

SCHOOL BOARD MEETING

INDEPENDENT SCHOOL  
DISTRICT No. 15

REGULAR MEETING

November ~~10~~, 2014

13

SCHOOL BOARD  
 INDEPENDENT SCHOOL DISTRICT No. 15  
 St. Francis, Minnesota  
~~November 10, 2014 CANCELED~~  
**Rescheduled for - NOVEMBER 13, 2014**  
 Dialogue with School Board– 6:30 p.m.  
 Regular Meeting – 7:00 p.m.  
 Central Services Center– Community Room  
 4115 Ambassador Blvd.

A G E N D A

- I. Call to Order – Pledge of Allegiance
  
- II. Board Calendar Dates
 

November 24, 2014	December 8, 2014
Dialogue with School Board– 6:30 p.m.	Dialogue with School Board– 6:30 p.m.
Regular Meeting – 7:00 p.m.	Regular Meeting – 7:00 p.m.
Central Services Center– Community Room	Central Services Center– Community Room
 January 12, 2015	 January 26, 2015
Dialogue with School Board– 6:30 p.m.	Dialogue with School Board– 6:30 p.m.
Organizational Meeting – 7:00 p.m.	Regular Meeting – 7:00 p.m.
Truth in Taxation – 7:00 p.m.	Central Services Center– Community Room
Central Services Center– Community Room	

**Presentation – Strategic Planning**

**~~Site Report – Lifelong Learning Center – Kristine Vogtlin and Jenny Dupre to be rescheduled~~**  
**Consideration of Visitors**(To address the School Board complete the card and submit to the Chair)

- III. Approval of Agenda
  
- IV. Consent Agenda
 

A.	Approval of Minutes of October 27 .....	5
B.	Approval of Routine Personnel Items.....	10
C.	Approval of Disbursements(emailed 11/07)	
D.	Approval of Gift Acknowledgements.....	11
  
- V. Reports
 

A.	Student Report	
B.	Superintendent Communications and Report	
C.	Dialogue Session	
D.	School Board Member Reports	
E.	Administrative Report	
	• Scott Nelson	
	• Tim Finn	
  
- VI. Old Business
 

A.	World’s Best Workforce Annual Report on Curriculum, Instruction and Student Achievement ISD No. 15 2013-2014 .....	12
B.		
  
- VII. Other Matters
 

A.	Closed Session – Negotiation Parameters.....	13
<del>B.</del>	<del>Closed Session – Consideration of Allegations Against an Individual.....</del>	<del>14</del>
B.	Resolution to Consider Legal Counsel	
  
- VIII. Other Business
 

A.		
B.		
  
- IX. Adjournment

SCHOOL BOARD  
 INDEPENDENT SCHOOL DISTRICT No. 15  
 St. Francis, Minnesota  
 October 27, 2014  
 Dialogue - 6:30 p.m.  
 Regular Meeting - 7:00 p.m.  
 4115 Ambassador Blvd.  
 M I N U T E S

The regular meeting was called to order by Chair David Roberts at 7:00 p.m. with the following members present: Directors Suzanne Erkel, Barbara Jahnke, Janet Hunt, Amy Kelly, Betsy Roed, Marsha Van Denburgh, and Acting Superintendent Troy Ferguson.

Others present were Director of Special Services Tim Finn, Director of Curriculum and Instruction Paul Neubauer, student representatives Madysson Belden, Cassy Stierns, staff and community members.

**Board Calendar Dates:** Regular meetings held at 7:00 p.m. at Central Services Center, November 10, November 24, December 8, (Truth in Taxation) 2014, and January 12, 2015. Dialogue with the School Board will be at 6:30 p.m.

**Site Report – St. Francis Elementary School (SFE) – Ryan Johnson**

Principal Ryan Johnson gave the site report beginning with a snapshot presentation of things happening at SFE. SFE celebrates successes as a team. SFE was recognized as a reward school for the third year in a row. Teacher Shelly Score was honored as KS95’s teacher of the week. Modeled this year is every student, every day, every opportunity. Teachers Jodie Casello and Cathy Paquay embarked on a project to increase reading named *Take a Book, Leave a Book*. Students also participate in *Global Read Aloud* along with 308,000 students that participate across the world. The 5<sup>th</sup> grade 40 book challenge has been introduced again this year. MCA testing proficiency trends and plans to address improved student achievement were reviewed.

**Consideration of Visitors**

Kim Hirsch, community member, formerly requested that the Board give a complete accounting of the costs involved in the attempt to remove the superintendent, and to tell the people of the District the additional steps to be taken and the anticipated cost to continue this fight. She added that an outline of this information would not violate any data privacy laws.

**Agenda**

Motion was made to approve the agenda by Ms. Erkel, second by Ms. Jahnke  
 Motion carried 7-0.

**Consent Agenda**

Motion was made for the revised consent agenda by Ms Hunt., second by Ms. Kelly.

- A. THAT the minutes of October 13 and 24 be approved as presented.
- B. THAT the Personnel Items be approved as presented.

NEW EMPLOYMENT									
Name	Position	Replacement for	Site	Position Status	Days/Year	Hrs/Day	Salary Level	Wage	Effective
Johnson, Keith	Educational Assistant	Krista Kamman	EBCS	CONT	172	3	A12-2	\$11.76	10/20/14
Krause, Bradley	Educational Assistant	Sandy Barette	CSVC	CONT	172	7.25	B22-1	\$12.41	10/27/14
Neises, Chris	Teacher-13 <sup>th</sup> Class Asgn	NEW	SFHS	TEMP	60	1	Schedule D	\$3,926	9/2/14
Palermo, David	Asst Band Director	NEW	SFHS	CONT	172	2	Schedule D	\$2,099	10/20/14
Reiter, Katie	Educational Assistant	NEW	SFE	CONT	172	2	A12-1	\$11.16	10/21/14

Rutz, Tricia	Kindergarten Teacher	Jennica Fishero	SFE	TEMP	133	8	BA-1	\$33,311	10/29/14
Trost, Erik	Teacher-13 <sup>th</sup> Class Asgn	NEW	SFHS	TEMP	60	1	Schedule D	\$3,926	9/2/14

**INTERNAL TRANSFERS:**

Name	Current Position/ Location	Current Days/Hrs	Current Salary	New Position/ Location	Days/ Hrs	New Salary	Effective
Cady, Katie	Teacher/SFMS	186/8	\$52,893	Teacher/SFMS	186/8	\$56,235 Lane Change	9/1/14
Jones, Jennifer	Asst Principal/SFMS	225/8	\$85,310	Principal/SFMS-Temporary	225/8	\$86,134	10/14/14
Mergenthal, Chuck	Bus Driver/TRANS	172/6	\$15.09	Bus Driver/TRANS	172/6.75	\$15.09	9/2/14
Neises, Chris	Teacher/SFHS	186/8	\$59,600	Teacher/SFHS	186/8	\$63,666 Lane Change	9/1/14
Schweitzer, Carol	Bus Driver/TRANS	172/6	\$14.49	Bus Driver/TRANS	172/6.75	\$14.49	9/2/14

**LEAVES OF ABSENCE**

Name	Position	Location	Expected Duration		Most recent assignment	
			From	To	Days/Year	Hrs/Day
Arens, Alvin	Bus Driver	TRANS	9/2/14	11/24/14 Extension	172	6
Anderson-Hume, Bobbi	Principal	SFMS	10/14/14	11/24/14	240	8
Weinhagen, Michel	Teacher	SFMS	10/7/14	10/31/14 Extension	186	8

**RESIGNATION/RETIREMENTS/TERMINATIONS/DISCONTINUANCE OF POSITION**

Name	Position	Site	Reason	Effective
Fishero, Jennica	Kindergarten Teacher	SFE	Resignation	10/28/14
Mistelske, Karen	Helper/Server	SFMS	Retirement	10/21/14
Gehring, Ted	Knowledge Bowl Advisor	SFMS	Resignation	10/27/14
Rassler, Sara	Language Arts Teacher-Long Term Sub	SFHS	Resignation	10/24/14

C. THAT Disbursements are approved as presented.

BE IT RESOLVED by the School Board of Independent School District No. 15 that these disbursements as presented and excluding net payroll, be allowed and charged to funds as follows:

FundNo.	Description	Amount
01	General	\$ 977,759.13
02	Food Service	\$ 21,644.81
04	Community Services	\$ 29,657.82
06	Construction	\$
07	Debt Redemption Bond Payments	\$
09	Trust and Agency	\$ 1,200.00

20	Internal Service-Health Self Insured	\$	37,932.53
47	OPEB Debt Service	\$	
	TOTAL DISTRICT	\$	1,068,194.29

- D. THAT the MSHSL Foundation Grant be approved as presented.  
 WHEREAS, the Minnesota State High School League Foundation was formed to provide support for Minnesota's high school youth to participate in athletics and fine arts;  
 WHEREAS, the District 15 School Board recognizes the value of students participation in extracurricular activities; and  
 WHEREAS, the MSHSL Foundation is offering grants and funding to assist school district in recognizing, promoting and funding extracurricular participation by high school students in athletic and fine arts programs.  
 THEREFORE, BE IT RESOLVED, that the ISD NO. # 15 School Board supports the District's application to the Minnesota State High School League Foundation for a FORM A grant to offset student activity fees.
- E. THAT the Extended Trip for Girls Hockey be approved as presented.  
 BE IT RESOLVED by the School Board of Independent School District No. 15 that the High School Girls Hockey program for hockey tryout scrimmage weekend in Cloquet, MN, October 31-November 1, 2014 be approved as requested.
- F. THAT Gift Acknowledgements be approved as presented.  
 BE IT RESOLVED by the School Board of Independent School District No. 15 that the following gifts be hereby accepted:  
 \$9,978.00, St. Francis Blue Line Club, for boys hockey uniforms  
 \$435.00, St. Francis Grid Club, for coach bus to Duluth for football  
 \$2,030.80, St. Francis Blue Line Club, for 40 Bronko belts for boys hockey  
 \$82.00, St. Francis Blue Line Club, for added shipping from Canada of 40 Bronko belts for boys hockey  
 \$10.00, Sheryl Lockwood, bookshelves for the Sandhill Center Library

Motion carried 7-0.

## Reports

### *Student Report*

Cassy Stierns and Madysson Belden provided the student report. October 28 is mix-it-up day which encourages students to sit with a student they have not met during lunch, October 29 is senior day for colleges, military opportunities, and resume building are available for review, November 6-7 HOSA will attend the fall delegation, student council hosted a tennis tournament and highway cleanup, will host a Halloween movie and food drive, DECA/ BPA held the annual dodge ball tournament, there is so much excitement for the success of the football team, volleyball girls celebrated senior night, show choir is preparing for the competition season, excitement for the Madrigal dinner next month, teacher conferences were held, and National Honor Society is at *Feed My Starving Children* this evening.

### *Acting Superintendent Report and Communications*

- He and Marsha Van Denburgh met with Karen Miller, Representative, from Congresswoman Michelle Bachmann's office and shared concerns of mandates.
- He and Mr. Neubauer visited meetings at SFMS and SFE congratulating staff for being a rewards school (SFE), and celebration eligible (SFMS).
- Attended Rum River Directors of Community Education meeting.
- Attended the principals' meeting
- Attended principals' negotiations
- Met with Brandon Nelson, Mr. Fiereck, and Mr. Anderson, Education Minnesota, about the possibility of changing the format of Meet and Confer.
- Participated in DLT meeting.
- Attended volleyball playoff game in Duluth. The football team participates in section finals on Halloween.

### *Dialogue*

Ms. Erkel reported that SFE has a food sharing table and the concerns are over possible health issues. Mr. Ferguson will report back. Seventh grade students attended with their civics' assignment. Ms. Roed reported questions and request for nutrition services contract clarity. Those concerns can be addressed with Brandon Nelson.

### *School Board Member Reports*

Ms. Van Denburgh reported about the meeting with Karen Miller, Representative of Michelle Bachmann. Attended Cabinet Plus 3, congratulations to the football team, and attended Lifelong Learning Center's 40<sup>th</sup> celebration.

Ms. Jahnke attended principal negotiations, organizational meeting for negotiations with directors, Cabinet Plus 3, and the special meeting,

Ms. Erkel attended principal negotiations, Senior Advisory meeting, Lunch Bunch, and has received calls regarding arbitration.

Ms. Kelly attended the special meeting, and congratulations to the football team.

Ms. Roed attended ACT meeting, SMC meeting at EBCS, the organizational meeting for Directors, and the special meeting,

Ms. Hunt attended principal negotiations, and the Q Comp learning session.

Mr. Roberts met with Education Minnesota President Deb Parson, attended Rewards school recognition program at SFE, the recognition of SFMS as a Celebration school, Cabinet Plus 3, the first of five Q Comp information sessions, SMC meeting at SFMS with review of information shared and reasons to increase after school activities, Oak Land board meeting, Directors negotiations, activity night at SFMS, special meeting, congratulations to the Saints football team, and the strategic core planning begins tomorrow. The School Board is requesting that a cost analysis for a new sound system be completed.

At the closed session on October 24 discussion took place regarding the current state of the Superintendent. At this time Mr. Saxton remains on paid administrative leave. Due to data-privacy laws that is what can be shared at this time.

### *Administrative Report*

Tim Finn reported on four items regarding personnel. 1) The need for a part-time title intervention teacher of approximately 170 hours for a nonpublic site, 2) At CCCS a significant number of students have moved into the center based program, thus the need to propose an additional licensed special education teacher, 3) Proposal to hire a teacher on special assignment (TOSA) for additional support to Director in special services. 4) Last year two school psychologists were at the high school, one retired and the District continues to try to fill that position. The retired psychologist will come back to work as needed until that position is filled.

### **New Business**

World's Best Workforce Annual Report – First Reading

### **Other Matters**

#### *Approval of Employment of an Educational Assistant*

Motion was made by Ms. Van Denburgh, second by Ms. Jahnke.

BE IT RESOLVED that the School Board of Independent School District No. 15 approve the employment for Tyler Sniegowski effective October 28, 2014. This is a new continuing education assistant position at CSVC for 7.25 hours per day, 135 duty days, B22-1, \$12.41 per hour.

Motion carried 7-0.

#### *Consideration of Resolution Authorizing Commencement of Legal Action*

Motion was made by Ms. Van Denburgh, second by Ms. Jahnke.

WHEREAS, an employee of the School District requested arbitration;

WHEREAS, an Arbitrator issued a decision in favor of the employee; and

WHEREAS, the School Board believes that the Arbitrator made errors in deciding the matter and that it is in the best interests of the District to challenge the arbitration award by filing a motion to vacate the award in district court.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The District administration and Attorney are authorized and directed to initiate a motion to vacate the arbitration award.

2. The District administration and Attorney are authorized to take all actions necessary to carry out the terms of this Resolution.
3. The Arbitrator's award includes private personnel data on the employee and other employees pursuant to the Minnesota Government Data Practices Act, Minnesota Statutes Section 13.43, and thus, the Board cannot disclose the decision or comment upon it.

Motion carried 7-0.

The regular meeting was adjourned at 7:40 p.m.

---

Barbara Jahnke, School Board Clerk

IV. B. ROUTINE PERSONNEL ITEMS

REVISED

BE IT RESOLVED by the School Board of Independent School District No. 15 that the Personnel actions as listed below be approved:

NEW EMPLOYMENT									
Name	Position	Replacement for	Site	Position Status	Days/Year	Hrs/Day	Salary Level	Wage	Effective
Bouley, Sarah	Educational Asst	NEW	SFMS	CONT	172	7.25	B22-1	\$12.41	10/27/14
<i>Brown, Christine</i>	<i>Bus Rider</i>	<i>Mike Benner</i>	<i>TRANS</i>	<i>CONT</i>	<i>172</i>	<i>6</i>	<i>B21-1</i>	<i>\$13.52</i>	<i>11/10/14</i>
Calvert, Katie	Knowledge Bowl Coach	N/A	SFMS	CONT	100	3	Schedule D	\$1,090	11/3/14
Gehring, Ted	Knowledge Bowl Coach	N/A	SFMS	CONT	100	3	Schedule D	\$1,604	11/3/14
<i>Gehrke, Mike</i>	<i>Snow Plow Specialist</i>	<i>N/A</i>	<i>MTCE</i>	<i>CONT</i>	<i>On Call</i>		<i>Hourly</i>	<i>\$25.00</i>	<i>11/10/14</i>
<i>Gracia, Joshua</i>	<i>Snow Plow Specialist</i>	<i>N/A</i>	<i>MTCE</i>	<i>CONT</i>	<i>On Call</i>		<i>Hourly</i>	<i>\$25.00</i>	<i>11/6/14</i>
<i>Guse, Amy</i>	<i>Title One Teacher</i>	<i>NEW</i>	<i>Trinity</i>	<i>TEMP</i>	<i>As Needed</i>		<i>Hourly</i>	<i>\$21.22</i>	<i>11/3/14</i>
Hagen, Scott	Bus Rider	NEW	TRANS	CONT	172	6	B21-1	\$13.52	10/27/14
Heitzman, Autumn	Teacher Sub	Rassler and Keenan	SFHS	TEMP	20	8	SUB	\$125/day	10/29/14
<i>Klema, Kelsey</i>	<i>Asst Gymnastics Coach</i>	<i>NEW</i>	<i>SFHS</i>	<i>CONT</i>	<i>100</i>	<i>3</i>	<i>Schedule C</i>	<i>\$2,798</i>	<i>11/10/14</i>
<i>Robinette, Scott</i>	<i>Snow Plow Specialist</i>	<i>N/A</i>	<i>MTCE</i>	<i>CONT</i>	<i>On call</i>		<i>Hourly</i>	<i>\$25.00</i>	<i>11/6/14</i>
<i>Robinson, Lakkhana</i>	<i>Educational Asst</i>	<i>Mallory Heaton</i>	<i>EBCS</i>	<i>CONT</i>	<i>172</i>	<i>3</i>	<i>A12-1</i>	<i>\$11.16</i>	<i>11/10/14</i>
INTERNAL TRANSFERS									
Name	Current Position/ Location	Current Days/Hrs	Current Salary	New Position/ Location	Days/ Hrs	New Salary	Effective		
<i>Benner, Michael</i>	<i>Bus Rider/TRANS</i>	<i>172/6</i>	<i>\$13.52</i>	<i>Bus Driver/TRANS</i>	<i>172/8</i>	<i>\$14.02</i>	<i>11/6/14</i>		
Berndt, Mark	Custodian/SFMS	261/8	\$15.56	Custodian-2 <sup>nd</sup> Shift/SFMS	261/8	\$15.66	11/3/14		
<i>Bolles, Becki</i>	<i>Educational Asst/TRANS</i>	<i>172/4.5</i>	<i>\$11.76</i>	<i>Bus Rider/TRANS</i>	<i>172/6</i>	<i>\$13.52</i>	<i>11/17/14</i>		
<i>Ingalls, Cheri</i>	<i>Bus Rider/TRANS</i>	<i>172/6</i>	<i>\$13.52</i>	<i>Bus Driver/TRANS</i>	<i>172/6</i>	<i>\$14.02</i>	<i>11/6/14</i>		
Landis, Barbara	Custodian/MTCE	261/8	\$16.90	Custodian/EBCS	261/8	\$16.65	10/27/14		
Lundholm, Dennis	Bus Driver/TRANS	172/6	\$16.07	Bus Driver/TRANS	172/8	\$16.07	10/13/14		
Rolland, Steve	Bus Driver/TRANS	172/6	\$14.02	Bus Driver/TRANS	172/8	\$14.02	10/13/14		
Scharber, Steve	Bus Driver/TRANS	172/6	\$15.09	Bus Driver/TRANS	172/8	\$15.09	10/13/14		
LEAVES OF ABSENCE									
				Expected Duration		Most recent assignment			
Name	Position	Location	From	To	Days/Year	Hrs/Day			
Biggins, Shareen	Helper/Server	SFHS	9/11/14	11/3/14 Returned	172	4.75			



Illg, Shirley	Educational Asst	SFMS	10/31/14	11/17/14	172	7.25
<i>Johnson, Diane</i>	<i>Preschool Instructor Asst</i>	<i>LLC</i>	<i>8/22/14</i>	<i>11/6/14 Returned</i>	90	7
Johnson, Miranda	Educational Asst	SFMS	9/2/14	10/13/14 Returned	172	7.25
<i>Kleve, Carole</i>	<i>Cashier</i>	<i>SFMS</i>	<i>10/20/14</i>	<i>11/6/14 Returned</i>	<i>178</i>	<i>5.25</i>
Morton, Marilyn	Educational Asst	SFE	9/2/14	10/27/14 Returned	172	2
Olson, Katie	Teacher	CCCS	1/14/15	3/11/15	186	8
Renter, Cheryl	Kitchen Manager	SFMS	11/5/14	12/5/14 Extension	178	8
Rolland, Steve	Bus Driver	TRANS	1/1/15	3/6/15	172	8
Weinhagen, Michel	Teacher	SFMS	10/7/14	10/27/14 Returned	186	8

**RESIGNATION/RETIREMENTS/TERMINATIONS/DISCONTINUANCE OF POSITION**

<b>Name</b>	<b>Position</b>	<b>Site</b>	<b>Reason</b>	<b>Effective</b>
Ness, Michelle	Helper/Server	SFHS	Termination	11/3/14
Sweet, Philip	Bus Driver	TRANS	Resignation	11/5/14

MOTION:

SECOND:

SCHOOL BOARD MEETING DATE: 11/10/2014

BE IT RESOLVED by the School Board of Independent School District No. 15 that these disbursements as presented, and excluding net payroll, be allowed and charged to funds as follows:

Fund No.	Description	Amount
01	General	\$ 1,010,412.40
02	Food Service	\$ 39,213.56
04	Community Services	\$ 34,700.19
06	Construction	\$
07	Debt Redemption Bond Payments	\$
09	Trust and Agency	\$ 500.00
20	Internal Service - Health Self Insured	\$
47	OPEB Debt Service	\$
	<b>TOTAL DISTRICT</b>	<b>\$ 1,084,826.15</b>

MOTION:

SECOND:

IV. D. GIFT ACKNOWLEDGMENT(S)

*Revised*

BE IT RESOLVED by the School Board of Independent School District No. 15 that the following gifts be hereby accepted:

\$834.00 (in kind), Econofoods, 139 backpacks donated to SFMS Caring Closet and SFHS Kody's Closet

*\$2,050.00, CCCS PTO, \$1,375 for 4<sup>th</sup> grade Kindness retreat, \$675 for 5<sup>th</sup> grade field trip*

*\$1,000.00, Ham Lake Lions Club, bookshelves for the Sandhill Center Library*

*\$678.99, SFE APT, purchase of Surface 2 tablet & cover for Mr. Johnson*

*\$53.33, SFE APT, payroll for 1.5 hrs of coverage by nurse @ activity night*

*\$250.53, SFE APT, for office supplies and CDs w/cases for 5<sup>th</sup> grade students*

*\$500.00, SFE APT, to purchase books for the media center*

MOTION:

SECOND:

11/10/14

VI. A. WORLD'S BEST WORKFORCE ANNUAL REPORT ON CURRICULUM,  
INSTRUCTION AND STUDENT ACHIEVEMENT FOR ISD No.15 2013-14.

BE IT RESOLVED by the School Board of Independent School District No. 15  
that the Annual Report on World's Best Workforce 2013-14, upon review, is  
accepted and shall be posted on the website at [www.isd15.org](http://www.isd15.org).

Background:

Please note only schools who are identified as "Title Eligible Schools" are eligible for designations. These schools include St. Francis Middle School, East Bethel Community School, and St. Francis Elementary School. St. Francis Middle School and East Bethel Community Schools are designated "Celebration eligible" while St. Francis Elementary is designated a "Reward" school for the third year in a row. All schools are to be congratulated on their designations.

Crossroads School and Vocational Center is a "Title School" however has MCA limitations so cannot earn a designation.

Because the other schools are not Title schools, they are not eligible for these designations.

*Director of Curriculum and Instruction Paul Neubauer*

MOTION:

SECOND:

11/10/14

VII. A. CLOSED SESSION – NEGOTIATION PARAMETERS

BE IT RESOLVED by the School Board of Independent School District No. 15 that a closed session be conducted for the purpose of discussing labor negotiation strategies under subd. 1 (b) of the Open Meetings Law, Minnesota Statutes Chapter 13D.03

Closed Session: Motion by, second by.

Vote:

Time:

Resume Open Meeting: Motion by: I move that the open meeting be resumed, second by.

Vote:

Time:

MOTION:

SECOND:

11/10/14

(Amended to Read)

Discussion

VII. B. ~~RESOLUTION~~ TO CONSIDER LEGAL COUNSEL

BE IT RESOLVED that the ISD No. 15 School Board engage legal counsel to obtain a second opinion on and services relative to the Board's October 24, 2014 decision to request that an arbitrator's decision be vacated.

MOTION:

SECOND:

11/10/14