

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 Officer, employee, staff member or agent; and 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/Employee 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 30, 2012

4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees

John Sargent, Vice Chair, Board of Trustees (Excused at 7:00 p.m.)

Jackie Cranor, Clerk, Board of Trustees (Excused at 6:15 p.m.)

Nate Murphy, Member, Board of Trustees

Jim Facer, Member, Board of Trustees

Mary M. Vagner, Superintendent

Call to Order/Executive Session – Employee Discipline:

Chair Gebhardt called the meeting to order at 4:30 p.m. A motion was made by Mr. Sargent and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Ms. Cranor, aye; Mr. Murphy, aye; Mr. Sargent, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:31 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. 12-03 (Not Present)

Douglas Howell, Director of Human Resources

Renae Johnson, Board Secretary

Return to Open Session:

The Board returned to Open Session at 4:35 p.m. A motion was made by Mr. Sargent and seconded by Mr. Facer that the Board of Trustees place **Employee Docket No. 12-03**, a certificated professional employee of the District, onto a period of paid suspension pending the outcome of an investigation, as recommended by the District's Superintendent.

The Board also directs that **Employee Docket No. 12-03** is not to be present upon school property or present at any school function regardless of location during this period of paid suspension without prior permission from the administration and that **Employee Docket No. 12-03** should not communicate with any other employee or student, unless otherwise directed, relating to this suspension.

The Board also approves the Superintendent's prior action to place **Employee Docket No. 12-03** on a period of paid suspension pursuant to District Board Policy 7500. The voting was unanimous in the affirmative. The Board recessed at 4:37 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 4:39 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Ms. Cranor, aye; Mr. Murphy, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 12-13

Student Docket No. 12-13 Mother

Student Docket No. 12-13 Father

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, Alameda Center

Anna Sanchez, Juvenile Probation Officer, Bannock County

Renae 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. Sargent and seconded by Mr. Murphy that based on the information presented to the Board during the reinstatement hearing for **Student Docket No. 12-13**, I move that the Board reinstate **Student Docket No. 12-13** to the Pocatello/Chubbuck School District for the 2012 summer school session.

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

1. Should **Student Docket No. 12-13** 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 the service providers and the school, only with regard to matters which impact upon his education.
2. For the 2012-2013 school year, the student shall attend New Horizon High School. Prior to the start of the third trimester, an administrative review will be held to ascertain if New Horizon remains the best placement or whether or not placement at another High School is a viable option.
3. Attendance shall be pursuant to a strict Behavioral and Academic Contract, the final terms of which are at the sole discretion of the administration. The contract shall be developed during a meeting with the administration, the student and the parent/legal guardian of the student prior to the 2012 summer school session.
4. The student shall be allowed to enroll at summer school during the summer of 2012, at no cost to the District.

Should **Student Docket No. 12-13** fail to meet the above stated conditions or engage in any other infraction of District or School Discipline Policies, **Student Docket No. 12-13** 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 5:07 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 5:09 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Ms. Cranor, aye; Mr. Murphy, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 12-24

Student Docket No. 12-24 Father

Student Docket No. 12-24 Mother

Kent Hobbs, Director of Student Support Services

Pat Tiede, Assistant Principal, Franklin Middle School

Mo Canfield, Retired 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 5:48 p.m. A motion was made by Ms. Cranor and seconded by Mr. Facer that the Board expel **Student Docket No. 12-24** from attendance at the Pocatello/Chubbuck School District No. 25 through the second trimester of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student 12-24** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy No. 8153 relating to conduct of the student in the school setting, 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 other students.
3. Engaged in conduct which in the judgment of the Board is continuously disruptive of the school's discipline and instructional effectiveness.

Prior to the commencement of the third trimester of the 2012-2013 school year, the student and/or the family 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 possible placement at a District school for the third trimester of the 2012-2013 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. 12-24** 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 ensure 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 5:51 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 5:53 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 12-25

Student Docket No. 12-25 Father

Kent Hobbs, Director of Student Support Services

Tonya Wilkes, Assistant Principal, Irving Middle School

Mo Canfield, Retired 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 6:13 p.m. A motion was made by Ms. Cranor and seconded by Mr. Sargent that that the Board expel **Student Docket No. 12-25** from attendance at the Pocatello/Chubbuck School District No. 25 for the entirety of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-25** has:

1. Engaged in conduct which violated District Policy No. 8210, relating to conduct of the student in the school setting, including but not necessarily limited to drug distribution.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other 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 the student's enrollment at another School District.

At any time should the student seek to enroll at any school in the Pocatello/Chubbuck School District No. 25, the student and/or the family of the student shall request a Reinstatement Hearing before the Board. The voting was unanimous in the affirmative. The Board recessed at 6:15 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 6:18 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Murphy, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 09-50

Student Docket No. 09-50 Mother

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, Alameda Center

Mo Canfield, Retired 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 6:58 p.m. A motion was made by Mr. Murphy and seconded by Mr. Sargent that the Board expel **Student Docket No. 09-50** from attendance at the Pocatello/Chubbuck School District No. 25 for the entirety of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 09-50** has:

1. Engaged in conduct which violated District Policy No. 8210, relating to conduct of the student in the school setting, including but not necessarily limited to drug possession.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other 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 the following conditions:

1. The student shall participate and complete YDC educational activities during the summer session.
2. During the first trimester of the 2012-2013 school year, the student shall receive educational services through Homebound.
3. Prior to the commencement of the second trimester of the 2012-2013 school year the student and family of the student shall return before the Board for the Board to consider whether or not the abeyance shall remain in place or if the expulsion will be imposed. This determination will be based upon the conduct of the student and earning of credits during the summer and the first trimester of the 2012-2013 school year on Homebound services.
4. A strict Behavioral and Academic Contract shall be developed by the school's administration addressing expectations of the student while participating in the school's educational programs. If the student is permitted to return for the second trimester, the contract will be amended to address any further expectations in the school setting.
5. Should the student be provided any social services, health care services or be under the purview of the juvenile probation department, documentation shall be entered into which permits a free flow of information between the service providers and the school, only with regard to matters impacting upon the student's education.
6. The results of urinalysis tests that the student is subjected to shall be provided to the District, at no cost to the District.

Should **Student Docket No. 09-50** engage in any other infraction of the District or School Discipline Policies or engage in any violation of the Behavioral and Academic Contract 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 7:00 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Mr. Murphy and seconded by Mr. Facer to reconvene to Executive Session at 7:03 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Murphy, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 12-28

Student Docket No. 12-28 Cousin/legal guardian

Student Docket No. 12-28 Cousin

Kent Hobbs, Director of Student Support Services

Dian Swanson, Principal, Highland High School

Mo Canfield, Retired 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 7:37 p.m. A motion was made by Mr. Murphy and seconded by Mr. Facer that the Board expel **Student Docket No. 12-28** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-28** has:

1. Engaged in conduct which violated District Policy No. 8210, relating to conduct of the student in the school setting, including but not necessarily limited to weapon possession.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other 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. 12-28** meeting the following conditions:

1. **Student Docket No. 12-28** student shall be enrolled at New Horizon High School commencing with the first trimester of the 2012-13 school year on a strict Behavioral and Academic Contract. Prior to the second trimester, an administrative placement hearing will be held to determine if the student shall remain at New Horizon High School or if the student can return to Highland High School.
2. The student's current Behavioral and Academic Contract shall be modified, with the input of the student's family/legal guardians to address the student's new educational setting and will be developed at a meeting with the District's administration, with the administration having the final say as to the terms of the contract.
3. Should the student 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 the service providers and the school, only with regard to matters which impact upon his education.

Should **Student Docket No. 12-28** 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 7:39 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Mr. Murphy and seconded by Mr. Facer to reconvene to Executive Session at 7:42 p.m. The roll call vote was unanimous in the affirmative: Mr. Facer, aye; Mr. Murphy, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 12-27 (Not Present)

Student Docket No. 10-02 (Not Present)

Student Docket No. 12-29 (Not Present)

Student Docket No. 12-30 (Not Present)

Kent Hobbs, Director of Student Support Services
Mo Canfield, Retired 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 7:50 p.m. A motion was made by Mr. Murphy and seconded by Mr. Facer that the Board expel **Student Docket No. 12-27** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-27** has:

1. Engaged in conduct which violated District Policy No. 8210, relating to conduct of the student in the school setting, including but not necessarily limited to possession of a look-a-like weapon and pointing the look-a-like weapon at another student.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other 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. 12-27** meeting the following conditions:

1. The student shall return to the District at an attendance location as determined by the student's IEP team, including the possibility of attendance at Pocatello High School, on a Behavioral and Academic Contract the terms of which shall be determined by the student's IEP team.
2. Should the student 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 the service providers and the school, only with regard to matters which impact upon the student's education.
3. The student may attend summer school for credit recovery, at no cost to the District.

Should **Student Docket No. 12-27** 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; and that as **Student Docket No. 10-02** has graduated from the Pocatello/Chubbuck School District No. 25 and is no longer subject to Board imposed student discipline, the Board refrain from taking any disciplinary action against this individual.

However, due to the fact that the conduct of this individual was continuously disruptive of the educational environment and whose presence is detrimental to the health, welfare and safety of District students, pursuant to Idaho Code Section 33-512 (11), the Board hereby declares that **Student Docket No. 10-02** is prohibited from entry upon any school or District property at any time without specific pre-authorization from the District's Administrative Offices; and that the Board exercise the discretion granted to a Board of Trustees of a Public School District related to the possession of a weapon or firearm on school property and hereby affirmatively decide not expel or impose any additional disciplinary measures on **Student Docket No. 12-29**.

Student Docket No. 12-29 shall return to the student's normally assigned school.

The Board does request that the parent/legal guardian of **Student Docket No. 12-29** inspect the backpack of the student prior to the student leaving for school each morning; and that the Board exercise the discretion granted to a Board of Trustees of a Public School District related to the possession of a weapon or firearm on school property and hereby affirmatively decide not expel or impose any additional disciplinary measures on **Student Docket No. 12-30**.

Student Docket No. 12-30 shall return to the student's normally assigned school.

The Board does request that the parent/legal guardian of **Student Docket No. 12-30** inspect the backpack of the student prior to the student leaving for school each morning. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Mr. Murphy and seconded by Mr. Facer to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:57 p.m.

APPROVED ON:

July 17, 2012

By:

Janie Stebbardt
Chair

ATTESTED BY:

Jackie Crann
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees