

**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, May 1, 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 4:39 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: Ms. Cranor, aye; Mr. Vitale, aye; Mr. Facer, aye; Ms. Gebhardt, 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. 13-33** (Arrived at 4:45 p.m.)  
**Student Docket No. 13-33** – Father (Arrived at 4:45 p.m.)  
Kent Hobbs, Director of Student Support Services  
Keith Barnes, Principal, New Horizon Center  
Orlando Cardenas, SRO, Pocatello Police Department  
Rena Johnson, Board Secretary  
Amy White, Legal Counsel (by phone)

**Recess/Return to Executive Session**

The Board recessed the Executive Session at 4:45 p.m. and brought in **Student Docket No. 13-33** and the parent/legal guardian. Following the recess a motion was made by Mr. Facer and seconded by Mr. Vitale to reconvene to Executive Session at 4:47 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Vitale, aye; Mr. Facer, aye; Ms. Gebhardt, aye.

**Return to Open Session:**

The Board returned to Open Session at 5:37 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 13-33** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of 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. 13-33** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to fighting.
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. 13-33** meeting the following conditions:

1. The student shall return to educational activities at New Horizon High School through the first trimester of the 2013-2014 school year, with the previously identified Administrative Placement Hearing prior to the commencement of the second trimester of the 2013-2014 school year to remain in place as determined by the Board's prior decision on April 17, 2013.
  - a. Transportation associated with attendance at New Horizon High School shall be arranged through Hawthorne bussing and/or personal transportation options.
2. Attendance shall continue under the terms of the existing academic and behavioral contract for the term decided in the Board's prior decision.
  - a. The existing contract shall be amended to add a term associated with non-glamorization of fighting or violence and no "trash talking" or talking negatively/gossiping about other students.
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.

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.

**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 5:40 p.m.

**APPROVED ON:**

July 16, 2013

By:

Jamie D. Heberich  
Chair

**MINUTES PREPARED BY:**

[Signature]  
Secretary, Board of Trustees

**ATTESTED BY:**

[Signature]  
Clerk