

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 26, 2014
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

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

Call to Order/Executive Session – Student Discipline:

Chair Gebhardt called the meeting to order at 4:36 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:37 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. 14-42

Student Docket No. 14-42 Father

Dixie Erickson, Assistant Principal, Hawthorne Middle School
Sarah Cathcart, PSR Worker, A New Way Counseling
Kent Hobbs, Director of Student Support Services
Orlando Cardenas, School Resource Officer, Pocatello Police Department
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:36 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-42** from attendance at the Pocatello/Chubbuck School District No. 25 through the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees **Student Docket No. 14-42** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to possession, and/or use of weapons; and
2. 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. 14-42** meeting the following conditions:

1. The student shall return to the PASS room at Hawthorne Middle School for the next two days. Thereafter, he shall attend Kinport Academy.
2. Attendance shall be pursuant to an academic and behavioral contract, the terms of which shall be determined at a meeting between the student, the parents and the school's administration. The final terms of the contract are at the sole discretion of the school's administration.
 - a. The Board would request that the contract include, at minimum:
 - i. The student shall be subject to random searches of the student's locker and possessions to ensure that no prohibited items are present on school property. The family shall likewise subject the student to searches prior to leaving for school.
 - ii. The student shall engage in a minimum of 15 hours of community service within the school setting. Such community service shall be in addition to any community service ordered pursuant to any court or juvenile probation department. Proof of completion of such community service is to be provided and approved by the school's administration on or before April 15, 2014.
 - iii. Provisions addressing access, limited access and containment at the school and where he shall and shall not be allowed to go in the school.
 - iv. Supervised physical activity for the student at the commencement of the school day.
 - v. The administrative staff at Kinport shall determine if the student is eligible for any additional services.
 - vi. The parent/legal guardian shall follow up with the school's personnel regarding the origin of the knife in the student's possession.
3. Should the student be provided any social services or health care services or be under the purview of the juvenile probation department, documentation will be entered into which permits a free flow of information between these individuals or providers and the school, only with regard to matters which impact upon the student's education.

Should **Student Docket No. 14-42** 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 5:40 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Facer to reconvene to Executive Session at 5:46 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-43 (Not Present)

Brad Wallace, Principal, New Horizon Center

Kent Hobbs, Director of Student Support Services

Orlando Cardenas, School Resource Officer, Pocatello Police Department

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:03 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-43** from attendance at the Pocatello/Chubbuck School District No. 25 through the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-43** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to physical aggression; and

2. 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. 14-43** meeting the following conditions:

1. The student shall return to his placement at Kinport. The Administration at Kinport shall make a determination as to the most appropriate educational setting within the school for this student and has discretion to continue to address the most appropriate setting.
2. Attendance shall be pursuant to a continuation of the existing academic and behavioral contract. The Administration shall determine if there is the need for an amendment to any of the terms of this contract. The final terms of the contract are at the sole discretion of the school's administration.
 - a. The Board would request that the contract include, at minimum:
 - i. The student shall be subject to random searches of the student's locker and possessions to ensure that no prohibited items are present on school property. The family shall likewise subject the student to searches prior to leaving for school.
 - ii. The student shall engage in fifteen (15) hours of community service within the school setting. Such community service shall be in addition to any community service ordered pursuant to any court or juvenile probation department. Proof of completion of such community service is to be provided and approved by the school's administration on or before May 1, 2014.
 - iii. The administration of the school shall evaluate whether or not the student is eligible for any additional services.
3. Should the student be provided any social services or health care services or be under the purview of the juvenile probation department, documentation will be entered into which permits a free flow of information between these individuals or providers and the school, only with regard to matters which impact upon the student's education.

Should **Student Docket No. 14-43** 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 6:07 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Mattson to reconvene to Executive Session at 6:09 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-02

Student Docket No. 14-02 Mother

Mike Roberts, Assistant Principal, Highland High School

Willie Walker, Juvenile Probation Officer, Bannock County Juvenile Justice

Kent Hobbs, Director of Student Support Services

Orlando Cardenas, School Resource Officer, Pocatello Police Department

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:35 p.m. A motion was made by Mr. Mattson and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the Reinstatement Hearing for **Student Docket No. 14-02**, I hereby move that the Board permit the

enrollment of **Student Docket No. 14-02** to the Pocatello/Chubbuck School District No. 25 commencing February 27, 2014. The student shall report to Mr. Roberts upon arrival.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. The student shall be enrolled at Highland High School.
2. The attendance of the student shall be pursuant to an academic and behavioral contract. The administration will be the final decision maker with regard to the terms and any subsequent amendment to the terms of the contract.
3. Should the student be provided any social or health care services or be under the purview of the juvenile probation department, documentation will be entered into which permits a free flow of information between these individuals or providers and the school, only with regard to matters which impact upon the student's education.
4. Results of any UA tests shall be provided to the school's administration at no cost to the District.

Should **Student Docket No. 14-02** fail to meet the above stated conditions, or engage in any major infraction of District or School Discipline Policies, **Student Docket No. 14-02** shall be brought back before the Board of Trustees for consideration of possible expulsion and revocation of the enrollment to school. The voting was unanimous in the affirmative. The Board recessed at 6:37 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Facer to reconvene to Executive Session at 6:41 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-28

Student Docket No. 14-28 Mother

Tonya Wilkes, Principal, Irving Middle School

Kent Hobbs, Director of Student Support Services

Orlando Cardenas, School Resource Officer, Pocatello Police Department

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:07 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer that based upon the information presented to the District Board of Trustees during the Reinstatement Hearing for **Student Docket No. 14-28**, I hereby move that the Board permit the enrollment of **Student Docket No. 14-28** to the Pocatello/Chubbuck School District No. 25 commencing February 27, 2014. The student shall report to Ms. Wilkes upon arrival.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. The student shall be enrolled at Irving Middle School.
2. The attendance of the student shall be pursuant to an Academic and Behavioral Contract. The administration will be the final decision maker with regard to the terms and any subsequent amendment to the terms of the Contract.
3. Should the student be provided any social or health care services or be under the purview of the juvenile probation department, documentation will be entered into which permits a free flow of information between these individuals or providers and the school, only with regard to matters which impact upon the student's education.
4. Results of any UA tests shall be provided to the school's administration at no cost to the District.

Should **Student Docket No. 14-28** fail to meet the above stated conditions, or engage in any major infraction of District or School Discipline Policies, **Student Docket No. 14-28** shall be brought back

before the Board of Trustees for consideration of possible expulsion and revocation of the enrollment to school. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Mr. Vitale and seconded by Ms. Cranor to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:09 p.m.

APPROVED ON:

15 April 2014

By:

Janie McElhertt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk