

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT  
BOARD OF EDUCATION  
FAIRBANKS, ALASKA

Special Meeting

MINUTES

November 24, 2014

President Haas called the meeting to order at 12:04 p.m. in the board room of the FNSBSD Administrative Center at 520 Fifth Avenue. The special meeting was called for discussion regarding litigation against the district (Case No. 4FA-14-02138CI), to include a possible executive session with the borough attorney's office to discuss matters within the attorney client privilege, including to give direction to the attorney for the purposes of resolving the matter at mediation.

President Haas read the district's mission statement: *"Our mission is to provide an excellent and equitable education in a safe, supportive environment so all students can become productive members of a diverse and changing society."*

Present:

Heidi Haas, President  
Wendy Dominique, Vice President  
Lisa Gentry, Clerk (by phone)  
Sue Hull, Member  
Michael O'Brien, Member

Absent:

Allyson Lambert, Treasurer  
Sean Rice, Member

Staff Present:

Sharon Tuttle, Executive Assistant to the Board

Others Present:

Jill Dolan, Assistant Borough Attorney

**Public Testimony** – *limited to items on the agenda only* [0:47]

President Haas called for public testimony. Hearing none, testimony was closed.

**Discussion regarding litigation against the district (Case No. 4FA-14-02138CI)** [0:54]

Jill Dolan, assistant borough attorney, stated the Doe mediation was scheduled to begin on December 1 in Seattle. A confidential letter was due today expressing the board's position for potential resolution. A mediator had been hired; Terry Lukens, was a retired judge and experienced mediator in these types of cases. The Doe litigants' offer of judgment in regards to the litigation was \$1 million for the student and \$200,000 for each parent for complete resolution including attorney fees and costs. The board rejected the offer and countered with \$250,000 for the student and \$10,000 for each parent, which was rejected. Ms. Dolan requested to meet with the board to receive input and direction for the negotiations during mediation next week.

**Executive Session** [2:18]

HULL MOVED, DOMINIQUE SECONDED, TO CONVENE IN EXECUTIVE SESSION TO INCLUDE BOARD CLERK GENTRY IN THE DISCUSSION VIA TELEPHONIC MEANS WITH THE BOROUGH ATTORNEY'S OFFICE TO DISCUSS MATTERS WITHIN THE ATTORNEY CLIENT PRIVILEGE, INCLUDING TO GIVE DIRECTION TO THE ATTORNEY FOR THE PURPOSES OF RESOLVING THE MATTER AT MEDIATION.

MOTION CARRIED UNANIMOUSLY BY VOICE CONSENT OF FOUR MEMBERS  
(O'BRIEN, HULL, DOMINIQUE, HAAS)

### **Executive Session (continued)**

The board convened to executive session at 12:06 p.m.

Mrs. Gentry participated in the executive session by telephone.

The executive session adjourned at 12:51 p.m. [2:45]

President Haas stated the board provided borough legal with direction as she moved forward with the mediation with the family.

The board called a special meeting to receive an update on the mediation and litigation against the district for Tuesday, December 2 at 6:00 p.m. before the board's regular meeting at 7:00 p.m.

### **Board Comments/Discussion** [3:20]

None

The meeting adjourned at 12:52 p.m.

Submitted by Sharon Tuttle, executive assistant to the Board of Education.