



*“State of Alabama, Proclamation by the Governor dated March 18, 2020*

*Section III. Open Meetings Act:*

- A. Notwithstanding any provision of the Open Meetings Act, members of a governmental body may participate in a meeting – and establish a quorum, deliberate, and take action – by means of telephone conference, video conference, or other similar communications equipment if:
  - 1. Any deliberation conducted, or action taken, during the meeting is limited to matters within the governmental body’s statutory authority that is (a) necessary to respond to COVID-19 or (b) necessary to perform essential minimum functions of the governmental body; and*
  - 2. The communications equipment allows all persons participating in the meeting to hear one another at the same time.**
- B. Governmental bodies conducting a meeting pursuant to this section are encouraged, to the maximum extent possible, to use communications equipment that allows members of the public to listen to, observe, or participate in the meeting.*
- C. No less than twelve hours following the conclusion of a meeting conducted pursuant to this section, a governmental body shall post a summary of the meeting in a prominent location on its website – or, if it has no website, in any other location or using any other method designed to provide reasonable notice to the public. The summary shall recount the deliberations conducted and the actions taken with reasonable specificity to allow the public to understand what happened*
- D. Nothing in this section shall be construed to alter, amend, or modify any other provision of the Open Meetings Act, including the notice requirements found in section 36-25A-3 and the enforcement, penalty, and remedy provisions found in section 36-25A-9. Any action or actions taken in violation of paragraph A will be deemed invalid.*
- E. To the maximum extent possible, the terms used in this section shall have the same meaning as the terms defined in section 36-25A-2 of the Open Meetings Act.”*



Due to the COVID-19 public health concern, the Dothan City Board of Education will hold their Board Meetings through ZOOM Webinar as well as limited capacity public viewing at the Dothan City Board of Education, Board Room, 1665 Honeysuckle Road, Suite 1. Per ADPH Risk Indicators, the Dothan City Board of Education meetings will adhere to the following capacity limitations for in-person numbers at the board meeting while observing social distancing and wearing masks: **Green - Low Risk** - Groups of 90 or fewer pertaining to the Board Room; **Yellow - Moderate Risk** - Groups of 50 or fewer; **Orange - High Risk** - limited to 20 outside visitors by appointment only; and **Red - Very High Risk** - no outside visitors allowed in the building. Participants may still view the meeting via ZOOM webinar. Those who have made prior notification to participate on the agenda will remain on the in-person agenda. Board Meetings will be held in this manner until further notice.

**Per the Proclamation by the Governor, below is a summary of the discussions, deliberations and/or actions taken on February 11, 2021. The minutes will be officially approved on March 8, 2021.**

**Special Called School Board Meeting  
02/11/2021 05:00 PM  
Meeting Summary**

**Dothan City Board of Education  
ZOOM MEETING DUE TO COVID-19  
1665 Honeysuckle Road, Suite 1  
Dothan, Alabama 36305**

**Attendees:**

**Voting Members**

Mr. Mike Schmitz, Chair – Present  
Mrs. Brenda Guilford, Vice Chair - Present  
Mrs. Amy Bonds, Board Member – Not Present  
Mr. Franklin Jones, Board Member - Present  
Mr. Chris Maddox, Board Member – Not Present  
Mr. Brett Strickland, Board Member – Present  
Mrs. Susan Vierkandt, Board Member – Present

**Non-Voting Members**

Dr. Dennis Coe, Acting Superintendent – Present  
Mr. Kevin Walding, Board Attorney – Present

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Approval of Agenda and Proposed Agenda Modifications**

Motion to approve the Agenda and Proposed Agenda Modifications as presented and recommended by the Superintendent. Motion made by: Mrs. Susan Vierkandt, Motion seconded by: Mr. Brett Strickland, Voting: Mr. Mike Schmitz – Yes, Mrs. Brenda Guilford – Yes, Mrs. Amy Bonds – Not Present, Mr. Franklin Jones – Yes, Mr. Chris Maddox – Not Present, Mr. Brett Strickland – Yes, Mrs. Susan Vierkandt – Yes

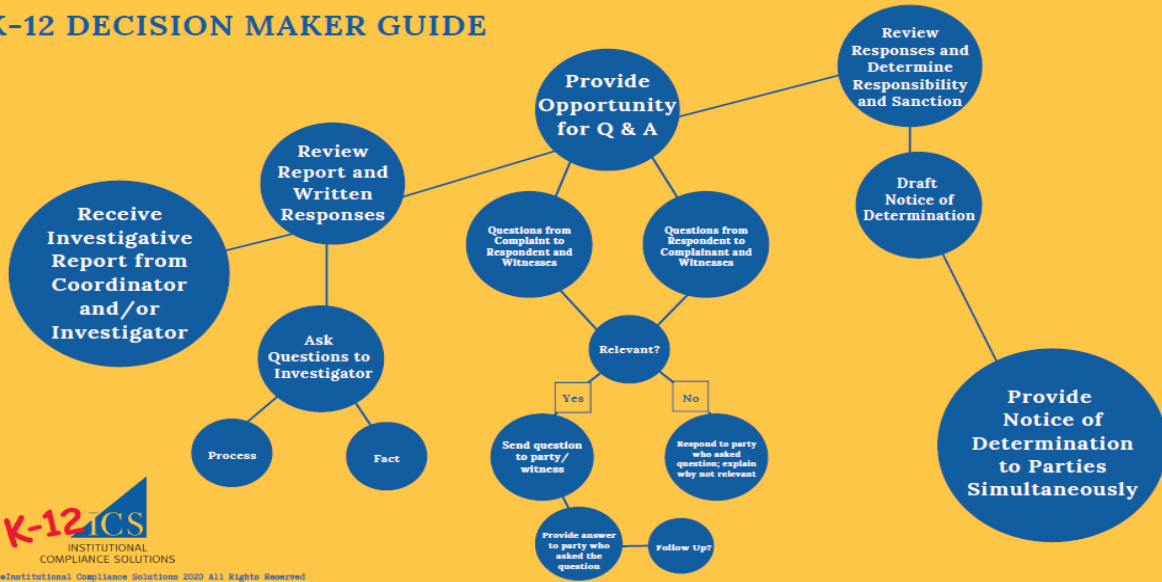
- 5. Board Comments - None**
- 6. Board Member Training on Title IX decision making per the 2020 Final Regulations and Dothan City Schools Equity Action Plan for the National Youth at Risk Conference Presentation presented by Dr. Debra Wright.**

## Decision Maker and Appellate Decision Maker Training

Required Annual training per the 2020 Final Regulations Title  
IX



## K-12 DECISION MAKER GUIDE



- Decision-maker must issue a **WRITTEN DETERMINATION** regarding responsibility- using standard of evidence established by the school district.
- Dothan City Schools has chosen to apply the standard of evidence for all processes to be a preponderance of evidence - *The evidence demonstrates that it is more likely than not that the conduct occurred.*



### Decision-Maker Determination Regarding Responsibility Checklist

- Identification of the Allegations
- Description of Procedural Steps Taken
  - Notifications to the Parties
  - Interviews with Parties and Witnesses
  - Site Visits
  - Methods Used to Gather Other Evidence
  - Hearings Held
- Findings of Fact Supporting Determination
- Conclusions Regarding the Application of the Code of Conduct to the Facts
- Result of Each Allegation Including Rationale
  - Determination Regarding Responsibility
  - Disciplinary Sanctions
  - Whether Remedies Designed to Restore or Preserve Equal Access to Education Program or Activity Provided to the Complainant
- Procedures and Permissible Bases for Appeal



**K-12**  
**TITLE IX**  
**UNIVERSITY**

## Lesson 3

### Title IX Process/Serving Impartially

**K-12**  
**TITLE IX**  
**UNIVERSITY**

## Lesson 4

### Your Role as an Appellate Decision Maker



#### Appeals Checklist

- Provide Equal Opportunity to Appeal**
  - Determination of Responsibility
  - Dismissal of Formal Complaint
- Based Upon Proper Grounds**
  - Procedural Irregularity that Affected Outcome
  - New Evidence that Was Not Reasonably Available at the Time of the Determination that Could Affect Outcome
  - Conflict or Bias by Title IX Coordinator, Investigator, or Decision-Maker
- Notify the Other Party in Writing**
- Decision-Maker NOT Same as Prior Decision Makers, Investigators, or Title IX Coordinator**
- Provide Equal Opportunity to Submit Written Statement**
- Issue Written Decision and Rationale**
- Provide the Written Decision Simultaneously**





## Thank you!

- If you have any questions, concerns, or comments, please don't hesitate to let me know. I can be reached by phone at 334-726-2005 cell or email [dewright@dothan.k12.al.us](mailto:dewright@dothan.k12.al.us) or in person here at Central Office – 1665 Honeysuckle Rd. My office is in the Human Resources Department.

Dr. Debra Wright, Director  
Title IX and Assessment

Discussion continued regarding there are several layers of this process, we have trained Title IX investigators throughout the system, your role as the Board will be like an appellate court for a parent not satisfied with the decision that was made, trainings are set up through TalentEd, you are setup with specific directions on what you will need to do, there are 5 modules in this one, it will take about an hour, and this is like a Tribunal where we look at making sure the procedures were followed.

Dr. Debra Wright reviewed the Dothan City Schools Equity Action Plan stating in looking at our data we looked at 2 years, same testing was used, in 2017-18 and 2018-19 there was a gap with our students of color as opposed to white students, we started this review in 2019, committee of about 15 members, talked about what we can do to close the gaps, instructional programs, noted a missing component, came up with a culturally inspired expertise to offer this community, looked at research, had a book study, used cultural data, technology and access to technology. Mrs. Maria Johnson stated we noticed student access prior to COVID, it was already brought to our attention, first thing we did was offered access to devices and hotspots, our children have equal opportunity, held meetings with principals individually, excited about the work, if the gap is not closing we do not need to continue doing things the same way, we will share the data again, looking at data to drive our decisions to move all students forward. Dr. Wright stated we also have an opportunity to present our work. Mr. Mike Schmitz asked how the hotspots have gone. Mrs. Johnson stated Jeremy Green has been instrumental in making sure everyone has what they need and we will share next month how our remote students have done compared to our in-person students.

### **7. Review of the February 16, 2021 Board Agenda**

Dr. Dennis Coe stated we will be presenting data in March, we have several awards to acknowledge teachers of the year, Principal of the Year, Career Tech spotlight with high quality videos, we have bids coming up and the architects will come, we will talk about the equity plan, part of the accreditation summary report in march, personnel, updated school calendar and we will be starting a little later, update on new campuses, and two student hearings.

### **8. Executive Session**

Mr. Walding gave the following declaration for pending legal matters or matters that could become pending legal matters:




**Declaration Regarding  
Executive Session to Discuss Legal Matters**

For purposes of the executive session at the meeting of the Dothan City Board of Education, I hereby declare that:

1. I am counsel for the Board.
2. I am an attorney-at-law who is duly licensed to practice law in the State of Alabama.
3. The matters which the Board will discuss in the executive session concern either pending legal matters or matters that are imminently likely to become pending legal matters.

THIS the 11<sup>th</sup> day of February, 2021.

  
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Kevin Walding  
Attorney-at-Law  
Alabama State Bar #8121-I-69J  
HARDWICK HAUSE SEGREST & WALDING  
212 North Lena Street  
Dothan, Alabama 36303-4429

Motion to adjourn into Executive Session for pending legal matters as presented and as recommended by the Superintendent. Motion made by: Mrs. Susan Vierkandt, Motion seconded by: Mr. Brett Strickland, Voting: Mr. Mike Schmitz – Yes, Mrs. Brenda Guilford – Yes, Mrs. Amy Bonds – Not Present, Mr. Franklin Jones – Yes, Mr. Chris Maddox – Not Present, Mr. Brett Strickland – Yes, Mrs. Susan Vierkandt – Yes

No action was taken in Executive Session.

Mr. Franklin Jones left the meeting.

Motion to reconvene into Regular Session as presented and as recommended by the Superintendent. Motion made by: Mrs. Susan Vierkandt, Motion seconded by: Mr. Brett Strickland, Voting: Mr. Mike Schmitz – Yes, Mrs. Brenda Guilford – Yes, Mrs. Amy Bonds – Not Present, Mr. Franklin Jones – Not Present, Mr. Chris Maddox – Not Present, Mr. Brett Strickland – Yes, Mrs. Susan Vierkandt – Yes



## 9. New Business

A. Board approved Board Meetings to be held as listed below:

- i. Tuesday, February 16, 2020, 5:30 PM – Regular School Board Meeting

## 10. Adjournment

Motion to adjourn as presented and as recommended by the Superintendent. Motion made by: Mrs. Susan Vierkandt, Motion seconded by: Mr. Brett Strickland, Voting: Mr. Mike Schmitz – Yes, Mrs. Brenda Guilford – Yes, Mrs. Amy Bonds – Not Present, Mr. Franklin Jones – Not Present, Mr. Chris Maddox – Not Present, Mr. Brett Strickland – Yes, Mrs. Susan Vierkandt – Yes