

Board of Education Meeting
April 12th, 2021
Meeting Time at 6:30 p.m.

- I. Roll Call
- II. Additions to and Adoption of the Agenda
- III. Consent Agenda
 - a. Approval of minutes of previous meeting
 - b. Report and action on bills submitted
 - c. Approval of treasurer's statement
- IV. Reports and comments of principals, committees, visitors
- V. Report of superintendent
- VI. Old Business
 - a. Minneapolis Rec Commission
 - b. USD 239 Mission Statement
- VII. New Business
 - a. SB 40 Review
 - b. Cell Phone Policy
 - c. OPAAI Renewal
 - d. Executive Session-Client/Lawyer
 - e. Executive Session-Non-elected personnel
 - f. Executive Session-Negotiations
 - g. Employee Resignation(s)
 - h. Employee Confirmation(s)
 - i. May 10, Board Meeting agenda items
- VIII. Adjournment

USD 239 North Ottawa County

District Office
716 E 7th St., PO Box 257
Minneapolis, Kansas 67467

Minutes of Regular Meeting

April 12, 2021, 6:30 pm

The meeting was called to order at 6:30 pm by Board President, Brigitte Nelson. A quorum of the board was present.

1. ROLL CALL

Board Members Present: Justin Abell, Shari Abell, Dr. Bruce Labes (Zoom), Brigitte Nelson, Richard Shupe, Tammy Shanks, Becki Travis (Zoom)

Board Members Absent: None

Others Present: Chris Vignery, Superintendent, Principals Pat Anderson, acting as Deputy Board Clerk for this meeting only, Ryan Mortimer, and patrons Tyrel Owens, Jamie Rice, John Darrow, Ruthie Sanders and Brooke Pickrell

Pledge of Allegiance

The Board of Education stood and recited the Pledge of Allegiance.

2. Additions to and Adoption of the Agenda

President Nelson asked if there were any changes to the Agenda.

Motion to approve the agenda for the April 12, 2021 regular Board of Education meeting as presented.

Motion by Justin Abell, second Richard Shupe

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis
Nay, same sign: None

3. Consent Agenda

Motion to approve the consent agenda as presented.

Motion by Shari Abell, seconded by Justin Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis
Nay, same sign: None

4. Reports and Comments of Principals, Committees, Visitors

Visitors: President Nelson asked if any visitors wished to address the Board. Tyrel Owens asked about any changes to the mask policy. President Nelson replied that it was left the same. Mr. Owens also asked about any Civics testing for graduation, as he would like to see it adopted. Superintendent Vignery responded that the bill had passed but had not yet been signed by the Governor. No other visitors wished to speak.

Principal Pat Anderson reviewed her written report previously submitted to the Board, adding:

- President's Physical Fitness
- Field Trips

Principal Terry Moeckel, absent, had previously submitted his written report.

Member Travis asked if the last day for Seniors was a full day. Ryan Mortimer indicated that he believed it was scheduled as a full day, and Superintendent Vignery indicated he would check.

Member Travis asked if there would be Ice Cream for Seniors.

5. Superintendent's Report

Superintendent Vignery reported:

- Roof leak at the District Office due to hail damage estimated at \$60,000 with a \$25,000 deductible
- Proposed joining the lawsuit over gas cost/charges due cold temperatures in February – usually \$3.00 per unit, now over \$20.00 per unit. After a short discussion the Board showed their support for joining the lawsuit.
- There is a house bill on the floor regarding school finance, which is not favorable to schools

- Civics and Financial Literacy bill passed. Mr. Vignery stated that Financial Literacy is already offered in USD 239. A short discussion of Civics and what we offer followed. No action taken.
- Two positive cases of COVID since February 13 – both grade school students.
- Bill that allows at risk students to attend other/private schools with funds from state following the student was discussed. Such bill has not been signed by the Governor.

6. Old Business

A. Minneapolis Rec Commission

President Nelson brought up the request from the Rec Commission for \$12,000 per year from the Board of Education for discussion.

Motion to pay the Minneapolis Rec Commission \$3,000 for this sports season.

Moved by Justin Abell, second by Richard Shupe

Member Abell amended his motion: **Motion to pay the Minneapolis Rec Commission \$3,000 for the 2021 baseball and softball season and to revisit the matter in August.**

Motion by Justin Abell, second by Richard Shupe

Member Shari Abell recused herself and exited the meeting.

Final Resolution: Motion carries 6-0

Yea, by show of hands: J. Abell, Labes, Nelson, Shupe, Shanks, Travis

Nay, same sign: None

Member Shari Abell rejoined the meeting

B. USD 239 Mission Statement

Superintendent Vignery presented the District Site Council proposal for the USD 239 Mission Statement as follows:

The mission of USD 239 is to develop students with self-respect, respect for others, a lifelong love of learning, commitment to family and community, respect for work, and the ability to respond to change.

Motion to adopt the USD 239 Mission Statement proposed by the District Site Council as read.

Motion by Richard Shupe, second by Shari Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis

Nay, same sign: None

7. New Business

A. Senate Bill 40 Review

A hearing may be requested on the District's COVID policy:

- A Request for Hearing must be signed and submitted
- A hearing must occur within 72 hours
- Hearing Officers/Committee must make a determination within seven (7) days
- If unfavorable outcome, the requester may then take it to a court of law / file suit

President Nelson read the following Resolution to Appoint S.B. 40 Hearing Officer(s):

RESOLUTION

WHEREAS, the Board of Education of Unified School District No. 239, Ottawa County, Kansas, is authorized by S.B. 40, 2021 Kansas Legislature, 2021 Regular Session (Kansas 2021), hereinafter referred to as S.B. 40, to hold public hearings at the request of an employee, student, or parent or guardian of a student aggrieved by an action taken, order issued, or policy adopted by the board of education pursuant to S.B. 40, New Section 1(a)(1) or an action of an employee of a school district violating any such action, order, or policy; and

WHEREAS, the Board of Education of Unified School District No. 239, Ottawa County, Kansas, in order to expeditiously conduct a hearing within the 72 hour timeline prescribed by law to allow the person to contest the matter, deems it necessary to appoint a [choose one] hearing officer hearing committee to hear such matters on behalf of the board; and

WHEREAS, the Board of Education, Unified School District No. 239, Ottawa County, Kansas, desires to appoint a [choose one] hearing officer hearing committee to hear S.B. 40 matters.

NOW, THEREFORE, BE IT RESOLVED that name or names be appointed as [choose one] hearing officer hearing committee to hear S.B. 40 matters on behalf of the board for the 2020 – 2021 school year.

Motion to appoint Brigitte Nelson and Richard Shupe as SB 40 hearing officers and to adopt the Resolution as read.

Motion by Becki Travis, second by Justin Abell

Final Resolution: Motion carries 7-0

Yea by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis
Nay, same sign: None

B. Cell Phone Policy

Superintendent Vignery suggested that a cell phone policy discussion begin, broken down by grades K-6, 7-8, 9-12, first being discussed at building level, with each building's recommendations given to the Board of Education by the May 10, 2021 meeting. A short discussion followed:

- Yondr bags
- Member Shupe: clear District policy
- Member Labes: supports no phones in the classroom
- Member J.Abell: teach students appropriate use

Assistant Principal Ryan Mortimer indicated there is misuse in the junior high. John Darrow, teacher, presented a picture of the problem for the Board.

This matter was tabled to the next regular meeting.

C. Opaal Renewal,

Motion to approve the renewal of the Opaal Food service contract for the 2021 – 2022 school year.

Motion by Justin Abell, second by Becki Travis

Final Resolution: Motion carries 7-0

Yea by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis
Nay, same sign: None

D. Executive Session:
Attorney-Client Privilege

None.

E. Executive Session:
Non-Elected Personnel

The Board of Education moved to go into Executive Session for 10 minutes to discuss personnel matters pursuant to the exception of non-elected personnel under KOMA, and the open meeting will resume at 7:45 pm, at which time there will be no additional discussion. No action will be taken during executive session. Executive session for these reasons is authorized by KSA 65-4319.

Motion by Becki Travis, second by Justin Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S.Abell, Labes, Nelson, Shanks, Shupe, Travis
Nay, same sign: None

7:35 pm: Seven board members recessed to executive session.

7:35 pm: Superintendent Vignery and Ryan Mortimer joined executive session

7:45 pm: the Board returned to open session

The Board of Education moved to extend Executive Session for 5 minutes, to resume the open meeting at 7:50 pm.

Motion by Becki Travis, second by Shari Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shanks, Shupe, Travis Nay, same sign: None

7:45 pm: Seven board members recessed to executive session

7:45 pm: Superintendent Vignery and Ryan Mortimer joined executive session

7:50 pm: Seven board members returned to open session

No action taken.

F. Executive Session:
Negotiations

The Board of Education moved to go into Executive Session for 15 minutes to discuss the latest proposal from the teachers under KOMA, and the open meeting will resume at 8:08 pm, at which time there will be no additional discussion. No action will be taken during executive session. Executive session for these reasons is authorized by KSA 65-4319.

Motion by Becki Travis, second by Shari Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shanks, Shupe, Travis Nay, same sign: None

7:53 pm: Seven board members recessed to executive session

7:53 pm: Superintendent Vignery joined executive session. Ryan Mortimer excused

8:08 pm: the Board returned to open session

The Board of Education moved to extend Executive Session for 10 minutes, to resume the open meeting at 8:19 pm.

Motion by Brigitte Nelson, second by Becki Travis

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shanks, Shupe, Travis Nay, same sign: None

8:09 pm: Seven board members recessed to executive session

8:09 pm: Superintendent Vignery joined executive session

8:19 pm: Seven board members returned to open session

No action taken.

G. Employee Resignation(s)

Motion to approve the resignation of Deb Brubaker and Sara Hocking.

Motion by Justin Abell, second by Shari Abell

Final Resolution: Motion carries 7-0

Yea by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis Nay, same sign: None

H. Employee Confirmation(s)

Motion to approve Sara Hocking for the 2021-2022 school year with a 3/5 contract.

Motion by Justin Abell, second by Shari Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shanks, Shupe, Travis Nay, same sign: None

Motion to approve Jenny Abell as Title Math teacher for 2021-2022.

Motion by Becki Travis, second by Shari Abell

Final Resolution: Motion carries 7-0

Yea, by show of hands: J. Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis Nay, same sign: None

I. Agenda Items:
May 10, 2021

Cell Phone Policy Update
2021-2022 Supplemental Contracts
2021-2022 Meal Prices

8. Adjournment

At 8:26 p.m., Board President Brigitte Nelson entertained a motion for adjournment.

Motion by Justin Abell, second by Becki Travis


Final Resolution: Motion carries 7-0

Yea, by show of hands: J.Abell, S. Abell, Labes, Nelson, Shupe, Shanks, Travis
Nay, same sign: None

The April 12, 2021 Regular Board of Education Meeting concluded at 8:26 p.m.

ATTEST:

APPROVED:



Clerk, Board of Education
Unified School District No. 239
Ottawa County, State of Kansas



President, Board of Education
Unified School District No. 239

Approved

RESOLUTION TO APPOINT S.B. 40 HEARING OFFICER(S)

RESOLUTION

WHEREAS, the Board of Education of Unified School District No. 239, Ottawa County, Kansas, is authorized by S.B. 40, 2021 Kansas Legislature, 2021 Regular Session (Kansas 2021), hereafter referred to as S.B. 40, to hold public hearings at the request of an employee, student, or parent or guardian of a student aggrieved by an action taken, order issued, or policy adopted by the board of education pursuant to S.B. 40, New Section 1(a)(1) or an action of an employee of a school district violating any such action, order, or policy; and

WHEREAS, the Board of Education of Unified School District No. 239, Ottawa County, Kansas, in order to expeditiously conduct a hearing within the 72 hour timeline prescribed by law to allow the person to contest the matter, deems it necessary to appoint a hearing officer hearing committee to hear such matters on behalf of the board; and

WHEREAS, the Board of Education, Unified School District No. 239, Ottawa County, Kansas, desires to appoint a hearing officer hearing committee to hear S.B. 40 matters.

NOW, THEREFORE, BE IT RESOLVED that Brigitte Nelson and Rick Shupe name or names be appointed as hearing officer hearing committee to hear S.B. 40 matters on behalf of the board for the 2020-2021 school year.

By: Becki Sew
Board Member

Board Member

Rick Shupe
Board Member

Shirley Hill
Board Member

Board Member

Board Member

Board Member

Attest:
Rumshager
Clerk, Board of Education

[NOTE: This resolution should be used to appoint a hearing officer or hearing committee to hear all S.B. 40 matters. Note that the law says the board must issue a decision within seven days after the hearing is conducted. Therefore, we suggest the hearing officer only make a recommendation to the board, and the board would still need to meet to approve, modify, or reject the hearing officer's recommendation.]