

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 30, 2013
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees (Excused)
Jackie Cranor, Vice Chair, Board of Trustees (Excused)
Paul Vitale, Acting Chair/Clerk, 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:

Acting Chair Vitale called the meeting to order at 4:33 p.m. A motion was made by Mr. Facer 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; Mr. Vitale, aye. The Board adjourned to Executive Session at 4:34 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. 14-10

Student Docket No. 14-10 Mother

Kent Hobbs, Director of Student Support Services
Craig Gunn, School Resource Officer, Alameda Middle School
Keith Barnes, Assistant Principal, Alameda Middle School
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:12 p.m. A motion was made by Mr. Mattson and seconded by Mr. Facer that the Board expel **Student Docket No. 14-10** 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. 14-10** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to weapons;
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 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 Docket No. 14-10** meeting the following conditions:

1. The student shall engage in educational activities at Crossroads. Thereafter, upon administrative determination of appropriate timing, an administrative placement hearing will be held to address appropriate transition to Kinport or other appropriate educational setting.

2. Attendance shall be pursuant to a strict academic and behavioral contract, the terms of which shall be at the sole discretion of the school's administration. At minimum such contract shall include:
 - a. Expectations for attendance and behavior
 - b. Expectations with regard to completion of school work and achievement in coursework
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. The Board recessed at 5:15 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Facer and seconded by Mr. Mattson to reconvene to Executive Session at 5:17 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye.

OTHERS PRESENT:

Student Docket No. 14-11

Student Docket No. 14-11 Father

Student Docket No. 14-11 Significant Other

Kent Hobbs, Director of Student Support Services

Craig Gunn, School Resource Officer, Alameda Middle School

Keith Barnes, Assistant Principal, Alameda Middle School

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:45 p.m. A motion was made by Mr. Facer and seconded by Mr. Mattson that the Board expel **Student Docket No. 14-11** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the 2nd trimester of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-11** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to violence and physical aggression.
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 discipline and the instructional effectiveness of the school.

Prior to the commencement of the 3rd trimester of the 2013-2014 school year, the student and the parent/legal guardian 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 3rd 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, counseling services and/or anger management assistance, paperwork shall be entered into to allow for the exchange of this information only with regard to matters which impact upon his education.

During the period of expulsion, 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 parent/legal guardian 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 reenrollment be permitted. The voting was unanimous in the affirmative. The Board recessed at 5:48 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Facer and seconded by Mr. Mattson to reconvene to Executive Session at 5:52 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye.

OTHERS PRESENT:

Student Docket No. 14-12

Student Docket No. 14-12 Mother

Kent Hobbs, Director of Student Support Services

Craig Gunn, School Resource Officer

Robert Parker, Assistant Principal, Pocatello High School

Stace Gearhart, Probation Officer, Juvenile Justice (Arrived at 5:57 p.m.)

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:16 p.m. A motion was made by Mr. Mattson and seconded by Mr. Facer that the Board expel **Student Docket No. 14-12** 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. 14-12** 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 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 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 Docket No. 14-12** meeting the following conditions:

1. The student shall return to Pocatello High School for the remainder of the 2013-2014 school year. However, the student shall spend the remainder of the current trimester in the PASS Room with the administration addressing a transition back to the student's traditional schedule.
2. Attendance shall be pursuant to a strict academic and behavioral contract, the terms of which shall be at the sole discretion of the school's administration.
3. The student shall be subject to random searches of his locker and possessions to assure that no prohibited items or substance is present on school property.
4. The student shall be assigned specific individuals in the school's administration, counseling department and/or SRO in which to report problems to with regard to other students, harassment and bullying situations.
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 held in abeyance. The voting was unanimous in the affirmative. The Board recessed at 6:19 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Facer and seconded by Mr. Mattson to reconvene to Executive Session at 6:22 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye.

OTHERS PRESENT:

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

Student Docket No. 14-15 *(Not present)*

Student Docket No. 14-16 *(Not present)*

Kent Hobbs, Director of Student Support Services

James Denton, Principal, Tyhee Elementary (Excused at 6:29 p.m.)

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:32 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 Mr. Mattson to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 6:32 p.m.

APPROVED ON:

19 November 2013

By:

Jennie S. Hebardt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk