

**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, January 15, 2014**  
**4:30 p.m.**

**BOARD/SUPERINTENDENT PRESENT:**

Janie Gebhardt, Chair, Board of Trustees  
Jackie Cranor, Vice Chair, Board of Trustees  
Jim Facer, Member, Board of Trustees  
Dave Mattson, Member, Board of Trustees  
Mary M. Vagner, Superintendent

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

Chair Gebhardt called the meeting to order at 4:32 p.m. A motion was made by Ms. Cranor and seconded by Mr. Mattson to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:32 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. 14-27**  
**Student Docket No. 14-27** Mother  
**Student Docket No. 14-27** Father  
**Student Docket No. 14-27** Step Mother  
**Student Docket No. 14-27** Grandmother  
**Student Docket No. 14-27** Grandmother  
**Student Docket No. 14-27** Grandfather  
**Student Docket No. 14-27** Grandfather  
Kent Hobbs, Director of Student Support Services  
Tonya Wilkes and Kit Kanekoa, Principal,  
Ralph Daniels, Sergeant, Pocatello Police Department  
Tara Jensen, Board Secretary  
Amy White, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 5:15 p.m. A motion was made by Mr. Facer and seconded by Ms. Cranor that the Board expel **Student 14-27** from attendance at the Pocatello/Chubbuck School District No. 25 through the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student 14-27** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to possession and/or use of prohibited drugs.
2. Engaged in conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety of other pupils; and

3. Engaged in conduct, which in the judgment of the Board is continually disruptive to the school's discipline and instructional effectiveness of 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 meeting the following conditions:

1. The student shall return to Irving Middle School for the remainder of the 2013-2014 school year.
2. Attendance shall be pursuant to a strict academic, attendance and behavioral contract, the terms of which shall be determined by the student's IEP Team at a formal team meeting addressing this and any other pending matters.
  - a. The Board would request that in the development of the contract, consideration be given to requiring the student:
    1. To meet set standards of minimum attendance and behavior.
    2. To leave campus by 3:40 p.m. and that he be prohibited from returning to campus thereafter for the evening, without specific administrative permission, or if involved in an extra-curricular activity, the student must participate in the extra curricular activity and then leave at the conclusion of such activity.
    3. To be subject to random searches of the student's locker and possessions to assure that no prohibited item is present on school property. The family shall likewise subject the student to searches prior to leaving for school.
    4. To engage in 10 hours of community service with an outside agency. Such community service shall be in addition to any community service ordered pursuant to any court or juvenile probation department. Proof of completion of such community service to be provided and approved by the School's Administration on or before February 21, 2014.
    5. Should the juvenile justice system place the student in the Families in Action Program or any other assistive program, participation in such program and reporting of participation and completion to the District. The participation in such program shall be at no cost to the District.
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 the student's 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 or as separately determined. The voting was unanimous in the affirmative. The Board recessed at 5:20 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 5:45 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

#### **OTHERS PRESENT:**

**Student Docket No. 14-28** (*Not present*)

**Student Docket No. 14-28** Father

Kent Hobbs, Director of Student Support Services

Kit Kanekoa, Vice Principal,

Brad Wallace, Principal, New Horizon Center

Ralph Daniels, Sergeant, Pocatello Police Department

Tara Jensen, Board Secretary

Amy White, Legal Counsel (by phone)

#### **Return to Open Session:**

The Board returned to Open Session at 6:18 p.m. A motion was made by Ms. Cranor and seconded by Mr. Facer that the Board expel **Student 14-28** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the 2<sup>nd</sup> trimester of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket 14-28** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession of weapons on school property.
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 and school personnel.
3. Engaged in conduct to the extent that the Board determined the student to be continuously disruptive of the school's discipline and the instructional effectiveness.

Prior to the commencement of the third trimester of the 2013-2014 school year, such that a hearing can be held before February 21, 2014, 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 third trimester of the 2013-2014 school year and a determination of what conditions, if any, the Board will impose if reinstatement is permitted. Prior to such hearing, if the student is receiving any mental health or counseling services and/or contact with juvenile justice or probation, paperwork shall be entered into to allow for the exchange of this information only to the extent that such impacts upon the student's education, for the Board's consideration at the time of the reinstatement hearing.

Prior to seeking a reinstatement hearing, the student shall engage in 20 hours of community service with an outside agency. Such community service shall be in addition to any community service ordered pursuant to any court order or juvenile probation department. Proof of completion of such community service shall be provided to the School's Administration prior to the conducting of a reinstatement hearing with the Board.

During the period of expulsion, should the student seek to complete any on-line or correspondence type educational activities, 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 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 6:21 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 6:32 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

#### **OTHERS PRESENT:**

**Student Docket No. 14-31-** *(Not present)*

Kent Hobbs, Director of Student Support Services  
Brad Wallace, Principal, New Horizon's High School  
Kit Kanekoa, Vice Principal, Irving Middle School  
Ralph Daniels, Sergeant, Pocatello Police Department  
Tara Jensen, Board Secretary  
Amy White, Legal Counsel (by phone)

#### **Return to Open Session:**

The Board returned to Open Session at 6:50 p.m. A motion was made by Mr. Mattson and seconded by Mr. Facer that the Board expel **Student 14-31** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the 2<sup>nd</sup> trimester of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket 14-31** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to a Sexual Offense.

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 and school personnel.
3. Engaged in conduct to the extent that the Board determined the student to be continuously disruptive of the school's discipline and the instructional effectiveness.

Prior to the commencement of the second trimester of the 2013-2014 school year, such that a hearing can be held before February 21, 2014, 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 third trimester of the 2013-2014 school year and a determination of what conditions, if any, the Board will impose if reinstatement is permitted. Prior to such hearing, if the student is receiving any mental health or counseling services and/or contact with juvenile justice or probation, paperwork shall be entered into to allow for the exchange of this information only to the extent that such impacts upon the student's education, for the Board's consideration at the time of the reinstatement hearing.

Prior to seeking a reinstatement hearing, the student shall engage in 20 hours of community service with an outside agency. Such community service shall be in addition to any community service ordered pursuant to any court order or juvenile probation department. Proof of completion of such community service shall be provided to the School's Administration prior to the conducting of a reinstatement hearing with the Board.

During the period of expulsion, should the student seek to complete any on-line or correspondence type educational activities, 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 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 6:54 p.m.

#### **Return to Executive Session – Student Discipline:**

Following the recess, a motion was made by Mr. Facer and seconded by Ms. Cranor to reconvene to Executive Session at 7:23 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

#### **OTHERS PRESENT:**

##### **Student Docket No. 14-32 (Not present)**

Kent Hobbs, Director of Student Support Services

Brad Wallace, Principal

Ralph Daniels, Sergeant, Pocatello Police Department

Tara Jensen, Board Secretary

Amy White, Legal Counsel (by phone)

#### **Return to Open Session:**

The Board returned to Open Session at 7:40 p.m. A motion was made by Mr. Mattson and seconded by Ms. Cranor that the Board expel **Student 14-32** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket 14-32** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to possession and distribution of a prohibited drug or synthetic substance.
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 and school personnel.
3. Engaged in conduct to the extent that the Board determined the student to be continuously disruptive of the school's discipline and the instructional effectiveness.

Prior to the commencement of the 2014-2015 school year, such that a hearing can be held before first day of school of the 2014-2015 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 2014-2015 school year and a determination of what conditions, if any, the Board will impose if reinstatement

is permitted. Prior to such hearing, if the student is receiving any mental health or counseling services and/or contact with juvenile justice or probation, paperwork shall be entered into to allow for the exchange of this information only to the extent that such impacts upon the student's education, for the Board's consideration at the time of the reinstatement hearing.

Prior to seeking a reinstatement hearing for enrollment at New Horizon's High School:

1. The student shall engage in 30 hours of community service with an outside agency. Such community service shall be in addition to any community service ordered pursuant to any court order or juvenile probation department. Proof of completion of such community service shall be provided to the School's Administration prior to the conducting of a reinstatement hearing with the Board.
2. Should the court or probation order the student to participate in courses such as the Families in Action Program, the District shall be notified of participation and completion, at no cost to the District.

During the period of expulsion, should the student seek to complete any on-line or correspondence type educational activities, 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 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 7:43 p.m.

**Return to Executive Session – Student Discipline:**

Following the recess, a motion was made by Mr. Facer and seconded by Ms. Cranor to reconvene to Executive Session at 7:44 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 14-26** – *(Not present)*

**Student Docket No. 14-30** – *(Not present)*

**Student Docket No. 14-33** – *(Not present)*

Kent Hobbs, Director of Student Support Services

Tara Jensen, Board Secretary

Amy White, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 7:46 p.m. No Action was taken by the Board on the above listed students.

**Adjourn:**

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

**APPROVED ON:**

18 February 2014  
By:

Jennie Gebhardt  
Chair

**MINUTES PREPARED BY:**

Tara Jensen  
Secretary, Board of Trustees

**ATTESTED BY:**

Amy White  
Clerk