

**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 2, 2012**  
**4:30 p.m.**

**BOARD/SUPERINTENDENT PRESENT:**

Janie Gebhardt, Chair, Board of Trustees  
John Sargent, Vice Chair, Board of Trustees (Excused at 6:58 p.m.)  
Jackie Cranor, Clerk, Board of Trustees  
Nate Murphy, Member, Board of Trustees  
Jim Facer, Member, Board of Trustees (Excused at 6:58 p.m.)  
Mary M. Vagner, Superintendent

**Call to Order/Executive Session – Employee Discipline:**

Chair Gebhardt called the meeting to order at 4:32 p.m. A motion was made by Mr. Sargent and seconded by Mr. Facer to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Mr. Facer, aye; Mr. Sargent, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:33 p.m.

**Purpose: To discuss employee 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 officer, employee, staff member or agent;*

**OTHERS PRESENT:**

**Employee Docket No. 11-01** (Not Present)  
Douglas Howell, Director of Human Resources  
Rena Johnson, Board Secretary

**Return to Open Session:**

The Board returned to Open Session at 4:43 p.m. A motion was made by Mr. Sargent and seconded by Ms. Cranor to accept the recommendation of the administration to remove **Employee Docket No. 11-01** from a period of paid suspension.

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

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 4:47 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Mr. Facer, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 11-09** (Not Present)  
**Student Docket No. 11-09** Mother  
Kent Hobbs, Director of Student Support Services  
Keith Barnes, Principal, Alameda Center  
Andrew Paules, Counselor, 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 5:05 p.m. A motion was made by Mr. Murphy and seconded by Mr. Sargent that the Board expel **Student Docket No. 11-09** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date through the completion of the 2011-2012 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-09** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy No. 8153 relating to the possession and/or distribution of drugs.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of Students.

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. 11-09** 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 IEP team consider placement in Homebound instruction for the remainder of the 2011-2012 school year. In making this request, the Board recognizes and understands that the ultimate decision as to school placement is at the sole discretion of the IEP team.
2. The IEP shall thereafter make a decision regarding placement of the student for the next school year and the Board requests his case worker to communicate with the probation department regarding any information necessary for the determination of an appropriate placement. In making this request, the Board would like strong consideration be given to continuation of his prior placement at New Horizon High School.
3. Should the student be provided any social services and/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.
4. The IEP team shall address expectations for behavior and grades.
5. The student shall comply with the directives of the IEP team.

Should **Student Docket No. 11-09** 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 5:08 p.m.

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

Following the recess, a motion was made by Mr. Sargent and seconded by Mr. Facer to reconvene to Executive Session at 5:11 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Mr. Facer, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

#### **OTHERS PRESENT:**

##### **Student Docket No. 11-19**

##### **Student Docket No. 11-19 Mother**

Kent Hobbs, Director of Student Support Services  
David Ross, Assistant Principal, Century High School  
Keith Barnes, Principal, Alameda Center  
Andrew Paules, Counselor, Alameda Center  
Lonny Fulmer, Counselor, Hope Tree Family 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 5:44 p.m. A motion was made by Ms. Cranor and seconded by Mr. Murphy that the Board expel **Student Docket No. 11-19** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2011-20123 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-19** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy No. 8153 relating to the possession of a weapon on school property.
2. Engaged in conduct which violated state and federal laws in relation to the possession of a weapon on school property.
3. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of students.

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'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 Homebound for the remainder of the 2011-2012 school year and placement at Century High School for the 2012-2013 school year. In making this request, the Board recognizes and understands that the ultimate decision as to school placement is at the sole discretion of the IEP team.
2. Should the student be provided any social services and/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/providers and the school, only with regard to matters which impact upon his education.
3. The IEP team shall address expectations for behavior and grades;
  - a. In addressing these expectations, the Board would request that consideration be given to a requirement of backpack/personal property inspections prior to leaving for school and upon arrival at school.
4. The student shall comply with the directives of the student's IEP team.

Should **Student Docket No. 11-19** 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 5:47 p.m.

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

Following the recess, a motion was made by Mr. Sargent and seconded by Mr. Murphy to reconvene to Executive Session at 5:49 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Mr. Facer, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-22**

**Student Docket No. 12-22** Grandfather  
 Kent Hobbs, Director of Student Support Services  
 David Ross, Assistant Principal, Century High School  
 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 6:19 p.m. A motion was made by Mr. Murphy and seconded by Mr. Sargent that the Board expel **Student Docket No. 12-22** from attendance at the Pocatello/Chubbuck School District No. 25 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. 12-22** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy No. 8153 relating to conduct of the student, including but not necessarily limited to fighting.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of students.
3. Engaged in conduct which in the judgment of the Board is continuously disruptive of the school's discipline and instructional effectiveness.

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. 12-22** meeting the following conditions:

1. The Student shall be placed in the PASS room at Century High School for the remainder of the 2011-2012 school year, on a strict academic and behavioral contract, the contents of which shall be at the sole discretion of the administration. Dependent upon behavior and grades the administration has the authority to exercise discretion and flexibility to attend appropriate courses outside of the PASS room.
2. The student shall enroll at Century High School for the 2012-2013 school year, upon a strict academic and behavioral contract. If during the course of the school year there is a problem with the student's behaviors in relation to anger management, the administration has the discretion to change the placement to New Horizon High School.
3. Each of the academic and behavioral contracts referenced in this resolution shall be developed at a meeting with the student, family of the student and the District's administration, with the administration having the final say as to the terms of the contract. However, any such contract shall include an individual to whom the student shall report should he notice any trigger of his anger management issue.
4. Should the student be provided any social services and/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. 12-22** 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 6:21 p.m.

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

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 6:23 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Mr. Facer, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-23**

**Student Docket No. 12-23** Mother

**Student Docket No. 12-23** 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 6:54 p.m. A motion was made by Mr. Sargent and seconded by Mr. Murphy that the Board expel **Student Docket 12-23** from attendance at the Pocatello/Chubbuck School District No. 25 through the entirety of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-23** has:

1. Engaged in conduct in violation of the District's discipline policies associated with acceptable conduct in the school's setting, including but not limited to tobacco use violations.
2. Engaged in conduct in violation of District policies relating to attendance.
3. Engaged in conduct which demonstrates the student's presence is continuously disruptive of the institutional effectiveness of the school.
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 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 placement at a District school for the 2013-2014 school year and what conditions, if any, the Board will impose if reinstatement is permitted.

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 student and the family 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 **Student Docket No. 12-23** and the family 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 6:57 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 7:07 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-20**

Kent Hobbs, Director of Student Support Services  
Libby Barenzer, Counselor, Bannock Youth Foundation  
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 7:51 p.m. A motion was made by Mr. Murphy and seconded by Ms. Cranor that based on the information presented to the Board during the Reinstatement Hearing for **Student Docket No. 12-20**, I hereby move that the Board reinstate **Student Docket No. 12-20** to the Pocatello/Chubbuck School District No. 25.

As provided by Idaho Code 33-205, a Board may establish reasonable conditions for permitting a student's return to school. This reinstatement is conditioned upon the following:

1. **Student Docket No. 12-20** shall be immediately re-enrolled to the District at New Horizon High School to complete educational activities on PLATO for credit recovery for the remainder of the 2011-2012 school year.
2. **Student Docket No. 12-20** shall attend summer school, funded through the probation department or some other organization, but at no cost to the District.
3. The District will work with the student to advise and assist with additional credit recovery activities and options for the student.
4. Attendance shall be pursuant to a strict Behavioral and Academic Contract, the final terms of which shall be at the sole discretion of the District's administration. Such contract shall be developed during a meeting with the administration, the student and the parent/legal guardian of the student.
5. Should **Student Docket No. 12-20** be provided any social services and/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.
6. The student shall attend the first two blocks of the 2012-2013 school year at New Horizon High School for the quickest credit advancement. While in attendance at New Horizon High School, if eligible the student may participate in football at Century High School, with transportation provided through Bannock House.
7. At the conclusion of the second block, an administrative hearing shall be held to address the best placement for the student for the remainder of the school year. If the student remains at New Horizon High School and if he is eligible, the student may participate in wrestling at Century High School, with transportation provided through Bannock House.
8. If the student needs additional credits at the conclusion of the 2012-2013 school year, the student would be eligible for summer school during the summer of 2013 or can return as a super senior for the 2013-2014 school year.

Should **Student Docket No. 12-20** fail to meet the above stated conditions or engage in any other infraction of District or School Discipline Policies, **Student Docket No. 12-20** 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.

**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 7:54 p.m.

**APPROVED ON:**

JUNE 19, 2012

By:

Janie Heberich  
Chair

**ATTESTED BY:**

Jackie Cranor  
Clerk

**MINUTES PREPARED BY:**

[Signature]  
Secretary, Board of Trustees