

REED CITY AREA PUBLIC SCHOOLS

BOARD OF EDUCATION

Minutes of Special Meeting

Monday, October 12, 2021

5:30 p.m.

Porteous Academic Center

[http://j.mp/RCAPS Meet](http://j.mp/RCAPS_Meet)

The RCAPS Board of Education Special Meeting for the purpose of a Student Discipline Hearing was held both electronically and in person. Member Bookwalter attended virtually due to medical reason. The Special Meeting was called to order by President Eichenberg at 5:30 p.m. on Tuesday, October 12, 2021.

Roll Call

Present: Members Bookwalter (Missoula, MT), Eichenberg, Franklin, C. Mund, S. Mund, Quinn, and Vanderhoof
Superintendent Sweet, Recording Secretary Battle, Jennifer Starlin of Thrun Law

Absent: None

Motion by Member C. Mund with support by Member Vanderhoof to approve the agenda as presented.

Motion carried unanimously.

Communication from the Public

There was no public comment.

Motion by Member S. Mund with support from Member Franklin to approve that the Board of Education for Reed City Area Public Schools appoint Jennifer Starlin of Thrun Law to serve as the Board's Hearing Officer for the Student Discipline Hearing.

Motion carried unanimously.

Closed Session

Motion by Member C. Mund with support from Member Franklin to enter into Closed Session pursuant to Section 8(b) of the Michigan Open Meetings Act and upon the request of Student's Parents, to enter into Closed Session for the purpose of conducting a hearing to consider the disciplining of a student whose identity is known to the Board.

Motion carried unanimously.

A roll call vote was taken with the following results:

Ayes: Members Bookwalter (Missoula, MT), Eichenberg, Franklin, C. Mund, S. Mund, Quinn, and Vanderhoof

Nays: None

Absent: None

The Board entered into closed session, with the inclusion of Hearing Officer Jennifer Starlin, Superintendent Sweet, Recording Secretary Battle, Student's Parents, and Student at 5:34p.m.

Open Session

The Board returned to Open Session at 7:02p.m.

Preamble and Resolution

The preamble and resolution were offered by Member S. Mund and supported by Member C. Mund.

A preponderance of the evidence establishes that on October 5, 2021, the Student possessed a dangerous weapon (a machete with a 13-inch blade, a knife with a 3-inch blade, a knife with a 2 1/2-inch blade, and a multi-purpose tool) in a weapon-free school zone. Clear and convincing evidence establishes that the Student did not possess the object or instrument for use as a weapon or for direct or indirect delivery to another person for use as a weapon. Based on careful consideration of all of the following factors, the Board determines that expulsion is not warranted, but suspension is warranted: The student's age; The student's disciplinary history; Whether the student has a disability; The seriousness of the behavior; Whether the behavior posed a safety risk; Whether restorative practices are a better option; and Whether lesser interventions would address the behavior. Because the Student did not possess the objects for use as a weapon or for direct or indirect delivery to another person for use as a weapon, the Student is not permanently expelled from the District. However, the Student is suspended through October 19, 2021 and may return to school on October 20, 2021. Upon his return to school, the Student will be subject to the following additional consequences. The Student is prohibited from parking or driving on District property until January 1, 2022. The Student must stop in the office each morning before attending class or riding in a District vehicle to check in with an office staff member to ensure the Student is not in possession of any tools or weapons. This requirement will continue through the end of the school year. Failure to comply with this requirement each day may result in additional discipline. During the time of the suspension, the Student may not be on school grounds or attend any functions at the District without prior written approval from an appropriate administrator. Consistent with Sections 11a and 1311(1) of the Revised School Code, the Board finds that the interests of the District are served by this resolution. Administrators are directed and authorized to implement all terms of this resolution and area delegated all necessary authority to do so. All resolutions and parts of resolutions that conflict with the provisions of this resolution are rescinded.

Roll call vote was taken with the following results:

AYES: Members: Eichenberg, Franklin, C. Mund, S. Mund, Quinn, and Vanderhoof

NAYS: None

ABSENT: Member Bookwalter

Motion passed 6 Ayes to 0 Nays with 1 Member absent

Adjournment

Motion by Member S. Mund with support by Member Franklin to adjourn the Special Meeting.

Motion carried unanimously.

The Special Meeting was adjourned at 7:07p.m.