

October 5, 2009

The Marshall County Board of Education met in special called session on Monday, October 5, 2009, at approximately 6:40 p.m. in the Board Conference Room at Jones School to discuss the termination or buy-out of Dr. Stan Curtis's contract.

Members present were Curt Denton, Kristen Gold, Mike Keny, Craig Michael, Delinda Owens, Randy Perryman, Ann Tears, Todd Tietgens, and Mark Wilkerson. No members were absent.

Prayer/Pledge

Chairman Keny opened the meeting instructing the audience and board members to be respectful of one another and Dr. Curtis, then pointed out that Sam Jackson, a representative from the school system's attorney's office, was in attendance should the board have legal questions.

Mr. Michael made a motion that the board exercise its right under Article 16e to unilaterally terminate the contractual agreement with Dr. Curtis effective immediately; and as severance, pay as dictated in the contract in Article 6 and 7 salary and benefits for a twelve month period to be paid, as the contract states, incrementally monthly. Ms. Tears seconded the motion.

Mr. Wilkerson asked the dollar amount; Janet Wiles, Budget Director, stated \$152,221. Mr. Wilkerson pointed out that the system recently went through an extreme budgetary situation and was not sure where this money could be found without going to the commission or cutting staff. Ms. Gold questioned if this was the best use of funds and if it's the best option for the school system; Mr. Wilkerson agreed.

Mr. Michael stated that while the system has a challenging budget, money is in the budget to buy-out the contract without asking for additional funds. He added that, going back several years, the budget has had several line items that consistently run below budget. He went on to cite reasons for buying-out the contract.

Mr. Tietgens asked if the board has received buy-in from the public.

Ms. Gold stated everyone she has spoken with (teachers and community members) overwhelmingly provided positive comments on the current changes

and direction of the school system. She added that if the board decides to buy-out Dr. Curtis's contract, the County Commission will have to give approval to redirect funds.

Ms. Tears said she has also heard from the community and has received both positive and negative comments concerning Dr. Curtis, some of which she read. She also expressed her own concerns regarding the Central Office, including but not limited to an incident in which Dr. Curtis did not inform assistant director Roy Dukes he was going out of town at the beginning of August. Ms. Tears stated she told Dr. Curtis to inform Mr. Dukes about his absence but it was not done. She said she questioned the director twice regarding who was running the Central Office, and to date, she has not received an answer.

Mr. Michael stated that while he has received supportive comments about Dr. Curtis, the majority of comments he has received are not in support of Dr. Curtis.

Mr. Wilkerson suggested the board take other steps before considering terminating or buying-out Dr. Curtis's contract, such as a reprimand. Mr. Michael responded that the board had brought up placing reprimands in Dr. Curtis's personnel file in the past but were not passed by the board.

Mr. Perryman told the board that he voted against having this meeting, but when the majority voted to schedule the meeting he went into the community and questioned teachers and people he respected that if the vote resulted in keeping Dr. Curtis in place, could the school system move forward in a positive manner and everyone work together; the majority told him no, they didn't think they would have respect for Dr. Curtis. He went on to say he was often asked if the board could work together as a whole for the county; he added that the board needs to come together, set an example for others, and move the county forward in a positive way.

The roll call vote was as follows:

| | | | |
|-------------|-----|---------------|-----|
| Mr. Denton | Yes | Mr. Perryman | Yes |
| Ms. Gold | No | Ms. Tears | Yes |
| Mr. Keny | Yes | Mr. Tietgens | No |
| Mr. Michael | Yes | Mr. Wilkerson | No |
| Ms. Owens | Yes | | |

The motion passed 6-3.

Mr. Jackson (attorney) told the board that based on the vote the school system does not have a superintendent of schools, and state law says we must have a superintendent. He advised the board to consider immediately appointing an interim director.

Mr. Tietgens and Ms. Gold announced their intentions to resign their seats from the board.

Mr. Michael made a motion to appoint assistant director Roy Dukes as the interim director; Mr. Wilkerson seconded the motion.

Mr. Dukes was not in attendance to ask if he would accept the appointment. At approximately 7:25 p.m., Chairman Keny called a recess to contact Mr. Dukes.

Approximately five minutes later, the meeting reconvened with Chairman Keny stating he contacted Mr. Dukes, and Mr. Dukes agreed to serve as the interim director of schools. The roll call vote was as follows:

| | | | |
|-------------|-----|--------------|-----|
| Mr. Denton | Yes | Ms. Owens | Yes |
| Mr. Keny | Yes | Mr. Perryman | Yes |
| Mr. Michael | Yes | Ms. Tears | Yes |

The motion passed 6-0 (Mr. Wilkerson was not present for the vote).

The meeting was adjourned.

Respectfully Submitted,

Mike Keny, Chairman

Roy Dukes, Interim Director