

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, January 23, 2013
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
John Sargent, Vice Chair, Board of Trustees (Excused)
Jackie Cranor, 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 4:37 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, 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. 13-10
Student Docket No. 13-10 Stepmother
Student Docket No. 13-10 Grandmother
Kent Hobbs, Director of Student Support Services
Dixie Erickson, Assistant Principal, Hawthorne Middle School
Ralph Daniels, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:21 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 13-10** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2012-13 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-10** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession, and/or use of alcohol and medications.
2. Engaging in conduct which, in the judgment of the Board, is detrimental to the health, safety and welfare 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. 13-10** meeting the following conditions:

1. The student shall return to the student's current school placement. However, such attendance shall be in the PASS room and the administration shall make a determination as to the appropriate transition back into the traditional classroom. Such transitions shall be communicated with the family.
2. Attendance shall be pursuant to a strict academic and behavioral contract. The student and family of the student shall meet with the school's administration for the preparation of the contract. However, the final terms of this contract are at the sole discretion of the school's administration. The terms of the contract shall include at minimum:
 - a. Expectations as to grades and attendance.
 - b. Expectations as to classroom behaviors.
 - c. No possession, use or distribution of alcohol or unauthorized medication.
 - d. The student, the property of the student and the locker of the student shall be subject to random searches.
 - e. The student shall be allowed the ability to release himself from the classroom when necessary for anger-management issues.
 - f. A plan to allow the student to work with and speak with the school's counselor and directly seek out the support of the administration if needed.
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 his education.
4. The student shall serve ten (10) hours of community service in addition to any court-imposed community service, coordinated with school personnel.

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. The voting was unanimous in the affirmative. The Board recessed at 5:25 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 5:28 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-11

Student Docket No. 13-11 Mother

Student Docket No. 13-11 Friend

Kent Hobbs, Director of Student Support Services

Ralph Daniels, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:37 p.m. No action was taken on Student Discipline at the time of the meeting. The Board recessed at 5:37 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 5:39 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-12

Student Docket No. 13-12 Father

Kent Hobbs, Director of Student Support Services

Lisa Delonas, Assistant Principal, Pocatello High School

Ralph Daniels, Sergeant, Pocatello Police Department
Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:17 p.m. A motion was made by Mr. Facer and seconded by Ms. Cranor that the Board expel **Student Docket No. 13-12** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2012-13 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-12** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession and/or use of weapons on school property or a school owned vehicle.
2. Engaging in conduct which, in the judgment of the Board, is detrimental to the health, safety and welfare 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. 13-12** meeting the following conditions:

1. The student shall attend New Horizon High School for the remainder of the school year. Initially the student shall be placed into the PASS room, with the administration having the discretion to transition the student into the regular school setting.
 - a. The student's IEP team shall convene to address any need for behavioral and academic expectations.
 - b. Process and procedures will be put into place to allow the student to have routine access to the school's counseling personnel as well as access to administrative personnel should the student feel unsafe.
2. During the period of attendance at New Horizon High School, the student's possessions and locker will be subject to random searches. The family of the student is likewise directed to engage in random searches of the student and the student's possessions prior to his attendance at school.
3. At the end of the school year, the student's IEP team, in consultation with the administration and family, shall make future and further determinations relating to the student's placement and educational program.
4. 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 his 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 may be brought back before the Board of Trustees for consideration of implementation of the expulsion held in abeyance. The voting was unanimous in the affirmative. The Board recessed at 6:21 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 6:23 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-13

Student Docket No. 13-13 Mother

Kent Hobbs, Director of Student Support Services
Dixie Erickson, Assistant Principal, Hawthorne Middle School
Ralph Daniels, Sergeant, Pocatello Police Department
Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:12 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer that the Board expel **Student Docket No. 13-13** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2012-13 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-13** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession and/or use of medications on school property.
2. Engaging in conduct which, in the judgment of the Board, is detrimental to the health, safety and welfare 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. 13-13** meeting the following conditions:

1. The student shall attend educational activities at Kinport Academy until such time as the administration has determined that it is appropriate, both behaviorally and academically, for the student to return to the home school placement.
 - a. At the administration's discretion, the attendance may commence in the PASS room and it is the discretion of the administration as to if or when the student transitions into the traditional classroom at Kinport. The parent of the student is to be informed of any transitional activities.
2. Attendance shall be pursuant to a strict academic and behavioral contract. The student and family of the student shall meet with the school's administration for the preparation of the contract. However, the final terms of this contract are at the sole discretion of the school's administration. The terms of the contract shall include at minimum:
 - a. Attendance and grades expectations, including no course grade of lower than a "C" and no absence beyond that addressed by school policy and no absence for the remainder of the school year without medical reason with advance notice to the school.
 - b. A provision that the property of the student and the locker of the student shall be subject to random searches. The Board requests that the family likewise engages in random searches of the student prior to the student coming to school.
 - c. The student shall participate in twenty (20) hours of community service to be incorporated into part of her educational day, scheduled through the administration. Such community service shall be in addition to any community service ordered by the Court.
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 her education.
4. If the student is subjected to UA tests through the Juvenile Probation Department, the District shall be provided with copies of the results of these tests, at no cost to the District.
5. If the Court orders the student to detention, the school will cooperate with the educational component of the detention program.

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. The voting was unanimous in the affirmative. The Board recessed at 7:17 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 7:20 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-05 (*Not Present*)

Kent Hobbs, Director of Student Support Services

Ralph Daniels, Sergeant, Pocatello Police Department
Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:24 p.m. No action was taken on Student Discipline 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 7:24 p.m.

APPROVED ON:

FEBRUARY 19, 2013

By:

Janie Mebert
Chair

ATTESTED BY:

Jackie Cranor
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees