

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

Special Meeting

MINUTES

January 20, 2015

President Haas called the meeting to order at 5:04 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 on how to proceed in the litigation; and an executive session for student discipline

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
Allyson Lambert, Treasurer
Lisa Gentry, Clerk
Sue Hull, Member
Michael O'Brien, Member
Sean Rice, Member

Absent:

None

Staff Present:

Dr. Karen Gaborik, Superintendent
Shaun Kraska, Interim Assistant Superintendent of Secondary Education
Ivory McDaniel, Investigation Specialist & Hearing Officer
Sharon Tuttle, Executive Assistant to the Board of Education

Others:

Jill Dolan, Assistant Borough Attorney

Public Testimony – *limited to items on the agenda only* [0:00:43]

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

Discussion regarding litigation against the district (Case No. 4FA-14-02138CI) [0:00:49]

Jill Dolan, assistant borough attorney, updated the board on the Doe case. The parties had worked to formalize a settlement agreement. Although the agreement had not yet been signed, Mr. Kramer, counsel for the plaintiff, indicated the family would sign the agreement. Ms. Dolan stated the district initially opposed filing the agreement with the court without signatures, but with the assurance the family would sign the agreement, the district would not oppose the court filing.

Ms. Dolan still had a few details, within the attorney client privilege, for which she sought board direction and requested the board convene into executive session.

Executive Session [0:02:17]

GENTRY MOVED, DOMINIQUE SECONDED, TO CONVENE IN EXECUTIVE SESSION TO WITH THE BOROUGH ATTORNEY'S OFFICE TO DISCUSS MATTERS WITHIN THE ATTORNEY CLIENT PRIVILEGE, INCLUDING TO GIVE DIRECTION TO THE ATTORNEY ON HOW TO PROCEED IN THE LITIGATION.

MOTION CARRIED UNANIMOUSLY BY VOICE CONSENT OF FOUR MEMBERS (HULL, GENTRY, DOMINIQUE, HAAS)

The board convened to executive session at 5:06 p.m.

Mrs. Lambert arrived at 5:16 p.m.

Mr. O'Brien arrived at 5:20 p.m.

Mr. Rice arrived at 5:31 p.m.

The executive session recessed at 5:59 p.m. [0:02:31]

The board took a short break at 6:00 p.m. The board reconvened at 6:04 p.m.

Student Discipline [0:03:01]

The board had several student discipline matters to consider.

Executive Session [0:03:08]

An executive session was called to consider student discipline issues.

HULL MOVED, GENTRY SECONDED, TO RECONVENE IN EXECUTIVE SESSION TO DISCUSS STUDENT DISCIPLINE ISSUES THAT COULD TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON, PROVIDED THE PERSON MAY REQUEST A PUBLIC DISCUSSION; AND MATTERS WHICH BY LAW, MUNICIPAL CHARTER, OR ORDINANCE ARE REQUIRED TO BE CONFIDENTIAL.

MOTION CARRIED UNANIMOUSLY BY VOICE CONSENT. 7 AYES (RICE, O'BRIEN, HULL, GENTRY, LAMBERT, DOMINIQUE, HAAS)

The board reconvened to executive session at 6:05 p.m.

The executive session recessed at 7:01 p.m. [0:03:29]

The board would recess the special meeting and reconvene at the conclusion of the regular meeting to complete their work on student discipline matters.

The special meeting recessed at 7:02 p.m.

Special Meeting Reconvened [0:03:44]

President Haas reconvened the special meeting at 10:20 p.m. with all board members in attendance.

Staff in attendance: Dr. Karen Gaborik, superintendent; Shaun Kraska, interim assistant superintendent of secondary education; and Sharon Tuttle, executive assistant to the school board.

Student Discipline (Continued)

Executive Session [0:03:57]

GENTRY MOVED, DOMINIQUE SECONDED, TO RECONVENE IN EXECUTIVE SESSION TO CONTINUE DISCUSSION ON STUDENT DISCIPLINE ISSUES THAT COULD TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON, PROVIDED THE PERSON MAY REQUEST A PUBLIC DISCUSSION; AND MATTERS WHICH BY LAW, MUNICIPAL CHARTER, OR ORDINANCE ARE REQUIRED TO BE CONFIDENTIAL.

MOTION CARRIED UNANIMOUSLY BY VOICE CONSENT. 7 AYES
(RICE, O'BRIEN, HULL, GENTRY, LAMBERT, DOMINIQUE, HAAS)

The board reconvened to executive session at 10:21 p.m.

The executive session adjourned at 10:40 p.m. [0:04:17]

LAMBERT MOVED, HULL SECONDED, TO READMIT:

STUDENT 11-17-14-01 TO LATHROP HIGH SCHOOL

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.
(RICE, O'BRIEN, HULL, GENTRY, LAMBERT, DOMINIQUE, HAAS)

HULL MOVED, GENTRY SECONDED, TO READMIT:

STUDENT 10-20-14-04 TO NORTH POLE HIGH SCHOOL

MOTION CARRIED BY VOICE VOTE.
(AYES: O'BRIEN, HULL, GENTRY, LAMBERT, HAAS; NAY: RICE, DOMINIQUE)

LAMBERT MOVED, GENTRY SECONDED, TO:

PLACE STUDENT 01-20-15-01 ON LONG-TERM SUSPENSION FOR THIRTY (30) SCHOOL DAYS; FURTHER, STUDENT SHOULD ENROLL IN THE SMART PROGRAM; STUDENT MUST OBTAIN A THREAT ASSESSMENT PRIOR TO READMISSION TO DISTRICT SCHOOLS AND COMPLY WITH RECOMMENDATIONS AND/OR REQUIREMENTS OF THAT ASSESSMENT; AND STUDENT MAY BE ELIGIBLE TO RETURN TO SCHOOL ON FEBRUARY 12, 2015.

EXPEL STUDENT 01-20-15-02 FOR AN INDEFINITE PERIOD OF TIME; FURTHER, STUDENT SHOULD ENROLL IN THE SMART PROGRAM; STUDENT MUST OBTAIN A DRUG ASSESSMENT BY A STATE APPROVED ASSESSMENT AGENCY/PROVIDER AND COMPLY WITH ALL RECOMMENDATIONS AND/OR REQUIREMENTS OF THE ASSESSMENT; FURTHER, STUDENT MUST COMPLETE TEN (10) TO TWENTY-FOUR (24) HOURS OF COMMUNITY SERVICE AS APPROVED BY THE BUILDING ADMINISTRATOR; AND STUDENT MUST APPLY TO THE SCHOOL BOARD FOR READMISSION TO THE SCHOOL DISTRICT.

Student Discipline (Continued)

DOMINIQUE MOVED, GENTRY SECONDED, TO SPLIT THE MOTION TO CONSIDER STUDENT 01-20-15-03 SEPARATELY.

PRESIDENT HAAS ASKED FOR AND RECEIVED NO OBJECTION AND SPLIT THE MOTION.

MOTION FOR STUDENTS 01-20-15-01 AND 010-20-15-02 CARRIED UNANIMOUSLY BY VOICE VOTE. (LAMBERT, DOMINIQUE, RICE, O'BRIEN, HULL, GENTRY, HAAS)

Mrs. Dominique asked for clarification regarding Student 01-20-15-03. The board convened into executive session to further consider the matter.

Executive Session [0:08:54]

HULL MOVED, GENTRY SECONDED, TO CONVENE IN EXECUTIVE SESSION TO DISCUSS STUDENT DISCIPLINE ISSUE 01-20-15-03 THAT COULD TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON, PROVIDED THE PERSON MAY REQUEST A PUBLIC DISCUSSION; AND MATTERS WHICH BY LAW, MUNICIPAL CHARTER, OR ORDINANCE ARE REQUIRED TO BE CONFIDENTIAL.

MOTION CARRIED UNANIMOUSLY BY VOICE CONSENT. 7 AYES (RICE, O'BRIEN, HULL, GENTRY, LAMBERT, DOMINIQUE, HAAS)

The board convened to executive session at 10:46 p.m.

The executive session adjourned at 10:58 p.m. [0:09:02]

As the original motion was split, the following motion, originally moved by Mrs. Lambert and seconded by Mrs. Gentry was on the table:

PLACE STUDENT 01-20-15-03 ON LONG-TERM SUSPENSION FOR FORTY-FIVE (45) SCHOOL DAYS WITH A REFERRAL TO THE ALTERNATIVE LEARNING SYSTEM; FURTHER, STUDENT MUST OBTAIN A THREAT ASSESSMENT PRIOR TO READMISSION TO DISTRICT SCHOOLS AND COMPLY WITH RECOMMENDATIONS AND/OR REQUIREMENTS OF THAT ASSESSMENT; AND STUDENT MAY BE ELIGIBLE TO RETURN TO SCHOOL ON MARCH 10, 2015.

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE. (GENTRY, LAMBERT, DOMINIQUE, RICE, O'BRIEN, HULL, HAAS)

Board Comments/Discussion [0:09:39]

None

The meeting adjourned at 10:59 p.m.

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