



## South Washington County Schools

Keith Jacobus, Ph.D., Superintendent

### District Service Center

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### ADMINISTRATIVE REPORT

TO: District 833 Board of Education  
Keith Jacobus, Ph.D., Superintendent of Schools

FROM: Kevin Witherspoon, Ed.D., Director of Human Resources

DATE: May 07, 2020

TOPIC OF REPORT: Resolution Placing Continuing Contract Teachers On Unrequested Leave of Absence

PURPOSE OF REPORT: Comply with Minnesota Statute §122A.40, Subd. 10

RECOMMENDED BOARD ACTION: Approve

DATE OF BOARD ACTION: May 07, 2020

### REPORT

Enclosed is the resolution to provide notice of intent to place two continuing contract teachers on unrequested leave of absence, effective with the end of the current school year. I am recommending your approval of this resolution.

Shen Fei and Yi-Fen Kuan are continuing contract World Language/Mandarin Chinese teachers in the District. The discontinuance of teaching positions in the content area of World Language/Mandarin Chinese is attributable to a decline in student enrollment and change in schedule.

The timing of the ULA process requires that a resolution proposing placing teacher(s) for placement on ULA be passed by late May. Shen Fei and Yi-Fen Kuan will have the opportunity to request a hearing over the proposed placement on unrequested leave. Any hearing will be held in June, after which the Board must read the transcript of the hearing and consider the findings and recommendations of the hearing officer. This allows the District to meet all contractual obligations before the Board can take final action regarding the unrequested leaves. This timeline also allows the District time to notify the teachers of the final action before the July 1, 2020 deadline.

**RESOLUTION DISCONTINUING AND REDUCING  
EDUCATIONAL POSITIONS**

BE IT RESOLVED, by the School Board of Independent School District No. 833, South Washington County as follows:

That the following positions be discontinued effective at the end of the 2019-2020 school year:

Shen Fei	0.83 FTE	World Language/Mandarin Chinese
Yi-Fen Kuan	0.60 FTE	World Language/Mandarin Chinese

**RESOLUTION PROPOSING TO PLACE CONTINUING CONTRACT TEACHERS ON  
UNREQUESTED LEAVE OF ABSENCE**

BE IT RESOLVED, by the School Board of Independent School District No. 833, South Washington County as follows:

1. That it is proposed that teacher Shen Fei and Yi-Fen Kuan be placed on unrequested leave of absence without pay or fringe benefits, effective at the end of the 2019-2020 school year on June 30, 2020, pursuant to M.S. 122A.40, subdivision 10, the collective bargaining agreement with the United Teachers of South Washington County (UTSWC), and the Memorandum of Agreement between the District and UTSWC titled "Article XIII Unrequested Leave of Absence."

2. That said proposed placement on unrequested leave of absence is not the result of the implementation of an education district agreement.

3. That written notice be sent to said teachers regarding the proposed placement on unrequested leave of absence without pay or fringe benefits as provided by law and said notice shall be in substantially the following form:

May 8, 2020

NOTICE OF PROPOSED PLACEMENT  
ON UNREQUESTED LEAVE OF  
ABSENCE

Dear [Name]:

You are hereby notified that at the special meeting of the School Board of Independent School District No. 833 held on May 07, 2020, consideration was given to your placement on unrequested leave of absence without pay or fringe benefits as a teacher of Independent School District No. 833, and a resolution was adopted by a majority vote of the Board, proposing your placement on unrequested leave of absence effective at the end of the 2019-2020 school year on June 30, 2020, pursuant to Minnesota Statutes section 122A.40, subdivision 10, the collective bargaining agreement with the United Teachers of South Washington County (UTSWC), and the Memorandum of Agreement between the District and UTSWC titled "Article XIII Unrequested Leave of Absence" based upon the following grounds:

Decline in student enrollment and change in schedule

Your proposed placement on unrequested leave of absence is not the result of the implementation of an education district agreement.

You are entitled to a hearing before the School Board provided that you make a request in writing within fourteen (14) calendar days after receipt of this notice. If no hearing is requested within such period, it shall be deemed acquiescence by you to the School Board's proposed action.

Yours very truly,

SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 833

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Clerk of the School Board

4. That each and all of the foregoing grounds of said notice are within the grounds for unrequested leave placement and are hereby adopted as fully as though separately set forth and resolved herein.