PRESENT: TOMMY ANDERSON, PRESIDENT
LARRY STEWART, VICE PRESIDENT
REX ESKRIDGE, BOARD MEMBER
BOBBY JEFFERSON, BOARD MEMBER

ABSENT: DANNY SHIEW, BOARD CLERK

1. CALL TO ORDER – Tommy Anderson, President

2. ROLL CALL

Roll call listed 4 members present: Rex Eskridge, Larry Stewart, Tommy Anderson and Bobby Jefferson. One member, Danny Shiew Absent.

3. Student Suspension Due Process Appeal Hearing for Student "A."

a. The Board President made the following statement:

The reason for this meeting is to conduct a due process hearing on the out-of-school suspension of Student "A" from the Muskogee School District. The order of the hearing will follow the Agenda of this meeting. This Agenda provides that both the administration and the student are given the opportunity to make an opening statement; the administration will then call its witnesses, with the student having the opportunity for cross-examination; the student will then call his witnesses which are subject to cross-examination; both sides will be allowed to call rebuttal witnesses; and then both sides will have time to make closing arguments to the Board.

If the student or his parents wish, the entire hearing may be conducted in executive session. If the hearing is conducted in executive session, the student will only be referred to as Student "A" in the Minutes of the meeting or in open session, and his privacy will be protected. If the hearing is conducted in open session, then the student's name will be used in open session, he will have waived his right to privacy, and his name will become a part of the permanent Minutes which can be accessed by any member of the public at any time in the future. In addition, if the hearing is held in open session at the request of the student or his parents, the Board can still vote to go into executive session at any time during the hearing where disclosure of information would violate
confidentiality requirements of state or federal law — such as when another minor is testifying.

If the hearing has **NOT** been conducted in executive session, then after all of the evidence has been presented, the board will convene in executive session to discuss the documents and other evidence presented and will return to open session to vote to adopt findings of fact; that is, what facts the Board finds have been shown from the testimony and will vote to determine guilt or innocence of the student, determine the reasonableness of the suspension, and whether to affirm or modify the suspension of the student.

This hearing is to be an informal administrative hearing that will **NOT** be governed by the strict rules of evidence such as would be used in a court proceeding. Thus, the Board may hear hearsay evidence that it finds to have some merit in establishing facts. The Board President will make any rulings needed regarding testimony. During this process, the student and the administration are entitled to be represented by legal counsel or other representatives if they desire. Only witnesses and legal counsel or other representatives, if any, will be addressing the Board, and thus no statements from anyone in the audience will be heard. The administration will present its witnesses first and then after each witness the parents/student or their representative will be given an opportunity to cross-examine. The parents/student will also be given an opportunity to call any witnesses and present any relevant evidence they wish, subject to cross-examination by the administration. Witnesses are also to be sworn to tell the truth during their testimony — which oath will now be administered by the Minute Clerk or the Board Clerk.

The Board Clerk administered the Oath to all the witnesses as listed:

Lawana Baucom
Tracy Cole
Reginald Harts
Betty Baucom McConnell
Doug Ragsdale
Ryan Buell
Hunter Alexander
Gary Gunkel

Board President Tommy Anderson asked the parents/student whether they wanted the hearing to be in open session or in executive session. The parents/student asked that the hearing be held in executive session.

Motion made by Bobby Jefferson seconded by Rex Eskridge that the Board go into executive session pursuant to OKLA. STAT. tit. 25, § 307 (B) (5) to hear evidence and to
discuss the suspension of the student in question.

VOTES:AYES;ANDERSON, ESKRIDGE, JEFFERSON AND STEWART. ABSENT: SHIEW. MOTION PASSED.

Board President Anderson then asked everyone to leave the room except the witnesses and the Board Minutes Clerk.

b. Opening statement was given by the administration and/or its designee.

c. Opening statement was given by parents/student and/or their designees.

d. Presentation of all the administration’s evidence subject to cross-examination and questions from the Board of Education.

e. Presentation of parents/student’s evidence subject to cross-examination and questions from the Board of Education.

f. Presentation of rebuttal evidence and surrebuttal evidence, if any, with cross-examination and questions from the Board of Education.

g. Closing statement was given by parents/student or their designees.

h. Closing statement was given by administration or its designee.

i. Deliberation by Board of Education. Everyone except the Board left the board room for the Board to deliberate.

j. Motion made by Bobby Jefferson seconded by Larry Stewart to acknowledge return to open session.

VOTES:AYES;ANDERSON, ESKRIDGE, JEFFERSON AND STEWART. ABSENT: SHIEW. MOTION PASSED.

k. Statement of executive session minutes.

While in executive session pursuant to OKLA. STAT., tit. 25, Section 307 (B) (5), and according to the parents’ and student’s wishes, the Board held the due process hearing of Student “A” regarding his suspension. The Board also discussed and deliberated on the suspension of Student “A” after hearing all of the evidence. The Board discussed no other matters and no votes were taken while in executive session.

l. Motion made by Larry Stewart seconded by Bobby Jefferson to adopt findings of fact on the suspension of Student “A” as presented:

SPECIAL BOARD MEETING MINUTES

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The Board believes that Mr. Harts had possession of the gun and it was proved by evidence.

**VOTES:** AYES; ANDERSON, ESKRIDGE, JEFFERSON AND STEWART. ABSENT: SHIEW. MOTION PASSED.

m. Motion made by Larry Stewart seconded by Rex Eskridge to affirm suspension of Student “A.”

**VOTES:** AYES; ANDERSON, ESKRIDGE, JEFFERSON AND STEWART. ABSENT: SHIEW. MOTION PASSED.

4. **ADJOURNMENT**

Motion to Adjourn meeting made by Larry Stewart seconded by Rex Eskridge.

**VOTES:** AYES; ANDERSON, ESKRIDGE, JEFFERSON AND STEWART. ABSENT: SHIEW. MOTION PASSED.

Meeting ADJOURED at 5:41 p.m.
STATE OF OKLAHOMA

) ss:

COUNTY OF MUSKOGEE

) ss:

I, THE UNDERSIGNED minutes clerk of the Board of Education of Muskogee Public Schools District I-20, Muskogee County, Oklahoma do certify the above to be the true and correct minutes of the Board of Education Special Meeting November 8, 2021 at 4:00 p.m. with proper notification of meeting given as stated on Page 1 of these minutes.

Witness my hand and seal of this District this 11th day of November, 2021.

Carla D. Cooper
Board Minutes Clerk
Muskogee Public Schools District I-20

Danny Shiozawa, Clerk

Tommy Anderson, President

SPECIAL BOARD MEETING MINUTES
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