

**Maywood Public School**  
**Board of Education Regular Meeting**  
Monday, May 12, 2014

The regular meeting was called to order at 7:01 p.m. by President Lyle Koester with the following Board members present: David Dodson, Sheri Hartley, Lance Hastings, Lyle Koester, Donita Werkmeister, and Brett Wood. Others in attendance were Superintendent Mike Williams, Principal Trent Benjamin, staff, and patrons.

Werkmeister moved and Dodson seconded a motion to accept the agenda as presented. The motion passed 6-0.

The Board heard an appeal of a complaint filed by Tim and Andrea Wolfe against Principal Trent Benjamin. After receiving no additional evidence and arguments from the Wolfe's and additional evidence from Superintendent Williams, Hastings moved and Wood seconded a motion to move into Executive Session at 7:37 p.m. for the protection of the public interest. The motion passed 6-0.

President Koester restated that the purpose of entering Executive Session was for personnel discussion for the protection of the public interest. This is the only item that will be discussed.

Hastings moved and Werkmeister seconded a motion to return to regular session of the May Board meeting at 8:06 p.m. The motion passed 6-0.

Hartley moved and Dodson seconded a motion to adopt the findings of Superintendent Williams concerning the complaint filed by Tim and Andrea Wolfe against Trent Benjamin. The motion passed 6-0.

Dodson moved and Hastings seconded a motion to approve the minutes from the April 14, 2014, Board of Education Meeting as presented. The motion passed 5-0-1 (voting yes – Dodson, Hartley, Hastings, Koester, Wood; abstaining – Werkmeister).

Werkmeister moved and Hartley seconded a motion to pay the bills, as presented, in the amount of \$72,082.68. The motion passed 6-0.

Hastings moved and Dodson seconded a motion to pay the payroll, as presented, in the amount of \$176,713.45. The motion passed 6-0.

Koester moved and Wood seconded a motion to accept the financial reports as presented. The motion passed 6-0.

Principal Benjamin reported on the eligibility guidelines for extra-curricular activities for 2014-15, assessment testing, and technology.

Superintendent Williams reported on buildings and grounds, teaching positions, 2014-15 state aid and budget authority, 6<sup>th</sup> grade participation in junior high athletics, technology support, graduation procedures, and professional development.

Werkmeister moved and Hartley seconded a motion to accept the resignation of Brenda Monson effective at the end of the 2013-14 school year and thank her for her years of service to Maywood Public School. The motion passed 6-0.

Dodson moved and Koester seconded a motion to accept the resignation of Molly Greene effective at the end of the 2013-14 school year and thank her for her years of service to Maywood Public School. The motion passed 6-0.

Hastings moved and Dodson seconded a motion to approve the bid of \$16,470.00 from Charlie's Plumbing of North Platte to install the water supply lines for the I.T.E. lab sprinkler system. The motion passed 6-0.

Dodson moved and Hartley seconded a motion to hire Jon Snider as student custodial help for the summer of 2014. The motion passed 6-0.

The review of Board Policies 4001-4027 was tabled until a future meeting.

Dodson moved and Koester seconded a motion to approve the bid of \$9,296.00 from Larry's Glass to replace the east and west exterior doors in the commons area of the high school building. The motion passed 6-0.

Wood moved and Werkmeister seconded a motion to move into Executive Session at 9:25 p.m. for classified staff salary discussions for the protection of public interest. The motion passed 6-0.

President Koester restated that the purpose of entering Executive Session was for classified staff salary discussions for the protection of public interest. This is the only item that will be discussed.

Hastings moved and Dodson seconded a motion to return to regular session of the May Board meeting at 10:16 p.m. The motion passed 6-0.

Koester moved and Hartley seconded a motion to adjourn the May 12, 2014, regular Board of Education Meeting at 10:17 p.m., and set the next regular Board of Education meeting for Monday, June 9, 2014, at 7:00 p.m. The motion passed 6-0.

Respectfully Submitted,

Mike Williams  
Superintendent

## **Maywood Public School**

### **Board Policy 2006 – Complaint against Trent Benjamin filed by Tim & Andrea Wolfe**

May 12, 2014

#### **Findings of Fact**

Now, on this 12<sup>th</sup> day of May, 2014, this matter comes to the Board of Education concerning a complaint filed by Tim & Andrea Wolfe accusing Trent Benjamin of violating Nebraska Department of Education Chapter 27, Regulations and Standards for Professional Practices Criteria – Section 004 “Standards of Ethical and Professional Performance for Holders of Public School Certificates.”

In open session the Board received the complaint as filed by Tim & Andrea Wolfe along with any additional information they provided. The Board also received from Superintendent Williams his investigation results and documentation, his original response to the Wolfe’s, and any additional information he provided.

The Board hereby adopts the facts of Superintendent Williams’ investigation results/letter to the Wolfe’s dated November 18, 2013 as its findings of fact.

#### **Conclusion**

Corporal punishment is the infliction of bodily pain as a penalty for disapproved behavior. The Board finds that the students were not subjected to corporal punishment. The evidence demonstrates that the teacher’s lesson plans prepared in advance of November 7, 2013, state that the students would be running in physical education class, just as they had done on eleven other days this school year. Further, the students running on the day in question was well within the range of distance the students had run on the other eleven days. Given these facts, not only were the students not subjected to corporal punishment, it does not appear that they were subjected to any punishment at all.

The Board finds that Superintendent Williams properly responded to the report of corporal punishment used against students. It is clear to the Board that Superintendent Williams took the allegations seriously and carried out a full and thorough investigation.

The Board notes that this is not the first unfounded complaint filed by Mr. Wolfe against the school district and its officials. Mr. Wolfe filed a complaint with the Nebraska State Auditor who took no issue with or action against the school district or any of its officials after receiving the school district’s response. Mr. Wolfe also filed a complaint with the Nebraska Attorney General’s Office alleging a violation of the Nebraska Open Meetings Act. The Attorney General’s office, much like the Nebraska State Auditor, determined that no action was necessary after receiving the school district’s response. Mr. Wolfe also attempted to recall four sitting board members. Mr. Wolfe’s recall efforts failed. In fact, he was unable to gather anywhere near enough signatures on the recall petitions as required by law to get the recall effort past the initial stages. Rather than accept that the overwhelming majority of our community simply does not agree with his positions, Mr. Wolfe had the audacity to falsely and publicly accuse the board members of intimidating community members not to sign the petition.

In addition to his “official” complaints, Mr. Wolfe has on several occasions publicly criticized the administration and Board for spending district funds on “unnecessary” items like a pick-up, snow blade, activity bus, and other items, and that the money spent on these items could have been used to enhance

the students' education. Despite Mr. Wolfe's claims, these items were needed and do provide direct benefit to students at Maywood Public Schools. The board of education and the administration took the necessary and appropriate steps to budget for these items in a manner that fits the long-term budget plans of the district. These funds come from school accounts that cannot be spent on "regular" educational items. However, the irony of Mr. Wolfe's complaints of "wasteful spending" are not lost on the school board as it has had to pay in excess of \$14,000 in unnecessary school personnel labor costs and legal fees to defend itself against his frivolous complaints. This money comes out of the General Fund, and thus does impact student learning directly. This amount will only grow as the school district continues to respond to Mr. Wolfe's complaints.

Mr. Wolfe, we recognize and appreciate that you have exercised your right to speak freely and petition the government for a redress of grievances, no matter how misguided your actions may be. In addition, the administration and Board of Education of Maywood Public School agree that two of the goals of our district are to increase the students' academic performance and the educational and activity opportunities made available to them. Though we will always look for ways to be more efficient and effective with our teaching, coaching practices, and the overall operation of the District, we believe we are headed in the right direction. It is obvious from Mr. Wolfe's numerous complaints to school personnel, the Board, and state agencies that the school does not measure up to your expectations. Make no mistake, we have enjoyed educating your children and want them to continue to attend Maywood Public School. However, if you are not satisfied with the education your children are receiving or are otherwise not happy with the operation of this school district, state law allows you to option your students to any Nebraska public school district of your choice. We strongly encourage you to explore and, if you find a school district more to your liking, to exercise that option. In the event that you do not, we will consider your decision to be an admission that the Maywood School District offers the best course and extracurricular offerings; the best teaching staff; the best administration; the best school board; and the best school district available in the area to you and your family.