

## Re: Open Records Request: Settlement Validity

1 message

Matt Piper <mpiper@piperzenk.com>

Thu, Aug 18, 2022 at 10:15 AM

To: "Ebert, Brad" <bebert@kiel.k12.wi.us>

Cc: Randy Olm <rolm@kiel.k12.wi.us>, dschaefer@kiel.k12.wi.us, jhenschel@kiel.k12.wi.us, mjoas@kiel.k12.wi.us, James Bajczyk <jbajczyk@kiel.k12.wi.us>, "Meyer, Dan" <dmeyer@kiel.k12.wi.us>, Stuart Long <slong@kiel.k12.wi.us>

Thank you Brad, that information is helpful.

Curious if the new BOE members had access to the information of the executive sessions of October 7, 2020 or January 20, 2021 before they made important decisions about implementing the "settlement" signed 1/13/21?

So there is documentation that on January 20, 2021 the KASD BOE "received an update on an investigation", but there is no documentation that the KASD BOE ever approved the Stipulated Corrective Action Plan No.20-PDA-03 signed 1/13/2021 by the KASD district administrator, correct?

Item #5 of the "Stipulated Corrective Action Plan" requires that "The district will make the following revisions to its board policies..." including specific language for additions to policy PO2260 and three separate specific language additions to policy PO5517.

These policy revisions were agreed to via signature of the district administrator January 13, 2021.

KASD Board Policy PO0131.1 BYLAWS AND POLICIES states in part the following:

The Board shall adopt bylaws and policies for the organization and operation of this Board.

Bylaws and policies shall be adopted, amended, repealed, or suspended by a majority vote of the Board.

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be included in the minutes of the Board.

School governance is the responsibility of the Board of Education. Policy-making is one (1) of the Board's most important functions.

The Board shall give careful consideration to all viewpoints when developing School District policies.

The District Administrator is authorized to review and make technical corrections to policies that have already been adopted through normal rulemaking procedures. Technical corrections are those corrections to policy language or construction that do not reflect a policy decision or substantive consideration by the Board, such as correction of a typographical or grammatical error, inclusion or correction of a statutory citation, renumbering of sections, combining of policies, or similar actions. The Superintendent shall inform the Board of any such changes at the next regular Board meeting.

**Dr. Ebert, please answer this question:**

**Is it correct that the "Settlement" signed on January 13, 2021 required 4 separate KASD policy revisions, but there is no documentation "included in the minutes of the Board" that those Policy changes or the Settlement itself were approved "by a majority vote of the Board" as required by Policy PO0131.1?**

If there is such documentation, I hereby request copies of that now. Thank you for all your continued hard work,

Matt **No response from Dr. Ebert for 2 months and counting..... E**