

July 29, 2019

Ms. Tonya Sconiers
605 Woodland Avenue
Duluth, MN 55812

Re: Notice of Proposed Discharge

Dear Ms. Sconiers:

On July 29, 2019, the School Board of Independent School District No. 709, Duluth, met and gave consideration to proposing your discharge from employment. The School Board subsequently passed a resolution approving this letter. A copy of the School Board's resolution is enclosed. This letter constitutes formal notice that the School Board has proposed to discharge you pursuant to Minnesota Statutes section 122A.41, subdivision 6.

The School Board has proposed to discharge you effective immediately based on the following statutory grounds: immoral character, conduct unbecoming a principal, insubordination; failure without justifiable cause to act as a principal; and inefficiency in the management of a school.

This action is based on the following:

You engaged in insubordination by violating the District's directive to notify the Assistant Superintendent if there would be more than one school day delay between the day a student enrolled and informed the District he was homeless and the day the student would begin school. By letter dated March 7, 2019, you were directed to notify the Assistant Superintendent via email if there would be a delay of more than one school day between the day a homeless student enrolled and the day that student would start school.

On or before April 24, 2019, a student enrolled at Denfeld and indicated he was living in a hotel, motel, or other weekly rate housing. Such living conditions indicate a student is homeless and eligible for the protections of the McKinney-Vento Act. An enrollment meeting for this Student was originally scheduled for April 25, 2019 at 3:00 p.m. On April 25, you were copied on an email indicating the meeting would not take place as scheduled that day. You were copied on a response to that email from the District's Families in Transition Coordinator indicating that such a delay would violate the McKinney-Vento Act. The enrollment meeting for the Student was scheduled for April 26, 2019, which was a Friday, at 3:00 p.m.

The Student enrolled on a Wednesday and could not attend school on Thursday or Friday because Denfeld did not create a schedule for him until after the enrollment meeting. This resulted in a delay of more than one school day between the date the Student enrolled in the District and the date the Student could have started school. When interviewed, you admitted that you did not use the District's email system to notify the Assistant Superintendent of the delay and the reason for the delay. You stated you were not in violation of the directive because you were not aware of the situation and you do not read every email on the day it is received. There is no exception in the directive that excuses conduct because you failed to read your emails. You stated you instructed the individual who was in charge of receiving enrollment to notify you of any issues, and she did so by copying you on an email relating to this Student. Your decision not to read emails does not excuse failure to comply with a directive. Failure to comply with a directive is insubordination.

Additionally, you engaged in inefficiency in the management of the school by improperly assigning a special education teacher an overload to teach two sections of an English class. Your decision to assign this teacher to teach English resulted in students receiving English instruction from a teacher not licensed in the subject-area for several months. And, your assignment of two overloads for this teacher violated the District's Collective Bargaining Agreement ("CBA") with the Duluth Federation of Teachers ("DFT"). The DFT CBA assigns overload pay based solely on the number of hours over 25 that a teacher is assigned to teach. Because the special education teacher was previously assigned to co-teach the English classes, she was not assigned to teach over 25 hours. Requesting she be paid for seven periods rather than five when the number of classroom hours did not change represented a breach of the CBA and inefficiency in management of the school. This conduct also constitutes insubordination because it violates the directive you were given on March 7, 2019 to be familiar with the CBA to avoid assigning staff in a manner that violates the CBA.

Furthermore, you failed without justifiable cause to act as a principal when, on May 10, 2019, you inappropriately used sick leave. The District's electronic system shows that you requested sick leave at 6:30 a.m. on May 10, 2019. The District received information that you were not sick that day and instead traveled to Madison, Wisconsin to attend your child's graduation which was the next day. When you were interviewed about this allegation, you claimed not to recall any details about your alleged illness on May 10 and similarly claimed not to recall many details about your trip to Madison. You admitted that you traveled to Madison on May 10 and did not know what time you left, leading the District to conclude you left during working hours. The District interviewed other individuals who knew prior to May 10 that you would not be at school that day. Considering you did not enter sick leave until that morning, the only way other individuals could have such knowledge would be that you planned to be absent on May 10 prior to that day. By failing to attend school on May 10, you failed to act as a principal without justifiable cause and engaged in immoral conduct and conduct unbecoming a principal by failing to be truthful about the reason for your absence. This conduct also constitutes insubordination because it violates the directive you were given on March 7, 2019 requiring you to tell the truth at all times when acting in your capacity as a District employee.

You also displayed immoral character and inefficiency in the management of the school by repeatedly lying to your supervisor and co-workers about whether the Denfeld Continuous Improvement Team ("CIT") approved a staffing budget that included two dean positions for the 2019-20 school year. Although the CIT did eventually approve a budget with two dean positions, it did not do so until May 24, 2019. On May 15 and 17, 2019, you stated in a finance meeting that the CIT had approved these positions. On May 20, 2019, the Superintendent specifically asked you about approval of these positions and you told him the CIT had approved them. Members of the CIT reported that the first time these positions were discussed with the CIT was on May 24. Although you stated you had discussed the positions with some individual members of the CIT, those members stated they were not asked their opinion regarding the positions and considered your discussions to be informational. Regardless, your statements on May 15, 17 and 20 that the CIT had approved dean positions were inaccurate. Your repeated misrepresentations have eroded the trust of the District's administration. Your conduct constitutes immoral character, conduct unbecoming a principal, and inefficiency in management of the school. This conduct also constitutes insubordination because it violates the directive you were given on March 7, 2019 requiring you to tell the truth at all times when acting in your capacity as a District employee.

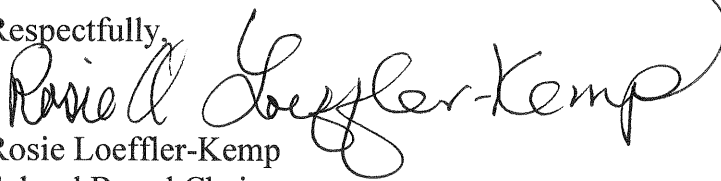
Effective July 30, 2019, you will be placed on unpaid suspension pending a final determination in this matter.

You are entitled to a hearing before final action is taken on your proposed discharge. If you elect to exercise your right to a hearing, you must submit a written request for a hearing to Mr. Tim Sworsky, Senior Human Resources Manager, within ten (10) calendar days after receipt of this notice. You may request that the hearing be held before an arbitrator. If you fail to request a hearing before an arbitrator, the hearing will be held before an independent hearing officer, who will make a recommendation to the School Board.

Failure to timely request a hearing shall be deemed to constitute acquiescence to the School Board's proposed action. If a hearing is timely requested, it shall be held upon notice to you and may be public or private at your discretion.

If you have any questions regarding this matter, please contact Mr. Sworsky or Superintendent Bill Gronseth.

Respectfully,


Rosie Loeffler-Kemp
School Board Chair

Enclosures: School Board Resolution

cc: Personnel File