

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 8, 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 4:34 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 4:34 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. 15-42

Student Docket No. 15-42 Mother

Kent Hobbs, Director of Student Support Services
Douglas Howell, Director of Human Resources
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 5:18 p.m. A motion was made by Mr. Mattson and seconded by Mr. Vitale that based upon the information presented to the District Board of Trustees during the Student Reinstatement Hearing held on April 8, 2015 for **Student Docket No. 15-42**, I hereby move that the Board continue a Student Reinstatement Hearing to be scheduled by the student's family prior to August 15, 2015.

Prior to such Hearing, the family shall make available to the District information regarding the activities and conduct of the student and family from the date of this Hearing to the continued Hearing date including but not limited to: counseling, substance abuse treatment and assessment and any other related programs. During the Student Reinstatement Hearing the family and student shall be prepared to discuss their activities as well as what safeguards have been put in place to address the student's appropriate behavior in the school setting.

During the pendency of this continuation, should the student or family of the student seek to participate in online or other credit recovery options, the District's counseling department will be available to the family to address what options are available as well as what courses will be transcribed by the District. The voting was unanimous in the affirmative. The Board recessed at 5:20 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 5:22 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. 15-43

Student Docket No. 15-43 Mother

Student Docket No. 15-43 Father

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

Bradley Wallace, Principal, New Horizons 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 6:12 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer that the Board expel **Student Docket No. 15-43** 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 15-43** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to weapons on school property.
2. Engaged in conduct in violation to the District's Student Discipline Policy relating to violence and/or threats of violence and student interactions.
3. Engaged in conduct which the Board believes demonstrates the student is dangerous and/or detrimental to the health, welfare and safety of other students.
4. 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 of the school.

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. 15-43** meeting the following conditions:

1. The student shall obtain schooling through Homebound Instruction, to be conducted in a public location, YDC or other arranged format in a manner determined to be best by the District's administration. Homebound Instruction shall continue through the conclusion of the 2014-2015 school year.
2. During the period of Homebound Instruction, the student shall not be present upon the school's property or any school bus or at any school-related activity, regardless of the location, without specific prior pre-approval by the District's administration with the exception of the student taking the ISAT test at Kinport Academy.
 - a. Arrangements shall be made with the District administration for the date and time the student shall take the ISAT test at Kinport.
 - b. Upon arrival at Kinport, the student shall report to the administrative office. At that time the student and the possessions of the student will be subject to administrative search.
 - c. At no time shall the student be left unsupervised while at Kinport.
3. Prior to an Administrative Placement Hearing for the 2015-2016 school year, the student shall complete 30 hours of documented community service.
4. Should the student be provided any social services or health care services, 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. This information shall be made available to the District's administration prior to the holding of an Administrative Placement Hearing for the 2015-2016 school year.
5. An Administrative Placement Hearing shall be held on or before August 15, 2015 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.
6. Relating to the student's return to a school setting for the 2015-2016 school year, an academic and behavioral contract will be developed for the student's attendance at school. The terms of this contract shall be developed during a

meeting between the parent/student and school's administration. However, the final terms of such agreement shall be at the discretion of the Administration.

Should **Student Docket No. 15-43** 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 6:17 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 6:20 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. 15-44

STUDENT DOCKET No. 15-44 Mother

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

David Ross, Assistant Principal, Century High School

Orlando Cardenas, SRO, Pocatello Police Department

Dan Montgomery, Probation Officer, Juvenile Probation

Renae 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. Facer and seconded by Mr. Vitale that the Board expel **Student Docket No. 15-44** 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. 15-44** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to sexual harassment/harassment of students.
2. Engaged in conduct in violation to the District's Student Discipline Policy relating to student interactions.
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 first trimester of the 2015-2016 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.

Prior to the commencement of the second trimester of the 2015-2016 school year, **Student Docket No. 15-44** and/or parent/legal guardian of the student shall be responsible for contacting the District to schedule a Board Reinstatement Hearing to allow the Board to consider the possible reinstatement of the student for the remainder of the 2015-2016 school year, excluding any placement at Century High School, and a determination of what, if any conditions, the Board will impose 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 reenrollment be permitted. The voting was unanimous in the affirmative. The Board recessed at 7:11 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Facer to reconvene to Executive Session at 7:13 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. 15-45 *(Not Present)*

STUDENT DOCKET No. 15-46 *(Not Present)*

STUDENT DOCKET No. 15-47 *(Not Present)*

Kent Hobbs, Director of Student Support Services

Douglas Howell, Director of Human Resources

David Ross, Assistant Principal, Century High School (Excused at 7:15 p.m.)

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:19 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. Facer to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:19 p.m.

APPROVED ON:

19 May 2015
By:

Janie Gebhardt
Chair

ATTESTED BY:
[Signature]
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees