

KENAI PENINSULA BOROUGH SPECIAL SCHOOL BOARD MEETING
148 N. Binkley Street

Soldotna, AK 99669

February 8, 1999

SCHOOL BOARD MEMBERS: Mr. Joe Arness, President

Mrs. Debra Mullins, Vice President

Mrs. Susan Larned, Clerk

Ms. Deborah Germano, Treasurer

Mrs. Mari-Anne Gross, Member

Dr. Nels Anderson, Member

Mrs. Sammy Crawford, Member

Miss Charise Calvert, Student
Representative

STAFF PRESENT: Mr. John Dahlgren, Superintendent of
Schools

Mr. Ed McLain, Assistant
Superintendent, Instruction

Mrs. Sharon Radtke, Assistant
Superintendent, Human Resources

OTHERS PRESENT: Mrs. Sharon Moock Mr. Carl Locke

Mr. Hank Overturf

CALL TO ORDER: Mr. Arness called the meeting to order at
4:00 p.m.

ROLL CALL: Mr. Joe Arness Present
Mrs. Debra Mullins Present
Mrs. Susan Larned Present
Ms. Deborah Germano Present
Mrs. Mari-Anne Gross Present
Dr. Nels Anderson Present
Mrs. Sammy Crawford Present/Excused
Miss Charise Calvert Absent/Excused

APPROVAL OF AGENDA: The agenda was approved with the deletion of Item 4., Approval of Superintendent Semi-Finalists.

EXECUTIVE SESSION: At 4:01 p.m., Dr. Anderson moved the Board go into executive session to discuss subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Ms. Germano seconded. Specifically, the executive session was to conduct two student hearings, discuss negotiations and review applications for superintendent of schools.

Motion carried unanimously.

ADJOURN EXECUTIVE SESSION: At 7:25 p.m., Mrs. Mullins moved the executive session be adjourned. Dr. Anderson seconded.

Motion carried unanimously.

STUDENT EXUPLSION #1: Dr. Anderson moved the Board approve the following: "The Decision of the Kenai Peninsula Borough School District in the ACTION Matter of Expulsion of AD.

STUDENT EXUPLSION #1
(Continued):

PROCEEDINGS: This matter was heard by the Board on February 8, 1999. Those School Board members present were Mari-Anne Gross, Joe Arness, Dr. Nels Anderson, Deborah Germano, Susan Larned, and Debra Mullins. Present on behalf of the administration were Ed McLain, Assistant Superintendent-Instruction, Mark D. Norgren, Assistant Principal, Soldotna High School. AD was present. AD's mother was present.

FINDINGS: The evidence showed that on January 25, 1999 a student teacher at Soldotna High School witnessed two boys exiting the swimming pool locker room. The student teacher believed he smelled marijuana on the boys as they walked by him. The student teacher entered the locker room and definitely smelled marijuana. The student teacher reported the incident and description of the two boys to the school office. The description led school administration to question AD and another boy. AD admitted to consuming marijuana in the pool locker room during the morning break (9:55 AM) just prior to the student teacher entering the locker room. AD admitted to smoking a pipe bowl of marijuana made of tin foil, after which the pipe was flushed down the toilet. AD was suspended for consuming marijuana during school hours in 1998. He was advised at the time of his 1998 suspension that further such violations would lead to an expulsion recommendation by the administration to the School Board. AD also admitted at the Board hearing that he smoked marijuana at school on January 25, 1999.

CONCLUSIONS: The second-offense use of marijuana is behavior inimical to the welfare, safety, and morals of other students.

ACTION: The student shall be expelled for a one-year period with an early readmission on the following conditions:

STUDENT EXUPLSION #1
(Continued):

1. a) The student shall be suspended for a period of 30 school days from January 25, 1999. Homework will be made available for pickup as determined by the administration. Teachers will provide homework on a weekly basis and will only provide work when the student returns the previous week's assignments. The student will not be allowed on school grounds during his suspension for any reason without the prior approval of the administration. His suspension also includes all school sponsored activities on school grounds. His immediate readmission is dependent on continued compliance with items 2, 3, and 4 below.

or

b) The student may opt to complete a District correspondence course of study developed by the school administration and counselors with readmission for the fall of 1999 with readmission dependent on compliance with items 2, 3, and 4 below.

2. The student shall show proof of completion of a substance abuse assessment within 30 school days of the date of distribution of this decision and shall maintain continued compliance with the conditions of a recommended treatment plan. This plan must include non-use of any controlled substance or alcohol.

3. The student shall not be involved in any further substance use. The student shall volunteer for random, chain-of-custody broad spectrum urine analyses at parent expense for two semesters following early admission to KPBSD.

4. Any evidence of substance use or violation of District policy on drugs and alcohol will result in reinstatement of a one calendar year expulsion.

Notice of Right to Appeal School Board's Final Expulsion Decision:

You are hereby notified that you have 30 days from the date this final decision is distributed to file an appeal with the Superior Court of the State of Alaska at Kenai in accordance with the Alaska Rules of Appellate Procedure." Mrs. Larned seconded.

STUDENT EXUPLSION #1 VOTE:
(Continued):

YES - Anderson, Germano, Gross, Larned, Arness

NO - Mullins

Motion carried.

STUDENT EXUPLSION #2: Dr. Anderson moved the Board approve the following: "The Decision of the Kenai Peninsula Borough School District in the Matter of Expulsion of DS.
ACTION

PROCEEDINGS: This matter was heard by the Board on February 8, 1999. Those School Board members present were Mari-Anne Gross, Joe Arness, Dr. Nels Anderson, Deborah Germano, Susan Larned, and Debra Mullins. Present on behalf of the administration were Ed McLain, Assistant Superintendent-Instruction, Mark D. Norgren, Assistant Principal, Soldotna High School. DS was present. DS' mother was present.

FINDINGS: The evidence showed that on January 25, 1999 a student teacher at Soldotna High School witnessed two boys exiting the swimming pool locker room. The student teacher believed he smelled marijuana on the boys as they walked by him. The student teacher entered the locker room and definitely smelled marijuana. The student teacher reported the incident and description of the two boys to the school office. The description led school administration to question DS and another boy. DS admitted to consuming marijuana in the pool locker room during the morning break (9:55 AM) just prior to the student teacher entering the locker room. DS admitted to smoking a pipe bowl of marijuana made of tin foil, after which DS flushed the pipe down the toilet. DS was suspended for consuming marijuana during school hours in 1998. He was advised at the time of his 1998 suspension that further such violations would lead to an expulsion recommendation by the administration to the School Board. DS also admitted at the Board hearing that he smoked marijuana at school on January 25, 1999.

CONCLUSIONS: The second-offense use of marijuana is behavior inimical to the welfare, safety, and morals of other students.

ACTION: The student shall be expelled for a one-year period with an early readmission on the following conditions:

STUDENT EXUPLSION #2
(Continued):

b) The student may opt to complete a District correspondence course of study developed by the school administration and counselors with readmission for the fall of 1999 with readmission dependent on compliance with items 2, 3, and 4 below.

2. The student shall show proof of completion of a substance abuse assessment within 30 school days of the date of distribution of this decision and shall maintain continued compliance with the conditions of a recommended treatment plan. This plan must include non-use of any controlled substance or alcohol.

3. The student shall not be involved in any further substance use. The student shall volunteer for random, chain-of-custody broad spectrum urine analyses at parent expense for two semesters following early admission to KPBSD.

4. Any evidence of substance use or violation of District policy on drugs and alcohol will result in reinstatement of a one calendar year expulsion.

Notice of Right to Appeal School Board's Final Expulsion Decision:

You are hereby notified that you have 30 days from the date this final decision is distributed to file an appeal with the Superior Court of the State of Alaska at Kenai in accordance with the Alaska Rules of Appellate Procedure." Mrs. Gross seconded.

STUDENT EXUPLSION #2 (Continued):

VOTE:

YES -
Anderson,
Germano,
Gross,
Larned,
Arness

NO - Mullins

Motion
carried.

EXECUTIVE SESSION:

At 7:35 p.
m.,
Mrs. Mullins
moved that
the Board go
into
executive
session to
discuss
matters, the
immediate
knowledge of
which would
clearly have
an adverse
effect upon
the finances
of the
Borough.
Specifically,
the
executive
session was
to discuss
negotiations.
Ms. Germano
seconded.

Motion
carried
unanimously.

ADJOURN EXECUTIVE SESSION:

At 9:23 p.
m.,
Mrs. Gross
moved the
executive
session be
adjourned.
Mrs. Larned
seconded.

Motion
carried
unanimously.

ADJOURN: At 9:24 p.
m.,
Mrs. Larned
moved the
School Board
meeting be
adjourned.
Mrs. Gross
seconded.

Motion
carried
unanimously.

Respectfully submitted,

Mr. Joe Arness, President

Mrs. Susan Larned, Clerk

The Minutes of February 8, 1999,
were approved on March 1, 1999
as written.