

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, April 22, 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 (Excused)
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 4:34 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. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:35 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. 15-48

Student Docket No. 15-48 Mother

Kent Hobbs, Director of Student Support Services
Douglas Howell, Director of Human Resources
Bradley Wallace, Principal, New Horizon Center
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 5:36 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 15-48** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the 2015-2016 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-48** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy 8210, including but not limited to the possession and distribution of prescription medications.
2. Engaged in conduct to the extent that the Board believes demonstrates that the student is continuously disruptive of the school's discipline and the instructional effectiveness of the school.
3. Engaged in conduct which the Board believes demonstrates the student is dangerous or detrimental to the health, welfare and safety of other students.

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 **only** upon the following conditions:

1. If the student is eligible for the YDC Program, the student shall obtain education through Homebound Services, in conjunction with the YDC program and any credits earned will be transcribed.
 - a. At no point in time during the student's participation in Homebound Services and/or the YDC Program shall the student be present upon any property of the District, including any school bus, for any school-related activity or otherwise, without the prior specific pre-approval of the District's Administration.
2. If the student does not qualify for the YDC Program and/or if the student loses privileges associated with the YDC Program at any time prior to the end of the 2014-2015 school year, the expulsion shall be in full force and effect as outlined above and no abeyance shall exist.
 - a. If expulsion is implemented, the student shall not be present upon any property of the District, including any school bus, for any school-related activity or otherwise, without the prior specific pre-approval of the District's Administration.
3. The student shall attend both sessions of summer school, for credit recovery, at no cost to the District.
 - a. Attendance at summer school shall be pursuant to a behavioral and academic contract, the terms of which shall be determined by the school's administration.
 - b. Any violation of school or discipline policies, or the student's behavioral contract shall result in an immediate return to the Board for consideration of implementation of the expulsion held in abeyance.
4. The student shall engage in 15 hours of community service, in addition to any community service ordered by the Court or any probation department. Documentation of completion of the community service shall be provided to the District's administration prior to the commencement of summer school of 2015.
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.

Prior to the commencement of the 2015-2016 school year, the student and/or parent/legal guardian of the student shall participate in an Administrative Hearing regarding reinstatement of the student at New Horizon's High School for the 2015-2016 school year and a determination of what, if any conditions, will be imposed if reinstatement is permitted.

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 the 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 5:41 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 5:44 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-49

Student Docket No. 15-49 Mother

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

Lisa Delonas, Principal, Pocatello 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 6:21 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale that the Board expel **Student Docket No. 15-49** 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 No. 15-49** has:

1. Engaged in acts in violation of the District's Student Discipline Policy No 8210, including but not limited to the possession and distribution of prescription and non-prescription medications.
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. 15-49** meeting the following conditions:

1. The student shall obtain education through the PASS Room at Pocatello High School through the remainder of the school year, with the administration having discretion to allow class attendance for direct instruction as needed.
2. 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 include, at minimum, the following in the contract:
 - a. The student shall complete fifteen (15) hours of community service, providing written documentation proving completion of such to the District's administration prior to the commencement of the 2015-2016 school year. This community service shall be in addition to any community service that may be ordered by any court or probation department.
3. The student shall attend summer school, at no cost to the District, for the purpose of credit recovery.
4. 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 **Student Docket No. 15-49** 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 6:25 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Facer and seconded by Mr. Vitale to reconvene to Executive Session at 6:28 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

STUDENT DOCKET No. 15-51 (*Not Present*)

STUDENT DOCKET No. 15-52 (*Not Present*)

STUDENT DOCKET No. 15-53 (*Not Present*)

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

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 6:33 p.m. No action was taken by the Board at the time of the meeting. The Board recessed at 6:33 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 6:38 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

STUDENT DOCKET No. 15-50

STUDENT DOCKET No. 15-50 Mother

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

Lisa Delonas, Principal, Pocatello 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 7:16 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 15-50** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the first trimester of the 2015-2016 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-50** 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 District's policies and procedures relating to discipline, including but not limited to Policy 8210 and the possession, use and distribution of illegal drugs.

Prior to the commencement of the second trimester of the 2015-2016 school year, the family of the student shall be responsible for contacting the District to schedule a Board Reinstatement Hearing to allow the Board to consider reinstatement, as well as to consider what conditions, if any, the Board will impose if reinstatement is permitted. However, in regard to such possible reinstatement, the Board will not consider reinstatement at Pocatello High School, but shall consider other high school placement options.

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

Should the student seek to take any online or other credits during the period of expulsion, the school shall make a counselor or administrator available to meet with the student and family to address what credits and courses the District will accept for transcribing.

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 family 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 reenrollment be permitted.

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 7:22 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

STUDENT DOCKET No. 13-06

STUDENT DOCKET No. 13-06 Mother (Excused at 7:39 p.m.)

STUDENT DOCKET No. 13-06 Father

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

Dian Swanson, Principal, Highland 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 8:19 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer that the Board expel **Student Docket No. 13-06** 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 No. 13-06** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to acceptable conduct regarding weapons on school property.
2. Engaged in conduct in violation of state and/or federal law regarding the possession of weapons on school property.
3. Engaged in conduct in the judgment of the Board demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students and school personnel.

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. 13-06** meeting the following conditions:

1. The student shall obtain schooling through Homebound Instruction through the remainder of the 2014-2015 school year.
2. During the period of Homebound Instruction, the student shall not be present upon any school property or any school bus or at any school-related activity, regardless of the location, without the specific pre-approval of the school's administration to engage in volunteer work with the school's special services population.
 - a. Such volunteering shall be arranged through the school's administration for designated time periods, supervised by school personnel.
 - b. During presence on school property the student shall not possess any weapon and the person and belongings of the student shall be subject to search.
3. An Administrative Hearing shall be held in prior to the start of the 2015-16 school year in order for the school's administration and the family to ascertain an appropriate placement for the student's education for the 2015-2016 school year.
4. During the Administrative Hearing, an academic and behavioral contract will be developed for the student's attendance at school for the 2015-2016 school year. The terms of this contract shall be developed during a meeting between the student/parent and school's administration. However, the final terms of such agreement shall be at the discretion of the administration. The Board requests that the following provisions be a part of this Contract:
 - a. The student and the possessions of the student being subject to random searches.
 - b. The student being assigned an adult administrative or counseling employee of the school to whom the student shall report and work with should the student have any problems or issues with any other student at the school.
 - c. Provisions allowing for the continued work with the school's special services population so long as the student's schedule permits.
5. Should the student be in need of credit recovery, the student is permitted attend summer school, at no cost to the District. However, attendance at summer school shall be pursuant to a behavioral and academic contract.
6. 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. 13-06** 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 directly 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.

Adjourn:

A motion was made by Ms. Cranor and seconded by Mr. Vitale to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 8:25 p.m.

APPROVED ON:

19 May 2015
By:

Janie D. Gebhardt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk