

SPECIAL SCHOOL BOARD MEETING
Monday – May 17, 2010 6:00 P.M.
Becker City Hall Council Chambers

The meeting was called to order by Chairman Lumley. Members present: Philip Norgaard, Mike Horgen, Dawn Hill, Tina Holty, Lynel Johnson and Mark Lumley. Administrators present: Supt. Steven Dooley, Gary Kawlewski, Betsy Ziemer, Sandy Logrono and Dale Christensen.

Procedural Items. The meeting was called to order, the pledge of allegiance was recited, and the agenda was reviewed. Additional agenda items included: Addition of Action Item C. School Logo; Personal Items Re-employment Contracts, Non-renewal of 2009-2010 Long & Short Term Substitutes, Leave of Absence Request – M. Gayken. Chair Lumley recognized the visitors.

Norgaard moved, seconded by Holty to approve Consent Agenda Items. Minutes: Regular – Monday – May 3, 2010, Special - Tuesday – May 4, 2010; Voucher Batch 80135-80361 Total \$1,267,267.66; April Cash Treasurer's Report; The board gratefully acknowledged the following donations: Marjorie A. Bue \$27.30; John F. Callahan \$60.00; Daniel W. Crowley \$34.32; Sandra A. Crowley \$156.00; Kelly J. Halvorson \$100.00; Resignation: The board gratefully acknowledged and thanked Cheryl Whitcomb for her thirty seven years of service as a teacher/media specialist in the district. Motion carried.

Reports. Student Council Report. None. Supt. Dooley passed out copies of the school logo that was selected and voted upon by the student council.

Action Items. Norgaard moved, seconded by Holty to approve the 2010-2011 budget modifications as presented and recommended by the administration. Discussion was held. Voting yes: Lumley, Holty, Johnson and Norgaard. Voting no: Hill and Horgen. Motion carried. Johnson moved, seconded by Norgaard to approve that all Becker School District bus drivers have demonstrated their competency in the areas required by state statute §171.321 Subd. 4. Motion carried. Horgen moved, seconded by Norgaard to approve the school logo as selected and recommended by the student council. Motion carried. Horgen commended the students for the work that was needed for the selection process.

Personnel Items. The following personnel items were approved on the premise that they conform to previous board approved actions or contractual agreements. Norgaard moved, seconded by Holty to approve the following: Child care leave request of Jennifer Konerza for eight (8) weeks beginning on or about September 9, 2010 & Alicia Lahr beginning on or about November 4, 2010 and to return on January 3, 2011; Increase Sp. Ed. Para, Todd Brown's working day from 3.5 hours to 5 hours and 50 minutes through the end of the 09-10 school year increase due to need based on new enrollment. RESOLUTION PROPOSING TO PLACE Kimberly M. Hynnek ON UNREQUESTED LEAVE OF ABSENCE BE IT RESOLVED by the School Board of Independent School District No. 726, as follows: 1. That it is proposed that Kimberly M. Hynnek, a teacher of said school district, be placed on unrequested leave of absence without pay or fringe benefits, effective at the end of the 2009 - 2010 school year on June 30, 2010, pursuant to M.S. 122A.40, subdivision 11. 2. That written notice be sent to said teacher regarding the proposed placement on unrequested leave of absence without pay or fringe benefits as provided by law and said notice shall include a date for hearing if requested and be in substantially the following form: NOTICE OF PROPOSED PLACEMENT ON UNREQUESTED LEAVE OF ABSENCE AND NOTICE OF HEARING DATE, IF REQUESTED Dear Ms. Hynnek: You are hereby notified that at the special school board meeting of the School Board of Independent School District No. 726 held on May 17, 2010, consideration was given to your placement on unrequested leave of absence without pay or fringe benefits as a teacher of Independent School District No. 726, and a resolution was adopted by a majority vote of the Board, proposing your placement on unrequested leave of absence effective at the end of the 2009 -2010 school year on June 30, 2010, pursuant to Minnesota Statutes 122A.40, subdivision 11 upon the grounds described in said statute and which are specifically as follows: Discontinuance of Position, Lack of Pupils and Financial Limitations.

Under the provisions of the law, more specifically Minnesota Statutes 122A.40, subdivision 7, you are entitled to a hearing before the school board provided that you make a request in writing within fourteen days after receipt of this notice. If no hearing is requested within such period, it shall be deemed acquiescence by you to the school board's proposed action. You are also advised that if you are an honorably discharged veteran as defined by Minnesota Statutes 197.447, you may have certain rights relating to your placement on unrequested leave of absence/layoff under the Veterans Preference Act (Minnesota Statutes 197.46 and 197.481), based on recent amendments to the Veterans Preference Act. In accordance with the Veterans Preference Act, you may have the right to either petition the district court for a writ of mandamus or the Commissioner of Veterans Affairs to determine whether your placement on unrequested leave of absence/layoff was taken in good faith. If you wish to pursue either of these remedies, you must do so within sixty (60) days of receipt of this notice. Your failure to do so within sixty (60) days of receipt of this notice shall constitute a waiver of any right you may have to contest your placement on unrequested leave of absence/layoff under the Veterans Preference Act. You are further advised that if you are an honorably discharged veteran, the School District's position is that, under the recent amendments to the Veterans Preference Act, you are entitled to either a hearing on your proposed placement on unrequested leave of absence pursuant to Minnesota Statutes 122A.40, or either of the remedies under the Veterans Preference Act, but not both. Therefore, the School District's position is that you must elect to proceed under either Minnesota Statutes 122A.40 or the Veterans Preference Act. Once such an election is made and assuming that it is made within the applicable time period set out above, you waive any right to proceed under the process not elected. In the event that you elect to proceed under the Veterans Preference Act, you must provide the School District with a DD Form 214 within the relevant time period to establish your veteran status. Yours very truly, SCHOOL BOARD OF INDEPENDENT SCHOOL DISTRICT NO. 726 Tina Holty, Clerk of the School Board 4. That each and all of the foregoing grounds of said notice are within the grounds for unrequested leave placement as set forth in M.S. 122A.40, subdivision 11 and are hereby adopted as fully as though separately set forth and resolved herein; approve the 2010-2011 school year teaching contracts of Brad Novak and Jerry Nelson; approving the recommendation of the administration recommending non-renewal of all short-term and long-term substitute teachers during the 2009-2010 school year including but not limited to: Nicole Denekamp, Erica Sande, Elizabeth Kunkel, Rebecca Wallin, Heather Christenson, Malinda Pudlick, Kim Finn, Dustin Weege, Stacie Braun and Tracy Beuning; approving the leave of absence request of Maria Gayken for the 2010-2011 school year and upon vote being taken thereon, the following voted in favor thereof: Mark Lumley, Phil Norgaard, Lynel Johnson and Tina Holty and the following voted against the same: Dawn Hill and Mike Horgen whereupon said resolution was declared duly passed and adopted.

Discussion Items. The district held a first reading of district of policy 726 Fund Balance Policy.

Board Committee Reports. None

Superintendent's Report. Supt. Dooley informed the board that the district will need to call for bids for the district's technology infrastructure. Supt. Dooley asked the board if they would be willing to look into an insurance adjustment for him that would result in a premium savings for the district. Supt. Dooley reminded the board of the timeline for the Director of Business Services position.

Other. Member Horgen informed the board that he was not sent all the information that he requested regarding the budget.

Meeting was adjourned at 6:28 p.m.

Tina Holty - Clerk
Independent School District
Becker, MN 55308