

**Superintendent's Report and
Board of Education Special Board Meeting**

January 11, 2018 5:30 PM
Board Room
Administration Office
1801 McKenzie
Pawhuska, OK 74056

Attendance Taken at 5:32 PM:

Present Board Members:

Thomas Boone
Patricia Counts
Danny Ferguson
Michael Tolson

Absent Board Members:

Justin Sellers

Updated Attendance:

Danny Ferguson was updated to present at: 5:34 PM

Also in attendance: Dr. Janet Neufeld, Superintendent and Sara Pitts, Minutes Clerk

1. Call the Meeting to Order, recording of members present and absent, making of request that visitors silence their cell phones and that board members refrain from using their cell phones during the meeting.

President Tolson opened the meeting. Attendance was taken. Members were asked to refrain from using their cell phones during the meeting. Visitors were requested to silence their cell phones.

2. Pledge of Allegiance, Salute to the Oklahoma Flag and Moment of Silence.

President Tolson led the Pledge of Allegiance, Salute to the Oklahoma Flag and Moment of Silence.

3. Welcome to visitors.

President Tolson welcomed visitors.

Visitors present: Lauri Lee, Dean Hix, Mandy Laird, Scott Laird, Sandy Henley, Bailey Henley, Leah Strahm, Braxton Williams, Byron Cowan, and Bryan Drummond

4. Due process hearing for Braxton Williams regarding his possible termination.

President Tolson read the following statement.

The reason for this meeting is to conduct a hearing on whether to terminate or not terminate Braxton Williams from his employment with the district. At this hearing Mr. Williams is entitled to be represented by the counsel of his choice.

The order of the hearing is governed by the Agenda. The Agenda provides that both the Superintendent and Mr. Williams are given the opportunity to make an opening statement; the

Superintendent will call her witnesses and present her evidence, with Mr. Williams having the opportunity for cross-examination; Mr. Williams will then present his evidence and 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.

The Board will then convene in Executive Session to discuss and deliberate on the termination or not of Mr. Williams 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. The Board will then vote on whether to terminate or not terminate Mr. Williams from his employment with the District.

This hearing is to be an informal administrative hearing that will not be governed by 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. 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. Witnesses are also to be sworn to tell the truth during their testimony, which oath will be administered by the Board President.

4.A. The Board President shall convene the hearing, state the purpose of the hearing, introduce the parties, and administer an oath to all persons who will testify.

4.B. Opening statement by attorney for the Superintendent.

Bryan Drummond made the district's opening statement.

4.C. Opening statement by Mr. Williams or his attorney.

Mr. Williams made his opening statement.

4.D. Presentation of evidence by attorney for the Superintendent, subject to cross-examination by Mr. Williams or his attorney and questions from the Board of Education.

President Tolson swore all witnesses into testimony

First Witness: Dean Hix

Mr. Hix was questioned by Mr. Drummond and was cross-examined by Mr. Williams.

Board member Boone questioned Mr. Hix.

President Tolson questioned Mr. Hix.

Second Witness: Bailey Henley

Mr. Drummond questioned Miss Henley and was cross-examined by Mr. Williams

President Tolson questioned Miss Henley.

Third Witness: Leah Strahm

Mr. Drummond questioned Miss Strahm

Board member Boone questioned Miss Strahm.

President Tolson questioned Miss Strahm.

Fourth Witness: Lauri Lee

Mr. Drummond questioned Ms. Lee and was cross-examined by Mr. Williams

President Tolson questioned Ms. Lee

Vice President Ferguson questioned Ms. Lee

Board Member Boone questioned Ms. Lee.

Mr. Drummond re-directed his question to Ms. Lee

Fifth Witness: Christina Camargo

Mr. Drummond questioned Mrs. Camargo, and she was cross-examined by Mr. Williams.

President Tolson questioned Mrs. Camargo.

Board Member Boone questioned Mrs. Camargo.

Sixth Witness: Dr. Janet Neufeld

Mr. Drummond questioned Dr. Neufeld.

Mr. Williams did not have any questions for Dr. Neufeld.

Board member Boone questioned Dr. Neufeld

President Tolson questioned Dr. Neufeld.

4.E. Presentation of evidence by Mr. Williams or his attorney, subject to cross-examination by the attorney for the Superintendent and questions from the Board of Education.

President Tolson swore Mr. Braxton Williams into testimony.

He did not have any witnesses, but he made a statement regarding the situation.

Mr. Drummond questioned Mr. Williams.

Board Clerk Counts questioned Mr. Williams

President Tolson questioned Mr. Williams.

4.F. Presentation of rebuttal and surrebuttal evidence, as necessary.

President Tolson recalled Miss Henley for questioning.

President Tolson recalled Miss Strahm for questioning.

4.G. Closing statement by Mr. Williams or his attorney.

Mr. Williams gave his closing statement to the board.

4.H. Closing statement by attorney for the Superintendent.

Mr. Drummond gave his closing statement to the board.

5. Consideration and vote to go into executive session to discuss and deliberate on the termination or not of Mr. Williams, pursuant to OKLA. STAT title 25 § 307 (B) (1) and (7).

Motion Passed: Consideration and vote to go into executive session to discuss and deliberate on the termination or not of Mr. Williams, pursuant to OKLA. STAT title 25 § 307 (B) (1) and (7) passed with a motion by Patricia Counts and a second by Danny Ferguson.

4 Yeas - 0 Nays.

Thomas Boone	Yes
Patricia Counts	Yes
Danny Ferguson	Yes
Justin Sellers	Absent
Michael Tolson	Yes

6. Vote to acknowledge the board has returned to Open Session:

Motion Passed: Acknowledge the board has returned from Executive Session passed with a motion by Thomas Boone and a second by Patricia Counts.

4 Yeas - 0 Nays.

Thomas Boone	Yes
Patricia Counts	Yes
Danny Ferguson	Yes
Justin Sellers	Absent
Michael Tolson	Yes

7. Statement of Executive Session minute.

Board President Tolson made the following statement:

While in Executive Session, the Board discussed and deliberated on the termination or no of Mr. Williams, pursuant to Oklahoma Statutes, Title 25, Section 307 (B)(1) and (7). No other matters were discussed and no votes were taken.

8. Consideration and vote to adopt Findings of Fact.

Motion Passed: Findings of Fact

Based on the testimony and evidence presented tonight. Counts made the motion that the Board of Education adopt the following Findings of Fact:

1. Braxton Williams was employed as a fulltime support employee by the Pawhuska School District for the 2017-2018 school year. He was assigned as a bus driver/maintenance employee.
2. By letter dated December 7, 2017, the Superintendent, Dr. Janet Neufeld, sent Mr. Williams notice that she intended to recommend to the Board of Education that he be terminated from his employment with the District. The causes, each of which is sufficient by itself, for his termination, were:
 29. Immoral conduct or indecency including abusive and/or foul language; and.
 42. If it is in the best interest of the school district, any support person may be suspended, demoted, or terminated.The letter also set out his right to request a hearing within ten (10) working days. Mr. Williams requested a hearing and by letter dated January 2, 2018, Mr. Williams was informed of the date, time and place of his due process hearing before the Board of Education.
3. On February 28, 2017, Mr. Williams was given a reprimand ("Reprimand"). The Reprimand was given to him because he used vulgar language towards a female student and pulled her hair.
4. On November 15, 2017, a teacher contacted the High School Principal, Lauri Lee, about a report a student had made. Ms. Lee found the student and interviewed her. She reported that earlier this year, she and two of her fellow students were sitting outside the locker room, waiting on a coach after the team dinner. She was tired so she found a bucket to sit on. When she stood up, one of her friends told her that she had paint on her butt. The paint was between her legs on her lower but and high thigh. She bent over trying to see how bad it was. While she was doing this, Mr. Williams walked by. She told him that she accidentally sat in paint and asked if the paint was washable. Mr. Williams did not answer her question, but grabbed her lower butt and high thigh while she was bent over. When Mr. Williams grabbed her, she panicked and did not know what to do, so she ran to the girls'

bathroom. She hid in the bathroom for 30 minutes until someone told her a coach was in the locker room. She did not tell anyone because she was so shaken up and embarrassed. She finally reported it on November 15, 2017, because she had been alone in the locker room in the old gym when Mr. Williams walked in. When he walked in she became uncomfortable and decided to report the prior incident.

5. Mr. Williams’s conduct and performance, as set out above, are unacceptable and cannot be tolerated by the District.

6. The Superintendent’s recommendation is supported by a preponderance of the evidence.

7. Mr. Williams should be immediately terminated from his employment with the District for the causes set out in the Superintendent’s recommendation.

The Findings of Fact passed with a motion by Patricia Counts and a second by Thomas Boone.

4 Yeas - 0 Nays.

Thomas Boone	Yes
Patricia Counts	Yes
Danny Ferguson	Yes
Justin Sellers	Absent
Michael Tolson	Yes

9. Vote to terminate or not terminate Mr. Williams from his employment with the District.

Motion Passed: Based on the Findings of Fact adopted tonight, the recommendation to immediately terminate Braxton Williams from his employment from Pawhuska Public Schools passed with a motion by Danny Ferguson and a second by Thomas Boone.

4 Yeas - 0 Nays.

Thomas Boone	Yes
Patricia Counts	Yes
Danny Ferguson	Yes
Justin Sellers	Absent
Michael Tolson	Yes

10. Consideration and vote to accept any resignation submitted to the Board of Education after posting of Agenda.

None

11. Adjourn:

Motion Passed: Adjournment at 7:46 p.m. passed with a motion by Danny Ferguson and a second by Patricia Counts.

4 Yeas - 0 Nays.

Thomas Boone	Yes
Patricia Counts	Yes
Danny Ferguson	Yes
Justin Sellers	Absent

Michael Tolson

Yes

Approved:

President

Attest:

Minutes Clerk

State of Oklahoma
County of Osage

I, the undersigned Minutes Clerk of the Board of Education of Pawhuska District I-2, Osage County, Oklahoma, certify that notice of the date, time and place of this special meeting was given, at least 48 hours prior to this meeting, and was mailed or delivered to all those who have made written requests.

I also certify that at least 24 hours prior to this special meeting excluding Saturdays, Sundays and holidays, notice of the date, time, place and agenda of this meeting was posted in prominent public view at the location of this meeting.

Witness my hand and seal of this district this 11th day of January, 2018.

Minutes Clerk