

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, March 6, 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 (Excused at 6:38 p.m.)
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. 13-14
Student Docket No. 13-14 Father
Student Docket No. 13-14 Mother
Kent Hobbs, Director of Student Support Services
Christine Stevens, Principal, Hawthorne Middle School
Candice Camper, Service Coordinator, The Village Cooperative
Kelly Kumm, Attorney, Kumm Law Offices
Orlando Cardenas, SRO, Pocatello Police Department
Rena Johnson, Board Secretary
Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:53 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 13-14** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-14** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy including but not limited to threats against other students and staff 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 2013-2014 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 2013-2014 school year and a determination of what conditions, if any, the Board will impose if reinstatement is permitted.

During the period of expulsion, should the student wish to seek re-enrollment at the start of the 2013-2014 school year, the student shall:

1. Engage in twenty (20) hours of community service through an outside agency, to be completed on or before August 15, 2013. Such community service shall be separate, apart and in addition to any court ordered community service that may be imposed by any court or probation authority. The student and/or the family of the student shall provide documentation of completion of the community service prior to any scheduled reinstatement hearing.
2. The Student shall participate in an independent evaluation, at no cost to the District, to determine if the student is a threat to himself or to others. Such evaluation shall be completed and provided to the District one month prior to any scheduled reinstatement hearing. An appropriate evaluation conducted through the juvenile justice program, if completed, will satisfy this requirement.
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.

During the period of expulsion, should the student seek to complete any online or correspondence type educational activities, the District's administrative or counseling personnel will participate in a meeting with the family 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 5:57 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 6:00 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 13-23

Student Docket 13-23 Legal Guardian/Grandmother

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, New Horizon Center

Orlando Cardenas, SRO, Pocatello Police Department

Renae Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:35 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 13-23** 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. 13-23** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession and/or use of drugs on school property and the possession and/or use of alcohol on school property.
2. Engaged 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. 13-23** meeting the following conditions:

1. The student shall attend educational activities in the PASS room at New Horizon Center until such time as the administration has determined that it is appropriate, both behaviorally and academically, for the student to return to the traditional classroom placement.
 - a. At the administration's discretion, the attendance may transition from the PASS room into the traditional classroom setting.
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 at minimum include the following:
 - a. Attendance and grade expectations.
 - 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 engage in random searches of the student and her belongings prior to the student coming to school.
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 Department of Probation, the District shall be provided with copies of the results of these tests, at no cost to the District.

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 6:38 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 6:42 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-24

Student Docket No. 13-24 Mother

Student Docket No. 13-24 Sister

Kent Hobbs, Director of Student Support Services

Susan Pettit, Principal, Irving Middle School

Orlando Cardenas, SRO, Pocatello Police Department

Renae Johnson, Board Secretary

Chris Hansen, 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. 13-24** 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. 13-24** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to student conduct associated with insubordination and disrespect. Further, repeated disciplinary violations of this student, in the judgment of the Board, demonstrates that the actions of the student are continuously disruptive of the educational effectiveness and continuously disruptive of the school's discipline.
2. Engaging in conduct in repeated violation of District Policy 8130, which in the judgment of the Board, is sufficient to warrant the classification of the student as a habitual truant.
3. Engaged in conduct which in the judgment of the Board, is a violation of the existing reasonable terms and conditions permitting enrollment of the student as outlined in 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. 13-24** meeting the following conditions:

1. The student shall attend educational activities in the PASS room at the New Horizon Center for a period of at least four (4) weeks and continuing until such time as the administration has determined that it is appropriate, both behaviorally and academically, for the student to return to the traditional classroom placement.
 - a. At the administration's discretion, the attendance may transition from the PASS room into the traditional classroom setting.
 - b. If the administration deems it appropriate, the administration may schedule and hold a placement hearing to address the possible transition of and return of the student to attendance at Irving Middle School.
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, at minimum shall include:
 - a. Attendance expectations.
 - b. Grade expectations.
 - c. 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.
3. Should the student be provided any social services or health care services or be under the purview of the juvenile probation department or counselor, 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 7:16 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 7:19 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-25

Student Docket No. 13-25 Mother

Student Docket No. 13-25 Father

Kent Hobbs, Director of Student Support Services

Dixie Erickson, Assistant Principal, Hawthorne Middle School

Orlando Cardenas, SRO, Pocatello Police Department

Renae Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:56 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale that the Board expel **Student Docket No. 13-25** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder the 2012-2013 school year through the first trimester of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-25** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession of a deadly or dangerous weapon on school property.
2. Engaged in conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety 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. 13-25** meeting the following conditions:

1. The student shall attend educational activities at Kinport Academy through the first trimester of the 2013-2014 school year.
 - a. Near the conclusion of the first trimester of the 2013-2014 school year, the administration may schedule and hold a placement hearing to address the possible transition and/or change of educational placement for the student.
2. Attendance shall be pursuant to a strict Behavioral and Academic Contract through the remainder of the 2013-2014 school year. The student and the 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 at minimum include the following:
 - a. Attendance expectations.
 - b. Grade expectations.
 - c. A provision that the property of the student and the locker of the student shall be subject to random searches. The Board likewise requests that the family engage in random searches of the student prior to the student coming to school.
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.

Should **Student Docket No. 13-25** 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 8:00 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Facer to reconvene to Executive Session at 8:02 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Mr. Facer, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-26 (*Not present*)

Kent Hobbs, Director of Student Support Services

Renae Johnson, Board Secretary

Return to Open Session:

The Board returned to Open Session at 8:05 p.m. No action was taken by the Board pertinent to student discipline at the time of the meeting.

Adjourn:

A motion was made by Mr. Facer and seconded by Mr. Vitale to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 8:05 p.m.

APPROVED ON:

APRIL 16, 2013

By:

Jenie Gebhardt
Chair

ATTESTED BY:

Jackie Connor
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees