Policy 816 and its accompanying Administrative Regulation 816.1 warning him that a potential consequence of violating the School District's Social Media Policy could result in termination of employment.

Despite all of the warnings and admonitions, on October 12, 2024, Johnson-Koulianos saw fit to access a female student's personal Instagram account, share a photograph from that account and post it onto the School District's Athletic Instagram account which he maintained. The photograph depicted two (2) female students not engaging in any sporting activity and not dressed for any sporting activity. Worse yet, Johnson-Koulianos then inserted fire emojis referring to the students' physical appearance. When confronted by Dr. Yoder, Johnson-Koulianos apologized for his actions and removed the photograph.

Notwithstanding that exchange, on the very next day, October 13, 2024, Johnson-Koulianos continued with the same behavior, but this time, on three (3) separate occasions accessed a female student's personal Instagram account, shared a photograph from that account onto either the School District's Athletic Instagram Page or his own personal Instagram account. Once again, the photographs depicted two (2) female students not engaging on any sporting and not dressed for any sporting activity. This time, however, instead of inserting fire emojis, Johnson-Koulianos added comments about the outfits the students were wearing as well as their appearance. Eventually, Johnson-Koulianos apologized for those actions as well. These postings are more troublesome not just because of the words added by Johnson-Koulianos, but they also demonstrate disrespect for the guidance provided the previous day.

Additionally, they are symptomatic of someone trolling the accounts of minor female students for his personal wants, as reflected by the fact that two (2) of the photographs were shared by him onto his own personal Instagram account. While Johnson-Koulianos contended that none of the parents of the students objected to his actions, that fact is irrelevant. It is the school board who has the discretion in deciding what conduct is improper for its employees, and it is the school board who has found this conduct to be improper.

The record is also clear that Johnson-Koulianos was in direct contact with students via his personal cell phone. After being placed on administrative leave, he shared text messages with a male student concerning his employment status. In those exchanges, Johnson-Koulianos detailed what he believed led to him being suspended without pay and shared his opinion concerning the veracity of the allegations being made against him. That contact was improper in three respects: (1) communicating with a student regarding a non-educational and non-school matter; (2) communicating with a student regarding his employment status; and (3) disregarding an official directive from the Superintendent not to discuss his employment situation with any school personnel, which is a separate charge to be discussed hereafter.

Separate from that exchange, Johnson-Koulianos shared text messages via his personal cell phone with a second male student regarding a female student's Instagram account. In that exchange, Johnson-Koulianos admitted to posting comments on a female student's Instagram account and then deleting them, which in and of itself is improper. But what makes that behavior even more improper is that Johnson-Koulianos went on to use profane language with the student stating: "I do not fuck with bad energy". This contact was improper in four (4) respects as well: (1) communicating with a student regarding a non-educational and non-school matter; (2) trolling a female student's personal Instagram account and then posting comments thereon despite having been warned not to do so multiple times; (3) disregarding an official directive from the Superintendent not to communicate with school personnel including students, following being placed on administrative leave; and (4) using profanity with a student.

The final instance of improper conduct is undisputed. After being placed on administrative leave, the Administration learned that Johnson-Koulianos had falsely represented on his application for employment with the School District that in the last ten (10) years he had never been fired from a job or quit a job after being notified that he would be fired. When confronted by the Administration, Johnson-Koulianos admitted that that information was false.

## **B. NEGLIGENCE OF DUTY**

Neglect of duty is the failure to do or attend to one's duties or put another way, to leave one's duties undone or unattended. See e.g. Merriam-Webster Online Dictionary. As a matter of law, neglect of duty has been found by courts in instances of disregarding duties by an employee. See Monaghan v. Board of School Directors for Reading School District, 152 Pa. Cmwlth. 348, 357-358, 618 A.2d 1239, 1243 (1992); Lukacs v. Jefferson County-Dubois Area Vocational Technical School, 157 Pa. Cmwlth. 424, 630 A.2d 481 (1993). The Administration contends that Johnson-Koulianos neglected his duties by: (1) transporting students in his personal vehicle without permission; (2) failing to submit for approved vacation days; (3) appointing a special education student as an intern without following proper protocols; (4) failing to submit ticket sheets for sixteen athletic events; (5) refusing to obtain two signatures on student activities checks; (6) leaving funds unattended in Martz Hall/DHHL Middle School; and (7) ignoring and disregarding the School District chain of command.

Policy 340 of the School District prohibits employees from transporting students in a personal vehicle absent permission from their supervisor. Koulianos-Johnson was given a copy of that policy and was aware of the procedure to follow because he had done so on two separate occasions. Nonetheless, on September 6, 2024, he transported a student in his personal vehicle without permission from his supervisor. Following that incident, he was again counselled by both Mrs. Hummel and Dr. Gerace on the dangers of proceeding in that manner. He apologized for that behavior, promised not to do it again, and expressed that he understood the errors of his ways. That incident was considered closed, and no discipline ensued. However, nearly one month later, he once again transported a student in his personal vehicle without permission from his supervisor. While that transgression was never discussed with him by the Administration because of the events that unfolded over the next week, Johnson-Koulianos's actions reflected another disregard from directives as well as a violation of School District Policy 340.

School District protocol requires that any employee who utilizes vacation time must enter that time off into the School District ESS Program. Once entered, that information is then submitted to the payroll department for tracking purposes. Despite being informed of that requirement, Johnson-Koulianos failed to enter a week's worth of vacation that he took at the end of July of 2024. Although Dr. Yoder was aware that he took that vacation, it was not until after he was placed on administrative leave did she discover that Johnson-Koulianos had not properly followed the procedure to enter his vacation time off.

Students within the School District have opportunities to participate in internship programs. When Johnson-Koulianos asked Dr. Yoder about the process to hire a student intern, she explained to him that all student interns must be approved by the School Board. Johnson-Koulianos informed Dr. Yoder that he had a particular student, with whom he was generally unfamiliar with, that he would like to have as an intern. However, Dr. Yoder actually knew the student and knew that he was a special education student who would need significant supports to be successful. Therefore, she instructed Johnson-Koulianos that not only was School Board approval necessary, but that Johnson-Koulianos would also need to contact Dr. Gerace and special education staff to revise the student's IEP to include the internship and provide supports for the student. Like many of the other charges, it was not until after Johnson-Koulianos was placed on administrative leave, did the Administration learn that the internship had begun, and Johnson-Koulianos was having the student gather college coach information on behalf of a female student. What was disconcerting to the Administration was that: (1) no School Board approval was given despite the clear directive of Dr. Yoder; (2) no contact was made with Dr. Gerace despite the clear directive of Dr. Yoder; (3) no contact was made with special education staff despite the clear directive of Dr. Yoder; (4) the student's IEP was not revised despite the clear directive of Dr. Yoder; (5) Johnson-Koulianos was emailing to the student through the student's personal email account rather than the student's school issued email account; (6) the School District was not in compliance with special education laws because the student was participating in a program not included in his IEP, let alone without any needed supports; and (7) a complaint was registered by a parent of the student. All of these concerns could have been avoided had Johnson-Koulianos simply followed the instructions given by Dr. Yoder.

As part of his duties, Johnson-Koulianos was responsible for preparing and submitting ticket sheets. Ticket sheets are used to reconcile an account balance to verify that the number of tickets sold at an athletic event where an admission fee is charged matches the dollar amount received at the event. Once again, not until after he was placed on administrative leave did the Administration discover that a deposit made on October 11, 2024, did not include sixteen (16) ticket sheets, making it impossible to verify that the amount received at the athletic event corresponded to the amount deposited. Johnson-Koulianos was asked at meetings held after he was placed on administrative leave to supply the missing ticket sheets, but he failed to do so. Indeed, at the hearing, Johnson-Koulianos stipulated that he failed to submit the sixteen (16) ticket sheets.

As to the allegation that Johnson-Koulianos refused to obtain two (2) signatures on all checks, there is insufficient evidence that he refused to obtain two (2) signatures or whether it was simply an oversight on his behalf.

On October 14, 2024, Johnson-Koulianos left funds unattended in Martz Hall/DHHL Middle School in front of hundreds of educators who were present for a teacher in-service day. Johnson-Koulianos stipulated to leaving those funds unattended at the hearing.

Following the chain of command and proper communication with school board members is essential to the smooth functioning of a school district. That protocol was impressed upon Johnson-Koulianos both before he was hired and regularly reviewed during regular weekly meetings with Dr. Yoder. On October 15, 2024, when Johnson-Koulianos was placed on administrative leave, Dr. Yoder issued an explicit directive to Johnson-Koulianos not to communicate with anyone from the school district, except for herself and Dr. Gerace, including school board members. Notwithstanding that directive, Johnson-Koulianos went to a school member's place of employment. The attempted communication with that school board member not only was in flagrant disregard of the directive issued to him, but was also an act of insubordination in complete circumvention of the proper chain of command.

### **C. VIOLATION OF THE SCHOOL LAWS OF THE COMMONWEALTH**

A violation of school laws includes a violation of a school district's rules, orders and directives. Horton v. Jefferson County-DuBois Vocational Technical School, 157 Pa. Cmwlth. 424, 630 A.2d 481 (1993); Sertik v. Pittsburgh School District, 136 Pa. Cmwlth. 594, 584 A.2d 390 (1990), petition for allowance of appeal denied, 527 Pa. 658, 593 A.2d 428 (1991) (violation of school policies including "folksiness" with selected students). The Board incorporates Findings of Fact 109-131 herein in lieu of a formal discussion.

### **SUMMARY**

The School District made inordinate efforts to help Johnson-Koulianos succeed. Despite his argument to the contrary, there is no credible evidence that the grounds for termination were pretextual in nature and that the Administration was seeking his dismissal because he could not perform the financial aspects of his job for which he was not properly trained or supported. The Board finds and concludes that Johnson-

Koulianos is an individual who was properly trained, supported and counseled, but could not comport himself to comply with the requirements of his job, the directives issued to him, and the standards and conduct required of a person in his position. While any one of the grounds for termination, by itself, would warrant his dismissal, the combination of proven grounds for termination demonstrate that Johnson-Koulianos is incapable of properly performing in the school environment, and nothing short of termination would be appropriate.

### **CONCLUSION AND ORDER**

1. The School District has the obligation to provide proper staffing for the students it serves, and that its employees faithfully and dutifully discharge the duties of their employment.
2. Johnson-Koulianos has committed the offenses of improper conduct, neglect of duty, and violation of the laws of the Commonwealth of Pennsylvania.
3. Termination of Johnson-Koulianos is the only form of proper punishment and no lesser form of discipline is appropriate.

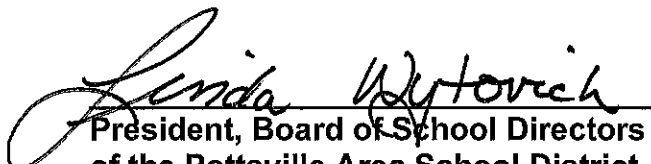
### **ADMINISTRATIVE RECOMMENDATIONS**

The Hearing Officer considered the Administration's recommendation that Derrell Johnson-Koulianos be terminated from his employment with the School District. Having thoroughly considered the recommendation of the Administration as well as the evidence, remarks and arguments of all concerned, the Hearing Officer recommends, and the Board enters, the following Order:

1. Derrell Johnson-Koulianos is hereby terminated from his employment with the Pottsville Area School District effective immediately. The Administration is directed to provide a copy of this Adjudication to him and to take appropriate action in pursuance of this Adjudication.

**By Order of the Board of School Directors of the Pottsville Area School District.**

DATED: 5-8-2025

  
President, Board of School Directors  
of the Pottsville Area School District