THE REGULAR BUSINESS MEETING OF THE MARTIN BOARD OF EDUCATION, MARTIN PUBLIC SCHOOLS, Allegan County was held in the Central Office Conference Room at 1556 Chalmers St., Martin, MI on the above date.

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by President Harrison for the purpose of conducting the monthly business of the Board of Education.


Members Absent –

PLEDGE OF ALLEGIANCE: Trustee Andrews led the group in the Pledge of Allegiance

Other Staff Present – Samantha Ball, Robert VandenBerg, Barb Schipper, Cathy Bogdan, Becky Lautenschleger, Kim Donker, Dave Hardenburgh, Brandon Bailey, David Harnish and Chris Blauvelt


PUBLIC COMMENTS – Barb Schipper gave a shout out to the Middle School teachers who created an extra activity for the M.S. students after the Homecoming parade. This event gave the students their own fun activities to do during the H.S. Homecoming activities.

BUSINESS MEETING

CONSENT AGENDA:

Trustee Andrews moved, supported by Trustee VandenBerg, to accept the Consent Agenda as presented and no additions or deletions to the meeting agenda.

VOTE: Yes – unanimous  Motion carried.  CONSENT AGENDA

Trustee Harrison moved, supported by Trustee Tuinstra, to accept the approval of the 10/15/18 board meeting minutes.

VOTE: Yes – unanimous  Motion carried.  CONSENT AGENDA

Samantha Ball reviewed the financial reports for the period ending October 31, 2018 and answered questions.
Trustee Pillars moved, supported by Trustee Tuinstra, to accept the payment of board bills in the amount of $100,404.57, as presented.

VOTE: Yes – unanimous Motion carried. BOARD BILLS

ACTION ITEMS

The Administration recommends approval of the following personnel changes:

- Hiring of: Noreen Saphner, Paraprofessional

Trustee Tuinstra moved, supported by Trustee Andrews, to approve the above said personnel changes for the 2018-19 school year effective November 12, 2018, as recommended by the Administration.

VOTE: Yes – unanimous Motion carried HIRING 18-19

Nays:

Approval of the 2018-19 Winter Coaching Staff:

Trustee Moored moved, supported by Trustee Tuinstra, to approve the 2018-19 Winter Coaching Staff, as recommended by the Superintendent.

VOTE: Yes – unanimous Motion carried WINTER COACHING STAFF 18-19

Nays:

Approval of the 2018-19 Winter Coaching Staff:

Trustee Pillars moved, supported by Trustee Jager, to approve Canton VandenBerg as part of the 2018-19 Winter Coaching Staff, as recommended by the Administration.

*Treasurer VandenBerg abstained from vote regarding Canton VandenBerg.

VOTE: Yes – unanimous Motion carried WINTER COACHING STAFF 18-19

Nays:

The Superintendent Recommends Approval of the 1st Reading Policies:

Trustee Pillars moved, supported by Trustee Tuinstra, to approve the 1st Reading Policies which is part of an ongoing process of adopting the revising district policies through NEOLA, as recommended by the Superintendent.

Roll Call Vote:

Andrews – yes Pillars – yes
Harrison – yes Tuinstra – yes
Jager – yes VandenBerg – yes
Moored - yes

VOTE: Yes – unanimous Resolution adopted NEOLA 17-18
Resolution – Open Session at Employee Discretion:
Trustee Andrews moved, supported by Trustee Tuinstra, to move to an Open Session (for the purpose of conducting an employee disciplinary hearing) in the matter of an employee’s recommended termination. Robert Hurber, Legal Representation for Martin Public Schools, explained the difference between an open and closed session. Mr. Bailey was advised of the process of an open hearing and he verbally consented to an open session.

Roll Call Vote:
- Andrews – yes
- Pillars – yes
- Harrison – yes
- Tuinstra – yes
- Jager – yes
- VandenBerg – yes
- Moored - yes

VOTE: Yes – unanimous  Resolution adopted  OPEN SESSION 18-19


Nays:

Appointment of Hearing Officer:
Vice President
Tuinstra moved, supported by Trustee Moored, to appoint Robert Huber, Legal Representation, as the Hearing Officer as recommended by the Superintendent.

Roll Call Vote:
- Andrews – yes
- Moored – yes
- Brenner – yes
- Schipper – yes
- Harrison – yes
- Tuinstra – yes
- McLaughlin - yes

VOTE: Yes – unanimous  Motion carried  HEARING OFFICER 18-19


Nays:

Dr. Harnish reviewed the rationale for the statement of dismissal on November 7th. He then presented his evidence to the Board, handing them a packet documenting the situation and illustrating the policies that had been violated, including additional write-ups in the employee’s file.

Dr. Harnish had two witnesses, Samantha Ball and Rich Meeker, read their statements dated October 23, 2018 (Samantha Ball) and November 7, 2018 (Rich Meeker) of the incident involving Mr. Bailey running the stop sign at the corner of Chalmers St. and Edwards St. in the high school parking lot.

Dr. Harnish showed three statement videos in question, involving the running of the stop sign, speeding at 64-mp/h in a 55-mp/h zone on M-222 between Martin and the Allegan Tech Center, and the video of Mr. Meeker placing Mr. Bailey on leave.

Dr. Harnish concluded this presentation at 7:17 p.m.
Mr. Brandon Bailey then approached the Board of Education, handing out his statement and his other documentation to illustrate his case. He then read his statement. He was told that two people saw him run the stop sign, but he received three different scenarios as to who saw him run the stop sign.

Mr. Bailey then walked members through documentation that he provided to them. He stated that tonight is the first time that he saw the “speeding” video, even though he had asked to see the video previously but hadn’t seen it until tonight’s meeting.

Mr. Bailey stated that parents, staff and students have asked what the district was trying to do to him, as “no one stops for that stop sign!” He made the statement, “Did I put those kids in danger when I didn’t stop? NO!”

Regarding his concerns about the ORS hours and bus routes, he was just trying to find the answers. It seems like the school board policies and support staff handbook are disregarded. He doesn’t feel like the school is following them.

He then asked to see the “stop sign” video again.

Mr. Bailey said that the Transportation Supervisor deemed him unsafe to drive but waited four days to suspend him, and questioned why he was allowed to drive for four more days if he was such a danger.

He also heard he was fired and had been terminated, when he had yet not been terminated. His job was posted prior to this meeting. He was suspended but he was not fired. His son had heard it from another student whose father works for another transportation department in the county.

He also claimed that the bank had called the district twice and was told that Mr. Bailey no longer worked at MPS.

He is so grateful for all of the support from the community and students.

President Harrison acknowledged that she received an email from Mr. Bailey on October 23rd and did respond to his email.

That concluded the presentation at 7:51 p.m.

Robert Huber informed members that they have a choice to either dismiss the charge, present a lesser charge, or dismiss Mr. Bailey.

President Harrison – Concerned of several transportation infractions. There is a reason for the stop sign in question to be located in its location. Parking lots are more dangerous at times than the roads. She is worried that if Mr. Bailey continued to drive for the district and something down the road happened. She is supporting the dismissal.

Trustee Jager – Could have been handled better and needs improving. Wishes it would have been handled sooner. He would have to support the dismissal.
Trustee VandenBerg – Told Brandon he is a rock-star bus driver. He feels that there are holes in the handbook. Sounds like there is a communication breakdown. It looks like targeting pointing to harassment. “At the end of the day you ran the stop sign.” It can’t happen, he is very sorry and will support dismissal.

Trustee Andrews – You’re a wonderful asset to our school, but you can’t ignore safety and supports dismissal.

Trustee Pillars – My kids love you, but you are a school bus driver and you have to follow the law. There is not an easy way out of this. “I am sorry!” He doesn’t agree with the way it was handled.

Trustee Moored – Monitoring, referring to the video doesn’t lie. He himself doesn’t hit 26 going through the stop sign. He has to support the dismissal.

Vice President Tuinstra – none

Concerned parents and community members asked if they could speak in support of Mr. Bailey. Michelle Westendorp, Roxanne Keyzer, Kara Smit, and John Bell shared their concerns of other drivers’ actions while driving their student(s) and dealings with the Transportation Supervisor along with their support for Mr. Bailey. Former transportation employee Kristie Tuinstra shared her concerns regarding the Transportation Supervisor. As did current transportation employee Kim Donker regarding questioning her “write up” concerning ORS hours being reported.

Mr. Bailey again spoke about his evaluations and shared the percentages, which reflected a drop under the new Transportation Supervisor. And again, shared concerns about other drivers and the current Transportation Supervisor.

President Harrison referred to the evaluation provided to members and the drop-in percentages.

Trustee Jager spoke up and stated that safety is a priority but would like to keep Mr. Bailey on board with a plan and probation put into place. Trustee VandenBerg agreed with Jager.

Mr. Huber suggested taking a roll call to vote on keeping Mr. Bailey on staff as an alternate to the proposed resolution, with developing a plan outlining conditions for Mr. Bailey to return to employment.

**Alternate to Dismissal for Mr. Bailey:**

Trustee Jager moved, supported by Trustee VandenBerg, to continue to employ Mr. Bailey with stipulations such as probation and time off without pay.

Roll Call Vote:

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VOTE: Yes – 4-3 Motion carried ALTERNATE TO DISMISSAL 18-19

Ayes: N. Jager, R. Pillars, V. Tuinstra and J. VandenBerg
Nays: R. Andrews, J. Harrison, and J. Moored

A ten-minute recess was taken at 9:10 p.m. to discuss the alternate plan for Mr. Bailey. Mr. Huber, Dr. Harnish and President Harrison discussed what the guidelines of discipline would be regarding Mr. Bailey.

Due Process Resolution for Mr. Bailey:
Trustee Jager moved, supported by Trustee VandenBerg, to continue to employee Mr. Bailey under terms of 180 school days of probation and 30 school days with no pay. MCL 257.649

Roll Call Vote:
Andrews – yes Pillars – yes
Harrison – yes Tuinstra – yes
Jager – yes VandenBerg – yes
Moored - yes

VOTE: Yes – unanimous Motion carried DUE PROCESS- MR. BAILEY 18-19

Nays: 

REPORTS:
Dr. Harnish updated the Board with the following items:

- Will address the employee support staff handbook next month (Dec.). Should the handbook be part of policy or guidelines? He feels it would be a good idea to include the guidelines in the employees’ contracts.
- The new lettering (Home of the Clippers) for the outdoor concession should be completed within a few weeks.
- Feels they will need one more load on the softball field and it should be complete.
- The striping on the outdoor track will have to take place in the spring at this point.

PUBLIC COMMENTS: A secondary school parent shared with board members her concerns regarding an altercation that occurred during school hours. She is upset that one of the students is still attending school. She feels administrators continue to tell her that “their hands are tied.”

MEMBERS’ COMMENTS:

Trustee Andrews – Thanked the visitors who attended the meeting and shared their concerns.

Trustee Harrison – Updating the employee handbook for the 2019-20 school year should start within the next few months. The current handbook should be honored to align with contracts, aside from the annualization piece. In her ten years on the board it has been truly hard and gut-wrenching at times. She also congratulated newly elected board members.
Trustee Jager – Thanked the many visitors for coming to the meeting. It wasn’t easy to get up and share. He gave a shout out to the coaches for all their time that they dedicate to the students and the programs.

Trustee Moored – Thanked the Policy Committee for their time that they spent reviewing policy.

Trustee Pillars – None

Trustee Tuinstra – Definitely need to look into some holes within the processes discussed this evening.

Trustee VandenBerg – Shared that he was able to attend the MASB conference last weekend. He sat in on some School Law/Policies CBA courses which he found very informational. New members would enjoy it.

**ADJOURNMENT:**
Trustee Moored moved, supported by Trustee Jager, to adjourn the meeting at 9:32 p.m.

VOTE: Yes – unanimous Motion carried. ADJOURNMENT

Respectfully submitted,

Jason Moored, Secretary