

07 31 2018 Special School Board Meeting 4 30 PM

For ADA assistance, contact the Office of Equity and Compliance, 534-0781, at least 3 business days before the meeting. A voluntary invocation may be offered before the opening of the School Board meeting by a private citizen. The views or beliefs expressed in the invocation have not been reviewed nor approved by the School Board, and the Board is not allowed, by law, to endorse the religious beliefs or view of this, or any other speaker.

Pledge of Allegiance

Call Meeting to Order

Acceptance of Agenda

1. [Accept the Agenda for the July 31, 2018 Special School Board Meeting](#)

Special Recognitions

Public Comments on Agenda Items

Approval of Minutes

Approval of Consent Agenda

New Administrator Announcements

Consent

Regular

Public Hearing

To begin no earlier than 1:31 PM

2. [SPEAKERS](#)

3. [Final Order of Termination and Exceptions - Regina Coleman](#)

Attachment: [7-31-18 Regina Coleman Termination Hearing Packet 47pp.pdf](#)

Minutes:

School Board Attorney Wes Bridges provided guidance to the School Board on the judicial process for the employee discipline hearing. The Board has the option to adopt the Superintendent's recommendation or consider the employee's exceptions based on the entire record review. Each party will have 10 minutes to present their findings to the Board.

Don Wilson with the firm of Boswell and Dunlop representing Superintendent Byrd, provided background information on the opportunities provided to Regina Coleman, Night Custodian at Jewett School of the Arts', before being recommended for termination. After being reprimanded several times for tardiness, both verbal and written, suspended 3 days without pay in 2016, Ms. Coleman was recommended for termination. She appealed the recommendation before the Hearing Office Frank Rouse, who recommended she be placed on a 6-month probationary employment agreement. During that time frame, the tardies stopped. After the end of the 6-month period, Ms. Coleman began reporting to work 10-30 minutes late. After the winter break last year, the start time was changed from 2:00 PM to 2:30 PM. Despite this effort, she reported late for work at least one day each week. A second recommendation of termination was issued which was heard by Hearing Officer Cassandra Denmark. Ms. Denmark concluded the findings of fact were true and upheld the termination recommendation.

We feel Administration has gone the extra mile and urge the Board to uphold the Hearing Officer's Recommended Final Order.

Hector Ramos, AFSCME Regional Director, representing Regina Colman, commented that no one in management told her that she had FMLA rights. She had been responsible for the care of an ill family member. During the 6-month probation period, Ms. Coleman made arrangements with family members and was able to make it to work on time. He stated that the changes in work times at Jewett SOA for the custodians had nothing to do with Ms. Coleman. It was to accommodate the programs at the school. No one asked Mrs. Coleman what was her problem.

Ms. Coleman never had complaints about her performance cleaning the school. He feels that dismissal is too severe for her actions. She should have been informed of her rights with FMLA.

Mrs. Fields asked if the allegations are correct that FMLA was not discussed with Mrs. Coleman by management. Attorney Wilson stated this is the first time FMLA has been mentioned as part of her argument.

Is it true that there was an issue with the time clock? Mr. Wilson responded that the issue was raised and the Hearing Officer found there was no merit.

Was the time changed to accommodate Mrs. Coleman or Mr. Thomas? Mr. Wilson stated that Ms. Coleman was not the sole reason for the shift change but she was a part of it to assist her to get to work on time.

Was an evaluation given for 2017? Was she aware of the concerns from 2016? Mr. Wilson stated her supervisor testified he talked with her. In checking her file, there was not an evaluation for 2017. Doug Dodgson, Director of Custodial Services, stated that the school reported an evaluation has been sent to Human Resources; however, there was no evaluation in her file.

Mr. Townsend asked if the characterization of her work, outside the history of her lateness, was an issue. Mr. Wilson respond stated there were no other issues other than her reporting late for work.

Mrs. Fields asked if Ms. Coleman had ever said why she was late so many times. David LeBlanc, NE Area Manager, responded that she would have different reasons: locked the keys in the house, flat tire etc. but never offered information about a sick family member.

School Attorney Wes Bridges reminded the Board they are to make their decision based on the record before them. The hearing officer examined the witnesses under oath, evaluated their creditability, and accepted items into evidence.

Motions:

The Superintendent recommends upholding Non-Instructional Hearing Officer Cassandra L. Denmark's Recommendation for a Final Order of Termination of Regina Coleman's employment. - PASS

Vote Results

Motion: Tim Harris

Second: Hazel Sellers

Lori Cunningham - Absent

Kay Fields - Aye

Tim Harris - Aye

Sara Beth Reynolds	- Aye
Hazel Sellers	- Aye
Billy Townsend	- Aye
Lynn Wilson	- Aye

Superintendent's Report

Attorney's Report

Auditor's Report

Board Members' Report

Public Comments Addressing Items Not on Agenda

Adjournment

Meeting adjourned at 5:00 PM. Minutes were approved and attested this 21st day of August, 2018.

Lynn Wilson, Board Chair

Jacqueline M. Byrd, Superintendent