

**Eastern Wyoming College Board of Trustees
October 27 and 28, 2015
Dolores Kaufman Boardroom**

Special Meeting

The Eastern Wyoming College Board of Trustees met in a special session on October 27 and 28, 2015 at 9:00 a.m. in the Dolores Kaufman Boardroom.

Those members present were Angie Chavez, George Nash, Marilyn Fisher, Mike Varney, and John Patrick. Also present were Mr. David Vondy, Mr. Bruce Moats, Mr. Tim Stubson, and Mr. Jim Eddington.

The special meeting was held to conduct a grievance hearing at the request of Mr. David Vondy. Mr. Patrick presided over the hearing.

Testimony was provided with both attorneys questioning the witnesses. At 4:30 p.m., the hearing was suspended until 9:00 a.m. on October 28, 2015, at which time testimony resumed.

Following the testimony and closing arguments at approximately 12:15 p.m. on October 28, 2015, the Board of Trustees adjourned to executive session to deliberate.

At 2:50 p.m. the executive session was closed and the special meeting reconvened. At that time Mr. Eddington, attorney for the Board, read the decision reached by the Board of Trustees.

DECISION: The Board of Trustees hereby unanimously determines that EWC proved by a preponderance of the evidence that David Vondy was a probationary employee on the date he was notified that he would not be retained and therefore AFFIRMS the decision of Dr. Richard Patterson.

The special meeting was adjourned.

(The Decision and Order has been appended to these minutes.)

Submitted by:

Holly L. Branham

Angie Chavez, President

Marilyn Fisher, Secretary

BEFORE THE BOARD OF TRUSTEES

OF

EASTERN WYOMING COMMUNITY COLLEGE DISTRICT

Docket No. 2015-01

IN THE MATTER OF

DAVID VONDY

DECISION AND ORDER

THIS MATTER having come before the Board of Trustees on October 27 and 28, 2015 in the above captioned matter, and the Board having considered all exhibits introduced; testimony of all witnesses and argument of counsel the BOARD finds and concludes as follows:

FINDINGS OF FACT

1. David Vondy was employed by EWC on July 1, 2014.
2. David Vondy was subject to EWC's Policies and Administrative Rules.
3. David Vondy was a probationary employee pursuant to Board Policy 3.2.1 and 3.2.4.
4. On May 20, 2015 David Vondy was notified that he would not be retained as an employee.
5. That on May 20, 2015 David Vondy was still a probationary employee pursuant to Board Policy 3.2.1 and 3.2.4.

CONCLUSIONS OF LAW

1. That President Patterson possesses the authority to not retain all probationary employees.
2. That President Patterson exercised his authority to not retain David Vondy as a probationary employee, in a timely manner and pursuant to EWC's policies and procedures.

DECISION: The Board of Trustees hereby unanimously determines that EWC proved by a preponderance of the evidence that David Vondy was a probationary employee on the date he was notified that he would not be retained and therefore AFFIRMS the decision of Dr. Richard Patterson.

Dated this 28 day of October, 2015.

John B. Patrick

John B. Patrick

Angie Chavez

Angie Chavez

Marilyn Fisher

Marilyn Fisher

George Nash

George Nash

Mike Varney

Mike Varney