

The Board of School Trustees of Madison Consolidated Schools conducted a Regular Meeting on Wednesday, July 13, 2022, at the Administration Building, 2421 Wilson Avenue, Madison, Indiana, at 6:00 p.m.

The following members of the Board of School Trustees were present:

Mr. David Storie, President
Mrs. Jodi Yancey, Vice-President
Mrs. Lori Slygh, Secretary
Mr. Larry Henry, Member
Mr. Jay Roney, Member

The following Central Office Administrators were present:

Mr. Kevin Yancey, Director of Facilities and Special Projects
Ms. Shelli Reetz, Director of Student Services

CALL TO ORDER

VERIFY QUORUM

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Upon the recommendation of Mr. Noel, and a motion by Mrs. Yancey, seconded by Mr. Roney, the Board voted, 5-0, and the motion carried to approve the Consent Agenda.

APPROVAL OF AGENDA – JULY 13, 2022, REGULAR MEETING

APPROVAL OF MINUTES OF THE JUNE 2, 2022, WORK SESSION; JUNE 7, 2022, EXECUTIVE SESSION AND JUNE 8, 2022, REGULAR BOARD MEETING

APPROVAL OF PAYMENT OF CLAIMS

APPROVAL OF FINANCIAL REPORT

APPROVAL OF CONSTRUCTION PAYMENT(S)

1.	Dant Clayton Corporation	Pay App #5	Football Press Box	\$22,500.00
2.	Dant Clayton Corporation	Pay App #6	Football Press Box	\$48,829.50
3.	Dant Clayton Corporation	Pay App #7	Football Press Box	\$2,290.50
4.	Dant Clayton Corporation	Pay App #7RET	Football Press Box	\$25,450.00
5.	Johnson-Melloh Solutions, LLC	Pay App #4	Phase VI-Anderson	\$13,538.00
6.	Poole Group Inc.	Pay App #4	Anderson	\$183,730.00
7.	Johnson-Melloh Solutions, LLC	Pay App #8	Phase VI-Anderson	\$301,879.00
8.	Johnson-Melloh Solutions, LLC	Pay App #10	Phase VII-JHS MEP	\$481,235.00

APPROVAL OF PERSONNEL REPORT

Employment(s)

Bus Garage

Lisa Watterson – Summer School Bus Driver - \$23.00 per hour – effective May 31, 2022 – June 17, 2022

Lisa Watterson – Bus Driver - \$23.00 per hour – effective August 10, 2022
Shannon Atkinson – Summer School Bus Driver - \$23.72 per hour – effective May 31, 2022 – June 17, 2022
Kathy Atkinson - Summer School Bus Driver - \$23.72 per hour – effective May 31, 2022 – June 17, 2022
Alan Bowin - Summer School Bus Driver - \$26.92 per hour – effective May 31, 2022 – June 17, 2022
Marsha Foley - Summer School Bus Driver - \$23.00 per hour – effective May 31, 2022 – June 17, 2022
Julia Gorrell - Summer School Bus Driver - \$20.00 per hour – effective May 31, 2022 – June 17, 2022
Tracey Gorrell - Summer School Bus Driver - \$20.00 per hour – effective May 31, 2022 – June 17, 2022
Steve Hagan - Summer School Bus Driver - \$22.00 per hour – effective May 31, 2022 – June 17, 2022
Kim Jackson - Summer School Bus Driver - \$24.28 per hour – effective May 31, 2022 – June 17, 2022
Jamie Kelsey - Summer School Bus Driver - \$21.80 per hour – effective May 31, 2022 – June 17, 2022

Anderson Elementary School

Lorri Sauley – Custodian (Full-time) (2nd shift) - \$12.50 per hour – effective June 27, 2022
Morgan Weidner – Instructional Support - \$16.00 per hour – effective August 8, 2022
Emily Phillips – 4th grade Teacher - \$43,600.00 – effective August 8, 2022
Jennifer Smith – Instructional Support - \$13.00 per hour – effective August 8, 2022
Tracy Moore – Custodian (Full-time) - \$12.50 per hour – effective August 1, 2022
Justin Richardson – Instructional Support (Behavioral) - \$18.00 per hour – effective 2022-2023 school year

Rykers' Ridge Elementary School

Sam Frye – Interventionist - \$30.00 per hour – effective August 8, 2022

Madison Junior High School

Molly McCulley – Summer Custodian - \$13.00 per hour – effective June 13, 2022
Rhonda Jones – Cafeteria Cook - \$11.00 per hour – effective May 25, 2022
Anthony Brandon – 8th grade Head Baseball Coach - \$1,035.00 – effective July 10, 2022
John Scott – 8th grade Softball Coach - \$1,035 – effective June 29, 2022

Madison Consolidated High School

Shayla Shepherd – Freshman Class Sponsor - \$518.00 – effective 2021-2022 school year
Amanda Briggs – SAE Summer School Teacher - \$48.57 per hour – effective May 31, 2022
Sarah Webster – Driver Education (Instructional Support) - \$14.00 per hour -effective 2022-2023 school year
Steve Houchen – Driver Education Instructor – \$26.00 per hour – effective 2022-2023 school year
Tim Whitaker - Driver Education Instructor – \$26.00 per hour – effective 2022-2023 school year
Gary O'Neal - Driver Education Instructor – \$26.00 per hour – effective 2022-2023 school year
Whitney Mathews – Cub Coordinator – CLNA Planning Grant Stipend - \$500.00 – effective June 23, 2022
Amanda Briggs – Agriculture Teacher - CLNA Planning Grant Stipend - \$500.00 – effective June 23, 2022
James Boyd – Assistant Varsity Baseball Coach (50%) - \$1,208.00 – effective May 12, 2022
Dwight Inskip – Assistant Varsity Girls Basketball Coach (80%) - \$3,038.00 – effective July 13, 2022
Sonja Bowyer – Assistant Varsity Girls Basketball Coach (80%) - \$3,038.00 – effective July 13, 2022
Kelsey Block – Assistant Varsity Girls Basketball Coach (80%) - \$3,038.00 – effective July 13, 2022
Ebony Inskip – Assistant Varsity Girls Basketball Coach (80%) - \$3,038.00 – effective July 13, 2022
Kathleen Gee – Math Teacher - \$70,850.00 – effective August 8, 2022

Resignation(s)

Anderson Elementary School

Amanda Angel – Instructional Support – effective June 21, 2022

Madison Junior High School

Kathryn Hay – 6th Grade Teacher – effective May 27, 2022
Ahnya Evinger – Assistant Principal – effective June 15, 2022
Danielle Clark – 8th grade Volleyball Coach – effective June 27, 2022
Cameron Blackwell – Interventionist – effective June 22, 2022
Duane McCarty – 8th grade Baseball Coach – effective June 27, 2022

Madison Consolidated High School

Joe Bronkella – Athletic Director – June 30, 2022
Hannah Righthouse – English Teacher (Select Place) – effective June 16, 2022
Alyssa Foltz – Seasonal AD – effective June 27, 2022

E.O. Muncie Jr-Sr High School

Jessica Hamm – Administrative Clerk – effective July 29, 2022

Request for Payment for Educational Field Trips and/or Academic Coaching

Madison Junior High School

Dariel Courtney – Camp Livingston - \$70.00 – effective May 23-24, 2022
Debbie Bennett - Camp Livingston - \$70.00 – effective May 23-24, 2022
Heather Vaughn - Camp Livingston - \$70.00 – effective May 23-24, 2022
Kathryn Hay - Camp Livingston - \$70.00 – effective May 23-24, 2022
Abigail Garrett - Camp Livingston - \$70.00 – effective May 23-24, 2022
Adam Jones - Camp Livingston - \$70.00 – effective May 23-24, 2022

Change of Position and/or Change of Rate

Technology

Molly McCulley – from Administrative Clerk at Madison Junior High School to Data Management Specialist and from \$13.00 per hour to \$40,000.00 – effective June 20, 2022

Anderson Elementary School

Laken Crabtree – from Substitute to Instructional Support and from \$13.25 per hour to \$14.00 per hour – effective 2022-2023 school year
Heather Crain – from Custodian at Anderson Elementary School to Instructional Support – effective 2022-2023 school year

Deputy Elementary School

Lori Day – from Part-time Instructional Support (PreK) to Full-time Instructional Support (PreK) – effective August 8, 2022

Madison Junior High School

Jackie Thurston – from Math Teacher to Assistant Principal and from \$53,000.00 to \$80,000.00 – effective July 1, 2022
Montica Brawner – from Data Management Specialist to Administrative Clerk and from \$40,000.00 to \$17.65 per hour – effective June 15, 2022

Madison Consolidated High School

Michelle Lovato – from Teacher to Hybrid Professional (OT & ISP) and from \$49,400.00 to \$37,118.00 – effective July 1, 2022
Jeanette Hopper – from Cafeteria Cook to Assistant Cafeteria Manager – effective July 1, 2022

Retirement

Bus Garage

Lisa Watterson – Bus Driver – effective June 20, 2022 (revised retirement date)

Mr. Storie welcomed and congratulated new Junior High School Assistant Principal Jackie Thurston. Mrs. Thurston thanked the Board and said she considers the Junior High School as a part of her family.

APPROVAL OF DONATION(S)/GRANTS

Madison Consolidated High School

1. Nucor Steel Gallatin donated \$400.00 to the Girls Basketball team for sponsorship.
2. Jefferson County Community Foundation Mike Hess Memorial Endowment donated \$1,000.00 to the Prom.
3. Jefferson County Community Foundation Mike Hess Memorial Endowment donated \$400.00 to the Prom to support students in need with prom dinner expenses.
4. Rivercrest Lighthouse, Inc. donated \$200.00 to the Girls Softball team.
5. Madison Precision Products donated \$250.00 to the After Prom.
6. Bob and Tammy Courtney donated \$500.00 to the Girls Track team.
7. Madison Precision Products donated \$300.00 to the Art Academy.
8. CICP Foundation, Inc. donated \$300.00 to Cub Manufacturing.
9. Fit for the King donated \$82.00 to the Journalism Department.
10. Visit Madison/Ribberfest donated \$500.00 to the Football team.

APPROVAL OF OVERNIGHT FIELD TRIP REQUEST

1. Request from Boys Cross Country Coach Kris Sandlin to take 15-20 boys cross country team members to attend an overnight cross-country camp on August 3-6, 2022 at McCormick's Creek State Park in Bloomington, Indiana.
2. Request from High School FFA Advisor Amanda Briggs to take 12 FFA students to the National FFA Convention on October 26-27, 2022 in Indianapolis, Indiana.

Mr. Storie will give the following statement:

The following procedures will be followed for citizens wishing to address the Board during patron comments:

- 1) All comments must address listed action items
- 2) Resolutions to questions or concerns are to be addressed first at the building level and then with the superintendent before being brought to the Board.
- 3) Those addressing the Board will speak in a manner suitable for a public forum.
- 4) Those speaking shall refrain from making any personal references or attacks.
- 5) Time limit of three minutes will be imposed depending on the number of people requesting to speak. Any group wishing to speak regarding the same agenda item may speak up to 20 minutes or less. Total time for public comments will be limited to 30 minutes or less.
- 6) If a patron does not follow the guidelines, the Board may close patron comments and move on to the next agenda item for the meeting, or the patron may be asked to leave.

PUBLIC COMMENTS (ALL COMMENTS MUST ADDRESS LISTED ACTION ITEMS)

Stacie Skinner, 307 Laurel Lane, spoke regarding the character of her husband Tyson Skinner. Mrs. Skinner said wrestlers are still a part of their life today. She said Tyson is an adult mentor who gives back to the community. Mrs. Skinner said she is more than proud of her husband. She said student success feeds Tyson's soul. Mrs. Skinner said his teaching, mentoring and coaching doesn't stop during the school hours. She said Tyson is an asset to parents in our community. Mrs. Skinner said Tyson pushes students and his own children to give back to the community by volunteering. She said the last 100 days haven't been easy for her family. Mrs. Skinner said her son

Van coached the younger wrestlers during Tyson's absence. She said her kids are proud their dad is a teacher. Mrs. Skinner said Tyson interacts well with students. Mrs. Skinner thanked those teachers who inquired about their children during this time. Mrs. Skinner said Madison Consolidated High School is a great school. She said they are a Madison Cub family. Mrs. Skinner said Tyson's impact is positive for MCS.

Mr. Storie asked that the remaining speakers keep their comments to three minutes.

Erin Mitchell, 11239 N 700 W, Dupont, addressed the Board regarding Tyson Skinner. She said she has known Tyson for 11 years and if released it will be an injustice to students. Mrs. Mitchell said Tyson coaches students. She gave an example of a former MCHS student who said he had played many sports and said no coach compared to Tyson and said releasing him would negatively impact future students.

Amanda Vance, 8849 N SR 7 Dupont, Mrs. Vance said her son graduated last year and that Tyson helped her son overcome obstacles. She said Tyson has been a positive influence for kids. She asked the Board to vote to keep Tyson.

Casey Stewart, 311 S Paine Street, Hanover, Mrs. Stewart said she and her husband Joe Stewart have four children and the twins wrestle. She said last year one of her sons struggled and faced many challenges and Tyson didn't turn his back on him. Mrs. Stewart said Tyson is a person they looked forward to be their children's coach. Mrs. Stewart said we need more coaches like Tyson. She said he supports kids who had no other help and that he cares about every child. Mrs. Stewart said no one is perfect that the good outweighs the bad.

Dianna Resendiz, 2212 Taylor Street, Ms. Resendiz said Tyson has been more than a coach to her two sons. She said he is like a dad to her kids. Ms. Resendiz said Tyson has pushed and motivated her kids to do better. She said Tyson helped when her son started missing school. Ms. Resendiz said Tyson really cares about each child. She said Tyson isn't just a teacher but a mentor and a father figure. Ms. Resendiz said Tyson is a great asset to the high school.

Tami Hagemier, 2612 Franks Drive, Mrs. Hagemier said she has a dear friend on the Board and is dear friends with the Skinners. She said she believes the truth has been hidden. She said there are unruly kids at Lydia Middleton. Mrs. Hagemier said the School Resource Officers aren't in every building. She said in Indiana there is Qualified Immunity. She said coaches put their hands-on athletes. Mrs. Hagemier said teachers are forced to look the other way. Mrs. Hagemier said the truth will come out. She said Tyson was a Marine combat veteran and would never leave anyone behind. Mrs. Hagemier said Tyson is well respected and asked the Board to retain Coach Skinner.

ACTION

APPROVAL OF SUPERINTENDENT CONTRACT EFFECTIVE JULY 14, 2022 TO JUNE 30, 2025

Upon the recommendation of Mr. Noel, and a motion by Mrs. Slygh, seconded by Mr. Henry, the Board voted, 4-0-1, with Mrs. Yancey abstaining, and the motion carried to approve the Superintendent Contract with Dr. Teresa Brown, effective July 14, 2022 to June 30, 2025.

Mr. Storie and the Board presented Dr. Brown with "Madison" gifts.

Dr. Brown thanked the Board for hiring her and entrusting her with children and the staff. She said she is looking forward to joining Madison Consolidated Schools.

CLAIM NO. 70000642-C6

Upon the recommendation of Mr. Noel, and a motion by Mr. Roney, seconded by Mrs. Slygh, the Board voted, 5-0, and the motion carried to approve Claim #70000642-C6.

RECOMMENDATION FOR EMPLOYEE DISMISSAL

Upon the recommendation of Mr. Noel, and a motion by Mrs. Slygh, seconded by Mr. Roney, the Board voted, 4-1, with Mr. Henry opposing, and the motion carried to dismiss Mr. Tyson Skinner.

FINDINGS OF FACT

Mr. Storie said the Board must adopt findings of fact supporting its reasons for cancelling the teaching contract for Mr. Skinner. Board counsel has prepared findings for the Board and has provided those to us for our consideration. Is there a motion? Mrs. Slygh moved that the Board approve the findings prepared by Board counsel, with Mr. Roney seconded the motion. Mr. Storie asked if there was any discussion. Mr. Storie said it has been moved and seconded that the Board approve the findings prepared by Board counsel. All in favor say yes, all opposed say no. The vote was 4-1, with Mr. Henry opposing the motion, the motion carried.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

A private Board conference was held in this matter in the Board Room at Madison Consolidated School Corporation's Administration Office located at 2421 Wilson Avenue, Madison, Indiana on July 5, 2022. All five members of the Board of School Trustees of the Madison Consolidated School Corporation (the "Board") participated in the private Board conference and consideration of this matter.

Tyson Skinner ("Teacher") was represented by attorney Jenna Shives ("Teacher Counsel") from the firm Stoll Keenon Ogden, PLLC. The School Administration was represented by attorney Susan D. Bevers ("Administration Counsel") from the firm Lorenzo Bevers Braman & Connell. The Board was advised by attorney Michelle Cooper ("Board Counsel") from the firm Lewis & Kappes, PC. Board Counsel chaired the private Board conference on behalf of the Board, ruled on the admissibility of evidence, and advised the Board on matters of law and procedure.

Seven (7) days prior to the private Board conference, the parties through their respective counsel exchanged evidence as required by Indiana Code 20-28-7.5-2. Through this evidence exchange, the parties exchanged copies of their respective exhibit lists and documents and other evidence that were tendered as exhibits in this matter. All evidence submitted by both parties was admitted into the record for consideration by the School Board in this matter.

Based on the evidence presented to the Board and the Board's evaluation of the demeanor and credibility of the witnesses, the Board now makes the following findings of fact and conclusions of law.

Findings of Fact

1. Tyson Skinner was employed by the Board on the date of the private Board conference as a teacher under a regular teacher's contract. Mr. Skinner's current assignment is at Madison High School ("High School") as Teacher.
2. Daniel Noel is the Board's Interim Superintendent of Schools. Mr. Noel was present throughout the private Board conference before the Board in this matter.
3. In accordance with Indiana Code 20-28-7.5-2, Mr. Skinner was served via hand delivery with notice of the Interim Superintendent's preliminary determination to cancel Mr. Skinner's teacher contract. (See Administration Exhibit 27)
4. Mr. Skinner received the preliminary notice on May 16, 2022. (See Administration Exhibit 28)
5. In accordance with Indiana Code 20-28-7.5-2, Mr. Skinner timely submitted a request for a private superintendent conference with Mr. Noel. (See Administration Exhibit 28)
6. Mr. Skinner's private conference with the Superintendent occurred on May 20, 2022. Immediately following the private conference with the Superintendent, Mr. Skinner submitted his request for a private conference with the School Board. (See Administration Exhibit 30)

7. On May 23, 2022, Superintendent Noel recommended to the School Board in writing that Mr. Skinner's teaching contract be cancelled. (See Administration Exhibit 31).
8. The School Board held the private conference in this matter on July 5, 2022.
9. The evidence presented at the private conference before the School Board established the following findings of fact that the School Board is relying upon in making its decision in this matter:
 - A. During the morning on Thursday, March 31, 2022, Mr. Skinner left his classroom to attempt to return a truant student (hereinafter referred to as AH) to the classroom. Mr. Skinner approached AH in the parking lot of the High School.
 - B. While trying to catch AH in violation of class attendance, Mr. Skinner requested another student text him the status of AH while Mr. Skinner was not in the classroom.
 - C. Mr. Skinner approached AH in the parking lot. Mr. Skinner and AH were walking through the parking lot to return to the building and Mr. Skinner turned toward AH and grabbed AH by the upper arm.
 - D. Upon review of the school's security video, Mr. Skinner struggled with AH. It appears from the video as though AH went limp the first time AH fell to the ground. Mr. Skinner grabbed AH by the waist and shoulder and returned AH to his feet.
 - E. AH struggled with Mr. Skinner. AH fell to the ground a second time to pick up his cell phone that he had dropped. The security video shows Mr. Skinner a second time putting his hands-on AH, getting AH to his feet and escorting AH to the building.
 - F. Mr. Skinner testified that AH was not threatening to harm himself.
 - G. Mr. Skinner testified that AH was not threatening to harm any other person at school.
 - H. Portions of the altercation were witnessed by multiple individuals who were in the High School parking lot.
 - I. One of the observers who witnessed the altercation between Mr. Skinner and AH reported the incident to the office.
 - J. A second observer who witnessed the altercation reported the incident to the Assistant Athletic Director.
 - K. The Assistant Athletic Director and Athletic Director reported the incident to School Resource Officer, Yancy Denning ("Officer Denning").
 - L. Officer Denning retrieved and viewed the parking lot security video. Upon viewing the video, Officer Denning reported the incident to Assistant Principal Ronnie Lawhead ("Mr. Lawhead").
 - M. Mr. Lawhead reviewed the video with Officer Denning. Upon review of the video, Mr. Lawhead reported the incident to Principal Michael Gasaway ("Mr. Gasaway"). Mr. Gasaway viewed the video and alerted Bonnie Hensler ("Ms. Hensler"), Business Manager and HR Director, of the incident and started an investigation.
 - N. On March 31, 2022, Ms. Hensler assigned Mr. Michael Gasaway, Principal, to investigate the situation.
 - O. On or around April 1, 2022, Ms. Hensler placed Mr. Skinner on paid administrative leave pending further investigation into his handling of the matter involving AH. (See Administration Exhibit 25).
 - P. On April 1, 2022, Officer Denning, Mr. Lawhead and Mr. Gasaway conducted interviews with Tyson Skinner, Brad Warren, Allan Schmidt, Patric Morrison, Joe Bronkella, AH and Mary Ellen Hamby. The interview transcripts with all interviewees are included in the record and are marked as Administration Exhibits 1, 2, 3, 4, 5, 6, and 7, respectively.
 - Q. Officer Denning testified that he interviewed AH on April 1, 2022. Officer Denning testified that AH did not say anything threatening to Mr. Skinner. Officer Denning testified that AH was not harming himself or others, nor was he damaging school property.
 - R. Mr. Skinner testified at the private Board conference and made the following critical admissions that are relevant to the Superintendent's recommendation to cancel his employment contract: (1) Mr. Skinner admitted that he placed his hands on AH; (2) Mr. Skinner admitted that he did not do this in defense of himself or others, or to protect the property of the Board; and (3) Mr. Skinner

- admitted that he did not make a referral to the Assistant Principal as is procedure for dealing with a truant student.
- S. At the private Board conference, Mr. Skinner testified that he did not know how to make a referral to the office regarding truancy through the “Skyward” system. However, under cross examination, Mr. Skinner admitted that he received three days of training prior to beginning the school year and the use of the Skyward system was a point of training.
- T. Mr. Skinner testified at the private Board conference that he did not receive any training of the use of force with students through the school corporation. However, under cross examination, Mr. Skinner admitted that he was provided a copy of the employee handbook and acknowledged that all school board policies are publicly available on the School Corporation’s website. (See Administration Exhibits 16, 17, 18, 22 and 23)
- U. Officer Denning testified at the private Board conference that he has concerns about Mr. Skinner violating Indiana Code 35-42-2-1(c), which prohibits a person from touching another person in a rude, insolent or angry manner. Mr. Skinner did not deny that he touched AH, but denies that it was in a rude, insolent or angry manner.
- V. Officer Denning testified at the private Board conference that he has concerns about Mr. Skinner violating Indiana Code 35-42-3-3, which prohibits a person from confining another person without the other person’s consent. Mr. Skinner testified that he did not realize that AH was trying to retrieve his phone during the incident.
- W. Officer Denning testified that if he had personally witnessed the incident while it was occurring, then he would have arrested Mr. Skinner.
- X. Mr. Lawhead testified at the private Board conference that he has concerns involving Mr. Skinner’s failure to comply with multiple Board policies based upon the altercation between Mr. Skinner and AH on March 31, 2022. Mr. Lawhead testified that in light of Mr. Skinner’s policy infractions in his altercation with AH, it was his professional opinion that contact cancellation is appropriate.
- Y. Ms. Hensler testified at the private Board conference that she has concerns involving Mr. Skinner’s failure to comply with multiple Board policies based upon Mr. Skinner’s altercation in the parking with AH on March 31, 2022. Ms. Hensler testified that in light of Mr. Skinner’s policy infractions and the liability exposure Mr. Skinner’s conduct posed to the School Corporation through his actions on March 31, 2022, it was her professional opinion that contact cancellation is appropriate.
- Z. Mr. Noel testified that after reviewing all of the evidence gathered through the investigation, he is very concerned about Mr. Skinner’s violations of Board policies and the law with respect to Mr. Skinner’s altercation with AH in the High School parking lot on March 31, 2022. Mr. Noel also expressed concern about the liability risk that Mr. Skinner’s actions posed to the School Corporation based upon the altercation between Mr. Skinner and AH on March 31, 2022. Mr. Noel testified that he is recommending that the Board cancel the teaching contract of Mr. Skinner.
10. A conclusion of law that states a finding of fact is hereby adopted as a finding of fact.

Conclusions of Law

1. This matter is properly before the Board pursuant to Indiana Code 20-28-7.5 et seq.
2. The procedure to be applied by the Board is set forth in Indiana Code 20-28-7.5 et seq. The applicable procedure has in all respects been correctly applied in the consideration of this matter. (See Indiana Code 20-28-7.5 et seq.; See Administration Exhibits 27, 28, 30 and 31).
3. The Superintendent has recommended that Mr. Skinner’s teaching contract be cancelled due to insubordination, neglect of duty, other good or just cause and/or cancellation of a probationary teacher’s contract for any reason relevant to the School Corporation’s interest. (See Administration Exhibit 27).
4. The Administration has proven by a preponderance of the evidence that Mr. Skinner’s teaching contract with the School Corporation should be cancelled. Cause grounds are not required to be proven under Indiana law to cancel the contract of a probationary teacher. Rather, as a probationary teacher, Mr.

- Skinner's contract may be cancelled for any reason relevant to the School Corporation's interest. See Ind. Code 20-28-7.5-1.
5. Pursuant to Board Policy 3139 – Staff Discipline, the Board may bypass the typical steps for progressive discipline and move directly to more serious discipline when the Board determines that the interests of students and the school community make the application of the progressive discipline process inappropriate. Two examples contained in Board policy 3139 when it is appropriate to bypass the typical progressive discipline steps include threats of and/or acts of violence to a person and poor professional judgment resulting in a risk of physical harm to a person. (See Administration Exhibit 20)
 6. Mr. Skinner admits that he placed his hands on AH while not being in defense of self, others or the property of the School Corporation. Mr. Skinner also admits that he did not seek the assistance of administration or law enforcement when dealing with AH on March 31, 2022. Instead, Mr. Skinner engaged in poor professional judgment that resulted in a risk of physical harm to AH. Mr. Skinner's actions toward AH in the parking lot were alarming enough to cause onlookers to report the altercation to school administrators. These facts allow progressive discipline to be bypassed and for Mr. Skinner to be immediately terminated. (See Administration Exhibit 20)
 7. Mr. Skinner violated Board policy 3213 – Student Supervision and Welfare, when he engaged in electronic communication with a student about the disciplinary incident involving AH, and such communication is impermissible under this policy. The Board also has concerns that Mr. Skinner's communications with a student about AH's misconduct could be construed as a violation AH's privacy rights under the Family Educational Rights & Privacy Act. (See Administration Exhibit 18)
 8. Mr. Skinner violated Board policy 3210 – Staff Ethics, when he failed to exercise due care to protect the physical safety of AH. (See Administration Exhibit 17)
 9. In addition, Mr. Skinner violated Board policy 5630 – Use of Force, when he used physical force with a student, but did not do so for one of the reasons allowable in this policy (i.e., in an effort to prevent a student from injuring him/herself or others including self-defense and the defense of others by a staff member, to stop a student from damaging the property of the Board or others, or to end the disruption of an educational function or prevent interference with a school activity). Mr. Skinner's altercation with AH on March 31, 2022 also was non-compliant with Board Policy 5630b because his use of physical force was not based upon any of the reasons contained in this policy that would permit physical action by a staff member against a student. (See Administration Exhibits 22 and 23)
 10. Mr. Skinner acted outside of the scope of his job responsibilities and Board policies by taking the actions he took on March 31, 2022 with respect to AH, which posed a risk of liability to the School Corporation.
 11. All of these reasons are reasons relevant to the interest of the School Corporation to cancel the teaching contract of Mr. Skinner.

Decision

Based on the preceding findings of fact and conclusions of law, the Board of School Trustees by the vote of 4-1 of the five (5) members that Mr. Skinner's teaching contract be cancelled effective immediately.

APPROVAL OF JAG-INDIANA AGREEMENT

Upon the recommendation of Mr. Noel, and a motion by Mr. Roney, seconded by Mr. Henry, the Board voted, 5-0, and the motion carried to approve the JAG-Indiana Agreement.

APPROVAL FOR THE SUPERINTENDENT TO HIRE PERSONNEL FOR THE BEGINNING OF THE 2022-2023 SCHOOL YEAR

Upon the recommendation of Mr. Noel and a motion by Mr. Henry, seconded Mrs. Yancey, the Board voted, 5-0, and the motion carried to authorize the Superintendent to hire personnel for the beginning of the 2022-2023 school year.

Mr. Noel explained the need for this agenda item as our next board meeting is after school begins and we may need to hire certified staff and any unexpected resignations that may occur. Mr. Noel said we do our best to find certified staff.

PERMISSION TO TRANSFER APPROPRIATIONS AND CASH

Upon the recommendation of Mr. Noel and a motion by Mr. Roney, seconded by Mrs. Slygh, the Board voted, 5-0, and the motion carried to transfer Appropriations and Cash.

APPROVAL OF REVISED HANDBOOKS:

A. PRESCHOOL HANDBOOKS

Upon the recommendation of Mr. Noel and a motion by Mrs. Slygh, seconded by Mrs. Yancey, the Board voted, 5-0, and the motion carried to approve the Preschool Handbooks.

B. MADISON CONSOLIDATED SCHOOLS ELEMENTARY STUDENT HANDBOOK

Upon the recommendation of Mr. Noel and a motion by Mrs. Yancey, seconded by Mr. Roney, the Board voted, 5-0, and the motion carried to approve the Elementary Student Handbooks.

C. MADISON JUNIOR HIGH SCHOOL STUDENT HANDBOOK

Upon the recommendation of Mr. Noel and a motion by Mr. Roney, seconded by Mrs. Slygh, the Board voted, 4-1, with Mrs. Yancey opposing, and the motion carried to approve the Junior High School Student Handbook.

Mrs. Yancey explained the reason she voted no is she has issues with the athletic piece of the handbook.

D. ATHLETIC HANDBOOK

Upon the recommendation of Mr. Noel and a motion by Mr. Roney, seconded by Mrs. Slygh, the Board voted, 4-1, with Mrs. Yancey opposing, and the motion carried to approve the Athletic Handbook.

Mr. Storie asked Dr. Brown if she would meet with the new Athletic Director and look at the issues with the Athletic Handbook.

E. MADISON CONSOLIDATED HIGH SCHOOL STUDENT HANDBOOK

Upon the recommendation of Mr. Noel and a motion by Mr. Roney, seconded by Mrs. Slygh, the Board voted, 5-0, and the motion carried to approve the MCHS Student Handbook.

F. E.O. MUNCIE JR-SR HIGH SCHOOL STUDENT HANDBOOK

Upon the recommendation of Mr. Noel and a motion by Mr. Roney, seconded by Mrs. Slygh, the Board voted, 5-0, and the motion carried to approve the E.O. Muncie Jr-Sr High School Handbook.

Mrs. Yancey thanked Mrs. Upchurch for working through issues today on the Handbook.

G. MADISON CONSOLIDATED SCHOOLS CODE OF CONDUCT

Upon the recommendation of Mr. Noel and a motion by Mr. Henry, seconded by Mr. Roney, the Board voted, 5-0, and the motion carried to approve the MCS Code of Conduct.

APPROVAL OF PERKINS BASIC GRANT

Upon the recommendation of Mr. Noel and a motion by Mrs. Slygh, seconded by Mrs. Yancey, the Board voted, 5-0, and the motion carried to approve the FY 23 Carl Perkins Title V Grant in the amount of \$55,635.00. This money will be used to continue to upgrade our Career and Technology Education programs including Culinary, Engineering, Agriculture, Manufacturing, Graphics, and Business.

APPROVAL TO PURCHASE ACTIVITY BUS

Upon the recommendation of Mr. Noel and a motion by Mrs. Yancey, seconded by Mrs. Slygh, the Board voted, 5-0, and the motion carried to approve the purchase of an Activity Bus from Kerlin Bus Sales in the amount of \$74,782.00.

OPEN PUBLIC COMMENTS

There were no open public comments.

BOARD MEMBER COMMENTS

Mr. Storie said the Board and Corporation have been through a lot the past four months. He thanked Pam Smith and Ashley Schutte for helping with the new superintendent hiring process. Mr. Storie commended the Board members. He said he was very proud of the Board.

Mr. Roney said he is looking forward to the start of the school year. He stated online registration begins tomorrow.

Mr. Roney congratulated Jackie Thurston.

Mr. Roney said he is looking forward to the new Student Representative.

Mr. Roney sent condolences to the family of Mr. Dan Grill.

Mr. Roney thanked Mr. Noel for his assistance the past four months.

Mr. Roney said he attended the ground breaking for the new shopping center and said Cub Industries and art classes will be part of the development.

Mr. Roney congratulated Dr. Brown and said the hiring process had been very thorough. He said he loved that she bought a house and is moving to Madison.

Mr. Henry said the school year is right around the corner. He said we need to hire a few staff members.

Mr. Henry said fall sports is right around the corner.

Mr. Henry said we do the best we can for all students.

Mrs. Slygh said Board decisions are very difficult whether they are hiring or dismissing employees. She said no decision is taken lightly. Mrs. Slygh said she was put on the Board to follow board policy and to uphold board policy.

Mrs. Slygh said as a school counselor she knows students and adults can sometimes make poor choices.

Mrs. Slygh thanked Mr. Noel and Pam.

Mrs. Slygh congratulated Mrs. Thurston and Dr. Brown.

Mrs. Yancey echoed what Mrs. Slygh said. She said decisions aren't taken lightly.

Mrs. Yancey congratulated Mrs. Thurston.

Mrs. Yancey welcomed Dr. Brown to Madison.

Mrs. Yancey thanked Mr. Noel for his guidance and help.

Mrs. Yancey thanked Pam.

Mrs. Yancey thanked the principals and administrators for the work done on the handbooks.

Mr. Storie said the next work session would be on Thursday, August 11, 2022 and the next scheduled board meeting would be Wednesday, August 17, 2022.

INTERIM SUPERINTENDENT REPORT

Mr. Noel said Dr. Brown was very lucky to be the new Superintendent as MCS has a great board and great people.

ADJOURNMENT

Mr. Roney moved the meeting be adjourned, seconded by Mrs. Slygh, the Board voted, 5-0, and the meeting was adjourned.

Secretary
BY: ps

ATTEST:

The Board met in Executive Session following the Regular Meeting to discuss the following:

Pursuant to Indiana Code 5-14-1.5-6.1:

- (1) Where authorized by federal or state statute
- (6) With respect to any individual over whom the governing body has jurisdiction:

- (A) To receive information concerning the individual's alleged misconduct
- (9) To discuss a job performance evaluation of individual employees. This subdivision does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

Secretary
BY: ps

ATTEST:
