

# DAVISON COMMUNITY SCHOOLS

## Board of Education

Tuesday, December 14, 2021

7:00 p.m.

Davison Middle School Cafetorium

### MINUTES

**MEMBERS PRESENT:** Karen Conover  
Nicholas Goyette (tardy, arrived at 7:05 pm)  
Eric Lieske  
Diane Rhines  
Matthew Smith  
Granger Stefanko

**MEMBERS ABSENT:** Stefanie Pickell

**ADMINISTRATION:** Kevin Brown, Superintendent  
Matt Lobban, Assistant Superintendent  
Phil Thom, Executive Director of Operations  
Amy Chorley, Director of Student Services  
Michelle Edwards, Director of Public Information  
Angie Hards, Director of Curriculum  
Leslie Young, Director of Business Services  
Melanie Berry, Early Learning Administrator  
Ron Jacobs, High School Principal  
Christine Kuzinski, Central Elementary Principal  
Natalie Miller, Thomson Elementary Principal  
Josie Paquette, Middle School Principal  
Jerry Piger, Alternative Education Principal

**STAFF:** Amy Brewer, Eric Chorley, Sara Howes, Kristin Kneff, Robert Konzman, Chris Lesko, Michelle Murphy, Karlee Pins, Kevin Roberts, Becky Turkovics, Julie VanEvery, Rachel Wheaton

**OTHER GUESTS:** Jennifer Allen, Robin Ballard, Bob Beckelic, Charline Beccia, Jennifer Bell, Scott Bell, Hope Block, Josh Block, Cora Brewer, Lorien Clark-Morgan, Dan Clugston, Mark Clugston, Theresa Clugston, Leah Davis, Brenda Dougherty, Sydney Dyer, Tiffany Dyer, Paula English, Todd Ferguson, Madilyn Galbraith, Erika Glasco, Tim Green, Kelly Hilgendorf, Darcey Hinkley, Rita Jones, Patti Kiefer, Brian Kosbar, Marcia Kosbar, Justin Miller, Leonard Marden, Sherry Marden, Stan Marshall, Ken Minto, Taylor Minto, Lori O'Brien, David Onufry, Linda Onufry, Deborah Pawlow, Jenessa Phillips, Michelle Rendon, Dustin Rhinebolt, Morgan Rhinebolt, Autum Riley, Amanda Rodman, Grace Rodman, Harold Rodman, Courtney Rose, Andrea Schroeder, Michele

Initials: DK

Sheeran, Dave Sieb, Lindsey Spiewak, Lori Tallman,  
Kathleen Torreado-Cook, James VanEvery, Ben Vick,  
Michelle Young

## **ORDER OF BUSINESS:**

**CALL TO ORDER:** The regular meeting of the Davison Board of Education was called to order by President Karen Conover at 7:00 pm in the Davison Middle School Cafetorium. Vice President Granger Stefanko asked for a moment of silence out of respect for the victims from Oxford High School.

Board President Karen Conover read the following statement: "First, I would like to assure the public that this board and this school district have absolutely no tolerance for bullying or harassment which becomes known to us. We have very strict board policies and a personal disgust for such behavior.

When it comes to board member behavior, we expect the Cardinal Code to apply just as it does to any district employee or student. A leader needs to lead by example.

However, school board members are NOT employees of the district. We are elected by you, the people, therefore, this board has NO legal authority to remove a board member, even for unlawful behavior.

Let me repeat myself: this board has NO legal authority to vote to remove one of its members from their seat. The public elects us; the public alone can remove us through election or recall. The only exception is conviction of a felony, in which case the State Board of Education removes the board member.

The only disciplinary recourse the law allows this board is to censure a member for bad behavior. Censure is a public expression of disapproval of a board member's behavior. Legally, it still has no ability to remove that board member from his or her seat. It can, however, result in removal of that board member from committee assignments or board offices.

So to sum up: school boards, in and of themselves, have no power to remove fellow board members even for what is obviously unethical or even unlawful conduct. We only have the power to censure. Removal power remains with you, the electorate, and the conscience of the offender himself."

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Davison High School Principal Ron Jacobs, Teacher Karlee Pins and student council. This group of elected students work together with a school advisor within the framework of a constitution of bylaws to provide a means for student expression and assistance in school affairs and activities, give opportunities for students to experience a leadership role within the school and encourage student engagement.

**ROLL CALL:** Robin Ricica read the roll. Members present: Karen Conover, Eric Lieske, Diane Rhines, Matthew Smith and Granger Stefanko. Absent: Stefanie Pickell. Nicholas Goyette arrived at 7:05 pm after roll call.



**From the Public:** Visitors were welcomed and invited to address the Board.

Jenessa Phillips, Courtney Rose, Bobbie Walters, Brian Kosbar, shared their concerns regarding Trustee Smith pleading guilty to charges of malicious use of telecommunication services.

Morgan Rhinebolt, Sherry Marden, Leonard Marden, Michelle Sherran spoke in support of Trustee Smith.

Bob Beckelic, student mentor, reminded everyone that the reason we are here is for the kids. He thanked teachers and administrators for their dedication and hard work especially under the current conditions.

Paula English and Harold Rodman spoke about student safety and needs.

**Correspondence:** There was no correspondence to be read.

**ACTION ITEMS:**

**APPROVAL OF DAVISON HIGH SCHOOL BAND TRIP:** High School Band Director James Schuster requested the Board's authorization to plan a spring trip to Nashville, Tennessee for band students. The trip is scheduled for April 20-24, 2022. Details regarding this trip were provided. Moved by Granger Stefanko, supported by Eric Lieske, to approve the Davison High School band trip. There was discussion and questions were answered. The motion carried with a vote of 6-yes, 0-no.

**APPROVAL OF SPECIAL COVID-19 PAYMENT:** The District would like to recognize our dedicated employees for the additional duties and responsibilities they have taken on over the last two years and continue to do as a result of the COVID-19 pandemic. These payments will be made in December and June for the 2021/2022 and 2022/2023 school years. It was proposed to pay all employees a special COVID-19 payment using funds from the Elementary and Secondary Emergency Relief Act as shown below:

Administrators:	\$1,500
Supervisors:	\$1,200
Teachers:	\$1,000
Central Office Staff, DESA & CFMT:	\$ 800
Full Time Hourly, DPA	\$ 700
Part Time Hourly	\$ 350

Moved by Matthew Smith, supported by Eric Lieske, to approve the COVID-19 payments mentioned above. There was discussion and questions were answered. The motion carried with a vote of 6-yes, 0-no.

**POLICY UPDATES FOR THE FIRST READING:** In February 2014, the Board approved entering into an agreement with Neola of Michigan to provide a policy manual review of the current Board of Education policies. The Board Policy and Planning Committee has met to review, revise and create policies for the following sections (distributed previously for your review):

Initials: DL

0100	Definitions
0167.3	Public Participation at Board Meetings
3120	Employment of Professional Staff
5722	School Sponsored Publications and Productions
6114	Cost Principles - Spending Federal Funds
6152	Student Fees, Fines, and Supplies
7450	Property Inventory
8310	Public Records
8320	Personnel Files
8330	Student Records

Superintendent Brown summarized each of the policy revisions being presented to the Board. Moved by Matthew Smith, supported by Granger Stefanko, to approve the policy updates for the first reading. Motion carried with a vote of 6-yes, 0-no.

**APPROVAL OF COUNTY WIDE SAFETY PLAN:** In December of 2018 the Michigan legislature passed a package of laws in order to facilitate greater school safety statewide. As a part of those new laws, by January 1, 2022 a school district "shall develop an emergency operations plan (EOP) for each school building operated by the school district." Genesee County has been very proactive in emergency planning. Working with the Genesee County Sheriff's Department and the GISD, we have had a county wide safety plan in place for years that has been reviewed and updated annually. The Board first approved the District's Emergency Operations Plan in July of 2019. We are now asking that the Board reaffirm its approval of the District's Emergency Operations Plan. A copy of the plan was previously shared with all Board members. There was discussion and questions were answered. Moved by Eric Lieske, support by Nicholas Goyette, to reaffirm its approval of the District's Emergency Operations Plan. Motion carried with a vote of 6-yes, 0-no.

**SUPERINTENDENT'S ANNUAL PERFORMANCE EVALUATION AND EMPLOYMENT CONTRACT:** The Board recently completed the superintendent's annual performance evaluation. Superintendent Brown received an overall rating of "Highly Effective." Based on the results, it is recommended that the superintendent's employment contract be extended one year to cover the period July 1, 2022 through June 30, 2025. There was discussion and questions were answered. Moved by Granger Stefanko, supported by Nicholas Goyette, to approve the superintendent's performance evaluation and employment contract. Motion carried with a vote of 6-yes, 0-no.

**ACCEPTANCE OF CONTRIBUTIONS:** Moved by Matthew Smith, supported by Nicholas Goyette, to gratefully accept the following contributions and to direct the superintendent to express the Board's gratitude in writing:

- Ken and Sharon Duetsch donated 16 desks and 14 chairs to Gates Elementary for teachers, paraprofessionals and Watch Dogs to use while helping students.
- Kristen Machuk donated a box of children's books to the Siple Elementary Media Center to expand their collection in the library.



Initials: DR

**OPEN SESSION:** Moved by Granger Stefanko, seconded by Eric Lieske, to return to regular session at 8:38 p.m. The motion was carried with a roll call vote of 6-yes, 0-no.

**RESOLUTION TO CENURE TRUSTEE MATTHEW SMITH:**

Board President Karen Conover read aloud the resolution previously provided to Board members. Moved by Granger Stefanko, seconded by Diane Rhines, to censure Trustee Matthew Smith for his conduct described in this resolution and removes him from all committee assignments and determined that Trustee Smith is not eligible to serve in the future in an officer role. The official signed resolution is attached to these minutes. A roll call vote was taken and the motion carried with a vote of 4-yes, 2-no (Goyette and Smith).

**ADJOURNMENT:** Moved by Karen Conover, supported by Granger Stefanko, to adjourn the meeting at 8:44 pm. The motion carried with a vote of 6-yes, 0-no.

Respectfully submitted:



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Diane Rhines, Secretary  
Davison Board of Education

Davison Community Schools, Genesee County, Michigan (the "District")

A regular meeting of the board of education of the District (the "Board") was held in the Davison Middle School Cafetorium, in the District, on the 14th day of December, 2021 at 7:00 o'clock in the evening.

The Meeting was called to order by Karen Conover, President.

Present: Karen Conover, Nicholas Goyette, Eric Lieske, Diane Rhines, Matthew Smith and Granger Stefanko

Absent: Stefanie Pickell

The following preamble and resolution were offered by Member Granger Stefanko and supported by Member Diane Rhines.

**WHEREAS:**

1. It was alleged that Trustee Smith engaged in illegal activity and violated Board Policy when he:
  - a. participated in a harassing phone call to Houghton County Clerk Jennifer Kelly on March 6, 2020 at or around 1:00 am;
  - b. pled guilty to the malicious use of a communication device in violation of MCL 750.540e on November 22, 2021; and
  - c. was not forthcoming to the Board regarding his involvement in the March 6, 2020 call to Ms. Kelly;
2. The Board provided Trustee Smith an opportunity to respond to the allegations both in writing and at a meeting of the Board; and
3. On December 14, 2021, Trustee Smith formally responded to the allegations;  
and
4. The Board has carefully considered Trustee Smith's response.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Board finds that Trustee Smith:
  - a. participated in a harassing phone call to Jennifer Kelly on March 6, 2020;
  - b. pled guilty to malicious use of a communication device in violation of MCL 750.540e; and
  - c. failed to be forthcoming to the Board regarding his involvement in the March 6, 2020 call to Ms. Kelly.
2. The Board finds that Trustee Smith's behavior violates Board Policies 0144.2 Board Member Ethics and 0145 Discriminatory Harassment.



3. The Board finds that Trustee Smith violated his duty to maintain public confidence in the Board.

4. The Board finds that Trustee Smith violated his duty to create an environment that fosters the respect and dignity of each person.

5. The Board finds that Trustee Smith violated his duty to maintain an environment free of harassment and intimidation.

6. The Board finds that Trustee Smith's behavior discredits and adversely and materially impacts the District.

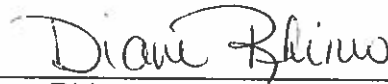
7. The Board hereby censures Trustee Smith for the conduct described in this resolution, removes him from all committee assignments, and determines that Trustee Smith is not eligible to serve in the future in an officer role.

8. All Policies, Operational Procedures, resolutions and parts of resolutions that conflict with this Resolution are rescinded.

Ayes: Karen Conover, Eric Lieske, Diane Rhines, Granger Stefanko

Nays: Nicholas Goyette, Matthew Smith

Resolution declared adopted.



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Diane Rhines  
Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Davison Community Schools, Genesee County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at the Meeting, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the Meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, Public Acts of Michigan, 1976, as amended).



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Diane Rhines  
Secretary, Board of Education