

EVART PUBLIC SCHOOLS  
BOARD OF EDUCATION

Minutes

February 12 2024

7:00 p.m.

Our Mission: Provide the tools to succeed  
Our Vision: Equipping All to reach their highest potential

I. CALL TO ORDER

THE MEETING WAS CALLED TO ORDER BY ALAN BENGTRY, AT 7:00 P.M. IN THE AUDITORIUM LOCATED AT 321 NORTH HEMLOCK STREET, EVART MICHIGAN 49631.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Alan Bengry x, Todd Bruggema x, Mark Moody x, Gerald Nichols x,  
Karen Pylman x, Eric Schmidt x, Kelly Whitman x.

Also present: Shirley Howard, Superintendent

Jessica Kolenda, High School Principal

Jason O'Dell, Middle School Principal

Ken Ranjel, Elementary School Principal

Amy Booher, Recording Secretary

Lisa Swem, Thrun Law Firm, PC, Board Legal Counsel

Guest present: Gene Gutierrez, Breanna Green, Steve Yarhouse, Melody Yarhouse, Gladys Phelps, Jenna Bissett, Bre Cass, Brittany Westendorp, Becky Flachs, Deb Vincent, Jennifer Natale, Marie Wilkerson, Dan Howe, Chris Martin, Trisha Martin, Michelle Van Buren, Mari Lyon, Aaron Wetters, Lisa Baldwin Ryan, Sherri Bancroft, Amy O'Dell, Brenda Henry, Annette Walters, Amanda Brown, Kelli Elder, Judy Dible, Travis Douglas, Ayla Schmidt, Josiah Beard, Sarah Johnson, Chrystal Nelson, Ashley Cass, Amber White, Shelby Van Scoyoc, Katy McCoy, Chris Stanley, David Blanchard, Jill Moyer, Jessica Landers, Zoe Babb, Ron Babb, Geoff Muma, Marci Cherry, Sherry Morgan, Jennie Duncan, Dawn Rueffer, Doug Rueffer, Kelly Buckley, Linda Welsh, Debra Vincent, Gary Earnest, Shelly Lloyd, Randy Lloyd, Amy Kitchen, Katie Nostrant, Ryan Douglas, Valerie Hopkins, Lauren Nabozny, Ben Bryant, Jean Welch, Josh Johnson, Michelle Johnson, Virginia Terrill, Gary Terrill, Jared Araujo, Bart Gallinger, Sandy Wallace, Carol Reedy, Macey Wallace, Anson Vanderhoef, Ken Wirth, Cathy Wirth, Joyce Vanderhoef, Santana Scott, Kaylee Nelson, Sandy Szeliga, Doug Isanhart, Travis Veit, Abby Veit, Natalie Price, Jordan Newman, Grace Henning, Mikayla Warner, Meri Rehkopf, Heather VanAssche, Johnnie Hebert, Sara Ladd, Tim Ladd, Mark Ryan, Tanner Ryan, Tracy Gray, Kris Morgan, Brandy Gostlin, Kelly Millen, Amber Payne, Bre Grabill, Mary Ann Corey, Carrie Helmer, Sue Morgan.

IV. PRESIDENT'S REMARKS/RECOGNITION OF GUESTS/PUBLIC COMMENT

A. The following individuals read a prepared statement and/or made comments during Public Comment: -Sherry Morgan, Taylor Bryant, Kelli Elder, Val Hopkins, Bre Grabill, Johnnie Hebert, Kelly Buckley, Rosie McKinstry, Meri Rehkopf, Natalie Price, Jordan Newman, Jessica Kolenda, Annette Walters, Ryan Grinnell, Charles Latinen, Josh Johnson, Ken Ranjel, Doug Isanhart, Santana Scott, Katie Nostrant, Jen Natale, Zoe Babb, Deb Vincent, Brittany Westendorp, Don Sherman, Jason O'Dell, Brenda Henry, Geoff Scott, Eric Schmidt, Ben Bryant.

B. Crystal Nelson and Sarah Johnson shared information on the Lock In Fundraiser for the 2025 Japan Trip

Recommendation to approve the Lock In Fundraiser for the 2025 Japan Trip.

MOVED BY BRUGGEMA, SUPPORTED BY WHITMAN TO APPROVE THE LOCK IN FUNDRAISER FOR THE 2025 JAPAN TRIP.

Ayes: 7

Ayes: 0

Results: Carried

V. COMMUNICATIONS/CORRESPONDENCE

VI. FINANCIAL

VII. ACTION ITEMS

A. Recommendation to approve the minutes of the special meeting held January 29, 2024.

MOVED BY PYLMAN , SUPPORTED BY SCHMIDT TO APPROVE THE MINUTES OF THE SPECIAL MEETING HELD JANUARY 29 2024.

Ayes: 7

Nays: 0

Results: Carried

B. Payment of Bills

MOVED BY NICHOLS, SUPPORTED BY PYLMAN THAT THE TREASURER'S REPORT OF DISBURSEMENTS BE APPROVED AS PRESENTED.

General Fund invoices be approved for checks #49242 through #49345 in the amount of \$178,948.68 and the January 5<sup>th</sup> and 19<sup>st</sup> payrolls and benefits for the total amount of \$638,785.42.

Hot Lunch Fund invoices to be approved for checks #8000 through #8012 in the amount of \$55,491.30.

Trust and Agency Fund invoices to be approved for checks #19172 through #19200 in the amount of \$19,871.77

Athletic Fund invoices to be approved for check #10317 through #10322 in the amount of \$6231.89

Ayes: 7

Nays: 0

Results: Carried

C. Recommendation to approve up to two nights, February 29-March 2, 2024 in Detroit for State Finals for High School wrestling. This is for qualifying athletes.

MOVED BY BRUGGEMA SUPPORTED BY PYLMAN TO APPROVE UP TO TWO NIGHTS, FEBRUARY 29- MARCH 2, 2024 IN DETROIT FOR STATE FINALS FOR HIGH SCHOOL WRESTLING. THIS IS FOR QUALIFYING ATHLETES.

Ayes: 7

Nays: 0

Results: CARRIED

D. Recommendation to approve Bruce Brackett as 5.75 hour custodian effective February 5, 2024.

MOVED BY PYLMAN SUPPORTED BY NICHOLS TO APPROVE BRUCE BRACKETT AS 5.75 HOUR CUSTODIAN EFFECTIVE FEBRUARY 5, 2024.

Ayes: 7

Nays: 0

Results: Carried

E. Recommendation to approve Tonya Otto as full time 8 hour Custodian effective, February 5, 2024.

MOVED BY BRUGGEMA, SUPPORTED BY MOODY TO APPROVE TONYA OTTO AS FULL TIME 8 HOUR CUSTODIAN EFFECTIVE, FEBRUARY 5, 2024.

Ayes: 7

Nays: 0

Results: Carried

F. Recommendation to approve the following Spring Coaches for the 2023-24 School Year:

JV Baseball- Carter Pritchard  
Varsity Softball Assistant- Kevin Brigham

MOVED BY PYLMAN, SUPPORTED BY WHITMAN TO APPROVE THE FOLLOWING SPRING COACHES FOR THE 2023-24 SCHOOL YEAR:  
JV BASEBALL- CARTER PRITCHARD  
VARSITY SOFTBALL ASSISTANT- KEVIN BRIGHAM

Ayes: 7

Nays: 0

Results: Carried

#### VIII. DISCUSSION ITEMS

As a result of the review and discussion of the Board of Education investigation authorized on October 9<sup>th</sup>, 2023, the following actions were taken.

**Factual Findings as to Complaint Allegations Against Mark Moody**

1. As to the allegation that Board Member Mark Moody approached a District employee at a public place and discussed her therapy dog, I move that a preponderance of evidence does substantiate the allegation.

Moved by Nichols, Supported by Whitman.

Roll Call: Bengry: Yes, Moody: Pass/No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

2. As to the allegation that Board Member Mark Moody attempted to meet with the Athletic Director and Middle School Principal about hiring a varsity volleyball coach, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bengry, Supported by Nichols.

Roll Call: Bengry: Yes, Moody: No, Bruggema: Abstain, Nichols: Yes, Pylman: Yes, Whitman: No, Schmidt: No

Ayes: 3

Nays: 3

Abstain: 1

Results: Failed

3. As to the allegation that Board Member Mark Moody attempted to establish a boys' golf team, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bruggema, Supported by Pylman.

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

4. As to the allegation that Board Member Mark Moody met with the EEA President, Vice-President, and Uniserv Director, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bruggema, Supported by Pylman

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

5. As to the allegation that Board Member Mark Moody reviewed individual teacher evaluations, I move that a preponderance of the evidence does substantiate the allegation.

Moved by: Bruggema, Supported by: Whitman.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

6. As to the allegation that Board Member Mark Moody reviewed individual coaching evaluations, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Moody, Supported by Pylman

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays:0

Results: Carried

7. As to the allegation that Board Member Mark Moody stated that Evert Public Schools needs new leadership and that he wanted the superintendent removed. I move that a preponderance of the evidence does substantiate the allegation.

Moved by Nichols, Supported by: Schmidt.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays:0

Results: Carried

8. As to the allegation that Board Member Mark Moody publicly shared false information about the reason for a teacher's resignation, I move that preponderance of the evidence does substantiate the allegation.

Moved by Nichols, Supported by Bengry

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

9. As to the allegation that Board Member Mark Moody had a conversation at Wesco with Doug Isanhart and threatened to contact his former employer, I move that a preponderance of the evidence does substantiate the allegation.

Moved by: Bruggema, Supported by: Pylman

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 6

Nays: 1

Results: Carried

10. As to the allegation that Board Member Mark Moody accused Teacher G of having a 75% failure rate, I move that a preponderance of the evidence does substantiate the allegation.

Moved by: Nichols Supported by: Pylman

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

11. As to the allegation that Board Member Mark Moody attended an IEP Team meeting for an Evert student as an advocate, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bruggema, Supported by Pylman.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

12. As to the allegation that Board Member Mark Moody indicated that the High School Principal recruited students to write letters on behalf of a high school teacher, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bengry, Supported by Pylman.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

13. As to the allegation that Board Member Mark Moody questioned the Superintendent about photos being taken and fines being charged by the High School Principal, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bruggema, Supported by Nichols

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

14. As to the allegation that Board Member Mark Moody approached the High School Principal at a basketball game and threatened to have her fired, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Nichols, Supported by Pylman

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

15. As to the allegation that Board Member Mark Moody circulated a survey about the naming of school facilities, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Whitman Supported by Pylman

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

**Factual Findings as to Complaint Allegations Against Eric Schmidt**

1. As to the allegation that Board Member Eric Schmidt attempted to meet with the Athletic Director and Middle School Principal about hiring a varsity volleyball coach, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bengry, Supported by Nichols

Roll Call: Bengry: Yes, Moody: No, Bruggema: Abstain, Nichols: Yes, Pylman: Yes, Whitman: No, Schmidt: No

Ayes: 3

Nays: 3

Abstain: 1

Results: Failed

2. As to the allegation that Board Member Eric Schmidt met with the EEA President, Vice-President, and Uniserv Director, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bruggema, Supported by Pylman

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

3. As to the allegation that Board Member Eric Schmidt reviewed individual teacher evaluations, I move that a preponderance of the evidence does substantiate the allegation.

Moved by: Bruggema, Supported by: Whitman.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

4. As to the allegation that Board Member Eric Schmidt reviewed individual coaching evaluations, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Moody, Supported by Pylman

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

5. As to the allegation that Board Member Eric Schmidt communicated that he wanted the superintendent removed. I move that a preponderance of the evidence does substantiate the allegation.

Moved by Nichols, Supported by: Schmidt.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

6. As to the allegation that Board Member Eric Schmidt met with a community member (Ryan Hopkins) and discussed District employees, I move that preponderance of the evidence does substantiate the allegation.

Moved by Nichols, Supported by Bengry

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

7. As to the allegation that Board Member Eric Schmidt attempted to join some teacher classroom Facebook pages, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Nichols, Supported by Bengry

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

8. As to the allegation that Board Member Eric Schmidt asked questions about Band Bust funds, I move that a preponderance of the evidence does not substantiate the allegation.

Moved by Moody, Supported by Schmidt

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

9. As to the allegation that Board Member Eric Schmidt requested student grades as well as a list of athletic participants coached by Teacher G., I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bruggema, Supported by Pylman

Roll Call: Bengry: Yes, Moody: Yes Bruggema: Yes Nichols: Yes, Pylman: Yes  
Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

10. As to the allegation that Board Member Eric Schmidt had a copy of the High School Principal's mugshot in his office, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bengry, Supported by Pylman.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes,  
Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

11. As to the allegation that Board Member Eric Schmidt circulated a survey about the naming of school facilities, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Whitman, Supported by Pylman

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes,  
Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

12. As to the allegation that Board Member Eric Schmidt asked a school employee why the names of certain athletes and coaches were not on the awards list, I move that a preponderance of the evidence does substantiate the allegation.

Moved by: Bengry, Supported by: Pylman

Roll Call: Bengry: Yes Moody: Yes Bruggema: Yes  
Nichols: Yes Whitman: Yes

Ayes: 7

Nays: 0

Results: Carried

13. As to the allegation that Board Member Eric Schmidt communicated to a district employee that students were being mentally abused and bullied, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bengry, Supported by Nichols

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes,  
Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

14. As to the allegation that Board Member Eric Schmidt had a conversation at a basketball game about an elementary school bathroom incident, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Bengry, Supported by Pylman.

Roll Call: Bengry: Yes, Moody: Yes, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: Yes

Ayes: 7

Nays: 0

Results: Carried

15. As to the allegation that Board Member Eric Schmidt falsely alleged that a school employee stole bags of empty returnable pop cans from his business, I move that a preponderance of the evidence does substantiate the allegation.

Moved by Whitman, Supported by Pylman

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

#### **Conclusion as to Mark Moody**

Based on the factual findings reached by the Board, Board Member Mark Moody violated Board Policy 2302 (Board Code of Conduct) by:

- A. Representing his personal opinions as those of the Board;
- B. Acting in isolation, operating as a “Board of one”; and
- C. Disrupting or impeding the established District administrative structure.

Moved by: Bengry, Supported by: Nichols

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

#### **Conclusion as to Eric Schmidt**

Based on the factual findings reached by the Board, Board Member Eric Schmidt violated Board Policy 2302 (Board Code of Conduct) by:

- A. Representing his personal opinions as those of the Board;
- B. Acting in isolation, operating as a “Board of one”; and
- C. Disrupting or impeding the established District administrative structure.

Moved by Bengry, Supported by Nichols

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

### **Consequence as to Mark Moody**

Based on the factual findings and conclusions reached by the Board and in accordance with Board Policy 2303, the Board publicly censures Board Member Mark Moody.

Moved by Nichols, Supported by Pylman

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

### **Consequence as to Eric Schmidt**

Based on the factual findings and conclusions reached by the Board and in accordance with Board Policy 2303, the Board publicly censures Board Member Eric Schmidt.

Moved by Moody, Supported by Bruggema

Roll Call: Bengry: Yes, Moody: No, Bruggema: Yes, Nichols: Yes, Pylman: Yes, Whitman: Yes, Schmidt: No

Ayes: 5

Nays: 2

Results: Carried

### **Resolutions**

Lisa Swem requested Board action regarding formal censure resolutions, to direct Board Legal Counsel to work with the Board Secretary to consolidate the information from the 2/12/24 meeting minutes into resolutions for Board review and action at the next meeting.

Moved by Whitman, Supported by Nichols

Roll Call:

Bengry Yes Bruggema Yes Moody Yes

Pylman Yes Whitman Yes Schmidt Yes Nichols Yes

Ayes: 7

Nays: 0

Results: Carried

## **IX. SUPERINTENDENT'S REPORT**

A.- Blue Envelope- Shirley spoke about this and how it was about suicide prevention

- B. 27 K Student Loan Repayment- Shirley shared information regarding this topic.
- C. Possible Future Closed Session – Discipline Hearing- this is scheduled.
- Mark Moody asked a question about the seniors and graduation, Shirley responded.

X. ADJOURNMENT

A. Recommendation to Adjourn

MOVED BY SCHMIDT, SUPPORTED BY MOODY THAT THE MEETING BE ADJOURNED.

Ayes: 7

Nays: 0

Results: Carried

The meeting adjourned at 1:02 a.m.