

SCHOOL BOARD MEETING
DECEMBER 20, 2011
SCHOOL ADMINISTRATION OFFICE

TRUSTEES PRESENT: Chairman Alexander, Trustee House, Trustee Reynolds, Trustee Murray, Trustee Checketts

OTHERS PRESENT: Tim McMurtrey, James Gilbert, Tara Handy, Erin Acarregui, Cliff Ogborn, Sharon Whitman, Phil Raney, John Lay, Jeff Johnson, Albert Longhurst, Nikki Cruser, Anita Straw, Polly Sanders, Sherri Ybarra, Rhonda Siira and daughter, Mike Jewell, Tom Rodney, LTC Estes, Robin Walker, Bobbie Lockett

At 7:31 p.m., Chairman Alexander convened the regular meeting of the Board of Trustees and called for the first item of business.

Prior to the first agenda item, Chairman Alexander stated there was an addendum to add MHHS Woodshop Equipment Sale to the New Business section of the agenda. He asked for a motion to approve the addendum in accordance with Idaho Code 67-2343 (4)(b)(c). Trustee Reynolds called for a motioned to approve adding MHHS Woodshop Equipment Sale to the New Business section of the agenda, with a second from Trustee Murray.

Roll Call Vote as follows:

Chairman Alexander	Aye
Trustee House	Aye
Trustee Reynolds	Aye
Trustee Murray.....	Aye
Trustee Checketts.....	Aye

and no less than two-thirds (2/3) of the membership in favor thereof, motion approved.

- I. **APPROVE THE MINUTES OF THE REGULAR BOARD MINUTES OF NOVEMBER 15, 2011, AND THE SPECIAL BOARD MINUTES OF NOVEMBER 22, 2011.** Chairman Alexander called for a motion to approve the minutes of the regular board meeting of November 15, 2011, and the special board minutes of November 22, 2011. There being no comment, Trustee Checketts moved to approve the minutes of the regular board meeting of November 15, 2011, and the special board minutes of November 22, 2011, with a second from Trustee Reynolds. Motion approved.
- II. **FINANCIAL REPORTS** – Cliff Ogborn. Mr. Ogborn reported on the financial statements for November 2011. The statements for November reflected a balance of \$1,263,813. Investments in the State Investment Pool areas \$7,982,139. Unobligated cash and investments are \$7,489,735 net of interfund payables. The Income Statement reflected revenue through November is \$13,954,369. Expenses show salaries are at \$5,353,809 of original budget, and benefits are \$1,635,899. As of November 30, we have a net margin of revenues in excess of expenses of \$5,496,185. Trustee Murray moved to approve the financial report as presented by Mr. Ogborn. Motion seconded by Trustee Reynolds. Motion passed.
- III. **CONSIDERATION OF BILLS** – Cliff Ogborn. Mr. Ogborn presented the district bills for approval. Trustee House moved to authorize payment of the district's bills as presented, with a second from Trustee Checketts. Motion carried. (A full and complete listing of the District's bills may be reviewed at the District Office, Accounts Payable.)
- IV. **STAFF/STUDENT RECOGNITION** – None
- V. **DELEGATION** –
 1. Rhonda Sirra – Mrs. Sirra asked that her daughter, Katie, speak on their behalf as she is more familiar with cheerleading stunts. Katie started by stating that she wanted to inform the Board of some

problems with the cheer squad at the high school and would like action taken to address the problems. Katie claimed that the [cheerleading] coach doesn't recognize the rules of the NFHS, an organization that helps minimize risk to cheerleaders, and because of this Katie was injured. She claimed that they received a letter from the district office stating that even though the stunt was "illegal," her injuries were caused by the person at the top hitting Katie. (The letter makes no mention of the district stating the stunt to be illegal.) Katie disagreed and claimed that because of the "illegal" stunt she was injured. She wanted the Board to acknowledge that there is some sort of problem (cheerleading) and wanted action taken to insure this didn't happen again.

Chairman Alexander clarified that Katie claimed that they were performing what she says is an "illegal" stunt thus causing her injury. Mrs. Siira interjected and stated that mats weren't used, which is recommended by the NFHS. She also claimed that the letter mailed to her by the "school board" stated that the coach said (told district administration) that she didn't tell the cheerleaders to perform the stunt, but instead had them perform a different stunt, which Mrs. Siira claimed was more illegal than the one causing injury to Katie. (The School Board never sent the letter, Mr. Ogborn, a district office employee, mailed her the response.)

Trustee Checketts said that the NFHS states a mat or grass and then asked Katie if she hit the ground. Katie responded no she didn't hit the ground, but was hit by the cheerleader at the top. Mrs. Siira then stated that she was never called regarding the injury, but was told by two other parents who she claimed witnessed the mishap; she also claimed that Katie had a concussion.

Trustee House mentioned that first aid was given immediately afterwards. Ms. Siira said that it was only an icepack.

Trustee Murray asked for an explanation because their letter to the Board was asking for the district to pay medical expenses, but he had yet to hear them even mention payment and the only thing that has been discussed is their issue with the cheerleading coach and the stunts and not medical expenses. He then asked if they were there to discuss cheerleading issues or did they want to be reimbursed medical expenses. Ms. Siira stated that they want both.

Trustee House said the Board is sorry to hear about Katie's injury, but that the Spirit Pack form (sports/activities package that includes insurance information) they submitted showed that they had insurance and showed the parent and student signature acknowledging that injuries may occur due to the nature of the sport or activity and acknowledged that they were aware that concussion may happen. Mrs. Siira claimed that the stunt was illegal and because of it being illegal, Katie was injured and they aren't liable. She wanted the coach accountable for not following rules.

Trustee Checketts asked Katie that if she thought the stunt was illegal, why she performed it. Mrs. Siira and Katie claimed that they were told in a meeting that occurred the week before the accident that they had to go by what the coach said. Mrs. Siira claimed that Mr. Johnson, MHHS principal, told them that it was like football and that what the coach says goes; they are to do what the coach tells them to do and not to argue with the coach. She said that "Johnson" is here (board meeting) now and that he was at the meeting (cheerleading). Discussion continued regarding different illegal stunts.

Trustee House then informed the Mrs. Siira that the district doesn't plan to turn their medical bills over to the district insurance carrier. Katie claimed that she missed some school due to her injuries. Trustee House asked that if there was some concern to Katie's wellbeing, why they [Siira's] waited so long to take Katie to a doctor. Mrs. Siira replied that she took Katie to Primary Care the following Saturday. Trustee Checketts asked what the diagnosis was and Mrs. Siira responded that the doctor told her that it might be a concussion but that he didn't look at the scan. Trustee House tried to clarify that if Mrs. Siira thought Katie's injury was severe, then why didn't she bring Katie to the Emergency Room. Mrs. Siira claimed that her mother was a retired ER nurse and they went to her.

Trustee Murray then asked Mr. Johnson if anyone else had approached him about illegal stunts. Mr. Johnson replied that first of all, he wanted to address Mrs. Siira's comment in which she claimed that he said the girls were to do what the coach told them to do...that wasn't said at all. He continued to inform the Board that in actuality, the meeting involved some of the girls wanting to perform different

cheers then what their coach wanted them to do. Mr. Johnson said that he then told the girls that this was similar to football in which coaches make the decisions to have the football players keep practicing plays until they are done correctly; he never said that no matter what, they are to do as they are told by the coach; that was never said. Mr. Johnson then stated that secondly, no one else has approached him about any illegal stunts.

Chairman Alexander made mention that he didn't know much about cheerleading, but that it seemed that the mats are to protect the person being thrown in the air and not those on the ground. Katie claimed that the mishap happened because there wasn't a mat present and that the other girl wasn't comfortable because she didn't have her "safety-net" during the stunt. Trustee House stated that it sounds like some cheerleaders weren't in position like they were supposed to be. Katie again claimed that not having a mat caused this mishap.

Chairman Alexander ended by saying the Board will take this under advisement. Trustee Reynolds stated that this will be looked into to determine if any illegal stunts were performed. Chairman Alexander said Mr. Johnson will investigate. Mr. Johnson responded that the IHSAA was made aware of the issue and they concluded that there were no illegal stunts performed nor was anything in the rules book illegal and the IHSAA stated that no further investigation would be done. Chairman Alexander said the Board was glad Katie was well and if anything should come back to them regarding cheerleading violations, they would look into taking action at that time. Mrs. Siira again stated that she wanted the coach investigated and also claimed that half the cheerleaders quit because of this issue. The Board thanked her for her input.

VI. **PUBLIC INPUT – None**

VII. **REPORTS –**

- A. **MOUNTAIN HOME AFB UPDATE** – MHAFFB Liaison. LTC Estes reported that the complaints from the base parents regarding their concerns about their students arriving to HMS early and having to wait outside thus causing them to be cold has been resolved with the bus now arriving 15-minutes later. He also reported that the base would be slowing down during the holidays.

VIII. **UNFINISHED BUSINESS –**

A. **POLICY ADOPTION** – 3rd and Final Reading – James Gilbert

1. **Personnel Files Policy** – Mr. Gilbert. Mr. Gilbert presented the third and final reading of the proposed adoption of Mountain Home School District No. 193 Personnel Files Policy. He stated that the policy was drafted to address personnel files and its file contents. Mr. Gilbert also mentioned that it meets Idaho Code as well as includes some language from the obsolete master agreement. There has been no staff or patron input. Trustee Reynolds asked whether the verbiage non-certified be changed to classified instead. Mr. Gilbert said he would have to research and get back to the Board. Trustee Reynolds then inquired whether certified were the only ones required to sign their entries to their personnel file. Mr. Gilbert replied in accordance with Idaho Code, yes they are. This is tabled until next month.

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO 83647
P O L I C Y
P E R S O N N E L F I L E S**

ALL DISTRICT PERSONNEL

1. A personnel file will be maintained by this district for each employee.
2. Each file will contain any and all material relevant to the evaluation of the employee.

3. Timely notice will be given to the employee of all materials placed in the personnel file.
4. The employee will have the right to attach a rebuttal to any materials that are objected to by the employee.
5. Personnel files are confidential with the exception of information contained in the file pertaining to public service or employment history, classification, pay grade and/or step, longevity, gross salary and salary history, status, workplace and employing agency.
6. An employee, or employee's representative, designated by written authorization, has the right to access his or her own personnel file upon request and will be provided copies of materials contained in the file at the employee's cost if necessary. However, an employee is not entitled to access letters of recommendation or material used to screen and test for employment.
7. Any material to an employee's conduct, service, character, personality, etc., may be placed in an employee's personnel file be it in formal written form or informal form. A signature on a document in no way indicates agreement with the contents thereof.

NON-CERTIFICATED DISTRICT PERSONNEL

1. All non-certificated employees of this district will be required to review and sign any entries made to his or her personnel file.

Legal Reference: Title 9, Chapter 3, Idaho Code
Idaho Code 33-517(2)(j)
Idaho Code 33-518

B. POLICY REVISION – 2nd Reading – James Gilbert.

Mr. Gilbert also asked for approval of the following three policy revisions at the same time instead of making individual motions. The Board agreed.

Mr. Gilbert presented the second reading of the proposed revisions to the Drug/Alcohol-Free Workplace for Employees & Students Policy, FERPA Policy, and Grievance Policy for Classified Employees. He said that with the exception of the FERPA Policy, there has been no staff or patron input and all the revisions meet Idaho Code.

Mr. Gilbert explained the revisions to the Drug/Alcohol-Free Workplace for Employees & Students were to better define the policy and to incorporate language from Eberharther-Maki, & Tappen, as well as add "Employees & Students" to the policy title; the FERPA policy was revised to add that the required Annual Notice is published on the school district website, and he explained that the federal government recently revised the FERPA, so the statement, "...and within 45-days of a written request..." was added to establish a definite time period for a parent to access their student's records, as was the statement, "...unless a school is provided with evidence that there is a court order or State law that specifically provides to the contrary," regarding information given to a non-custodial parent; the Grievance Policy for Classified Employees was revised to add a statement defining workday or working day.

Trustee House motioned to approve the second reading of the proposed revision to the Drug/Alcohol-Free Workplace for Employees & Students Policy, the FERPA Policy, and the Grievance Policy for Classified Employees as presented by Mr. Gilbert. Trustee Reynolds seconded the motion. Motion approved.

1. Drug/Alcohol-Free Workplace for Employees & Students Policy –

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO 83647**

P O L I C Y

DRUG/ALCOHOL-FREE WORKPLACE FOR EMPLOYEES & STUDENTS

The Board of Trustees recognizes the importance of all employees to the educational system **and the importance of federal requirements to establish a “drug free workplace” and it does not tolerate drug or alcohol abuse by its employees and students. Employees and students are prohibited from manufacturing, dispensing, using, possessing, or distributing illegal drugs or alcohol on any school premises or at any school activity. Employees and students are further prohibited from being under the influence of illegal drugs or alcohol on any school premises or at any school activity.** To that end, the health, safety, and well-being of all employees and students is a major consideration of the Board.

The Board is committed to providing a drug/alcohol-free workplace for its employees and students. **The drug free workplace requirements extend to all property owned by the district, all activities sponsored by the district, and include any vehicle owned by this district.** Because the prevention and elimination of drug and/or alcohol use in the workplace by the employees and students is important, the following guidelines will be followed.

DEFINITION OF TERMS:

Employee: Any individual who performs a duty or service for the school district who may or may not receive compensation.

Student: An individual who is enrolled and/or who participates in the activities and services provided by the school district.

Workplace: Any school district property, facility, or vehicle, and/or any place a student related activity is being conducted.

Illegal Drug Use: The use, possession or distribution of illegal drugs, or the abusive use of other drugs, or the use of alcohol on any school premises or at any school activity.

Illegal Drugs/Drugs: A drug is any drug, obtainable with or without a prescription that is used in a manner dangerous to the health of the user. This includes, but is not limited to, alcohol, marijuana, amphetamines (stimulants), barbiturates (depressants), cocaine, codeine, inhalants, heroin, and hallucinogens. Any controlled substances defined by Idaho Code Section 37-2701, or any other substance that is used to alter or change the mood of an individual, or anabolic steroids. The term “illegal drugs” does not include over the counter drugs or prescriptions prescribed by a doctor or dentist specifically for the person in possession of those drugs.

Under the Influence: This definition covers not only all well-known and easily recognized conditions and degrees of intoxication but any abnormal mental or physical condition that is the result of indulging to any degree in unlawful alcohol or illegal drugs, and which tends to deprive one of that clearness of intellect and control of him/herself, which (s)he would otherwise possess.

Unlawful Alcohol: Any alcoholic beverage as defined by Idaho Code Sections 23-105 and 23-1001.

Unlawful Alcohol Use: The use, possession, or distribution of alcohol on any school premises or at any school activity.

Violations: The commission of an act of illegal drug use or unlawful alcohol use by a district employee.

POLICY OUTLINE

DISCIPLINARY ACTION includes, but is not limited to the following:

The harmful, manufacture, distribution, possession, or use of drugs or alcohol is prohibited on any school district property, facility, or vehicle. Appropriate action will be taken on behalf of any employee or student violating MHSD 193's policy and/or procedure. This action includes the following:

1. Students: The student will be required to follow the procedures as outlined in appropriate student handbooks and in the *School Safety and Discipline* policy.

2. ~~Employees:~~ **The Any employee who violates the terms of the district's drug and alcohol policy may be subject to disciplinary action, including, but not limited to, discharge, suspension,** will be required to participate satisfactorily in an assessment by a certified alcoholism/drug abuse counselor and follow the recommendations made, **and/or referral for drug and alcohol abuse evaluation and rehabilitation, at the discretion of the board.**
 - a. These recommendations may include drug abuse assistance, outpatient or in-patient rehabilitation program, which is approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency. Illegal actions will be reported to appropriate legal authorities.
 - b. **An employee must notify the school district of any criminal drug/alcohol statute conviction for a violation occurring in the workplace no later than five (5) days after the conviction. Appropriate action against the employee shall be taken within thirty (30) days of such notification.**
 - c. ~~Failure to comply with the policy will result in action up to and including termination of employment by the Board of Trustees and/or referral for prosecution.~~
3. **Contracted School Bus Drivers:** Notwithstanding the above paragraphs, Mountain Home School District and the Board of Trustees require the school bus company, with whom they have contracted with, to notify the school district administration office within five (5) days of any drug/alcohol abuse by any school bus driver.
 - a. MHSD would request from the contracted bus company that the school bus driver be suspended from all duties pending investigation and/or when reasonable suspicion exists that the driver may be under the influence of illegal drugs or alcohol.
 - b. MHSD would request from the contracted bus company that if a bus driver is found to have violated this policy, (s)he will be immediately terminated from employment with the contracted bus company.
 - c. MHSD will report any violations of this policy or incidents to the State Department of Education. MHSD and Board of Trustees will recommend license revocation to the Idaho Department of Transportation.
 - d. If reasonable suspicion exists that federal, state, or local laws have been violated, the district will notify the appropriate law enforcement agencies.
4. ~~Failure to comply with the policy will result in action up to and including termination of employment by the Board of Trustees and/or referral for prosecution.~~

DRUG/ALCOHOL ASSISTANCE PROGRAM(S)

1. A Drug/Alcohol-Free ~~awareness assistance program~~ will be **available** ~~established and maintained~~ to inform employees and students about:
 - a. The dangers of drug and alcohol use in the workplace
 - b. The District's policy of maintaining a drug/alcohol-free workplace
 - c. Any available drug/alcohol assessment, counseling, rehabilitation, and assistance programs for employees and/or students
 - d. The consequences **and penalties** that may be imposed upon employees and students for drug/alcohol use violations occurring in the workplace
5. ~~The District will make this policy available online. The employee or student will abide by the terms of the policy as a condition of employment or enrollment.~~
6. ~~An employee must notify the school district of any criminal drug/alcohol statute conviction for a violation occurring in the workplace no later than five (5) days after the conviction. Appropriate action against the employee shall be taken within thirty (30) days of such notification.~~

7. **Pursuant to the Drug-Free Workplace Act**, the school district will **report/notify, in writing, to the appropriate agencies, and** within ten (10) days after receiving notice of an employee's drug conviction **or notice that an employee has been convicted of a criminal drug statute for a violation occurring in the workplace.** ~~the school district will notify the appropriate agencies.~~
8. Employees who have a problem they feel may affect work performance are encouraged to voluntarily seek counseling and information on a confidential basis.
9. The District will make this policy available online. The employee or student will abide by the terms of the policy as a condition of employment or enrollment.
10. **Upon adoption of this policy and/or initial employment with the district, all employees will be notified of this policy and a copy of this policy will be placed on the school district website for public view.**

Legal Reference: I.C. 18-1502, **23-105**, 23-612, **23-1001**, 33-513, 33-517, **37-2701**, 49-303

41 USC Section 702, *et seq.*

BLACK'S LAW DICTIONARY 1527 (6th ed. 1990)

2. FERPA (Family Educational Rights and Privacy Act) –

MOUNTAIN HOME SCHOOL DISTRICT NO. 193

MOUNTAIN HOME, IDAHO 83647

P O L I C Y

IMPLEMENTING THE FAMILY EDUCATIONAL RIGHTS (FERPA)

AND PRIVACY ACT OF 1974, P.L. 93-380

AND MANAGEMENT OF STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA) has specified that student records are confidential, with some exceptions. Parents and eligible students (students over the age of eighteen (18)) will be provided an annual notification of their rights under FERPA. The annual notice, **published on the school district website**, will contain information regarding, **and within 45-days of a written request**, the right to inspect their children's records, the right to seek an amendment of a record, the right to consent to disclosures of personally identifiable information, with certain exceptions, and the right to file a complaint with the U. S. Department of Education.

Educational Records are defined as those records directly related to a student and maintained by this District or by a party acting on behalf of this District. Educational records include, but are not limited to, the cumulative file, special education records, and disciplinary records.

Educational records do not include records of instructional, supervisory, and administrative personnel and education personnel ancillary to those persons that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

The cumulative file of each student is maintained at the building level for this school district. The building principal, individual teachers, and special education personnel may also have a file containing particular educational records.

A non-custodial parent's access to records and information pertaining to his or her minor child will not be denied solely because the parent is not the child's custodial parent **unless a school is provided with evidence that there is a court order or State law that specifically provides to the contrary**. However, information concerning a minor child's address will be deleted from all records supplied to a non-custodial parent if the custodial parent has advised the school district in writing to do so. (IC 32-717A)

Names, addresses, and telephone numbers of secondary school students will be provided to military recruiters, **as required by Federal Law**, or an institution of higher education upon request, unless the parent, or eligible student, denies access. (§ 544 National Defense Authorization, Oct 2002, P.L. 107-107)

It is the policy of Mountain Home School District to assure the provisions of FERPA are adhered to. FERPA permits the school to destroy such records without notice to the parent. To facilitate implementation of this policy, procedures for the management of student records have been established. These procedures are available to all patrons, students, and school district employees.

Legal References: Idaho Code Section 32-717A
 No Child Left Behind Act of 2001,
Section 9528 of the Elementary and Secondary Education Act
20 U.S.C. § 7908 and 10 U.S.C. § 503(c)
 The Family Educational Rights and Privacy Act of 1974
 20 USC 1232g
 34 CFR Part 99
 Individuals with Disabilities Education Act
 20 USC 1412(2) (D) and USC 1417
 34 CFR Section 300.560 through Section 300.576

3. **Grievance Policy for Classified Employees –**

MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO 83647
P O L I C Y
GRIEVANCE POLICY FOR CLASSIFIED EMPLOYEES

The Board of Trustees is committed to a reasonable and equitable method by which classified employees, who have reason to believe they have been unfairly treated or the District is in violation of any District policy, may bring their grievance to the attention of the proper authority.

The grievance procedure for classified employees shall meet the standard set forth in Chapter 5, Title 33, Section 33-517 of the Idaho Code.

As a matter of definition, the term "classified employee" shall be used rather than "non-certificated employee" when referring to the employee.

As a matter of definition, the term “working day” or “work day” is a weekday (Monday through Friday), except those weekdays identified in the approved school calendar as a non-workday for classified personnel or vacation or holidays.

- A. A grievance shall be defined as a written allegation of unfair treatment or a violation of school district policy. A classified employee of the district may file a grievance about any matter related to their employment, provided that the following shall not be proper subjects for consideration under the grievance procedure provided in this section:
 1. Rate of salary
 2. Wage of the employee
 3. The decision to terminate an employee for cause during the initial one hundred eighty (180) days of employment
- B. If a classified employee files a grievance, the employee shall submit the grievance in writing on the Classified Grievance Form to the employee's immediate supervisor within six (6) working days of the incident giving rise to the grievance. The grievance shall state the nature of the grievance and the remedy sought. Within six (6) working days of receipt of the grievance, the immediate supervisor shall provide a written response to the employee.
- C. If the classified employee is not satisfied with the response of the immediate supervisor, or if there is no response within the time lines, the employee may appeal the grievance to the superintendent of the district or the superintendent's designee within five (5) working days of the receipt of the response as set out in subsection (2)(b) of Idaho Code 33-517, or within five (5) working days from the date the supervisor last had to respond if the classified employee received no written response. Within six (6) working days of an appeal, the superintendent, or his designee, shall communicate with the classified employee in an effort to resolve the appeal. Within five (5) working days of the communication, the superintendent, or his designee, shall provide a written response to the classified employee.
- D. If the classified employee is not satisfied with the response of the superintendent, or his designee, or if there is

no response by the superintendent, or his designee, within the time frame provided in subsection (2)(c) of Idaho Code 33-517, the classified employee may request a review of the grievance by a hearing panel within five (5) working days from receipt of the response provided in section (2)(c) of Idaho Code 33-517, if the employee received a written response, or five (5) working days from the date the superintendent last had to respond if the classified employee received no written response. Within ten (10) working days of receipt of an appeal, the Board of Trustees shall convene a panel consisting of three (3) persons; one (1) designated by the Board of Trustees, one (1) designated by the employee, and one (1) agreed upon by the two (2) appointed members for the purpose of reviewing the appeal. Within five (5) working days following completion of the review, the panel shall submit its decision in writing to the classified employee, the superintendent, and the Board of Trustees.

- E. The panel's decision shall be the final and conclusive resolution of the grievance unless the Board of Trustees overturns the panel's decision by resolution at the Board of Trustees' next regularly scheduled public meeting or unless within forty-two (42) calendar days of the filing of the Board's decision, either party appeals to the district court in the county where the school district is located. Upon appeal of a decision of the Board of Trustees, the district court may affirm or set aside and remand the matter to the Board of Trustees upon the following grounds, and shall not set the same aside on any other grounds:
 - i. That the findings of fact are not based on any substantial, competent evidence;
 - ii. That the Board of Trustees has acted without jurisdiction or in excess of its powers;
 - iii. That the findings by the Board of Trustees as a matter of law do not support the decision.
- F. A classified employee filing a grievance pursuant to this section shall be entitled to a representative of the employee's choice at each step of the grievance procedure provided in this section. The supervisor, superintendent, or the superintendent's designee, shall be entitled to a representative at each step of the grievance procedure.
- G. The time lines of the grievance procedure established in this section may be waived or modified by mutual agreement.
- H. Utilization of the grievance procedure established pursuant to this section shall not constitute a waiver of any right of appeal available pursuant to law or regulation.
- I. Neither the Board nor any member of the administration shall take reprisals affecting the employment status of any party of interest.
- J. A classified employee of the school district shall be required to review and sign any entries made to his personnel file. At reasonable times and places, in the presence of an appropriate District official, a classified employee may inspect documents contained in his official personnel file.

Legal Reference: Chapter 5, Title 33, Section 33-517 Idaho Code

IX. **NEW BUSINESS –**

- A. **RELEASE TIME** – LDS Seminary – Tim McMurtrey. Mr. McMurtrey presented the annual request to release seminary students to attend educational classes sponsored by the LDS church, as required by law. Chairman Alexander asked Mr. Johnson if this was still the zero hour and Mr. Johnson replied no, not necessarily; some students might have to take summer school to recover their missed credits. Trustee Murray motioned to approve the request to release LDS seminary students as presented by Mr. McMurtrey, seconded by Trustee Reynolds. Motion granted.
- B. **PERSONNEL** – James Gilbert. Mr. Gilbert requested approval of the personnel items. Trustee Murray motioned to approve the appointments, student teaching assignments, and resignations, as presented by Mr. Gilbert, with a second from Trustee Reynolds. Motion carried.

APPOINTMENTS

Belt, Douglas, 8th Grade “A” Boys’ Basketball Coach, MHJH
 Devore, Roy “Lenny” Jr., 7th Grade Math, MHJH

Fore, Carisa E., 9th Grade Earth Science, MHHS
 Liebegott, Ali J., Assistant JV Softball Coach, MHHS
 Longo, Shannon K., Bus Rider, First Student
 McMahon, Carla M., Bus Rider, First Student
 Nicolosi, Ronald S., Assistant Varsity Softball Coach, MHHS
 Rodney, Aaron K., Head Varsity Football Coach, MHHS

STUDENT TEACHING ASSIGNMENTS

Alfredson, Wendy – University of Phoenix – January 9, 2012 – May 24, 2012 – East Elementary
 Co-operating Teacher – Donna Sulfridge, 3rd Grade

Airhart, Shonda – Western Governors University – January 9, 2012 – May 24, 2012 –
 HMS/MHHS
 Co-operating Teacher – Erika Smith, 6th Grade
 Co-operating Teacher – William Cook, Special Education

RESIGNATIONS

Burke, Michelle A., Cook II, West Elementary
 McCord, Tanya L., Bus Rider, First Student

- C. **MHHS WOODSHOP EQUIPMENT SALE** – Tim McMurtrey. Mr. McMurtrey stated that since Woodshop was dropped as an elective due to budget cuts there is an empty classroom; Mr. Johnson and his staff approached him asking to possibly convert the Woodshop classroom into the weight room, thus eliminating the district having to pay rent to use the house that has been used for many years as the weight room. He said that he thought this was a great idea and would save the district money by not having to pay rent. Mr. McMurtrey then asked the Board's permission to sell the woodshop equipment in accordance with code. Chairman Alexander asked what the money from the sale of the items would be used for. Mr. McMurtrey replied that the room does need work to make it useable as a weight room so the money would be used for refurbishing the room into a weight room and any left over money would go back to the high school for student fees or whatever the Board determines. He did mention that some of the other elective teachers have already taken any equipment they need for their classes. Trustee Murray asked if we were assuming that we will never have a woodshop program again. Mr. McMurtrey replied that there will not be a woodshop program as the one we had because it would be extremely difficult to find a Highly Qualified Woodshop Instructor. He said he called CSI and asked if they would be interested in the equipment and CSI said they weren't interested; CWI said they not only aren't interested in purchasing the equipment but they no longer have the woodshop program. Trustee Checketts motioned to approve the liquidation of the woodshop equipment as presented by Mr. McMurtrey, seconded by Trustee House. Motion granted.
- X. **EXECUTIVE SESSION** – The Board determined that an executive session wasn't required.
- XI. **ADJOURNMENT** – All business of the Board having been completed, Chairman Alexander called for a motion to adjourn. A motion from Trustee Murray to adjourn was seconded by Trustee Reynolds. Motion carried. Meeting adjourned at 8:02 p.m.

Chairman Alexander

Clerk Whitman