



**APPROVED**  
9-18-12

**SPECIAL MEETING MINUTES**  
Tuesday, September 11, 2012 – 9:00 a.m.  
School Board Meeting Room  
500 E. Ocean Boulevard  
Stuart, FL 34994

**Members Present**

Susan Hershey, Chair  
Maura Barry-Sorenson, Vice Chair  
Dr. David Anderson  
Michael Busha  
Laurie Gaylord  
Nancy Kline, Superintendent  
Robert Kilbride, Attorney

**AFSCME:** None

**MCEA:** None

*Call to Order by the Chairman and Pledge of Allegiance to the Flag of the United States of America.*

**1. Adoption of the Agenda**

The Superintendent requested the following addition to the Agenda:

- Add as Agenda Item #5 – Approve Permit with the Martin County Board of County Commissioners (MCBOCC) and Recreation Department Issued to the Martin County School District

*Motion to approve the Agenda as Amended was made by Maura Barry-Sorenson, seconded by Dr. David Anderson, and carried unanimously.*

**2. Private Attorney-Client Session Regarding Mershon vs. School Board of Martin County, Florida**

Susan Hershey announced that the Board would be conducting a private attorney-client session to discuss litigation strategies and expenditures and to receive direction. The meeting was estimated to last approximately one hour. The names of the persons attending the session were announced – Dr. David L. Anderson, Mrs. Maura Barry-Sorenson, Mr. Michael Busha, Mrs. Laurie Gaylord, Mrs. Susan Hershey, Mrs. Nancy Kline, Mr. Robert Kilbride, and Mr. Alan Sang.

The Board recessed the Special Meeting at approximately 9:07 a.m.

The Special Meeting reconvened the Special Meeting at approximately 10:53 a.m.

### 3. Approve Martin County High School Auditorium Renovations AE Fee Approval

*Motion to approve Agenda Item 3 was made by Dr. David Anderson and seconded by Michael Busha.*

Questions from Board members, including questions regarding the cost, selection of the architect, and the process were answered by Steve Weil, Executive Director of Operations Services; Jay Angel, Director of Facilities; and Attorney Robert Kilbride.

*Upon being put to a vote, the motion carried unanimously.*

### 4. Approve Personnel Recommendations

- **David Axton - Murray Middle School Guidance Counselor to Assistant Principal at Hidden Oaks Middle School**
- **Kathryn Morem – RTTT Coordinator to Assistant Principal at Indiantown Middle School**

*Motion to approve Agenda Item #4 was made by Maura Barry-Sorenson. The motion was seconded by Michael Busha.*

Maura Barry-Sorenson indicated that it is critical that these positions be filled. Laurie Gaylord indicated that she would not be voting in support of the motion due to the fact that these positions are frozen. She noted that the Superintendent had the opportunity to fill these positions through August 15<sup>th</sup>. She expressed concern regarding the proposed promotion of Ms. Morem as her position as RTTT Coordinator is a critical position in the District for compliance with SB 736 and upcoming evaluations. She suggested assigning an administrator temporarily into these positions. Susan Hershey agreed that the positions could be filled temporarily or the outgoing Superintendent and incoming Superintendent could meet and make recommendations for these positions.

Mrs. Hershey noted that there were members of the public who wished to speak on this item.

#### **Open to the Public**

The following individuals spoke in favor of filling the assistant principal positions: Lisa Gray, Dana Stipo, and Elisa Ackerly

Michael Busha indicated that it was his opinion that a freeze was not placed on the Assistant Principal and other critical positions, and questioned the logic in not filling these positions, noting that Hidden Oaks Middle School has only one Assistant Principal for approximately 1,100 students.

Discussion ensued regarding the timeliness of bringing the names forward. Nancy Kline explained the interview and selection process. She noted that she does not participate in the process; and the decision for each position was made by a committee and the Principal. She indicated that the recommendations did come forward in a timely manner, adding that as soon as the committee completed the interview process and the information was available, the process was concluded and the names were brought forward.

Regarding a letter written by Hidden Oaks Middle School Principal Jenny Lambdin, Mrs. Hershey stated, for the record, that she found the letter offensive and untrue, indicating that she believed it inferred that violations occurred and that the Board did not live up to information provided to Ms. Lambdin by Dr. David Anderson. She reported that she did not talk to Dr. Anderson. She added that she believed the letter contained an inference that Dr. Anderson talked to Board members and they were not supporting his position, and indicated that was not true. Discussion continued regarding the time period provided to fill the positions.

*Dr. David Anderson moved to call the question.*

Michael Busha requested that Mr. Kilbride provide an opinion as to whether the Board had good cause to deny the recommendations. Mr. Kilbride explained that there is a difference between a freeze on hiring and a freeze on transfers, promotions or reassignments. He indicated that from a legal standpoint, the Board is required to act on the recommendations of the Superintendent, and the Superintendent is permitted to transfer and reassign within her purview. He noted that usually the good cause just relates to the qualifications of the individuals and sometimes good cause can pertain to budgetary concerns. He indicated that unless Mrs. Kline wants to withdraw her recommendation and agrees to meet with the incoming Superintendent, the issue she raised and the agenda item she is promoting does require some discussion and a finding of good cause to deny the transfer requests. Mrs. Gaylord indicated that the positions were frozen, and never brought back to the Board to unfreeze. Mr. Busha asked Mr. Kilbride if good cause was shown; however, Mr. Kilbride indicated that he cannot comment on that. Dr. Anderson explained that if the positions are frozen, they are not available for the Superintendent to fill unless she first comes to the Board to request that the positions be unfrozen.

*Michael Busha made a Substitute Motion to unfreeze on the Assistant Principal Positions at Hidden Oaks and Indiantown Middle Schools.*

Mrs. Barry-Sorenson indicated that she will second the motion; however questioned if the positions were ever frozen, and reiterated her position that both positions should be filled with the individuals who have been brought forward.

*The motion as seconded by Maura Barry-Sorenson.*

Laurie Gaylord requested that the motion be amended to take the positions one at a time. Dr. Anderson agreed that they should be taken one at a time.

*Maura Barry-Sorenson made a second Substitute Motion to unfreeze the Assistant Principal Position at Hidden Oaks Middle School. The motion was seconded by Michael Busha.*

Laurie Gaylord asked if the recommendation would continue to be Mr. Axton. Michael Busha indicated that that is the staff's and the committee's recommendation. Robert Kilbride suggested the Board vote on the motion and then discuss under another motion the merits of making the appointment of Mr. Axton. Laurie Gaylord stated that Hidden Oaks Middle School is a much larger school with many students; therefore, she is in agreement to open the position at that school.

*Upon being put to a vote, the substitute motion carried unanimously.*

*Motion was made by Michael Busha to accept the staff's and the committee's recommendation of Mr. Axton as Assistant Principal at Hidden Oaks Middle School. The motion was seconded by Maura Barry-Sorenson and carried unanimously.*

*A substitute motion was made by Michael Busha to unfreeze the Assistant Principal position at Indiantown Middle School. The motion was seconded by Maura Barry Sorenson.*

Laurie Gaylord indicated that she is not in favor of unfreezing that position. She noted that Indiantown Middle School has approximately only 400 students, and she would like to have the opportunity to look at and evaluate the position financially and organizationally. She also indicated she is not in favor of moving the RTTT Coordinator. Dr. David Anderson noted that it is the smallest school in District, and did not believe it would be hurt to temporarily exist without the second Assistant Principal. He provided some information on the makeup of the school and the gains it has achieved. Michael Busha indicated that he is aware of the size of the school; however, in this case the size should not matter. He believed for all the reasons he has heard – that the school is challenged academically, and about the progress that has been made and other issues – he believed the action discriminatory and the position should be filled. He suggested the question be called.

*Upon being put to a vote, the motion to unfreeze the Assistant Principal position at Indiantown Middle School failed with Dr. David Anderson, Laurie Gaylord and Susan Hershey opposed.*

Laurie Gaylord announced that no additional action needed to be taken on Indiantown Middle School because the position is frozen. Susan Hershey announced that the position remains frozen.

**5. Permit with the Martin County Board of County Commissioners (MCBOCC) and Recreation Department Issued to the Martin County School District – Added at Meeting Under Agenda Item #1**

It was reported that the item had been reviewed by the Attorney, and staff recommended approval.

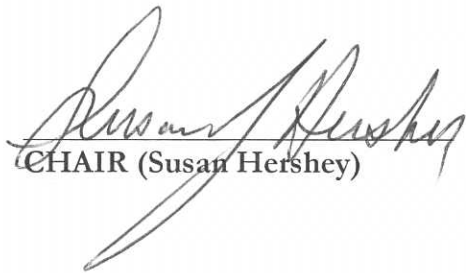
*Motion to approve Agenda Item #5 was made by Michael Busha.*

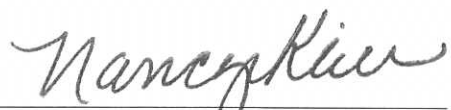
Steve Weil, Executive Director of Operations Services, answered questions from Board Members

*The motion was seconded by Maura Barry-Sorenson and carried unanimously.*

**6. Adjourn**

There being no further business, the meeting was adjourned at approximately 12:02 p.m.

  
CHAIR (Susan Hershey)

  
SECRETARY (Nancy Kline)