

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, December 12, 2012
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 4:34 p.m. A motion was made by Ms. Cranor and seconded by Mr. Facer 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 4:35 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. 09-53

Student Docket No. 09-53 Father

Kent Hobbs, Director of Student Support Services
Keith Barnes, Principal, New Horizon Center
Anna Sanchez, Probation Officer, Juvenile Probation
Matt Harris, School Resource Officer, Pocatello Police Department
Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:08 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 09-53** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 09-53** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to student bullying/harassment and physical aggression.
2. Engaged in conduct in violation of the District's Student Discipline Policy in regard to profanity.
3. Engaged in conduct which in the Board's judgment demonstrates that the student is incorrigible.
4. Engaged in conduct which in the Board's judgment demonstrates that the student is 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. 09-53** meeting the following conditions:

1. The student shall engage in education and schooling through Homebound instruction through the conclusion of the second trimester. If there is any abusive or inappropriate behavior, the student shall be brought back to the Board for further discipline.
2. Prior to the commencement of the third trimester, an administrative hearing shall be held to determine the appropriate placement for the student for the third trimester. While the student and family of the student shall be permitted input into this decision, the final decision shall be at the discretion of the school's administrative team.
3. Should the administration decide to enroll the student at one of the District's schools for the third trimester, 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 the following:
 - a. Expectations as to grades and attendance.
 - b. No physical contact with any other student.
 - c. The student shall participate in ten (10) hours of community service to be completed on or before January 31, 2013 with written documentation from the community organization provided directly to the District. This community service shall be in addition to any ordered by the Court.
4. Should the administration determine that Homebound status shall continue for the third trimester, prior the commencement of the 2013-2014 school year, the student shall participate in a Reinstatement Hearing with the District's Board.
5. 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 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 5:13 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 5:17 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. 13-06

Student Docket No. 13-06 Mother

Kent Hobbs, Director of Student Support Services

Dixie Erickson, Assistant Principal, Hawthorne Middle School

Officer Matt Harris, 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 6:04 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale 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 second trimester of the 2012-2013 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 student contact/fighting, physical aggression and interactions with fellow students.

2. 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 third trimester of the 2012-2013 school year, 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 third trimester of the 2012-2013 school year and a determination of what conditions, if any, the Board will impose if reinstatement is permitted.

It is required that during the period of expulsion, should the student wish to seek re-enrollment at the start of the third trimester, that the student shall engage in fifteen (15) hours of community service to be completed on or before January 31, 2013 with documentation sent directly to the school. Such community service shall be separate, and in addition to any court ordered community service that may be imposed by any court or probation authority. The student and the District's administration shall communicate with regard to documentation of this activity.

During the period of expulsion, should the student seek to complete any on-line or correspondence type educational activities, 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 advancement 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 6:08 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 6:10 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. 13-07

Student Docket No. 13-07 Uncle

Student Docket No. 13-07 Family acquaintance

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, New Horizon Center

Jeff Jolley, Technology Coordinator (Excused at 6:28 p.m.)

Officer Matt Harris, 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 6:51 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 13-07** 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. 13-07** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to computer use and access.
2. Engaging in conduct which, in the judgment of the Board, is disruptive of school discipline.
3. Engaged in conduct which, in the judgment of the Board, is disruptive of 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. 13-07** meeting the following conditions:

1. The student shall return to the student's current school placement.
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 the following:
 - a. Expectations as to grades and attendance.
 - b. Use and/or access of any school computer or system shall be discontinued with the exception of any mandated testing on computer systems, which must be supervised by school personnel. Any other use or access is strictly prohibited and forbidden.
 - c. The student shall participate in twenty (20) hours of community service to be completed on or before April 1, 2013 with written documentation from the community organization provided directly to the District. This community service shall be in addition to any ordered by the Court.

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 6:54 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 6:56 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. 13-08

Student Docket No. 13-08 Mother

Student Docket No. 13-08 Stepfather

Kent Hobbs, Director of Student Support Services

David Ross, Assistant Principal, Century High School

Officer Matt Harris, 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 7:17 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 13-08** 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. 13-08** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession, of weapons on school property.
2. Engaging in conduct which, in the judgment of the Board, is disruptive of school 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. 13-08** meeting the following conditions:

1. The student shall return to the student's current school placement.
2. Attendance shall be pursuant to a behavioral and academic plan, the terms of which shall be developed by the student's IEP team.
 - a. The Board would request the IEP team consider inclusion of the issue of attendance.

3. The student may be subject to random searches of his person, property or locker to assure that he is not in possession of prohibited items.
 - a. Should the student realize he is in possession of a prohibited item, such as a weapon, he shall self-report and turn the weapon into the school's administration.
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 which are not a manifestation of the need for special services, 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 7:20 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 7:22 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. 13-09

Student Docket No. 13-09 Mother

Kent Hobbs, Director of Student Support Services
Robert Parker, Assistant Principal, Pocatello High School
Officer Matt Harris, 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 8:04 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale that the Board expel **Student Docket No. 13-09** 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. 13-09** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession, and/or use of a controlled substance/drugs on school property.
2. Engaging in conduct which, in the judgment of the Board, is disruptive of school 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 meeting the following conditions:

1. The student shall return to the student's current school placement.
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 the following:
 - a. Expectations as to grades and attendance.
 - b. No possession, use or distribution of any drug or controlled substance and/or drug paraphernalia.
 - c. The student, the property of the student and the locker of the student shall be subject to random searches.
3. Should the student be provided any social services or health care services or be under the purview of the adult 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.
 - a. Such includes any information relating to Drug Court.

4. Should the student be subject to any UA's as a court or probation consequence of this event, the results of the UA's shall be provided to the District, at no cost to the District.

Should the student engage in any other infraction of District or School Discipline Policies, specifically with regard to tobacco, alcohol or drug use 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.

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 8:08 p.m.

APPROVED ON:

JANUARY 15, 2013

By:

Jamie A. Hebbardt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

Jim Facer
Clerk