

CLIO AREA SCHOOLS  
BOARD OF EDUCATION  
Minutes – February 17, 2015

The Board of Education met for a Special Meeting at the Administration Building.

The meeting was called to order by President Mary Ann Dipzinski at 4:36 p.m.

Board of Education Members Present: Mary Ann Dipzinski, Steve Nordstrom, Henry Hatter, Tim Ranville, Robert Gaffney, Lydia Heine and Denise Frappier

Board of Education Members Absent: None

School Administrative Staff Present: Superintendent Fletcher Spears III, Executive Director of Curriculum and Instruction Steve Keskes, Executive Director of Finance Jon Pechette, Executive Director of Personnel Colleen Mansour, Principals Mike Lytle, Neil Bedell, John Lanyi, Assistant Principals Carrie Ammons and James Dundas

Student Representatives Present: None

Others Present: Debi Drabek, Chip McCallum, Ann Holbin, Jeff Harrington, Felicia Naimark, Eileen Kerr, Dan Olmstead, Bruce Richards, Eric Wood, Martin Cousineau, Bonnie Filpansick, Chuck and Laura Coe, Johnny Barrett and several other teachers and citizens

**CLOSED SESSION**

Motion by Ranville, supported by Gaffney that the Clio Area Schools Board of Education enter closed session for the purpose of a student discipline hearing.

Vote: Yea – Dipzinski, Nordstrom, Hatter, Ranville, Gaffney, Heine and Frappier  
Nay – 0. Motion carried.

The Board entered closed session at 4:40 p.m.

Motion by Gaffney, supported by Ranville that the Clio Area Schools Board of Education adjourn the closed session.

Vote: Yea – Dipzinski, Nordstrom, Hatter, Ranville, Gaffney, Heine and Frappier  
Nay – 0. Motion carried.

**938: EXPULSION OF A STUDENT**

BE IT RESOLVED, that the Clio Area Schools Board of Education expel student (#12814) from Clio Area

Schools for 180 school days with the opportunity to re-enroll at the end of term. We also recommend at the expense of her parents that she be allowed to enroll in Edgenuity an off-school campus for the duration of the expulsion. During this time the student is not allowed to attend any school functions or be on any school property at any time.

Motion by Nordstrom, supported by Frappier that the resolution be adopted.

Vote: Yea – Dipzinski, Nordstrom, Hatter, Ranville, Gaffney, Heine and Frappier  
Nay – 0. Motion carried.

The closed session adjourned at 5:15 p.m.

The Board reconvened in open session at 5:15 p.m.

### **CLOSED SESSION**

Motion by Ranville, supported by Frappier that the Clio Area Schools Board of Education enter closed session for the purpose of a student disciplinary hearing.

Vote: Yea – Dipzinski, Nordstrom, Hatter, Ranville, Gaffney, Heine and Frappier  
Nay – 0. Motion carried.

The Board entered closed session at 5:22 p.m.

Motion by Ranville, supported by Heine that the Clio Area Schools Board of Education adjourn the closed session.

Vote: Yea – Dipzinski, Nordstrom, Hatter, Ranville, Gaffney, Heine and Frappier  
Nay – 0. Motion carried.

The closed session adjourned at 5:53 p.m.

The Board reconvened in open session at 5:53 p.m.

### **939: SUSPENSION OF A STUDENT**

BE IT RESOLVED, that the Clio Area Schools Board of Education suspend student (#3365) from Clio Area Schools for 168 school days. We also recommend at the expense of his parents that he be allowed to enroll in Edgenuity an off-school campus for the duration of the suspension. During this time the student is not allowed to attend any school functions or be on any school property at any time.

Motion by Ranville, supported by Frappier that the resolution be adopted.

Vote: Yea – Dipzinski, Nordstrom, Hatter, Ranville, Gaffney, Heine and Frappier  
Nay – 0. Motion carried.

The Board of Education recessed at 5:55 p.m.

The Board reconvened in open session at 6:03 p.m.

### **940: APPOINT HEARING OFFICER**

BE IT RESOLVED, that the Clio Area Schools Board of Education appoint Attorney James Delaney as hearing officer for the Dr. Tenbusch hearing

Motion by Ranville, supported by Dipzinski that the resolution be adopted.

Vote: Yea 7 – Nay 0. Motion carried.

Mr. James Delaney acknowledged Dr. Tenbusch's attorney Mike Kowalko.

Mike Kowalko spoke in defense of Dr. Tenbusch and read a letter to the Board of Education (see below).

**TOM R. PABST, P.C.**  
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Assoc. 1994-95  
President Flint Trial Lawyers 1991-94  
SuperLawyer 2007-Present  
Lawyer's Weekly Leader of the Law 2011*

**Michael A. Kowalko**

*President Flint Trial Lawyers 2012  
Board of Directors Genesee  
County Bar Assoc. 2012  
Treasurer Genesee County  
Bar Assoc. 2013*

**Jarrett M. Pabst**

**Justin R. Pabst**

February 17, 2015

*Via email only*

Board of Education, Clio Area Schools  
c/o Eric Delaporte  
Attorney at Law  
P.O. Box 2575  
East Lansing, MI 48826

*RE:* Dr. Tenbusch's letter to be read at hearing today, Tuesday, February 17, 2015

Dear Mr. Delaporte:

On behalf of Dr. Tenbusch, we demand that tonight's "hearing" be open to the public. Further, we intend to read this letter to the Board.

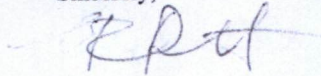
First of all, last week at your office, we met and you gave us *some* of the so-called "evidence" your client intends to use at tonight's "hearing". You indicated that we were given what your side thought was "relevant". Your clients other attorneys, Mr. Mullins' firm, also refused to turn over additional documents without a protective order. This all occurred last Friday, right before the weekend. Under these circumstances, we requested an adjournment immediately, which you, on behalf of your clients, refused. The position that your clients have taken is not reasonable, and turns this "hearing" into nothing more than an ambush.

Secondly, the conduct described above clearly shows that today's hearing is a "Potemkin Façade". In other words, it is a *fait accompli* with the decision to get rid of Dr. Tenbusch being a forgone conclusion.

Finally, we don't know why it is so important to hide all of the "evidence" and only give a synopsis. But this is the situation Clio Schools has created. We look forward to finally getting a chance to explain the "evidence" in front of an objective judge and objective jury in Genesee County who don't have pitch-forks in hand. Defendants would not read our previous statement during the last meeting. Why, we don't know. But we will take this opportunity to *again* deny

that the materials being highlighted belong to Dr. Tenbusch, and it is sad to see the district use its resources to retaliate against the whistleblower instead of helping the kids.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Pabst", with a horizontal line extending to the left.

TOM R. PABST

TRP/br

cc: Timothy Mullins (via email only)

Attorney Eric Delaporte spoke for the Board. He denied any planting of evidence and explained the protective order and violations of criminal and federal law. Much evidence was shared proving the pornography and many other charges.

**941: ADMINISTRATOR DISCHARGE AND TERMINATION FOR CAUSE**

BE IT RESOLVED, that the Clio Area Schools Board of Education

WHEREAS, On January 27, 2015, Superintendent of Schools Fletcher Spears III filed with the Secretary of this Board of Education proposed Amended Charges against Dr. James Tenbusch, the Superintendent of Clio Community High, recommending that the Board discharge him and terminate his Contract early for cause, and the Board of Education voted to proceed upon those charges; and

WHEREAS, On January 27, 2015, this Board of Education determined to proceed upon the proposed Amended Charges as filed by Superintendent Fletcher Spears III on January 27, 2015, without modification, including the recommendation and proposed outcome of dismissal and early termination of Dr. James Tenbusch's Contract for cause, as contained in those charges which shall be considered as the Board's statement of the reasons for said early termination for cause.

WHEREAS, this Board of Education is informed and advised that Dr. James Tenbusch has been furnished with written notification by letter dated January 28, 2015, from the District's Superintendent of the filing of the proposed Amended Charges, has been provided with a copy of the proposed Amended Charges filed with the Board of Education on January 27, 2015, and has had an opportunity to respond to those proposed Charges, either personally, by representative, and/or in writing;

WHEREAS, having considered the information provided to the Board of Education at this meeting, and having provided Dr. James Tenbusch with the opportunity to hear the charges against him, all pertinent evidence, and to provide a response to the various charges, the Board of Education determines that action should be taken.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Education terminates its Contract with Dr. James Tenbusch early for cause effective immediately.
2. The Board of Education terminates its employment relationship with Dr. James Tenbusch for cause effective immediately.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: MaryAnn Dipzinski, Henry Hatter, Steve Nordstrom, Robert Gaffney, Lydia Heine, Denise Frappier, Timothy Ranville

Nays: None

Motion declared adopted.

*Stephan A. Handstrom*

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Secretary, Board of Education  
Clio Area Schools

The undersigned, duly qualified and acting Secretary of the Board of Education of the Clio Area Schools, Genesee County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a regular meeting held on January 19, 2015, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, PA 1976, as amended).

*Stephan A. Handstrom*

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Secretary, Board of Education  
Clio Area Schools

**ADJOURNMENT OF MEETING**

Motion by Ranville, supported by Hatter that the Clio Area Schools Board of Education adjourn the meeting.

Vote: Yea 7 - Nay 0. Motion carried.

President Henry Hatter adjourned the meeting at 7:50 p.m.

Respectfully submitted,

\_\_\_\_\_, Secretary

\_\_\_\_\_, President