

SPECIAL BOARD MEETING
 JULY 16, 2012
 SCHOOL ADMINISTRATION OFFICE

TRUSTEES PRESENT: Chairman Alexander, Vice-Chairman Murray, Trustee House, Trustee Checketts, Trustee Reynolds via telephone - open session only

OTHERS PRESENT: Ken Mallea – Hearing Officer, Sharon Whitman, Tim McMurtrey, Ethan & Angie Lane

A special meeting of the Board of Trustees of Mountain Home School District No. 193 was convened at 9:02 a.m., July 16, 2012, at the District Administration Office, 470 North 3rd 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:

**NOTICE OF SPECIAL MEETING OF THE BOARD OF TRUSTEES
 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 Monday, July 16, 2012, at 9:00 a.m., at the District Administration Office located at 470 North 3rd East, Mountain Home, Idaho, in said District, during which the following business will be conducted:

- I. **EXECUTIVE SESSION - DETERMINE THE OUTCOME OF THE NONRENEWAL OF A GRANDFATHERED CONTINUING 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.

Dated this 13th day of July 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 9:03 a.m.

- I. **EXECUTIVE SESSION - DETERMINE THE OUTCOME OF THE 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 determine the outcome of the hearing of June 27, 2012, of the nonrenewal of a grandfathered continuing contract of a certified teacher. After a full and complete discussion and upon a 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 Formal Closing Argument, Formal Proposed Findings, and Formal Conclusion as submitted by Ms. Marty Durant and her Client, and to determine the outcome of the hearing of the nonrenewal of a grandfathered continuing contract of a certified teacher as authorized by Title 33, Section 33-506(2), 33-510, 33-512, 33-513(5), and Title 67, Section 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 Checketts Aye
 Trustee Reynolds Not Available

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 9:03 a.m. Others present: All the above referenced and the Board of Trustees.

Prior to the start of the executive session, Clerk Whitman informed the Board that Trustee Reynolds was not able to make the meeting, but instead would attend via telephone, as authorized by Section 67-2342(5), for the open session portion of the meeting. Clerk Whitman also informed the Board that Trustee Reynolds received all the documents necessary to make a determination on the outcome of the hearing of June 27, 2012.

Following a full and complete discussion of the Formal Closing Argument, Formal Proposed Findings, and Formal Conclusion, the Board reconvened into open session at 10:31 a.m., at which time Trustee Reynolds participated via telephone. Chairman Alexander called for a motion to regarding the nonrenewal of a continuing contract. Trustee House motioned that the Board adopt and enter findings of Fact, Conclusions, and Decision marked with the Board Seal in the case of the recommended nonrenewal of (Name on File) Employment with the District, and dated July 16, 2012, and the Board Chairman sign the Decision on Behalf of the Board, and Trustee House also motioned that the Clerk of the Board duly serve the Findings of Fact, Conclusions, and Decision upon Legal Counsel appearing the case. Trustee Checketts seconded the motion.

Chairman Alexander then called for a roll call vote:

NAME OF TRUSTEES

Chairman Alexander Aye
 Vice-Chairman Murray Aye
 Trustee House Aye
 Trustee Checketts Aye
 Trustee Reynolds (via telephone) Aye

Chairman Alexander stated that with the unanimous support of the motion, he would then sign and date the Findings of Fact, Conclusions, and Decision. Mr. Mallea stated that the Clerk needed to sign

the legal document as well. Clerk Whitman signed and dated the Findings of Fact, Conclusions, and Decision and then gave a copy to (Name on File).

- 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 10:34 a.m.

Chairman Alexander

Clerk Whitman