

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
148 N. Binkley Street

Soldotna, AK 99669

January 4, 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. Patrick Hickey, Assistant Superintendent,
Operations and Business Management

Mr. Ed McLain, Assistant Superintendent, Instruction

Mrs. Sharon Radtke, Assistant Superintendent, Human
Resources

OTHERS PRESENT: Mr. Harry Lockwood Mr. Ken Tarbox

 Mr. Bill Popp Mrs. Karen Mahurin

 Mr. Tim Peterson Mrs. Marlene Byerly

 Mr. Pete Sprague Mr. Maurice Glenn

 Mrs. Gretchen Becker Mr. Larry Semmens

 Mrs. Jane Stein Mrs. Bekkie Jackson

 Mr. Ben Eveland Ms. Barbara Ralston

 Ms. Susan Little Ms. Jacquie Imle

 Mrs. Leona Oberts Mrs. Marita Parks

Mr. Drew O'Brien
Others present not identified.

CALL TO ORDER: Mr. Arness called the meeting to order at 2:00 p.m. A quorum of Board members, (Mr. Joe Arness, Mrs. Debra Mullins, Ms. Deborah Germano, Mrs. Mari-Anne Gross, Dr. Nels Anderson, Mrs. Sammy Crawford), were in attendance.

EXECUTIVE SESSION: At 2:01 p.m., Mrs. Gross 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. Specifically, the executive session was to conduct a student hearing and to discuss negotiations.
Ms. Germano seconded.

Motion carried unanimously.

ADJOURN EXECUTIVE SESSION: At 7:35 p.m., Ms. Mullins moved the executive session be adjourned. Mrs. Crawford seconded.

Motion carried unanimously.

PLEDGE OF ALLEGIANCE: Mr. Arness invited those present to participate in the Pledge of Allegiance.

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

APPROVAL OF AGENDA: The agenda was approved as written.

APPROVAL OF MINUTES: The School Board Minutes of December 7, 1998, were approved as printed.

SCHOOL REPORTS: Mr. Maurice Glenn, Nanwalek Elem/High principal/teacher, reported that the school has an enrollment of 59 students. He stated that even though some families have left the village he expects the enrollment to remain unchanged. He stated that five homes are projected to be built during the summer of 1999 with another eleven family unit to be build the following summer. He stated according to his school's assessment results, his students must make improvements in the area of reading. He explained the Book-Link and Reading Buddies reading programs. He reported that students are becoming extremely enthusiastic towards creative writing and are writing news articles and stories. He reported that his students are participating in the Youth Area Watch Program, Native Youth Olympics, and are incubating salmon eggs in the classroom. He stated that the school has one of the most exceptional Bilingual Programs throughout the state and that he has noticed a substantial increase of his students' knowledge of their native culture and language. He thanked the administration for their support and asked for continued assistance to enable them to increase their assessment scores.

Mrs. Gross told Mr. Glenn that she was pleased that he has returned to Nanwalek because of his former knowledge of the community. Mr. Glenn stated that the site-based council president had recently commented that the educational environment of the school has made a complete turn around and that student attitudes are positive.

AWARDS AND PRESENTATIONS:

Mr. Ben Eveland and Mr. Harry Lockwood presented an award to Mr. Drew O'Brien for being selected to receive the Vocational Education Service Award. Mr. Arness presented awards of appreciation to Ms. Barbara Ralston for her dedication to education and the District and to Mr. Ken Tarbox for his outstanding volunteer service to the District.

SUPERINTENDENT'S REPORT:

Mr. Dahlgren reported that the Port Graham Elementary/High School is not in session because roofing trusses are separating. He stated that the Borough Public Works Department hopes to have the problem solved before Monday, January 11, 1999. He noted that school will be held on Saturdays until all of the missed days are made up.

Mr. Dahlgren reported that legal counsel has advised the District administration to allow middle school girls to participate in wrestling. He stated that the KPSAA board would make a recommendation to the Board to act on the recommendation allowing middle school girls to wrestle.

Mr. Dalgren announced that the ARCTIC Program has accepted Mr. Darren Jones' application for technology training. He also announced that Paul Sorenson, Kenai Middle School principal, has been selected as the Region III 1998-99 Secondary Principal of the Year and that his nomination will be forwarded to the state level for consideration.

Kenai Elementary Facility Review:

For the benefit of those present, Mr. Hickey reviewed the events that led up to the Kenai Elementary facility study. He reported that last school year three groups shared the Kenai Elementary building; People Count, Boys and Girls Club and the Kenai Alternative School. He reported that People Count recently relocated which allowed the Kenai Alternative School to move their office into the vacated space. He explained that the move also avoided the costs of making the second story compliant with the Office of Civil Rights for handicapped access. He stated that at the same time, the Aurora Borealis Charter school expressed an interest in moving into the vacant space. He stated that the Board directed the administration to conduct an analysis of the facility based on a study completed in 1992. He stated that a building walk-through was conducted that included approximately 10 people representing various interested groups. He stated that the five distinct areas of concern that were addressed were building code/life safety, environmental, handicap accessibility, functional/ educational program and maintenance. The total cost of each area of concern was \$2,582,182.65. He summarized by saying that the

Kenai Elementary Building can be made habitable by the Aurora Borealis Charter School if the District invests approximately \$1 million into the facility.

Kenai Elementary Facility
Review (Continued):

Mr. Dahlgren explained that the next step would be to request capital project money from the Borough to fund the renovation. Mr. Arness directed the administration to conduct a worksession to discuss the Kenai Elementary Building and schedule that item on the corresponding School Board meeting.

CONSENT AGENDA:

Items presented on the Consent Agenda were 1998-99 Teacher Assignments, Resignations, and Early Graduation Request.

1998-99 Teacher Assignments:

Mrs. Radtke recommended the Board approve teaching appointments for the 1998-99 school year for Heidi Farrand, (temporary half-time) music, Seward Elementary; Susan Howard, (temporary) grades K-3 at Port Graham Elem/High; and Kristina Owens (temporary, three-quarter time) grades 7-10 math/science, Port Graham Elementary/High.

Resignations:

Mrs. Radtke recommended the Board approve resignations for Kathleen Abrams, grades K-3, Port Graham Elem/High (effective 1/1/99); John Abrams, grades 6-10 generalist, math/science, Port Graham Elem/High (effective 1/1/99); Nancy Tapsfield, language arts/drama/art, Seward Middle/Sr. High (effective 1/15/99); Lawrence Colston, math, Seward Middle/Sr. High (effective 1/15/99); and Taryn Holmes, math, Skyview High (effective 5/27/99).

Early Graduation Request:

Mr. McLain recommended the Board approve an early graduation request for a Nikiski High School student.

ACTION

Ms. Germano moved the Board approve Consent Agenda Item Numbers 1 through 3. Mrs. Mullins seconded.

Motion carried unanimously.

StUDENT EXPULSION:

Dr. Anderson moved the Board approve the following: "The Decision of the Kenai Peninsula Borough School District in the Matter of Expulsion of BB.

ACTION

This matter came before the school board on January 4, 1999. Neither the student nor his parents were present. Ed McLain, Assistant Superintendent for Instruction, and Dennis Dunn, Principal, Kenai Alternative High School were present. Board members present were Joe Arness, Dr. Nels Anderson, Lorraine Crawford, Deborah Germano, Mari-Anne Gross, Susan Larned and Debbie Mullins.

StUDENT EXPULSION
(Continued):

The uncontested evidence showed that on December 2, 1998 a staff member advised Principal Dunn that one student had been overheard saying that another student, BB, had a gun in his truck on school grounds. Principal Dunn contacted BB, a 20-year-old student, who admitted having a loaded gun in his truck, which was in the school parking lot. Upon being told the gun had to be retrieved BB was cooperative and took Principal Dunn and another staff member to the truck. A loaded .357 caliber pistol was retrieved from the truck and given to Principal Dunn. BB stated that he had forgotten that it was in the truck before coming to school. The weapon was taken to a vacant classroom, unloaded and secured. Principal Dunn unsuccessfully tried to contact the parents, and left a message. He then contacted the police who arrested BB for misconduct involving weapons in the fourth degree. Principal Dunn conducted a telephonic hearing on December 10, 1998 and concluded that BB violated Board Policy 5131.7(a). The administration recommended to the board that BB be expelled for not less than one calendar year beginning December 2, 1998, and that BB receive professional counseling addressing lack of judgment and decision-making processes.

Based on the evidence presented the board finds a one-year expulsion is required. Possessing a loaded firearm on school premises violates board policy KPBSD 5131.7(a) and Alaska Statute 14.03.160, and is conduct which is inimical to the welfare and safety of other students. Board policy and Alaska statutes require expulsion for at least one year each for such conduct, except that the superintendent may recommend a modification in certain cases. No such recommendation was made in this case. BB is accordingly expelled from this school district for a period of one year from December 2, 1998. He may not go on school grounds during the period of expulsion for any reason, nor may he attend any school event or function whatsoever." Mrs. Mullins seconded.

Motion carried unanimously.

Resolution 98-99-5, Support of
Challenger Learning Center:

Mr. Hickey recommended the Board approve Resolution 98-99-05 supporting the use of a parcel of land adjoining the Kenai Central High School campus for the Challenger Learning Center and a covered ice arena. He explained that a request has been made asking the Board to give their formal support of the location of the proposed Challenger Learning Center and ice arena.

Ms. Germano verified that the proposed ice arena would be property of the city of Kenai.

Resolution 98-99-5, Support of
Challenger Learning Center
(Continued):

ACTION Ms. Germano moved the Board approve Resolution 98-99-05.
Mrs. Crawford seconded.

Motion carried unanimously.

Charter School Budget
adjustments for FY99:

Mr. Hickey recommended the Board approve budget transfers to Aurora Borealis Charter School for \$1,453; to Bay View Charter School for \$455; and to Homer Charter School for \$5,746. He explained that the adjustments were made based upon their actual enrollments as determined by the conclusion of the count period.

ACTION Mrs. Gross moved the Board approve budget adjustments for Aurora Borealis, Bay View and Homer Charter Schools as recommended. Ms. Germano seconded.

Motion carried unanimously.

KPSAA Handbook Revision:

Mr. Dahlgren recommended the Board approve a revision to the Kenai Peninsula Student Activities Association (KPSAA) handbook to comply with eligibility requirements set by the Alaska School Activities Association. He stated that the District has been permitting correspondence students to participate in school activities. He explained that students must now meet the following criteria to participate in a KPSAA sponsored activity: 1) be enrolled in a minimum of four semester units in the school of that interscholastic activity that lead to the granting of credit toward graduation from the Kenai Peninsula Borough School District; 2) be enrolled in a minimum of four semester units in a district correspondence program, flex or alternative school, or charter school that lead to the granting of credit toward graduation from the Kenai Peninsula Borough School District; and 3) students attending a flex, alternative or charter school may only participate in the school within their attendance area. He recommended that students not meeting these criteria be allowed to continue their participation in activities until the end of the school year and then impose the new guidelines beginning with the 1999-2000 school year.

Ms. Germano asked whether there were eligibility guidelines requiring classes to be consecutive or continuous throughout a part-time student's school day.

KPSAA Handbook Revision
(Continued):

ACTION

Mrs. Mullins moved the Board approve the recommended revisions to the KPSAA handbook. Mrs. Crawford seconded.

Motion carried unanimously.

Budget Adjustment:

Mr. Dahlgren recommended the Board approve revisions to the FY99 budget to accommodate a revenue shortfall of \$1,498,153. He noted that the reductions were made in the categories of teacher-unallocated, textbooks, data processing equipment, equipment, in-kind-Kenai Peninsula Borough, certified diploma, substitute allocations, and salary/fringe benefits.

ACTION

Mrs. Crawford moved the Board approve the recommended adjustment to the FY 99 budget. Mrs. Mullins seconded.

Dr. Anderson remarked that removing \$1.5 million from the District budget is extremely difficult but that he would vote for the motion since he does not have a better solution.

Mrs. Mullins asked what the category "In-kind Kenai Peninsula Borough" was referring to. Mr. Dahlgren explained that insurance coverage was rebid this year and there was a savings. Mrs. Mullins asked for an explanation of the amounts listed under CSSB 36. Mr. Dahlgren explained that in August the Assembly approved an adjusted budget that included the additional funds generated from CSSB 36. Mr. Dahlgren reviewed the staffing increases other expenditures that were included in the adjusted budget and stated that he funded most of the items but did not use of the money from CSSB 36.

Mrs. Mullins asked whether textbooks were purchased.

Mr. Dahlgren stated that \$500,000 worth of math textbooks were purchased.

Motion carried unanimously.

FIRST READING OF POLICY REVISIONS: The Board heard a first reading of BP and AR 5145.12, Search and Seizure. Mr. Dahlgren explained that under the current policy, if a student declines a search or leaves school without allowing a search, the school has no recourse for discipline. He noted that the proposed revisions clarify that searches may involve vehicles, lockers, or other property on school grounds, owned or controlled by students; identify conditions to be considered in determining if a search is warranted; clarify that students are expected to cooperate with school officials conducting a reasonable search as described or allowed by this policy; direct school officials to make reasonable efforts to notify parents; and provide penalties for refusal to permit a reasonable search as described and allowed by this policy.

Ms. Germano asked whether the proposed policy allows a blanket search of lockers. Mr. Dahlgren quoted from the proposed policy, "The search shall be reasonably related in its scope to the circumstances which gave rise to the search. Items which are discovered as a result of authorized searches and found to be in violation of school policy may be subject to seizure by school officials and may also result in disciplinary action." He further noted that the supreme court has ruled that lockers are considered school property and are open for inspection anytime.

Mrs. Crawford expressed concern that a forty-five day suspension was excessive. Mr. Dahlgren responded that in a number of instances this year students have refused to be searched and while the parents are being contacted, the student runs away. Mr. Arness asked whether legal counsel had reviewed the language relating to possible expulsion.

Mr. McLain stated that legal counsel has reviewed and written the language regarding expulsion and recounted a scenario involving a student with a loaded weapon. He stated that the student fled the school but was apprehended later and the weapon was discovered. Mr. McLain stated that the changes would remove incentives for students to choose to take the penalty for insubordination rather than pay a more severe penalty for items discovered during a search.

Ms. Germano stated that she felt that the punishment for refusal to search is extreme. Ms. Germano argued that a student has the right to refuse a locker search. Mr. Dahlgren stated that school lockers can be searched. Mr. Hickey reiterated that school lockers are considered district property.

FIRST READING OF POLICY REVISIONS (Continued): Mrs. Gross asked that the word "knowing" in the third paragraph of AR 5145.12, Search and Seizure be defined more clearly. Mr. McLain responded that the paragraph was written by the Borough attorney but that he would have it reviewed again.

PUBLIC PRESENTATIONS: Mr. Larry Semmens thanked the administration on the timeliness of the Kenai Elementary Facility report and stated that he was pleased with the study. He asked the Board to carefully consider the large cost items prior to making their decision on the use of the facility. He felt that his school could vacate the building for much less money.

Mr. Bob Nath, Aurora Borealis School parent, stated that they inspected many buildings in the area and feel that there is nothing better available than the Kenai Elementary building. He asked the Board to consider allowing their school to vacate the facility and that he expected that their school would grow as a result of the move.

BOARD COMMENTS: Miss Calvert stated that in the future she will be sure to clean out her gym locker to avoid a search.

Mrs. Gross wished those present a Happy New Year.

Mrs. Crawford congratulated Mr. O'Brien, Ms. Ralston and Mr. Tarbox on their awards. She invited those present to contact her with comments regarding the upcoming negotiations, employee retirement and the hiring of a new superintendent.

Dr. Anderson reported that during a worksession earlier in the day the Board was informed that they would be facing a \$5.5 million deficit next year. He invited those present to participate in the upcoming budget review committee meetings.

With the consensus of the Board, Mr. Arness requested that the Kenai Elementary renovation issue be discussed during a Board worksession and be scheduled on the agenda. He asked that those persons specifically interested in the facility be notified of the date and time of the worksession.

ADJOURN: At 8:45 p.
m.,
Mrs. Mullins
moved the
School
Board
Meeting be
adjourned.
Ms. Germano
seconded.

Motion
carried
unanimously.

Respectfully submitted,

Mr. Joe Arness, President

Mrs. Susan Larned, Clerk

The Minutes of January 4, 1999,
were approved on January 18, 1999,
as written.