

Des Moines Area Community College

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Board of Directors Meeting Minutes

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9-14-1983

### Board of Directors Meeting Minutes (September 14, 1983)

DMACC

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Sept. 14, 83  
Sp. Meeting

Des Moines Area Community College  
Special Board Meeting

September 14, 1983  
Building 1 - Room 30 - Ankeny Campus

A G E N D A

1. Call to Order - 5:00 p.m.
2. Roll Call.
3. Consideration of Tentative Agenda.
4. Receive and File Superintendent's Recommendation for Termination of Teacher Under Chapter 279, Code of Iowa.
5. Closed Session.
6. Consideration of Termination of Contract Under Chapter 279, Code of Iowa.
7. Adjournment.

Des Moines Area Community College  
2006 South Ankeny Blvd.  
Ankeny, Iowa

SPECIAL MEETING

14 SEPTEMBER 1983

A special meeting of the Des Moines Area Community College Board of Directors was held at 5:00 p.m. on September 14, 1983, Building 1, Room 30, Ankeny Campus. The meeting was called to order to Board President Eldon Leonard.

ROLL CALL

Members Present:

DeVere Bendixen	Raymond Clark
Eldon Leonard	Theodore Nemmers
Herbert Ritland	Donald Rowen

Members Absent:

Georganne Garst  
Jasper Risdal  
Douglas Shull

Others Present:

Joseph A. Borgen, President  
Eugene R. Snyders, Board Secretary

APPROVAL OF TENTATIVE  
AGENDA

It was moved by R. Clark, seconded by D. Bendixen, that the tentative agenda be approved.

Motion passed unanimously.

RECEIVE AND FILE  
TERMINATION  
RECOMMENDATION

There was a motion by T. Nemmers, second by H. Ritland, to receive and file the Superintendent's recommendation for termination of a teacher under Chapter 279, Code of Iowa.

Motion passed unanimously.

CLOSED SESSION

A motion that the Board of Directors hold a closed session as provided in the Code of Iowa, Chapter 28A.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered to prevent needless and irreparable injury to that individual's reputation, as that individual has requested a closed session, was made by D. Bendixen, seconded by R. Clark.

Motion passed unanimously on a roll call vote and at 5:05 p.m. the Board convened in closed session.

RETURN TO OPEN  
SESSION

The Board returned to open session at 5:13 p.m.

CONTRACT TERMINATION


R. Clark made a motion that was seconded by H. Ritland that the Board of Directors terminate the continuing contract of James Marcusen effective September 1, 1983, in accordance with Chapter 279.27, Code of Iowa.

Motion passed unanimously on a roll call vote.

ADJOURNMENT

A motion for adjournment was made by D. Rowen, seconded by H. Ritland.

Motion passed unanimously and at 5:18 p.m. Board President E. Leonard adjourned the meeting.

  
ELDON LEONARD, President

  
EUGENE R. SNYDER, Secretary

RECOMMENDATION TO THE BOARD OF DIRECTORS  
TO TERMINATE CONTRACT OF JAMES MARCUSEN  
PURSUANT TO §279.27, CODE OF IOWA

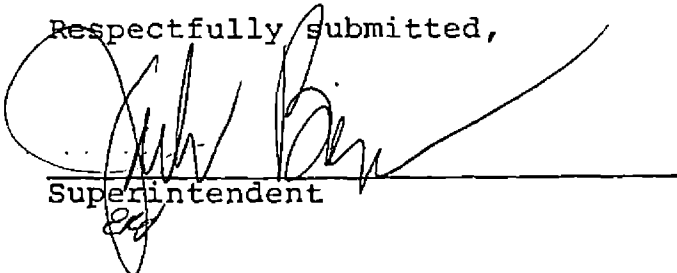
THIS IS TO NOTIFY YOU of the Superintendent's recommendation to the Board of Directors of the Des Moines Area Community College that the contract of JAMES MARCUSEN, a teacher, be terminated effective immediately following a decision of the Board of Directors. A copy of the Notice and Recommendation to Terminate Contract which has been served upon the teacher is attached to this Recommendation and incorporated herein by reference.

If the Teacher, within five days of receipt of the written notice that the Superintendent is recommending termination of the contract, requests in writing a private hearing with the Board, a private hearing must be held no sooner than ten days and no later than twenty days following receipt of the request unless the parties otherwise agree. If the Teacher requests a private hearing, the Secretary of the Board will notify you in writing of the date, time, and location of the private hearing.

The participants at the private hearing must include at least a majority of the members of the Board who will sit as a hearing panel to hear the recommendation of the Superintendent, and any cross-examination and presentation which may be made by the Teacher. Following the hearing, the Board must meet in executive session to make a final decision upon the recommendation and the evidence presented at the private hearing. The decision of the Board must be in writing and shall include findings of fact and conclusions of law separately stated.

When the Board has reached a decision, opinion, or conclusion, it must convene in open meeting and by roll-call vote, determine the continuance or discontinuance of the Teacher's contract. If the Teacher does not request a private hearing or does not appear at the private hearing, the Board may proceed and make a determination upon the Superintendent's recommendation.

Respectfully submitted,



Superintendent

August 31, 1983  
(date)

NOTICE AND RECOMMENDATION TO TERMINATE CONTRACT

TO: JAMES MARCUSEN, 2027 Nash Drive, Des Moines, Iowa 50314

YOU ARE HEREBY NOTIFIED that the Superintendent of the Des Moines Area Community College will recommend in writing to the Board of Directors of the College at a regular or special meeting of the Board held not more than 15 days (unless otherwise agreed) after the notice has been given that your employment and teacher's continuing contract be terminated effective immediately following a decision of the Board of Directors. The contract to be terminated is the contract between James Marcusen, a teacher, and the Board of Directors of the Des Moines Area Community College, located at Ankeny, Polk County, Iowa, for services rendered or to be rendered during the school year 1983-84.

THIS NOTICE IS GIVEN pursuant to the provisions of §279.27 of the Code of Iowa, 1983, as amended.

The recommendation to terminate your contract is being made for the reason that:

You have failed to maintain teacher certification requirements.

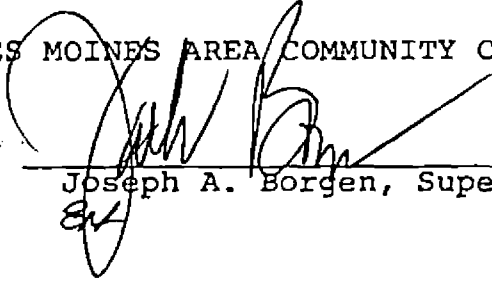
A listing of documentation which may be presented to the Board at a private hearing and names of persons who may address the Board in support of the Superintendent's recommendation will be furnished to you at least five days before any private hearing.

You are advised that within five days of receipt of this written Notice, you may request a private hearing with the Board, in writing, to the Secretary of the Board of Directors. If you fail to timely request a private hearing, the Board may proceed and make a determination upon the Superintendent's recommendation.

This Notice dated at Ankeny, Iowa, this 31st day of August, 1983.

DES MOINES AREA COMMUNITY COLLEGE

By

  
Joseph A. Borgen, Superintendent