

Board member \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION PROPOSING PLACEMENT ON UNREQUESTED LEAVE OF ABSENCE

WHEREAS, Minnesota Statutes section 122A.40, subdivision 10, states that the school board and the exclusive bargaining representative of the “teachers” must negotiate a plan providing for unrequested leave of absence (“ULA”) without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts; and

WHEREAS, Independent School District No. 241, Albert Lea Area Schools (“District”) employs Kristin Ann Otremba (“Otremba”) as an Assistant Director of Special Services;

WHEREAS, the District is discontinuing the position of Assistant Director of Special Services;

WHEREAS, Otremba is arguably a “teacher” within the meaning of section 122A.40, subdivision 1, because she holds a position for which a license is required;

WHEREAS, Otremba does not have an exclusive representative and is not covered by the teachers’ collective bargaining agreement or any type of negotiated ULA plan; and

WHEREAS, Otremba has not held any other position in the District and does not have continuing contract rights to any other position in the District;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent District No. 241 as follows:

1. The School Board hereby discontinues the position of Assistant Director of Special Services and proposes to place Otremba on ULA without pay or fringe benefits effective June 30, 2022. The statutory ground for this action is discontinuance of the position of Assistant Director of Special Services.
2. Within fourteen calendar days after receiving notice of this action, Otremba may request a hearing to challenge her proposed placement on ULA. If she does not request a hearing within the fourteen-day period, she will be deemed to have acquiesced to the School Board’s action.
3. The Superintendent or a designee is directed to give Otremba written notice of the proposed placement on ULA along with a copy of this Resolution.

The motion for the adoption of this Resolution was duly seconded by Member \_\_\_\_\_ and upon vote being taken, the following Board members voted in favor of this Resolution:

And the following Board members voted against this Resolution:

Based on the vote, this Resolution was declared duly passed and adopted.