

**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, October 2, 2013**  
**3:40 p.m.**

**BOARD/SUPERINTENDENT PRESENT:**

Janie Gebhardt, Chair, Board of Trustees  
Jackie Cranor, Vice Chair, Board of Trustees  
Paul Vitale, Clerk, Board of Trustees  
Jim Facer, Member, Board of Trustees (Excused at 7:01 p.m.)  
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 3:42 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Ms. Cranor, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 3:44 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. 14-05** (*Not present*)  
**Student Docket No. 14-06** (*Not present*)  
**Student Docket No. 14-07** (*Not present*)  
Kent Hobbs, Director of Student Support Services  
Rena Johnson, Board Secretary  
Amy White, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 3:45 p.m. No Action was taken by the Board on the above listed students. The Board recessed at 3:45 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 3:59 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Ms. Cranor, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 14-01**  
**Student Docket No. 14-01** Father  
Kent Hobbs, Director of Student Support Services  
Craig Gunn, School Resource Officer  
Nick Edwards, School Resource Officer, Century High School  
Stephen Anderson, Assistant Principal, Century High School  
Rena Johnson, Board Secretary  
Amy White, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 4:31 p.m. A motion was made by Mr. Facer and seconded by Ms. Cranor that the Board expel **Student Docket No. 14-01** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-01** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to threats of violence.
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. 14-01** meeting the following conditions:

1. The student shall be placed on Homebound and will complete educational activities at YDC through the remainder of the 1<sup>st</sup> trimester of the 2013-2014 school year.
2. Upon completion of educational activities at YDC, the student shall be placed at New Horizon High School for the 3<sup>rd</sup> and 4<sup>th</sup> block of the 2013-14 school year.
3. Student will be allowed to graduate early pending completion of credits.
4. Attendance at New Horizon High School shall be pursuant to an academic and behavioral contract, the terms of which shall be at the sole discretion of the school's administration. However, such contract shall include, at minimum:
  - a. The student and the possessions of the student shall be subject to random searches.
  - b. The student shall complete twenty (20) hours of community service prior the end of the calendar year. Such service shall be separate from and in addition to any court-ordered or probation ordered community service. Approval and confirmation of such community service shall be done through the school's administration.
5. 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 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. The voting was unanimous in the affirmative. The Board recessed at 4:34 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 4:42 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Ms. Cranor, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 14-03**

**Student Docket No. 14-03** Mother

Kent Hobbs, Director of Student Support Services

Craig Gunn, School Resource Officer

Mike Roberts, Assistant Principal, Highland High School

Renae Johnson, 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 Ms. Cranor and seconded by Mr. Facer that the Board expel **Student Docket No. 14-03** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-03** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to physical violence and fighting.
2. Engaged in conduct in violation of the District's Student Discipline Policy relating to drug use, possession and/or distribution.
3. 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.
4. Engaged in conduct which the Board has determined to be continuously disruptive of the discipline and the instructional effectiveness of the school.

Should the court order the student to YDC, the District will provide the necessary educational services through Homebound and will transcript any completed courses for which credit is earned.

Prior to the commencement of the 3<sup>rd</sup> trimester of the 2013-2014 school year, **Student Docket No. 14-03** and 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 reinstatement for the 3<sup>rd</sup> trimester of the 2013-2014 school year and a determination of what conditions, if any, the Board will impose if reinstatement is permitted.

It is required that during the period of expulsion, should the student wish to seek re-enrollment at the start of the third trimester, the student shall complete forty (40) hours of community service, unrelated to and separate from any court or probation ordered community service. Proof of completion of this community service shall be provided to the District's administration prior to any Reinstatement Hearing being held.

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 5:18 p.m.

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

Following the recess, a motion was made by Mr. Vitale and seconded by Ms. Cranor to reconvene to Executive Session at 5:21 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Ms. Cranor, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

#### **OTHERS PRESENT:**

**Student Docket No. 14-02**

**Student Docket No. 14-02** Mother

**Student Docket No. 14-02** Father

**Student Docket No. 14-02** Sister

Kent Hobbs, Director of Student Support Services

Craig Gunn, School Resource Officer

Forrest Peck, School Resource Officer, Pocatello High School

Lisa Delonas, Assistant Principal, Pocatello High School

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

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

The Board returned to Open Session at 6:11 p.m. A motion was made by Mr. Mattson and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-02** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date through the completion of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-02** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy No. 8153 relating to drug use, possession and/or distribution.
2. Engaged in conduct which in the judgment of the Board is detrimental to the health, welfare and safety of other pupils.
3. Engaged in conduct that the Board determined to be continuously disruptive of the discipline and the 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 Docket No. 14-02** meeting the following conditions:

1. The student shall engage in educational services through the remainder of the 1<sup>st</sup> trimester through Homebound services, provided by a teacher at a public location.
  - a. During the period of Homebound instruction, the student shall not be present on any school property.
2. A meeting shall be held between the administration, the students and the family of the student to address a return to the District at New Horizon High School prior to the 2<sup>nd</sup> trimester.
  - a. The student shall enter into a behavioral and academic contract for attendance at New Horizon High School. The final terms and conditions of such contract shall be at the sole discretion of the District's administration.
3. At the conclusion of the school year, an Administrative Placement Hearing shall be held to determine if a return to Pocatello High School is appropriate for the 2014-2015 school year.
4. 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 the student 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 6:15 p.m.

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

Following the recess, a motion was made by Mr. Vitale and seconded by Ms. Cranor to reconvene to Executive Session at 6:18 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Ms. Cranor, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

**OTHERS PRESENT:**

**Student Docket No. 14-04**

**Student Docket No. 14-04 Mother**

Kent Hobbs, Director of Student Support Services  
Craig Gunn, School Resource Officer  
Brad Wallace, Principal, New Horizon Center  
Brooke Taylor, Probation Officer, Juvenile Justice  
ISU Student Intern  
Rena 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 Ms. Cranor and seconded by Mr. Mattson that the Board expel **Student Docket No. 14-04** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date through the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-04** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to threats and violence.
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.
3. Engaged in conduct to the extent that the Board has determined the student to be incorrigible.
4. Engaged in conduct to the extent that the Board determined the student to be continuously disruptive of the discipline and the instructional effectiveness of the school.

Should the court order the student to YDC, the District will provide the necessary educational services through Homebound and will transcript any completed courses for which credit is earned.

Prior to the commencement of the 2014-2015 school year, **Student Docket No. 14-04** and 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 reinstatement for the 2014-2015 school year and a determination of what conditions, if any, the Board will impose if reinstatement is permitted.

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 7:00 p.m.

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

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

**OTHERS PRESENT:**

Student Docket No. 14-08 (*Not Present*)

Student Docket No. 14-08 Father

Student Docket No. 14-08 Mother

Kent Hobbs, Director of Student Support Services

Craig Gunn, School Resource Officer

Renae Johnson, Board Secretary

**Return to Open Session:**

The Board returned to Open Session at 7:17 p.m. A motion was made by Ms. Cranor and seconded by Mr. Mattson that due to the circumstance of the incident, that the record for **Student Docket No. 14-08** shall be expunged. The voting was unanimous in the affirmative.

**Adjourn:**

A motion was made by Mr. Vitale and seconded by Ms. Cranor to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:18 p.m.

**APPROVED ON:**

19 November 2013

By:

Janie Gebhardt

Chair

**MINUTES PREPARED BY:**

[Signature]  
Secretary, Board of Trustees

**ATTESTED BY:**

[Signature]

Clerk