

Board of Education

Mesa County Valley School District 51

Special Meeting Minutes

May 22, 2014

Special Meeting Minutes

A - Jeff Leany
 B - Ann Tissue
 C - John Williams
 D - Tom Parrish
 E - Greg Mikolai

Board of Education
Mesa County Valley School District 51
Special Meeting Minutes: May 22, 2014
Adopted: June 17, 2014

	A	B	C	D	E		ACTION
						AGENDA ITEMS	
Present Absent	x x	x x	x x	x x	x x	1. <u>SPECIAL MEETING/CALL TO ORDER/ROLL CALL</u> 2. Mr. Mikolai called the meeting to order to consider motions and responses thereto and any other preliminary matters in Case No. TS20130001, a dismissal proceeding under the Teacher Employment, Compensation and Dismissal Act of 1990, as amended. <ul style="list-style-type: none"> ➤ There was a request from Mr. Charles F. Kaiser, Esq., Attorney for Mrs. Jane White, to have the case information discussed and presented in public. Mr. Mikolai outlined the motion to have the case information presented in public or go to an Executive Session. He called for a motion to hear the case in public discussion. There was no motion made to hear the case in public. ➤ Mr. Mikolai called for a motion to hear the case in Executive Session. 	4:30 p.m.
Motion Second Aye No	x x	x x	x x	x x	x x		Adopted
Motion Second Aye No	x x	x x	x x	x x	x x	3. <u>EXECUTIVE SESSION: 4:35 p.m.</u> <ul style="list-style-type: none"> ➤ For discussion of a personnel matter under C.R.S. Section 24-6-402(4) (f), specifically regarding the findings and recommendations in Case No. TS 20130001, a dismissal proceeding under the Teacher Employment, Compensation and Dismissal Act of 1990, as amended, and holding and considering oral arguments concerning same. ➤ For discussion of individual students where public disclosure would adversely affect the person or persons involved under C.R.S. Section 24-6-402(4) (h), specifically in connection with oral argument regarding the findings and recommendations in Case No. TS 20130001, a dismissal proceeding under the Teacher Employment, Compensation and Dismissal Act of 1990, as amended. ➤ Conference with an attorney for the Board for the purposes of receiving legal advice on legal questions pursuant to C.R.S. Section 24-6-402(4) (b), specifically legal questions concerning Case No. TS 20130001, a dismissal proceeding under the Teacher Employment, Compensation and Dismissal Act of 1990, as amended, and/or the findings and recommendations therein, and/or regarding the law and procedure pertaining to such proceeding. ➤ Present: Mr. Leany, Mr. Mikolai, Mr. Parrish, Mrs. Tissue, Mr. Williams, Mr. Schultz, Mr. John Groves, District 51 Council. 	Adjourn to Executive Session
Motion Second Aye No	x x	x x	x x	x x	x x	4. Return to Open Meeting: 5:45 p.m. <ul style="list-style-type: none"> ➤ Mr. Mikolai stated the Board was present to make a decision in the case of Mrs. Jane White. The Board deliberated to assist in making a decision in Case No. TS 20130001, a dismissal proceeding under the Teacher Employment, Compensation and Dismissal Act of 1990, as amended. 	Return to Open Meeting

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Motion Second Aye No	x	x	x	x	x	5. Vote on Decision in Case No. TS 20130001 ➤ Mr. Williams moved for the Board to follow the decision of the Administrative Law Judge (ALJ) and supplemental findings and retain Mrs. Jane White. Mr. Parrish seconded the motion. Mr. Leany stated it was a difficult decision and the burden of proof is on the District. He stated the District could do a better job with the findings, as there were grey areas and things were not black and white. He stated the Board needs to follow the ALJ recommendation. Mr. Williams stated how frustrating it is to the Board due to the fact they have to follow the findings of the ALJ. He stated to Mr. Kaiser there were no deliberations which took place during the executive session. He stated the Executive Session was a matter of the Board talking with their attorney and getting the best advice they could obtain. Mrs. Tisue stated as she read the presented information she was disturbed by the ALJ's conclusions, which she felt distracted from the clarity of the Board being able to make a decision. ➤ Mr. Williams stated he was disappointed with the audience during the meeting on April 7 as people were followed to their cars and discussion was heated. He stated that incident is not who the Grand Junction community is or what it represents. He would like everyone to know the Board does things for the right reasons, not the wrong reasons. Mr. Mikolai stated he understands there is a lot of emotion associated with this case. He stated feelings should be calmed and he would also like to say the Board deliberated in an objective way. He stated his hope is everyone would move forward and set an example for the Grand Junction Community.	Adopted
Motion Second Aye No	x	x	x	x	x	6. ADJOURNMENT: 5:52 p.m. <div style="text-align: right;"> <hr/> Terri Wells, Secretary Board of Education </div>	Adjourned