
PRESENT: Bobby Jefferson, President
Tommy Anderson, Vice President
Larry Stewart, Clerk
Danny Shiew, Board Member

1. CALL TO ORDER – Bobby Jefferson, President
2. ROLL CALL Roll call listed all members present.
3. DUE PROCESS HEARING FOR ALEXANDER CASTILLO, A SUPPORT EMPLOYEE.
   A. Statement of procedures by board president. Read by President Jefferson. All witnesses were given the oath by the Board Minutes Clerk, Carla Cooper. Witnesses given the oath listed below:
      • Dr. Jarod Mendenhall
      • Dr. Kim Dyce
      • Odell Alexander
      • Crystal Firestone
      • Alexander Castillo
      • Mrs. Alexander Castillo - Spouse
      • Mrs. Castillo - Mother
   B. Opening statement on behalf of administration.
   C. Opening statement on behalf of Mr. Castillo.
   D. Presentation of evidence by administration, subject to cross-examination and questions by board members.
   E. Presentation of evidence by Mr. Castillo, subject to cross-examination and questions by board members.
   F. Presentation of rebuttal evidence, if any, by administration.
   G. Presentation of rebuttal evidence, if any, by Mr. Castillo. Mr. Castillo gave the Board copies of Texts from his cell phone to review.
   H. Closing statement by Mr. Castillo.
   I. Closing statement by administration.

4. EXECUTIVE SESSION
   Motion made by Tommy Anderson seconded by Larry Stewart to enter into executive session to discuss and deliberate on whether to affirm, modify or reverse the termination of Alexander Castillo as authorized by OKLA. STAT. tit. 25, § 307 (B) (1) & (7).
   VOTES: AYES; ANDERSON, JEFFERSON SHIEW AND STEWART. MOTION PASSED.

5. Motion made by Tommy Anderson seconded by Larry Stwewart to return to open session.

SPECIAL BOARD MEETING MINUTES MARCH 4, 2021
VOTES: AYES; ANDERSON, JEFFERSON SHIEW AND STEWART. MOTION PASSED.

Board returned to Open Session at 4:08 p.m.

6. Statement by Board President of Executive Session Minute.

7. Motion made by Danny Shiew seconded by Larry Stewart to adopt Findings of Fact with regard to Mr. Castillo’s employment with the Muskogee School District.

VOTES: AYES; ANDERSON, JEFFERSON SHIEW AND STEWART. MOTION PASSED.

8. Motion made by Larry Stewart seconded by Tommy Anderson to AFFIRM the termination of Mr. Alexander Castillo from his employment with the Muskogee School District based on the Adopted Findings of Fact as presented.

VOTES: AYES; ANDERSON, JEFFERSON SHIEW AND STEWART. MOTION PASSED.

9. Discussion and vote to accept any resignations tendered since the posting of the Agenda.

No resignations were tendered.

10. ADJOURNMENT

Motion to ADJOURN meeting made by Tommy Anderson seconded by Larry Stewart.

VOTES: AYES; ANDERSON, JEFFERSON SHIEW AND STEWART. MOTION PASSED.

Meeting adjourned at 4:14 p.m.
STATE OF OKLAHOMA

COUNTY OF MUSKOGEE

I, THE UNDERSIGNED minutes clerk of the Board of Education of Muskogee Public Schools District I-20, Muskogee County, Oklahoma do certify the above to be the true and correct minutes of the Board of Education Special Meeting March 4, 2021 at (3:00 p.m.) with proper notification of meeting given as stated on Page 1 of these minutes.

Witness my hand and seal of this District this 23 day of March, 2021.

________________________
Carla Cooper

Board Minutes Clerk
Muskogee Public Schools District I-20

________________________
Larry Stewart, Clerk

________________________
Bobby Jefferson, President

SPECIAL BOARD MEETING MINUTES

MARCH 4, 2021
PROPOSED FINDINGS OF FACT

Based on the testimony and evidence presented at this hearing, I MOVE that the Board of Education adopt the following Findings of Fact:

1. Alexander Castillo has been employed with the Muskogee School District for more than one (1) year as a support employee. Mr. Castillo is employed as a custodian.

2. At the beginning of the fall semester, the administration decided to terminate Mr. Castillo from his employment. By letter dated September 23, 2020, Kim Dyce reversed that decision and gave Mr. Castillo expectations which he had to meet. The letter advised him that any violation of the expectations would result in his termination. Those expectations included, but were not limited to, report to work on time from 10:00 a.m. to 6:00 p.m. After receiving this letter with the expectations, Mr. Castillo continued to: (a) show up for work late; (b) show up for work extremely early; and (c) leave work early.

3. In his evaluation dated October 28, 2020, it was noted that his punctuality and attendance needed improvement. In the comments, it stated that Mr. Castillo must keep off his cell phone when not on break and must notify his supervisor of any time he would be absent or late. In his evaluation dated December 21, 2020, it was noted that that he continued to be late to some shifts.

4. After Christmas break, on January 11, 2021, Mr. Castillo reported to work at 12:35 p.m. and on January 20, 2021, he reported to work at 10:25 a.m. – when his shift on both days started at 10:00 a.m. He also did not call his supervisor on either date to inform him that he would be late.

5. In his evaluation dated January 28, 2021, it was again noted that his punctuality and attendance needed improvement. It also stated that he continued to be late and/or absent on multiple occasions. It also noted that he had been closing student bathrooms while school and extra-curricular activities were still taking place, and that he had sprayed the backpack sprayer in the presence of another District employee which made her sick. Because of these matters, the evaluation stated that it was recommended that Mr. Castillo be terminated.

6. Because of Mr. Castillo’s unacceptable performance and conduct, Mr. Castillo was given a Notice informing him that he was terminated from his employment with the District as of January 29, 2021, the causes for his termination, and the facts supporting the listed causes. The letter also advised Mr. Castillo of his right to a hearing before the Board of Education regarding his termination. Mr. Castillo requested a hearing, in writing, and was subsequently informed of the date, time and place of this hearing.
7. Mr. Castillo's performance and conduct, as set out in the Notice, is unacceptable and cannot be tolerated by the District. The District's employees must arrive on time, work during their duty time, and properly perform their duties.

8. The evidence presented at this hearing establishes that Mr. Castillo's termination as a support employee with the District for the following causes (each of which on its own is sufficient for the termination of a support employee): (a) unexcused failure to be at work station at starting time; (b) disregard of known safety rules or common safety practices; (c) excessive personal calls during working hours, except for emergencies, this also including incoming and outgoing calls; and (d) insubordination of any kind, is supported by a preponderance of the evidence and should be affirmed.

# # #
MOTION

To Affirm Termination of
Alexander Castillo

Based on the adopted Findings of Fact, I move that the termination of Alexander Castillo from his employment with the Muskogee School District be affirmed.
Time to sign timesheets

Usually take lunch at 12:3

Ok

Sun, Dec 13, 6:17 PM

Good evening everyone, due to weather conditions we will not report to work tomorrow. Instead we will work Four 10s Tuesday thru Friday. Time is 6:00am-4:30pm.

Thu, Dec 17, 12:59 PM

Hey can you put a work order on the boys bathroom across from room 143 last toilet stall is leaking from behind it when it flushed.

Thu, Dec 17, 2:10 PM
Going virtual next week, no students no teachers, so work time will be 7:00 to 3:30.

I'm not going to able to come in tomorrow. I gotta take the car to fix

Ok

Signing timesheets today

Ok here we go!! If someone walks into a room put your mask on period. If you don't you will be wrote up. As of
January 11, 2021
7:44 AM  Outgoing Call
39 seconds

phone  (918) 843-9021

FaceTime
Going virtual next week, no students no teachers, so work time will be 7:00 to 3:30.

I'm not going to be able to come in tomorrow. I gotta take the car to fix.

Ok

Mon, Jan 4, 9:10 AM

Signing timesheets today

Wed, Jan 6, 3:19 PM

Ok here we go!! If someone walks into a room put your mask on period. If you don't you will be wrote up. As of January first COVID leave has changed if you fail to protect yourself you will have to...