

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, March 18, 2015
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
Jackie Cranor, Vice Chair, Board of Trustees (Excused)
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 Mr. Vitale and seconded by Mr. Facer to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Mattson, aye; Mr. Vitale, 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. 14-42
Student Docket No. 14-42 Mother
Student Docket No. 14-42 Father
Student Docket No. 14-42 PSR Worker
Student Docket No. 14-42 Family PSR Worker
Kent Hobbs, Director of Student Support Services
Bradley Wallace, Principal, New Horizons Center
Tara Jensen, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:14 p.m. A motion was made by Mr. Mattson and seconded by Mr. Facer that the Board expel **Student 14-42** from attendance at the Pocatello Chubbuck School District No. 25 from today's date through the end of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket 14-42** has:

1. Engaged in conduct which the Board believes demonstrates that the student's presence at school is detrimental to the health, safety and welfare of other students and school personnel.
2. Engaged in conduct to the extent that the Board determined the student to be continuously disruptive of the school's discipline and the instructional effectiveness.
3. Engaged in conduct in violation of the prior Board terms and conditions to allow attendance at school and to not implement an expulsion including Engaging in conduct in violation of the student's behavioral contract, such contract having established the reasonable conditions to allow the student's continued enrollment at the school.
4. Engaged in conduct to the extent that the Board has determined the student to be incorrigible.
5. Engaged in conduct in violation of the District's policies and procedures relating to discipline, including but not limited to theft.

6. Engaged in conduct in violation of the student's New Horizon's Center Contract.

Prior to the commencement of the 2015-2016 school year, the family of the student shall be responsible for contacting the District to schedule an August 2015 Board Reinstatement Hearing to allow the Board to consider reinstatement for 8th grade as well as to consider what conditions, if any, the Board will impose if reinstatement is permitted.

During the period of expulsion, the student shall not be present upon any District property or at any District activity, regardless of location, absent pre-authorization of the District's Administration.

Prior to the reinstatement hearing, if the student is receiving any mental health or counseling services and/or contact with juvenile justice or probation department, paperwork shall be entered into to allow for the exchange of this information only to the extent that such impacts upon the student's education, for the Board's consideration at the time of the reinstatement hearing.

During the reinstatement hearing the student and the parent/legal guardian of the student shall be prepared to discuss the activities of the student during the period of expulsion as well as what actions have been taken to assure that this conduct and violation of District policies will not occur in the future should re-enrollment be permitted. The voting was unanimous in the affirmative. The Board recessed at 5:18 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 5:20 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. 15-41

Student Docket No. 15-41 Mother

Student Docket No. 15-41

Kent Hobbs, Director of Student Support Services

Bradley Wallace, Principal, New Horizons Center

Orlando Cardenas, SRO, Pocatello Police Department

Tara Jensen, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:14 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer that the Board expel **Student 15-41** from attendance at the Pocatello Chubbuck School District No. 25 from today's date through the end of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student 15-41** has:

1. Engaged in repeated acts in violation of the District's Student Discipline Policy relating to physical aggression.
2. Engaged in conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety of other pupils.
3. Engaged in conduct in violation of the Student Contract with the District.

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 meeting the following conditions:

1. The student shall return to school at Crossroads through April 3rd.
2. Subsequent to April 3rd and at the sole discretion of the administrators, the administrators may commence a transition of the student back to Highland High School so long as there is no other acts of physical aggression.
 - a. During the period of time at Crossroads, the student may participate in his activities, such as debate, at Highlands should the student/family be able to address transportation at no cost and no responsibility of the District.
3. The student's attendance shall be pursuant to an academic, attendance and behavioral contract which shall be developed during a meeting with the student, the student's parent and the school's administration, with the

administration having the final decision as to the terms of the Contract. The Board requests that the Administration, at minimum, including the following in the Contract.

- a. The student shall have a grade of a "C" or better in each class.
 - b. The student shall not engage in any additional acts of physical aggression.
 - c. The student shall complete ten (10) hours of community service, providing the administration at Highland High School with proof of completion prior to April 6, 2015, in addition to any community service that may be ordered by any court or probation department.
 - d. The student shall be assigned to a specific adult on the school's campus to seek out should the student have any problems with any other student at the school or feel that the student's frustration or anger level is going to result in a verbal or physical altercation.
4. Should the parties agree, the Board requests that the parties participate in a Restorative Practices Conference regarding the second incident of physical aggression.
5. Should the student be provided any social or health care services/counselor or be under the purview of the juvenile probation department, documentation shall 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 the student 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 5:56 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 5:57 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. 15-40 (Not Present)
Kent Hobbs, Director of Student Support Services
Tara Jensen, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:00 p.m. No action was taken by the Board at the time of the meeting.

Adjourn:

A motion was made by Mr. Vitale and seconded by Mr. Facer to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 6:01 p.m.

APPROVED ON:

APRIL 21, 2015

By: *Jennie Gebhardt*

Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk