

**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 Hearing in Open Session)**  
Pocatello/Chubbuck School District No. 25  
County of Bannock – State of Idaho

Superintendent's Office at the Education Service Center  
4:30 p.m.  
Wednesday, November 16, 2011

**BOARD/SUPERINTENDENT PRESENT:**

Frank Rash, Chair, Board of Trustees  
John Sargent, Vice Chair, Board of Trustees (Excused)  
Jackie Cranor, Clerk, Board of Trustees  
Janie Gebhardt, Member, Board of Trustees  
Nate Murphy, Member, Board of Trustees  
Mary M. Vagner, Superintendent

**Call to Order/Executive Session – Student Expulsion Hearing:**

Chair Rash called the meeting to order at 4:38 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Ms. Gebhardt, aye; Mr. Rash, aye. The Board adjourned to Executive Session at 4:39 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. 11-01**

**Student Docket No. 11-01** Mother  
Kent Hobbs, Director of Student Support Services  
Keith Barnes, Principal, Alameda Center  
D. Scott Heidi, student/parent Legal Counsel  
Anna Sanchez, Juvenile Probation Officer  
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 5:16 p.m. A motion was made by Mr. Murphy and seconded by Ms. Gebhardt that the Board continue this hearing and any decision with regard to the administrative recommendation relating to **Student Docket No. 11-01** until such time as the student completes court activities.

In the interim, **Student Docket No. 11-01** shall participate in educational services via homebound instruction and such attendance shall continue through a strict academic and behavioral contract, the terms of which are at the sole discretion of the school's administration and which shall include a component of a free flow of information with juvenile probation and the court system with regard to matters impacting upon the child's education.

Upon completion of the court proceedings, this matter shall be brought back before the Board for a continuation of the hearing process and a final determination.

At the continuation of the hearing, the student shall be prepared to address the factual allegations involved in this matter, educational progress during homebound instruction, activities associated with corrective action in the court proceeding as well as any steps that have been taken to assure the student will not engage in continued activities of the nature at issue. Mr. Murphy, Ms. Gebhardt and Mr. Rash voted in the affirmative. Ms. Cranor was opposed. The Board recessed at 5:19 p.m.

**Return to Executive Session – Student Expulsion Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 5:23 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Ms. Gebhardt, aye; Mr. Rash, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-06** (*Not Present*)

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, Alameda Center

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 7:05 p.m. A motion was made by Mr. Murphy and seconded by Ms. Gebhardt that the Board expel **Student Docket No. 12-06** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date through the completion of the fourth block of the 2011-2012 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-06** has:

1. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline.
2. Engaged in conduct which demonstrates the student's presence is continuously disruptive of the institutional effectiveness of the school.
3. Engaged in conduct which violated District Policy No. 8210 – Student Discipline, regarding disrespectful and insubordinate interactions and violation of the dress code.
4. Repeatedly engaged in conduct in violation of the student's academic and behavioral contract.
5. 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.

Prior to the commencement of the fifth block of the 2011-2012 school year, the student and/or the parent/legal guardian of the student shall be responsible for contacting and communicating with the District to schedule a Board reinstatement hearing to allow the Board to consider reinstatement for the remainder of the 2011-2012 school year and what conditions, if any, the Board will impose if reinstatement is permitted.

Should the student seek to complete any on-line or correspondence type courses during the period of expulsion, the District's Administrative or Counseling personnel will participate in a meeting with the parent of the student to review educational options, what courses are needed for the student to progress towards graduation and what courses could be transferred to the District and transcribed towards promotion.

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 5:44 p.m.

**Return to Executive Session – Student Expulsion Hearing:**

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

**OTHERS PRESENT:**

**Student Docket No. 12-08**

**Student Docket No. 12-08** Mother

**Student Docket No. 12-08** Father

Kent Hobbs, Director of Student Support Services

Rhonda Naftz, Assistant Principal, Highland 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 5:41 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Murphy that the Board continue this hearing and any decision with regard to the administrative recommendation relating to **Student Docket No. 12-08** until such time as the judge presiding over the student's juvenile court proceedings has given direction with regard to placement of the student regarding this matter.

In the interim, **Student Docket No. 12-08** shall participate in educational services via homebound instruction and such attendance shall continue through a strict academic and behavioral contract, the terms of which are at the sole discretion of the school's administration and which shall include a component of a free flow of information with juvenile probation and the court system with regard to matters impacting upon the child's education.

Upon the judge's direction as to placement and services for this student in the juvenile court proceedings, the administration is directed to analyze the impact of these decisions upon the education of the student and for the administration to bring this matter back before the Board for a continuation and conclusion of the hearing process.

At the continuation of the hearing, the student shall be prepared to address the factual allegations involved in this matter, educational progress during homebound instruction, activities associated with corrective action in the court proceeding as well as any steps that have been taken to assure the student will not engage in continued activities of the nature at issue. Mr. Murphy, Ms. Gebhardt and Mr. Rash voted in the affirmative. Ms. Cranor was opposed. The Board recessed at 7:07 p.m.

**Return to Executive Session – Student Expulsion Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Murphy to reconvene to Executive Session at 7:10 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Ms. Gebhardt, aye; Mr. Rash, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-07** (*Not Present*)

Kent Hobbs, Director of Student Support Services

Russ Sion, Principal, Wilcox Elementary

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 7:20 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that pursuant to the statutory discretion provided to the Board relating to the discipline of students who have been in possession of weapons, and allowing for exceptions from the mandatory expulsion requirements, and with consideration of the input of the District's Administration, no expulsion for this child shall be implemented or put into place for violation of the District's weapons policy. Consistent with the statute allowing for the placement of reasonable condition upon a student's attendance at school, enrollment for **Student Docket No. 12-07** shall be allowed upon meeting the following conditions:

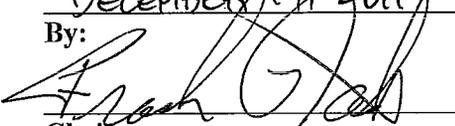
1. **Student Docket No. 12-07** shall return to his school placement at Wilcox Elementary School for the remainder of the 2011-2012 school year.
2. The student's family is to determine, on a daily basis, that the student and the property of the student not contain/possess any form of weapons.
3. The school's administration shall randomly search the backpack that **Student Docket No. 12-07** brings to school as well as the desk of the student to assure that no weapon has been brought onto school property.
4. Arrangements shall be made that the student will be able to meet with a counselor at Wilcox Elementary School on a regular basis.

Should **Student Docket No. 12-07** fail to meet the above stated conditions or engage in any other infraction of District or School Discipline Policies, **Student Docket No. 12-07** shall be brought back before the Board of Trustees for consideration of a possible expulsion. The voting was unanimous in the affirmative.

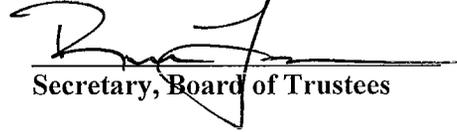
**Adjourn:**

A motion was made by Mr. Murphy and seconded by Ms. Gebhardt to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:22 p.m.

**APPROVED ON:**

December 19, 2011  
By:   
Chair

**MINUTES PREPARED BY:**

  
Secretary, Board of Trustees

**ATTESTED BY:**

Jackie Connor  
Clerk