

**ASHLAND SCHOOL DISTRICT BOARD OF EDUCATION RESOLUTION TO CENSURE  
BOARD MEMBER KELLY MADAY**

Resolution # \_\_\_\_\_

The Board of Education of the School District of Ashland ("Board") hereby issues this public censure expressing disapproval of Board Member Kelly Maday's violations of Board Policy 0144.5 – **Board Member Behavior, Communications, and Code of Conduct**; Board Policy 0143 – **Authority of Individual Board Members**; Board Policy 0143.2 – **Board Member Information Requests**; and Board Policy 0145 - **Anti-Harrassment**:

**WHEREAS**, Board Policy 0144.5 enumerates the expectations of School Board members as follows: (1) conduct themselves with integrity, honesty, and in a manner that reflects positively on the Board and the District; (2) avoid conduct that compromises the legal position of the District; (3) treat others with respect and dignity at all times, and maintain decorum, and always communicate in a way that does not violate or illustrate disregard for Board policy concerning harassment or discrimination. This decency expectation applies in all communications, including while discussing sensitive, controversial, or matters involving disagreement; (4) render all decisions based on the available facts (not hearsay, rumors or misrepresentations of fact) and independent judgment; (5) work with other Board members to establish effective Board policies and to delegate authority for the administration of the District to the District Administrator; (6) no Board member has inherent authority to require any staff member to respond to the Board member regarding a specific request for information, or to direct any staff member to perform or not perform any task, except as provided by Board policy or as directed by a majority vote of the Board; and (7) support the employment of those persons best qualified to serve as school staff;" and,

**WHEREAS**, Board Policy 0143 sets forth the expectation that the Board speak and take formal action through motions, resolutions, and other official action taken at Board meetings and officially noted in the minutes; not through the actions of individual Board members; and,

**WHEREAS**, Board Policy 0144.5 provides "Complaints alleging violations of the Board Member Code of Conduct may be brought by any person and can be submitted to the Board President or if the Board President is the member accused of violating this policy, to the Vice President;" and,

**WHEREAS**, Board Policy 0144.5 provides "The President or Vice President shall review the complaint and determine whether the officer can investigate the matter or if the President or Vice President needs to contact the School District's legal counsel for support. Upon completion of the investigation, if the conclusion is reached that the Board member violated the policy, the investigator shall brief the Board and may recommend action to be taken;" and,

**WHEREAS**, Board Policy 0144.5 provides "Board members are elected officials and therefore cannot be disciplined, prevented from participating in Board meetings, or removed from office by the Board. The Board may consider the following: (A) Formal censure by resolution passed by a majority of the Board in an open session meeting of the Board; (B) Removal from Board committee assignments for the remainder of the year and until the following organizational meeting of the Board, at which time the President is authorized to continue to withhold committee assignment; (C) Restriction on Board member rights granted by policy, including requesting items for a Board meeting agenda; (D) Referral to proceed with

efforts to remove the Board member from office for cause, which means inefficiency, neglect of duty, official misconduct, or malfeasance in office; (E) Referral to law enforcement if any alleged misconduct constitutes potentially unlawful conduct; and (F) Other efforts to pursue compliance with and adherence to the policy as determined by the Board and not prohibited by law;" and

**WHEREAS**, after careful review and consideration of the June 7, 2024 von Briesen & Roper investigatory findings, conclusions and recommendations, the Board finds the evidence sufficient to support probable cause to believe that Board member Maday committed misconduct, warranting consideration of disciplinary action; and,

**WHEREAS**, censure by a public body is a collective judgment of stern condemnation of one of its members for behaviors or actions that violate laws or policies; it is also a formal public act of disapproval of a member's unacceptable conduct; and,

**NOW, THEREFORE, BE IT RESOLVED:** That this Board of Education does hereby censure, disavow and formally express its disapproval of Board member Maday's behavior and comments made at the March 20, 2024 School Board meeting and conduct as described in the June 7, 2024 von Briesen Investigatory Findings, Conclusions and Recommendations as set forth in the attached Notice of Censure;

**BE IT FURTHER RESOLVED:** That the Board does hereby direct Board member Maday to properly perform her duties as a Board member, understand her role as a member of this Board, not engage in unauthorized conduct as a Board member and comply with all applicable laws and Board policies, and cease and desist from engaging in the conduct set forth in the investigatory findings.

**PASSED AND ADOPTED** by the Ashland School District BOARD OF EDUCATION at its special meeting held on July 29, 2024 by the following vote:

5 Ayes 1 Noes          Abstain 1 Absent

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Jeffrey Moravchik, President

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Mary Kaulaity, Vice-President

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Ann Bochler, Treasurer

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Jessica Pergolski, Clerk

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Angela Lunn, Deputy Clerk/Treas.

\_\_\_\_\_  
Shelly Viater