

**Eagle Ridge Academy
Special Meeting Minutes
January 22, 2008
7255 Flying Cloud Drive
Eden Prairie, MN 55344**

Board Members:

Present: Laura Langhoff, Len Twetan, Karilyn Jons, Erin Johnson, John Neve, Austin Rockcastle, Jim Romportl, Carolyn Sommers Tillotson, and John Niemann (arrived approx. 9pm)

Additional Attendees: Judi Ingison

The meeting was called to order at 7:05 p.m.

1. Langhoff moved to go into closed session for preliminary considerations of allegations against two employees pursuant to Minnesota Statute Section 13D.05, Subdivision 2(b). Neve seconded and the board approved unanimously.

2. Twetan moved to place Mr. Garvin on unpaid leave pending the outcome of an investigation into his conduct, while keeping open the possibility of discipline up to and including immediate discharge depending on the outcome of the investigation. The basis of this motion is that email evidence strongly supports a conclusion that:

- a) Mr. Garvin violated the school's computer use policy by using vulgar, obscene, sexually inappropriate, and otherwise inappropriate language.
- b) Mr. Garvin engaged in misconduct by plotting with at least two other employees to create the open letter that Susan Reid sent to the board in a manner that he believed would be most disruptive to the school.
- c) Mr. Garvin, Ms. Reid and one other employee plotted to take action that they believed would undermine and injure Director Judi Ingison to the greatest extent possible, which included the development of the open letter and delaying the announcement of Ms. Reid's resignation.
- d) Mr. Garvin and Ms. Reid accessed and used data from the parent-to-parent directory to disseminate Susan Reid's open letter in violation of the MGDPA.
- e) Mr. Garvin and a former employee plotted to use parents and students to further their cause.

Rockcastle seconded and the board approved unanimously.

3. Twetan moved to authorize counsel to draft a letter of reprimand to Mrs. Erb with directives consistent with the board's discussions; and reinstate Mrs. Erb effective Monday, January 28, 2008, contingent upon her submitting an acceptable letter of apology to the community and board. The basis of this motion is that email evidence strongly supports a conclusion that:

- a) Mrs. Erb violated the school's computer use policy by participating in discussions using inappropriate language.

- b) Mrs. Erb engaged in misconduct by plotting with at least two other employees to create the open letter that Susan Reid sent to the board in a manner that they believed would be most disruptive to the school.
- c) Mrs. Erb participated in a plot to take action that she believed would undermine and injure Director Judi Ingison to the greatest extent possible, which included the development of the open letter and delaying the announcement of Ms. Reid's resignation.
- d) Mrs. Erb has acknowledged making an error in judgment and the board has given significant weight to this fact.

Neve seconded and the board approved unanimously.

4. The board explained that Director Judi Ingison has not been put on paid administrative leave because the nature of the allegations is different and the evidence in support of the allegations is different. The board reminded the public that the investigation is underway.

5. Langhoff moved to adjourn at 9:54 p.m. Rockcastle seconded and the board approved unanimously.

The meeting was adjourned at 9:54 p.m.

Minutes submitted by Carolyn Sommers Tillotson, Secretary.