



3497 North Ammon Road, Idaho Falls, Idaho, 83401 ♦ (208) 525-4400 ♦ Fax (208) 529-0104 ♦ www.d93schools.org

Dr. Scott Woolstenhulme, Superintendent

Executive Session  
Grievance Hearing  
September 11, 2019  
5:30 PM  
District Office

I. Call to Order

Chairman Paul Jenkins called the meeting to order at 5:44 p.m.

II. Roll Call

Amy Landers Present  
Chad Dance Present  
Greg Calder Present  
Scott Lynch Excused  
Paul Jenkins Present

III. Amend/Approve Agenda

Pursuant to Idaho Code 74-204(4)(a), Chairman Paul Jenkins read the *Motion and Order to Amend Agenda* which included the changes to add Student 20-D and Student 20-E to Discipline Discussions. This request was received this afternoon. He asked for a motion to amend the agenda.

**MOTION:** Amy Landers moved to amend the Agenda as read. Chad Dance seconded. Motion carried.

**MOTION:** Amy Landers moved to approve the Agenda as amended. Chad Dance seconded. Motion carried.

IV. Executive Session

A. Chairman Jenkins stated that the Board will enter into Executive Session pursuant to Idaho Code 74-206((b) To hear complaints or charges brought against, a public officer, employee, staff member or individual agent. The Executive Session will be closed to the public as permitted by law.

**MOTION:** Chad Dance moved to enter into executive session for the reason stated. Amy Landers seconded. The roll call vote was:

B. Roll Call Vote

Amy Landers Yes  
Chad Dance Yes  
Greg Calder Yes  
Scott Lynch Excused  
Paul Jenkins Yes

The Board entered Executive Session at 5:48 p.m.

**MOTION:** Amy Landers moved to appoint Mr. Bret Walther as the hearing officer for the Grievance hearing scheduled for Wednesday, September 11, 2019. Chad Dance second. Motion carries.

C. Review of Procedures

Mr. Walther reviewed a grievance relating to discrimination of gender, race, and age submitted by Louella Cruz ("applicant/grievant"). The original grievance was received May 7, 2019 by Superintendent Woolstenhulme, who later sent a letter in response. Under the direction of District Administration, District legal counsel investigated the grievance. Another grievance from the applicant/grievant was sent to the Board on July 28, 2019. Notice of Hearing was sent to applicant/grievant dated August 29, 2019. Policy relating to this grievance are 5010 Hiring Process and Criteria, 5075 Requesting and Evaluating Employment Records, and policy 5030 Equal Employment Opportunity and Non-Discrimination. Response to the hearing and decision of the board will follow 4112P Uniform Grievance Procedure Level 4. The purpose of this grievance hearing is to determine if administration involved violated policy and to review any allegations against administrators. Final decision of the Board to be determined within thirty (30) days from the scheduled hearing date. The decision of the Board is final. Exhibit documents were handed to each board member.

D. Grievance Hearing

Each administrator who testified was sworn in to tell the truth, the whole truth and nothing but the truth and each administrator accepted the oath. Mr. Walther reviewed the procedure with each administrator. Board members asked questions of each witness and Mr. Walther followed with clarifying questions.

Administrative Staff questioned were:

1. Scott Woolstenhulme, Superintendent
2. Doug McLaren, Principal Thunder Ridge High School
3. Heath Jackson, Executive Director of Personnel and Planning
4. Levi Owen, Principal Bonneville High School

V. Motion to Move Into Open Session

**MOTION:** Greg Calder moved to move back into open session. Amy Landers seconded. Motion carried.

VI. Recess to Regular Meeting Chairman Jenkins recessed the meeting at 7:34 p.m.

VII. Reconvene into Executive Session at 10:07 p.m.

VIII. Executive Session

A. Chairman Jenkins stated that the Board will enter into Executive Session pursuant to Idaho Code 74-206(b) To consider the disciplining of public school students. The Executive Session will be closed to the public as permitted by law.

**MOTION:** Chad Dance moved to enter into executive session for the reason stated. Greg Calder seconded. The roll call vote was:

B. Roll Call Vote

Amy Landers Yes

Chad Dance Yes

Greg Calder Yes

Scott Lynch Excused

Paul Jenkins Yes

The Board entered Executive Session at 10:16 p.m. after a short break.

C. Discussion Items

1. Student 20-A

Bonneville HS Assistant Principal Ben Parker recommended to expel student 20-A and to conditionally re-admit student 20-A to Bonneville HS. Discussion from 10:16 p.m. to 10:23 p.m.

2. Student 20-B

Rocky Mountain Assistant Principal Scott Thunstrom recommended to expel student 20-B for two trimesters and to conditionally re-admit student 20-B to Rocky Mountain MS. Discussion from 10:23 p.m. to 10:26 p.m.

3. Student 20-C

Dr. Woolstenhulme recommended to expel student 20-C for one year and to conditionally re-admit student 20-C to another District location to be determined by Administration. Discussion from 12:26 p.m. to 12:36 p.m.

4. Student 20-D

Dr. Woolstenhulme discussed situation and concerns relating to student 20-D. including doing a risk assessment. Discussion from 10:36 p.m. to 10:41 p.m.

5. Student 20-E

Dr. Woolstenhulme discussed situation and concerns relating to student 20-E and considerations of any legal ramifications. Discussion from 10:41 p.m. to 11:03 p.m.

XIV. Motion to Move Back into Open Session

**MOTION:** Amy Landers moved to enter back into open session. Chad Dance seconded. Motion carried.

IX. Action Items - The board may take action to approve, deny, amend, modify or postpone action on any of the items listed below.

A. Student 20-A Decision

**MOTION:** Greg Calder moved to expel student 20-A and to conditionally re-admit student 20-A to Bonneville HS. Chad Dance seconded. Motion carried.

B. Student 20-B Decision

**MOTION:** Greg Calder moved to expel student 20-B for two trimesters and to conditionally re-admit student 20-B to Rocky Mountain Middle School. Amy Landers seconded. Motion carried.

C. Student 20-C Decision

**MOTION:** Greg Calder moved to expel student 20-C for one year and to conditionally re-admit student 20-C to location to be determined by administration. Amy Landers seconded. Motion carried.

D. Student 20-D

No action.

E. Student 20-E

No action.

X. Adjournment

Chairman Jenkins adjourned the meeting at 11:06 p.m.

**MOTION:** Greg Calder moved to adjourn. Amy Landers seconded. Motion carried.

APPROVED: \_\_\_\_\_  
Chairman

ATTESTED: \_\_\_\_\_  
Clerk

DATE: \_\_\_\_\_