

SPECIAL BOARD HEARING  
JUNE 27, 2012  
SCHOOL ADMINISTRATION OFFICE

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

OTHERS PRESENT: Superintendent Tim McMurtrey, Assistant Superintendent James Gilbert, Principal Tara Handy - Base Primary School, Clerk Sharon Whitman, and Cindy Leonhardt - Court Recorder, Ken Mallea - Hearing Officer, Attorney Brian Julian - MHSD, Attorney Marty Durand - IEA, Ethan and Mrs. Lane, Roberta Lockett - MHEA President

A special meeting of the Board of Trustees of Mountain Home School District No. 193 was convened at 10:00 a.m., June 27, 2012, at the District Administration Office, 470 North 3<sup>rd</sup> East, Mountain Home, Idaho, in said district, pursuant to authority provided by Title 33 Chapter 5, Section 33-506(2), 33-510, 33-512, 33-513(5), and Title 67-2340 through 67-2347, Idaho Code, and pursuant to affirmation by the Clerk that notice of the special meeting had been given to each trustee and had been announced by written and posted public notice as required by law. A copy of the Notice of a Special Meeting of School Trustees so posted follows:

**REVISED**  
**NOTICE OF SPECIAL MEETING OF THE BOARD OF TRUSTEES TO CONDUCT A HEARING**  
**MOUNTAIN HOME SCHOOL DISTRICT NO. 193**  
**Mountain Home, Elmore County, Idaho**

NOTICE IS HEREBY GIVEN that a special meeting of the Board of Trustees of Mountain Home School District No. 193, **solely for the purpose of holding an executive session**, will be held on Wednesday, June 27, 2012, at 10:00 a.m., at the District Administration Office located at 470 North 3<sup>rd</sup> East, Mountain Home, Idaho, in said District, during which the following business will be conducted:

- I. **EXECUTIVE SESSION - POSSIBLE NONRENEWAL OF A GRANDFATHERED CONTINUEING CONTRACT HEARING** –
- II. **ADJOURN**

This Special Meeting of the Board of Trustees of Mountain Home School District No. 193 is called pursuant to Title 33 Chapter 5, Section 33-506(2)(3), 33-510, 33-512, 33-513(5) and Title 67-2342 through Title 67-2345, Idaho Code.

Original: Dated this 22<sup>nd</sup> day of June 2012.

Revised: Dated this 25<sup>th</sup> day of June 2012.



Sharon M. Whitman  
Clerk, School District No. 193  
Mountain Home, Elmore, Idaho

Chairman Alexander called the special meeting of the Board of Trustees of Mountain Home School District No. 193 to order, at 10:00 a.m.

- I. **EXECUTIVE SESSION – POSSIBLE NONRENEWAL OF A GRANDFATHERED CONTINUING CONTRACT HEARING.** Chairman Alexander called for a motion for the purpose of allowing the Board to enter into executive session to hear testimony regarding the possible nonrenewal of a grandfathered continuing contract of a certified employee. After a full and complete discussion and upon motion duly made by Trustee House and seconded by Trustee Checketts, the following resolution was presented:

RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION

BE IT SO RESOLVED That the Board of Trustees of School District No. 193 recess from an open meeting into executive session pursuant to Section 67-2345, Idaho Code, in order to discuss the possible nonrenewal of a contract of a certified employee as authorized by Title 33, Section 33-506(2), 33-510, 33-512, 33-513(5)(a-j), and Title 67-2342 through Title 67-2345(1)(b), Idaho Code.

BE IT FURTHER RESOLVED That following the executive session, the Board of Trustees will convene into public session for further business or adjournment of the meeting.

Vote being had on the above and foregoing resolution, and the same having been counted and found to be as follows:

NAME OF TRUSTEES

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

And no less than two-thirds (2/3) of the membership in favor thereof, the Chairman had declared said resolution adopted and the Board recessed into executive session at 10:02 a.m. Others present: All the above referenced as Present and the Board of Trustees.

Prior to the start of receiving testimony, at 10:02 a.m., Hearing Officer Ken Mallea requested the Board meet with him in a separate room. The Board returned at 10:10 a.m., and at that time, Chairman Alexander turned the hearing over to Ken Mallea. Following the conclusion of the hearing of the possible nonrenewal of a grandfathered renewable contract of a certified teacher, in accordance with Idaho Code, and as officially transcribed and documented by Cindy Leonhardt, Court Reporter, Mr. Mallea officially declared the receipt of testimony and documentary evidence record closed around 11:55 a.m., at which time the Board reconvened into open session.

Mr. Mallea informed Ms. Durand and her client that in accordance with Idaho Code, they had three (3) days in which to submit a formal closing argument and he requested they also submit formal proposed findings and formal conclusions to the Board of Trustees. Ms. Durand requested that she and her client be given additional days to comply. Mr. Julian, on behalf of the Board of Trustees, and Mr. Mallea honored her request and asked that the additional formal closing argument, formal proposed findings, and formal conclusion be submitted to the Board Clerk, and with a copy sent to him, by close of business Friday, July 6, 2012.

Mr. Mallea explained to Ms. Durand and her client that the Board would not be coming to any decision at this time, but would schedule an executive session shortly thereafter and upon receipt of the requested formal documentation.

Mr. Mallea then asked if there was any further discussion, and with a negative reply from both parties, he thanked council for their participation and he thanked the administrative staff, and then declared a recess at 11:57 a.m. He also requested to meet with Board so that he could give them guidance.

- II. **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 Checketts. Motion granted. The meeting adjourned at 12:07 p.m.

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Chairman Alexander

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Clerk Whitman