

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, February 22, 2012

BOARD/SUPERINTENDENT PRESENT:

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

Call to Order/Executive Session – Student Reinstatement Hearing:

Acting Chair Sargent called the meeting to order at 4:37 p.m. A motion was made by Ms. Cranor and seconded by Mr. Murphy to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye. The Board adjourned to Executive Session at 4:38 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. 12-05

Student Docket No. 12-05 Mother

Kent Hobbs, Director of Student Support Services
Keith Barnes, Principal, Alameda Center
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 4:56 p.m. A motion was made by Mr. Murphy and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the Reinstatement Hearing for **Student Docket No. 12-05**, I hereby move that the Board reinstate **Student Docket No. 12-05** to the Pocatello/Chubbuck School District for the third trimester of the 2011-2012 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. **Student Docket No. 12-05** shall be enrolled at Pocatello High School.
2. Prior to returning to school, **Student Docket No. 12-05** and the parent/legal guardian of **Student Docket No. 12-05** shall attend a meeting with the District's Administration. At that meeting, the following will be addressed:

- a. A strict Behavioral and Academic Contract for the student, the terms of which shall be at the sole discretion of the school's administration. At minimum, this contract shall include a requirement of grade average of a "C" as well as behavioral conduct.
 - b. Whether or not a part time transition back to school is a more viable option to aid the student with the transition.
 - c. Credit recovery activities at no cost to the District.
 - d. Assignment of a counselor at the school.
3. Should **Student Docket No. 12-05** be provided any social services, 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. 12-05** fail to meet the above stated conditions or engage in any other infraction of District or School Discipline Policies, **Student Docket No. 12-05** may be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed at 4:58 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Murphy to reconvene to Executive Session at 5:01 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye.

OTHERS PRESENT:

Student Docket No. 12-04

Student Docket No. 12-04 Mother

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 5:30 p.m. A motion was made by Mr. Murphy and seconded by Ms. Cranor that the Board expel **Student Docket No. 12-04** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date for the remainder of the 2011-2012 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-04** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline.
2. Engaged in conduct which in the judgment of the Board is continuously disruptive of the school's discipline and instructional effectiveness.
3. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other pupils.
4. Engaged in conduct in violation of the student's Behavioral Contract.

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. 12-04** meeting the following conditions:

1. **Student Docket No. 12-04** shall engage in educational services through Homebound placement through the completion of the 5th block. The Board permits the student to remain at the school, in the PASS room for the next 2 days in order to complete the student's final exams.
2. During the period of Homebound instruction, the Student shall not be on the school's property or at any school activity held at any other location absent a specific request to and approval by the District's administration.
3. Upon commencement of the 6th Block, the student shall return to New Horizon's High School.

4. The student's existing Behavioral and Academic Contract shall be reviewed and amended where appropriate at the sole discretion of the school's administration. Because of the seriousness of the issue, the Board expects the administration to return the student to the Board if there are any violations of this contract.
 - a. This contract shall include at minimum a "C" grade average.
5. Appropriate paperwork shall be entered into to allow for a free flow of information between any care providers and/or probation department only with regard to matters impacting upon the student's education.
6. Should credit recovery be needed the student shall engage in summer school, at no cost to the District. Attendance at summer school shall be consistent with the provisions of the Behavioral and Academic Contract.

Should **Student Docket No. 12-04** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other infraction of District or School Discipline Policies, the student shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. The voting was unanimous in the affirmative. The Board recessed at 5:32 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Murphy and seconded by Ms. Cranor to reconvene to Executive Session at 5:35 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye.

OTHERS PRESENT:

Student Docket No. 12-18

Student Docket No. 12-18 Mother

Student Docket No. 12-18 Father

Kent Hobbs, Director of Student Support Services

Julian Duffey, Assistant Principal, Highland High School

Keith Barnes, Principal, Alameda Center

Andrew Paules, Counselor, 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 5:59 p.m. A motion was made by Ms. Cranor and seconded by Mr. Murphy that the Board expel **Student Docket No. 12-18** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date for the remainder of the 2011-2012 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-18** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy No. 8153 relating to the prohibition of weapons.
2. Engaged in conduct which in the judgment of the Board is continuously disruptive of the school's discipline and instructional effectiveness.
3. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other pupils.
4. Engaged in actions in violation of state and/or federal law with regard to threats of bombing 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. 12-18** meeting the following conditions:

1. The student's IEP team shall meet to address an appropriate school placement for the student as well as appropriate behavioral expectations. The Board would request the team consider placement at New Horizon's High School for the 5th and 6th block, where the student would have more supervision and direct guidance. In making this request, the Board recognizes and understands that the ultimate decision as to school placement is entirely in the control of the IEP team.

2. The IEP shall thereafter make a decision regarding placement of the student for the 2012-2013 school year.
3. The IEP team shall address expectations for behavior and grades.
4. The student shall comply with the directives of the student's IEP team.

Should **Student Docket No. 12-18** engage in any other infraction of District or School Discipline Policies, **Student Docket No. 12-18** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. The voting was unanimous in the affirmative. The Board recessed at 6:02 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Murphy and seconded by Ms. Cranor to reconvene to Executive Session at 6:04 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye.

OTHERS PRESENT:

Student Docket No. 12-15

Student Docket No. 12-15 Mother

Student Docket No. 12-15 Father

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 6:45 p.m. A motion was made by Ms. Cranor and seconded by Mr. Sargent that the Board expel **Student Docket No. 12-15** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date through the completion of the 5th block of the 2011-2012 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-15** 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.
4. 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.

The student will be permitted to continue Homebound services for the next two days to complete her credits for the current block.

For the 6th block, the student shall be permitted to attend to her education via Homebound status.

Prior to the commencement of the 2012-2013 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 placement at a District building for the 2012-2013 school year and what conditions, if any, the Board will impose if reinstatement is permitted.

Should **Student Docket No. 12-15** 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 graduation.

The student will be permitted to attend summer school courses if needed for credit recovery, at no cost to the District. Such attendance shall be pursuant to a strict Behavioral and Academic Contract the terms of which shall be at the sole discretion of the District's administration.

During the Reinstatement Hearing **Student Docket No. 12-15** 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. Ms. Cranor and Mr. Sargent voted in the affirmative. Mr. Murphy was opposed. The Board recessed at 6:47 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Mr. Murphy and seconded by Ms. Cranor to reconvene to Executive Session at 6:49 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye.

OTHERS PRESENT:

Student Docket No. 09-17 (*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 6:55 p.m. A motion was made by Mr. Murphy and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 09-17**, I hereby move that the Board deny the request of **Student Docket No. 09-17** to enroll at the Pocatello/Chubbuck School District.

As provided by Idaho Code 33-205, a Board of Trustees may deny enrollment to any pupil and/or establish reasonable conditions for a student's enrollment to its District schools. Accordingly, this enrollment request is denied based on the following:

1. **Student Docket No. 09-17's** presence, in the judgment of the Board, would be continuously disruptive of school discipline, disruptive of the school's instructional effectiveness and the presence of the student would be detrimental to the health, welfare and safety of the District's pupils.

The voting was unanimous in the affirmative. The Board recessed at 6:57 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Murphy to reconvene to Executive Session at 7:06 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye.

OTHERS PRESENT:

Student Docket No. 12-16 (*Not present*)

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 adjourned to Executive Session at 7:06 p.m. to begin the hearing for **Student Docket No. 12-16** who was not present at the time of the meeting. The hearing was interrupted shortly after it began due to the late arrival

of **Student Docket No. 12-16** and the parent/legal guardian. The Board returned to Open Session at 7:14 and rescheduled the hearing for March 7, 2012 due to prior commitments of the Board.

Adjourn:

A motion was made by Mr. Murphy and seconded by Ms. Cranor to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:16 p.m.

APPROVED ON:

MARCH 20, 2012

By:

Janie A. Gelhardt
Chair

ATTESTED BY:

Jackie Cranor
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees