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## Petition

1 message

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**Dan Paulson** <daniel492@charter.net>

Tue, Sep 8, 2020 at 10:03 AM

To: Penny Burstad <penny\_burstad@msd.k12.wi.us>, David Styer <david\_styer@msd.k12.wi.us>, charlie\_schneider@msd.k12.wi.us, Tricia Thompson <tricia\_thompson@msd.k12.wi.us>, Jim Swanson <jim\_swanson@msd.k12.wi.us>, clinton\_moses@msd.k12.wi.us, Amy Riddle-Swanson <amy\_riddle-swanson@msd.k12.wi.us>, christopher\_freeman@msd.k12.wi.us, Tanya Husby <tanya\_husby@msd.k12.wi.us>, JOSEPH ZYDOWSKY <joe\_zydowsky@msd.k12.wi.us>

Menomonie Area School Board:

There appear to be inconsistencies in the statements about how the motion to censure Jim Swanson was created. During, the August 14<sup>th</sup> Special School Board meeting Steve Weld stated he was directed by the board president to prepare the motion to censure. In Joe Zydowsky's phone call to me, he said he initiated the contact in reaction to an email from Tonya Husby.

I, and the 525 signers of the accompanying petition, respectfully request that the Menomonie Area School Board place on its agenda for consideration the following:

1. It was unnecessary to employ the district's legal counsel at the expense of the district's taxpayers to create a motion to censure. Board members have free legal services available for this action through their membership in the Wisconsin Association of School Boards.
2. David Styer and the district administrator violated Board Policy 142 by engaging the services of the board's attorney without prior authorization by the school board or by not notifying the school board in a timely manner of their actions. The school district's legal counsel is not available for individual members of the school board at their whim to create motions that are not pre-authorized.
3. No individual board member, including the board president, can employ the services of the school district/board attorney under Policy 161 without authorization of the school board.
4. Individual members of the school board violated Policy 161 by drafting a motion by employing the school district's attorney, through the district administrator or in collaboration with the district administrator, for legal advice on the motion without notification or authorization by the board as a whole. Individual board members cannot act in the name of the board without the board's authorization.
5. Policy 142, because it states, "The board and district administrator,..." does obligate the district administrator to notify, as soon as possible, the school board if he determines that there is a potential legal threat to the District. The district administrator stated to me that he thought there might be a legal threat to the district after receiving the email from Tonya Husby.
6. There is strong evidence that the motion to censure Jim Swanson probably resulted in a violation of Wisconsin's Open Meetings law with a majority of the board members participating, either directly or through a "Walking Quorum," in the decision(s) to draft the motion, the drafting of the motion, or the presentation of the motion.

7. Therefore, the legal costs associated with the censure motion of Jim Swanson must be reimbursed to the taxpayers by the board members involved in that action. This was an unacceptable use of public tax dollars.

Respectfully Submitted,

Daniel R Paulson

9/10/2020

School District of the Menomonie Area Mail - Petition


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Menomonie, WI 54751

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<https://www.change.org/p/menomonei-area-school-board-president-reimburse-the-menomonie-area-schools-for-unauthorized-legal-fees>

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