

KENAI PENINSULA BOROUGH SCHOOL BOARD MEETING
Borough Administration Building
Soldotna, Alaska 99669

March 6, 1995

SCHOOL BOARD MEMBERS:

- Mrs. Betty Obendorf, President
- Mrs. Mari-Anne Gross, Vice President
- Dr. Nels Anderson, Clerk
- Mr. Joe Arness, Treasurer
- Mrs. Susan Larned, Member
- Mr. Michael Tauriainen, Member
- Mr. Emery Thibodeau, Member
- Miss Mandy Baldwin, Student Representative

STAFF PRESENT:

- Dr. Walter Bromenschenkel, Superintendent
- Mr. John Dahlgren, Associate Superintendent, Planning, Operations, and Technology
- Mr. Thomas Thorpe, Interim Assistant Superintendent, Instruction
- Mrs. Sharon Radtke, Executive Director, Personnel
- Mr. Richard Swarner, Executive Director, Business Management

OTHERS PRESENT:

- | | |
|------------------------|--------------------------------|
| Mrs. Catherine DeLacee | Mrs. Karen Mahurin |
| Mr. Carlton Kuhns | Mr. Paul Sayan |
| Mr. Lee Stalker | Mrs. Janie Lawley |
| Ms. Renee Henderson | Mr. Mike Chitty |
| Mrs. Jacquie Imle | Mr. Paul Kubena |
| Mrs. Lora Craig | Mr. Don Boehmer |
| Mr. Mick Wykis | Mr. Tom Moore |
| Mrs. Melody Douglas | Miss Crystal Rose |
| Mr. Dave Spence | Mrs. Emily Fiala |
| Mrs. Pam Lazenby | Mr. James Simeroth |
| Ms. Kelly Smith | Mr. Ron Rozak |
| Mrs. Angela McKinney | Mr. Filip Erofeeff |
| Mr. Alex Erofeeff | Mr. Sam Tipikin |
| Mr. Ivan Tipikin | Mr. Leo Tipikin |
| Mr. Vasily Erofeeff | Mr. Varsonofy Martushev |
| Mr. Pavel Erofeeff | Miss Kea Fefelov |
| Miss Cathy Yakunin | Miss Olempiada Kalugin |
| Miss Vasalisa Kuzmin | Miss Sonia Kuzmin |
| Miss Fima Kozin | Miss Anna Martusheff |
| Miss Lydia Fefelov | Miss Fenia Efimov |
| Miss Leah Kojin | Miss Kilina Basargin |
| Miss Ducia Basargin | Mrs. Olga Veter-Eluska |
| Mr. Matthew King | Others present not identified. |

CALL TO ORDER:

Mrs. Obendorf called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE:

Mrs. Obendorf invited those present to participate in the Pledge of Allegiance, which was led by Miss Crystal Rose, Soldotna High School senior.

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ROLL CALL:

Mrs. Betty Obendorf	Present
Mrs. Mari-Anne Gross	Present
Dr. Nels Anderson	Present
Mr. Joe Arness	Present
Mrs. Susan Larned	Present
Mr. Michael Tauriainen	Present
Mr. Emery Thibodeau	Present
Miss Mandy Baldwin	Present

APPROVAL OF AGENDA: The agenda was approved as printed with the deletion of Item 10B, Approval of Expulsion #1.

APPROVAL OF MINUTES: The School Board Minutes of February 20, 1995, were approved with a correction.

NIKOLAEVSK ELEM/HIGH SCHOOL REPORT: Mr. Carlton Kuhns, Principal, Nikolaevsk Elem/High School, reported on his K-12 school with 165 students. He commented five strengths which make for their successful school are the quality of students, parental support, a caring staff, the Russian curriculum and the K-12 cross-grade learning. The school's 20-student chorus, directed by Mrs. Olga Veter-Eluska, sang two Russian folk songs to the Board and audience. Student council president, Olempiada Kalugin, spoke on activities sponsored by the student council, particularly activities conducted to promote a drug free school environment. Mr. Kuhns concluded the presentation showing slides of the school and village.

PUBLIC PRESENTATIONS:

Mrs. Emily Fiala, parent, expressed concern that the QUEST program would be affected by budget reductions being considered by the Board of Education. She viewed the QUEST program as one which addressed at-risk students, where not all are self-motivated overachievers but possibly dropout candidates. She felt that a disproportionate share of the reductions would fall on the QUEST program.

Mrs. Cheryl Rykaczewski, parent, told the Board that regular education classes do not address the needs of special children of the QUEST Program. She expressed concern that proposed budget reductions would affect the program drastically and not fulfill the Board's goal of giving children the help and education they deserve.

Mrs. Catherine DeLacee, parent of one of 500 QUEST students in the district, commented the parent support group for this program was concerned about reductions in the special services program and the probability those would be in the area of QUEST. She requested the Board to be an advocate for those students who benefit from the program, and that the parents be a part of the process.

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PUBLIC PRESENTATIONS
(continued):

Mrs. Kathy Holt, parent, noted that of the 5 positions to be cut from the special services program, half of those would be from the QUEST Program, while only 25% of students serviced by special services are QUEST students. She questioned the inequity of this reduction. She did not feel QUEST students' needs are served in mainstreaming the classroom, since many regular classrooms are sorely lacking in quality academic education. She urged careful consideration when reductions are made in this area.

MUSIC FESTIVALS:

Miss Renee Henderson presented information to the Board on student participation in music festivals in the Kenai Peninsula Borough School District. She noted the total budget for music festivals is \$17,626. She expressed concern that the \$10,000 reduction had not been added to the budget reduction list until board deliberations two weeks ago. She noted costs are kept to a minimum for these activities, and deleting 60% of the budget would destroy the program which affects 45% of students at the secondary level and 15% of students at the junior high level. She urged the Board to reconsider this budget reduction.

COMMUNICATIONS AND
PETITIONS:

Mrs. Obendorf noted letters had been received from Mr. and Mrs. William Holt, Mrs. Cheryl Rykaczewski, Mr. and Mrs. Tom Giles, and Mrs. Becky Michal. All letters spoke to budget reductions, particularly those related to the special services program, and offered suggestions for reductions in other areas.

KPEA:

Mr. Paul Sayan, KPEA President, commented that as a member of the Budget Review Committee, no suggestions had been made for the reduction of \$10,000 for massed music expenses. Mrs. Obendorf commented there were several meetings of the Board related to the reductions and other ideas were put forth at that time. Dr. Anderson commented that other ideas for reductions were put forth by the administration for Board consideration. Mr. Sayan responded that he felt this was a decision which was not in keeping with the Site Based Decision Making philosophy because schools and staff did not have input into the decision. He stated he called Department of Education and the disparity fund test reduction was on hold for the time being.

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ANCHOR POINT PTA:

Mrs. Angela McKinney, Chapman School PTA Chairperson, requested the Board keep the Chapman students in Anchor Point. She commented the move of Chapman's 7th and 8th graders to Homer is the only reduction which impacts students in a dramatic way. She challenged the Board to find other means for saving \$80,000. She requested that the Board survey students and parents to seek their decision on the budget reduction. She also requested that the Board consider a junior-senior high school facility to keep their students in Anchor Point.

HONEYWELL PRESENTATION:

Mr. Swarner noted that as part of the strategic planning process to review building efficiencies, the Borough and School District have conducted preliminary meetings with the Honeywell Corporation on a program that offers a school program which guarantees energy and operational savings. Mr. Steve Post, Honeywell Corporation representative, presented a brief overview of the school program which, if implemented in the district, would be a joint venture with the borough and school district. In response to Mr. Thibodeau on where Honeywell makes money, Mr. Post responded this would be from the original installation of the program and support services for long-term results. There would be no initial cost to the district other than commitment.

1995-96 BUDGET
PRESENTATION:

Dr. Bromenschenkel and Mr. Swarner presented the 1995-96 budget to the Board for their review and consideration. Dr. Bromenschenkel reviewed the process which began in September, 1994, and continued through input from the Budget Review Committee and budget worksession. He noted, in an effort to balance the \$73,225,731 budget to anticipated revenues, reductions in the amount of \$2,684,472 had been necessary. A listing of those reductions was presented. The Board will approved the budget at their March 20 meeting.

RECESS:

At 9:10 p.m., Mrs. Obendorf called a recess.

RECONVENE AFTER RECESS:

At 9:29 p.m., the Board reconvened in regular session.

CONSENT AGENDA:

Items presented on the Consent Agenda were Approval of Extended Field Trip Requests, Inservice Release Day, Leave of Absence Request/Certified, Resignation and Tustumena Furniture and Equipment List.

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EXTENDED FIELD TRIP
 REQUESTS:

Mr. Thorpe recommended the Board approve extended field trip requests for the 1995-96 Susan B. English High School senior class to take a senior class trip, March 18-22, 1996; for 1 Nanwalek 12th grade student to participate in Close-up activities in Washington, D.C., April 22-29, 1995; for 15 Soldotna High School/Skyview High School students to participate in the School Partnerships International Program with travel to Costa Rica, June 1-22, 1995; and for 20 Kenai Middle School students to participate in the Lakeland Tours Program in Washington, D.C., March 19-24, 1995.

INSERVICE RELEASE DAY:

Mr. Thorpe recommended the Board approve April 14, 1995, as an inservice release day for the Kalifornsky Beach Elementary staff to participate in first aide training.

LEAVE OF ABSENCE REQUEST/
 CERTIFIED:

Mrs. Radtke recommended the Board approve an unpaid leave of absence request for the 1995-96 school year for Nadine Heikkila, Grade 3, Mountain View Elementary.

RESIGNATION:

Mrs. Radkte recommended the Board approve the resignation of Tami Mulick, Physical Education, McNeil Canyon Elementary, effective May 26, 1995.

FURNITURE AND EQUIPMENT
 LIST:

Mr. Dahlgren recommended the Board approve a furniture and equipment list in the amount of \$1,992.26 for the Tustumena Elementary School addition.

Dr. Anderson requested the extended field trips be voted on separately.

ACTION

Dr. Anderson moved the Board approve Consent Agenda Items #2, #3, #4, and #5. Mrs. Gross seconded.

Motion carried unanimously.

ACTION

Mr. Arness moved the Board approve the extended field trip requests. Mrs. Gross seconded.

Dr. Anderson commented the district would be incurring liabilities from trips made by students and expressed concern that trips such as the Seldovia senior class trip might pose some danger. He felt the trip could be taken, but not under the auspices of the school district. Mr. Thorpe commented this might involve a liability anyway, but would consult the district's attorney on the matter.

ACTION

Dr. Anderson moved to amend the motion to send the Susan B. English High School request back to the administration. Mr. Tauriainen seconded.

Mrs. Gross spoke in support of the Seldovia trip and commented it was similar to the Soldotna High School trip to Costa Rica. She felt the educational value was just as strong as for any other school trip.

VOTE:

YES - Anderson, Tauriainen
NO - Arness, Gross, Larned, Thibodeau, Obendorf.
Advisory Vote - NO

Amendment failed.

Motion carried unanimously.

EXPULSIONS:

Mrs. Obendorf commented the Board conducted three expulsion hearings prior to the meeting. She noted the student representative does not sit in on the hearings and would be excused from the vote.

ACTION

Mrs. Gross moved the Board approve the following: "The Board held a hearing on March 6, 1995, on the administration recommendation for expulsion of a 12th grade student. The student and father were present at the hearing and the administrator for the facility and Tom Thorpe, Assistant Superintendent for Instruction, were present for the district administration. The recommendation arises from a violation of policy 007.12 regarding possession and sale of controlled substances.

The facts are not in dispute. The student admitted selling marijuana to another student on the school grounds. When confronted regarding this incident, the student denied having sold the marijuana, but during an ensuing search with the father present marijuana was discovered in his jacket. The student then admitted having sold the marijuana to another student on the school grounds. During the presentation the student expressed remorse for the violation of the rules, but his answers indicated a level of casualness about possession that dismays this Board. Subsequent remorse cannot be the basis for examining this

EXPULSIONS (cont.):

conduct in the most serious light. The sale of drugs at school directly undermines the legitimate objective of educating students in an environment free from drugs and their influence. This warrants a lengthy removal from the school setting to maintain the integrity of the setting and to break the cycle of drug sales. No less can accomplish the needed result of protecting the students and programs of the district.

Accordingly, the Board hereby expels the student for the remainder of this school year and the first semester of the next school year from attendance and participation in any district schools or programs. The student will only be allowed readmission at that time if he/she has undergone a drug abuse assessment and met all its requirements. The administration may consider any subsequent activity of sale or distribution it has knowledge of before allowing readmission and shall inquire of the student regarding such activity before allowing readmission. Dated this 6th day of March, 1995." Mr. Arness seconded.

Motion carried unanimously.

ACTION

Mr. Arness moved the Board approve the following: "The Board held a hearing on March 6, 1995, on the administration recommendation for expulsion of a student. The student, parents and counsel were present at the hearing and the administrator for the facility and Tom Thorpe, Assistant Superintendent for Instruction, were present for the district administration. The recommendation arose from the student's acquisition and possession of marijuana on school grounds and during a school sanctioned trip out of state.

The facts do not appear in dispute. The student, a 10th grader, admits having purchased marijuana on the school grounds from another student. She transported the marijuana on a school trip and received another half joint of marijuana from a cab driver in the destination city. Shortly afterward, she advised an older student on the trip she had the marijuana and was advised to turn it in to him. This other student reported this to the trip sponsor who contacted the parents when returning to Kenai. The vice principal investigated and the student admitted having purchased and possessing the marijuana. These acts violate district policy 007.12 pertaining to drugs. The student states she intended to experiment with marijuana and changed

EXPULSIONS (cont.):

her mind which the materials were reported to the other student whom she considered being the group leader assigned by the trip sponsor. The student did cooperate with the authorities and named the person who sold the marijuana. There is no indication of other disciplinary action with this student.

The facts are not in dispute, but the administration and parents/student differ as to the consequences that follow. The administrator asserts the conduct warrants expulsion as the student knowingly violated policies regarding possession on school grounds by purchasing there. Further this student took the substance on a school trip where the district has a greater responsibility for conduct since the parents are not present. The student asserts a mistake and followed by "doing the right thing" in selfreporting and turning over the substance to someone the student may have perceived to be in charge in some capacity or other. The student argues expulsion is too serious for the magnitude of the mistake. Regardless of the change of heart the Board cannot overlook the seriousness of the actions. The student engaged in conscious choices to purchase marijuana and transport it. This disregard of the rules cannot be ignored. The Board deems the conduct serious enough to warrant expulsion for a first offense. The student's actions encourage the further sale of drugs at the school unless appropriate sanctions are imposed. Continued presence with a lesser sanction would undermine the authority of the school and the ability of the district to provide a proper environment for education of other students. The cooperation after the fact does not overcome the seriousness of the acts and their impact on the school setting.

Based on the evidence presented as set forth herein and as presented to the Board at the hearing the Board hereby accepts the recommendation of the administration to expel the student for the remainder of the school year. Limited readmission for district correspondence is authorized. The student shall be eligible for readmission at the beginning of the next school year. The Board does not follow the recommendation that the student seek substance abuse counseling as a condition of readmission. Dated this 6th day of March, 1995." Mr. Tauriainen seconded.

Motion carried unanimously.

ACTION

Dr. Anderson moved the Board approve the following: "The Board held a hearing on March 6, 1995, on the administration recommendation for expulsion of a student. The student and father were present at the hearing and the administrator from the facility and Tom Thorpe, the Assistant Superintendent for Instruction, were present for the district administration. The recommendation arose from the student's actions in response to a classroom incident where a teacher corrected the student who was assisting other students.

The student, an eighth grade student, was involved in a minor incident over a hat and resorted to "name calling". The instructor admonished the student that name calling was not allowed and that the student had been told this. The student disagreed and referred to the teacher in an inappropriate manner using profanity. The student maintains this was said "under my breath", but the reference was heard anyway. The student was instructed to report to the building administrator and the situation worsened with the student engaging in verbal (using profanity) and physical attacks on the teacher. The teacher reported being struck by the student with a blow and that she was struck by a pair of scissors thrown by the student. The student denies hitting the teacher and says only the blunt end of the scissors hit the teacher. The administrator reported earlier incidents involving the student's involvement in fighting at school and disruption in the classroom. The administrator reported a problem in general with the ability of the student to handle situations appropriately and the behavior involves a threat to other students and staff. The student offered reasons for the earlier fights. The fact that scissors were thrown and that there was a serious confrontation and challenge to authority do not appear in dispute.

The Board finds the beginnings of the earlier incidents not important. It finds that the incident bringing forth this request for expulsion to be sufficiently serious to warrant expulsion without regard to any earlier conduct. The earlier conduct simply demonstrates the student easily resorts to violence as a solution. The current incident shows the serious risk her lack of control causes for other

EXPULSION (cont.):

students and staff. This risk proves unacceptable. The student is of sufficient age to understand rules and what is acceptable behavior. The student is hereby expelled from classroom attendance within schools of the district for the remainder of this school year. The district may allow limited readmission for enrollment in the district's correspondence only. Limited readmission does not authorize the student to participate in any school or extracurricular activity and the administration shall deny such participation during the period of expulsion. This student shall not go on the school grounds during the school day unless requested to do so by the building administrator. Dated this 6th day of March, 1995." Seconded by Mr. Tauriainen.

Motion carried unanimously.

POLICY REVISION/002.243R,
POLICY MANUAL REVIEW:

Dr. Bromenschenkel recommended the Board approve revisions to Policy 002.43R, Policy Manual Review. He noted the policy has been through the policy review process as well as being presented to the Board of Education on second reading.

Mr. Tauriainen suggested the title "Board of Education" be shortened to "Board". Dr. Bromenschenkel responded this could be considered in future policies.

ACTION

Mr. Tauriainen moved the Board approve revised Policy 002.43R. Dr. Anderson seconded.

ACTION

Mr. Tauriainen moved to amend the motion, D.1. to substitute "Board approved" for "selected". Mr. Arness seconded.

Amendment carried unanimously.

Mr. Tauriainen questioned why the administrative council reviewed the policies five times as indicated on the diagram accompanying the policy. He suggested this be done two times. Dr. Bromenschenkel responded this is the process which is normally accomplished.

Amended motion carried unanimously.

KPSAA APPEAL HEARING
RESULTS:

Mrs. Obendorf noted an appeal hearing was held prior to the meeting.

ACTION

Dr. Anderson moved the Board approve the following: "This matter was appealed from a decision to suspend a student from participation in wrestling for possession or use of tobacco in violation of Rule V.A.1 of the KPSAA rules governing cocurricular activities. The rule provides students will be denied participation for the remainder of an activity season if they possess or use tobacco during a covered activity. The student appealed the decision to the KPSAA Board which upheld the decision. This appeal to the School Board followed. The student and parents were present at the hearing.

The issues are straightforward for resolving the appeal. Did the student participate in and start the season prior to using tobacco? The Board must agree with the principal and the KPSAA Board that the student had started the season. The student was determined to be in possession of tobacco and having smoked it on Tuesday the day following the first practice. The student attended the first practice which occurred on an inservice day where students were not required to attend. This practice though optional was commencement of the season. The student had not submitted all the forms, but had voluntarily engaged in the program. While one could apply the rule to mean the student had not started until submitting all the forms and fees this has not been the position of the KPSAA and the administrators. The testimony indicates the rule is uniformly applied once the student has started practice. The School Board does not find this an unreasonable interpretation and application of the rule.

The student and parents point out what they see as conflicts between the level of penalty for an infraction and the stated objective of the activity programs. The Board acknowledges this may sometimes occur, but the rule is currently in force and was communicated to those participating in activities. The rule was developed after consideration by many persons including this Board. This student was aware of the rule from participation in another activity earlier in the year. The penalty may be harsh, but to abandon the rule that has been adopted and followed would be inappropriate because the application is harsh in this case. These issues of policy should be addressed in reviewing the rule itself not in its application in a particular case. These rules are periodically reviewed by the Board and these issues can be presented to the Board in that process.

KPSAA APPEAL HEARING
RESULTS (continued):

For the reasons contained in this decision, the suspension from participation in wrestling is upheld." Mr. Tauriainen seconded.

Motion carried unanimously.

RECONSIDERATION OF KPSAA
ELIGIBILITY:

Mrs. Obendorf announced public comments would be in order for reconsideration of KPSAA eligibility only.

Mr. Larry Semmens requested the Board reconsider its action. He noted he home schools his children and felt they and other children of taxpayers should receive the benefits of education in cocurricular and extracurricular activities. He stated the Board should consider what is best for children. He noted there are many things public education can do that home schooling parents can't do.

Mrs. Cherie Murphy, parent of nonpublic schooled children, stated it is important for these children to attend public schools for extracurricular activities. She noted the Board needed to consider what is best for students.

Mr. Mark Riley, parent of students on district correspondence study, stated two of his children participated in athletics at Skyview High School. He noted they are eligible and checked for this eligibility. He stated he would like to see the door left open for students on the district correspondence study program. He commented he would like to see all students be able to take advantage of the district extracurricular programs. He asked that the rules be consistent for all students for eligibility at the schools. He noted two of his children will attend Skyview High School next year.

Mr. Tom Riner questioned the number of credits a student must be enrolled in for eligibility in extracurricular activities. Mr. Dahlgren responded that AASA requires students to have passed four classes the past semester and be currently enrolled in four classes. Additionally, the student must be currently passing those classes. College classes are not currently included for dual credit.

ACTION

Mr. Arness moved the Board reconsider its action at the February 20 meeting. Dr. Anderson seconded.

Motion to reconsider passed unanimously.

ACTION

Dr. Anderson moved to submit a substitute motion, "It is the intent of the School Board to include as many students as possible in co-curricular activities including home schooled and correspondence study students. The Board of Education requests the KPSAA Board to evaluate and present the Board with recommendations and guidelines for implementation of this philosophy." Mr. Arness seconded.

Mr. Thibodeau inquired if there was a specific time when the recommendation would be presented. Mr. Dahlgren responded the KSPAA Board would be meeting later this week and a recommendation could be presented at the School Board next meeting. He noted this affects elementary, junior high and high school activities, but AASA rules only apply to the secondary level. He added there needed to be clear definitions for home schools and correspondence study when developing the guidelines. At the high school level, district correspondence students are eligible for AASA participation because the district pays a fee to the state. Currently, definition of student is being determined by the State Attorney General's office.

Substitute motion carried unanimously.

PUBLIC PRESENTATIONS:

Mr. Larry Semmens commended the Board on their hard work and stated it was educational for him to see the Board in action.

BOARD COMMENTS:

Mr. Arness commented he was troubled by a comment made about "having QUEST until the regular classrooms are vastly improved." He was troubled that such an attitude exists.

Mrs. Larned reported she was part of an intense lobbying session in Juneau for AASB last weekend. Legislators noted they needed to hear from constituents on issues before them, particularly educational funding.

Miss Baldwin commented she was impressed with the manner in which the Board has handled expulsions and enforcement of the zero tolerance policy.

Dr. Anderson requested the boundaries/attendance area information be completed in the near future, possibly for the next meeting. The Board concurred with the request.

BOARD COMMENTS (continued): Mrs. Gross stated she attended the AASB Legislative Fly-In in Juneau last week. On Sunday, approximately 120 school board members from throughout the state met to set priorities on educational issues. She noted with such diversities the school board members agreed that a longer period before tenure was important, and retirement should go from 20 years to 30 years. She noted she attended the press release of the Governor's Budget on Tuesday before returning to the Kenai Peninsula. She noted legislators are eager to hear from parents about educational issues and funding.

Mrs. Obendorf commented the expulsion hearings were agonizing for her and the rest of the Board. She noted they are aware that kids do make inappropriate choices, but the Board also has the responsibility to make school a safe place for students.

Mrs. Obendorf announced the budget worksession with the Borough Assembly on Tuesday, March 7 has been changed from 4:00 p.m. to 5:00 p.m. She requested Board members attend, if possible.

She commented that she was concerned about the Chapman situation. She noted all decisions on the budget affect students in one way or another, and the decisions are made because they care about kids. She was concerned about comments made earlier in the meeting that if the Board made a decision to move students to Homer it was because they did not care about kids, which is not true.

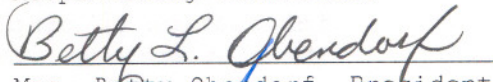
Mrs. Obendorf congratulated Miss Baldwin on being selected the first runner-up in the Alaska Junior Miss Contest. Miss Baldwin commented she received \$1,200 in cash scholarships and 4-year tuition to UAA, which she might use in the summer, but she has selected a different college to attend.


ADJOURN:

At 10:32 p.m., Mr. Arness moved the School Board Meeting be adjourned. Mr. Tauriainen seconded.

Motion carried unanimously.

Respectfully Submitted,


Mrs. Betty Obendorf, President


Dr. Nels Anderson, Clerk

The Minutes of March 6, 1995, were approved on March 20, 1995 as written.