

MINUTES OF SPECIAL MEETING/EXECUTIVE SESSION
To Discuss Matters as Allowed by Idaho Code, Section 67-2345 (1) (b)
To Consider the Evaluation, Dismissal or Disciplining of, or to Hear
Complaints or Charges Brought Against a Public School Student
(With Option to Take any Action Pertinent to Student Discipline in Open Session)
Pocatello/Chubbuck School District No. 25
County of Bannock – State of Idaho

Superintendent's Office at the Education Service Center
Wednesday, February 11, 2015
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
Jackie Cranor, Vice Chair, Board of Trustees
Dave Mattson, Clerk, Board of Trustees
Jim Facer, Member, Board of Trustees
Paul Vitale, Member, Board of Trustees
Mary M. Vagner, Superintendent

Call to Order/Executive Session – Student Discipline:

Chair Gebhardt called the meeting to order at 4:30 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Mattson, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:31 p.m.

Purpose: To discuss student discipline.

The Board proceeded to discuss student discipline as provided in Idaho Code, Section 67-2345 (1) (b) *to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public school student;*

OTHERS PRESENT:

Student Docket No. 15-33

Student Docket No. 15-33 Mother

Student Docket No. 15-33 Pastor

Kent Hobbs, Director of Student Support Services

Justin Jolley, Assistant Principal, Pocatello High School

Orlando Cardenas, SRO, Pocatello Police Department

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 4:48 p.m. A motion was made by Mr. Mattson and seconded by Mr. Facer that the Board expel **Student Docket No. 15-33** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the remainder of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-33** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession of weapons on school property.
2. Engaged in conduct in violation of State and Federal law with regard to the possession of a weapon on school property.
3. Engaged in conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety of other pupils.

However, pursuant to the statutory discretion provided to the Board relating to the discipline of students and with consideration of the input of the District's administration, this expulsion shall be held in abeyance and not put into place contingent upon **Student Docket No. 15-33** meeting the following conditions:

1. The student shall return to Pocatello High School.

2. The student's possessions and the locker of the student shall be subject to random searches by the school's administration.

Should **Student Docket No. 15-33** engage in any other infraction of District or School Discipline Policies, or fail to fulfill the reasonable terms and conditions established by the Board for continued enrollment, the student shall be brought back before the Board of Trustees for consideration of implementation of the expulsion held in abeyance or as separately determined. The voting was unanimous in the affirmative. The Board recessed at 4:50 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Vitale to reconvene to Executive Session at 4:51 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

STUDENT DOCKET No. 15-35 (*Not Present*)

STUDENT DOCKET No. 15-31 (*Not Present*)

STUDENT DOCKET No. 15-32 (*Not Present*)

STUDENT DOCKET No. 15-36 (*Not Present*)

STUDENT DOCKET No. 15-37 (*Not Present*)

Kent Hobbs, Director of Student Support Services

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:10 p.m. No action was taken by the Board at the time of the meeting. The Board recessed at 5:11 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Vitale to reconvene to Executive Session at 5:15 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-29

Student Docket No. 15-29 Mother

Kent Hobbs, Director of Student Support Services

David Ross, Assistant Principal, Century High School

Orlando Cardenas, SRO, Pocatello Police Department

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:45 p.m. A motion was made by Mr. Vitale and seconded by Mr. Mattson that the Board expel **Student Docket No. 15-29** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the remainder of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-29** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to harassment, sexual harassment and inappropriate interactions with other students.
2. Engaged in conduct in violation of the student's existing Contract with the school.
3. Engaged in conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety of other pupils.

However, pursuant to the statutory discretion provided to the Board relating to the discipline of students and with consideration of the input of the District's administration, this expulsion shall be held in abeyance and not put into place contingent upon **Student Docket No. 15-29** meeting the following conditions:

1. The student shall remain in the PASS room at Century High School for the remainder of the 2nd trimester.
2. The student's IEP team shall meet to address appropriate educational placement and related behavioral expectations of the student for the 3rd trimester. The District's Board would request that among the considerations of the IEP Team, educational placement at the New Horizon Center be discussed.

Should **Student Docket No. 15-29** engage in any other infraction of District or School Discipline Policies, or fail to fulfill the reasonable terms and conditions established by the Board for continued enrollment, the student shall be brought back before the Board of Trustees for consideration of implementation of the expulsion held in abeyance or as separately determined. The voting was unanimous in the affirmative. The Board recessed at 5:48 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Ms. Cranor to reconvene to Executive Session at 5:59 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-30

Student Docket No. 15-30 Father

Student Docket No. 15-30 Grandparents

Kent Hobbs, Director of Student Support Services

Susan Pettit, Principal, Alameda Middle School

Orlando Cardenas, SRO, Pocatello Police Department

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:39 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 15-30** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the remainder of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-30** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession of drug paraphernalia on school property.
2. Engaged in conduct by which the student has violated the District's drug policies on multiple occasions during the 2014-2015 school year.
3. Engaged in conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety of other pupils.

However, pursuant to the statutory discretion provided to the Board relating to the discipline of students and with consideration of the input of the District's administration, this expulsion shall be held in abeyance and not put into place contingent upon **Student Docket No. 15-30** meeting the following conditions:

1. The student shall remain in the PASS room at Alameda Middle School for the remainder of the 2nd trimester.
2. At the start of the 3rd trimester, the student shall commence attendance at Kinport Academy for the student's educational placement.
3. The student and the parents of the student shall meet with the school's administrative team to establish a Contract outlining behavioral and educational expectations of the student. This Contract shall remain in place through the entirety of the 2014-2015 school year. The terms and provision of such agreement shall be at the sole discretion of the school's administration. However, the Board requests that the following issues be addressed in the Contract:
 - a. The student shall complete 10 hours of community service and document such by the end of May 15, 2015, separate and apart from any court-ordered community service. Such community service is to be completed through an outside agency.
 - b. Attendance and behavior expectations as established by the administration.
 - c. The student and the possessions of the student shall be subject to random searches.
 - d. Results of UA testing shall be provided to the District, at no cost to the District.
 - e. The student shall remain up to date on educational and assignment issues and shall earn no less than a C or better in each class.

- f. So long as otherwise eligible, the student shall consider participating in school activities, including the possibility of Alameda Middle School's Track Program this spring.
 - g. The student shall be assigned to a counselor or administrator at the school that the student shall seek out should any problem arise, or should the student need to speak to an adult.
4. The parents of the student shall enter into appropriate releases to allow the District to obtain information and documentation from any health care provider, counseling provider, court or probation department that relates solely to enhancing the provision of educational services provided to the student.
 5. If the student fulfills the terms and conditions of this abeyance, the student shall be permitted to attend the high school of the student's choice for the 2015-2016 school year.

Should **Student Docket No. 15-30** engage in any other infraction of District or School Discipline Policies, or fail to fulfill the reasonable terms and conditions established by the Board for continued enrollment, the student shall be brought back before the Board of Trustees for consideration of implementation of the expulsion held in abeyance or as separately determined. The voting was unanimous in the affirmative. The Board recessed at 6:43 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Vitale to reconvene to Executive Session at 6:49 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

- Student Docket No. 15-34**
- Student Docket No. 15-34** Father
- Student Docket No. 15-34** Mother
- Kent Hobbs, Director of Student Support Services
- Stuart Johnson, Principal, Tyhee Elementary School
- Lori Craney, Director of Elementary Education
- Justin Oleson, Attorney, Blaser, Sorenson & Oleson, Chartered
- Orlando Cardenas, SRO, Pocatello Police Department
- Rena Johnson, Board Secretary
- Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:15 p.m. No action was taken by the Board at the time of the meeting.

Adjourn:

A motion was made by Ms. Cranor and seconded by Mr. Mattson to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:15 p.m.

APPROVED ON:

17 March 2015

By:

Jennie Gebhardt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk