

**MINUTES OF THE SPECIAL MEETING FOR THE PURPOSE OF BOARD ACTION AND;  
EXECUTIVE SESSION TO DISCUSS IN ACCORDANCE WITH 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;

**Pocatello/Chubbuck School District #25 Board of Trustees  
Education Service Center Board Room/Superintendent's Office  
Monday, December 19, 2011  
12:00 p.m.**

**BOARD MEMBERS/SUPERINTENDENT PRESENT:**

Frank Rash, Chair	Janie Gebhardt, Member
John Sargent, Vice Chair (Excused)	Nate Murphy, Member
Jackie Cranor, Clerk	Mary M. Vagner, Superintendent

**WELCOME/STATEMENT OF PURPOSE**

Chair Rash called the Special Meeting to order at 12:05 p.m. He said the purpose of the Special Meeting was to address pertinent business items that needed Board approval and to adjourn to Executive Session for the purpose of student discipline.

**REVIEW AND APPROVE AGENDA – Self Explanatory – Action**

A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to approve the agenda as presented. The voting was unanimous in the affirmative.

**MOMENT OF SILENCE FOR GREG GLEN**

Chair Rash called for a moment of silence for Greg Glen.

**APPROVAL OF MINUTES – Self Explanatory – Action**

- a. **Special Meeting/Work Session** – November 8, 2011
- b. **Special Meeting/Executive Session/Personnel** – November 15, 2011
- c. **Regular Board Meeting** – November 15, 2011
- d. **Special Meeting/Executive Session/Hearing** – November 16, 2011

A motion was made by Mr. Murphy and seconded by Ms. Gebhardt to approve the minutes as corrected. The voting was unanimous in the affirmative.

**RECOGNITIONS/VISITORS/CORRESPONDENCE – Information**

**a. Public Comment**

Board Protocols for Public Comment will be followed at all Board Meetings. Patrons wishing to address the Board will fill out Form AD 2 – Request to Appear before the Board and present it to the Board Chair or Board Secretary prior to the meeting.

**Board Operating Principles No. 22 & 23:**

**22)** The Board will follow the chain of command referring others to present their issues, problems, or proposals to the person who can properly and expeditiously address the issues; **23)** Board members will refrain from communications which create conditions of bias should a problem or complaint become the subject matter of a hearing before the Board.

There was no public comment at the time of the meeting.

**CURRICULUM AND INSTRUCTION AND SCHOOL SAFETY – Information – Mr. Wegner, Dr.**

Mortensen, Mr. Devine, Mr. Hobbs

**a. Approve SCF Technology Plan**

Ms. Vagner said the Students Come First Technology plan was at Board places. Mr. Wegner said the plan was reviewed at the December 13, 2011 Work Session and was being presented for final approval and direction. Ms. Gebhardt said she read an editorial about the difficulty of implementing technology for some students and not others. She said it was encouraging to see that the committee realized some of the plan had

not been thoroughly thought through. Ms. Cranor said some teachers were excited to get a laptop and to have one for all of their students until they realized it was at the expense of teachers and increased class size.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to approve the SCF Technology Plan for submission to the state as presented. The voting was unanimous in the affirmative.

**b. Approve Early Graduation Requests**

Ms. Vagner said included in the packet was a memorandum detailing the number of students requesting early graduation from each school. She said one additional request from Century High School was included in the addendum. She said all requests were in order and the administration recommended Board approval.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to approve the Early Graduation requests as presented. The voting was unanimous in the affirmative.

**c. Approve Administrative and Student Teacher Intern Requests from Various Colleges and Universities**

Ms. Vagner said the intern requests included in the packet were in order and the administration recommended Board approval.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to approve the administrative and student teacher intern requests as presented. The voting was unanimous in the affirmative.

**d. Camp Requests**

Ms. Vagner said included in the packet were volleyball camp requests from Century High School. She said Ms. Thiros was experienced and aware of the conditions that are to be in place for camps and the administration was supportive of the hard work participants put into the success of the program. She said the administration recommended Board approval. Ms. Gebhardt noted there was no date assigned to the camp. Mr. Devine said the gymnasium floors were being repaired and a date would be assigned when it was completed.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to approve the Camp Requests as presented. The voting was unanimous in the affirmative.

**e. Approve Out of District/Overnight Field Trip Requests**

Ms. Vagner said the trips had been thoroughly reviewed and were in order. She said the administration recommended Board approval.

**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Ms. Gebhardt to approve the out of District/Overnight field trip requests as presented. The voting was unanimous in the affirmative.

**BUSINESS OPERATIONS (BUDGET, MAINTENANCE, TRANSPORTATION, FOOD SERVICE) –**

Information – Mr. Reed

**a. Approve Draft 2011 Fiscal Audit Management Letter to Pocatello Community Charter School**

Ms. Vagner said the Board reviewed the draft 2011 Fiscal Audit Management Letter to the Pocatello Community Charter School at the December 13, 2011 Work Session. She said PCCS had a balanced budget and no longer had a line of credit which was a major point of discussion in the past. Ms. Cranor noted it took a lot of hard work to accomplish what PCCS had done in these economic times. Ms. Vagner said the administration recommended the Board approve the letter and direct the submission to PCCS.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to approve the draft 2011 Fiscal Audit Management Letter to the Pocatello Community Charter School for submission as presented. The voting was unanimous in the affirmative.

**b. Authorize Payment of Claims**

Ms. Vagner said the claims for the month of November in the amount of \$1,293,819.16 were included in the packet. She said the request was routine and the administration recommended Board approval.

**Board Direction/Action:** A motion was made by Mr. Murphy and seconded by Ms. Gebhardt to authorize the payment of claims in the amount of \$1,293,819.16 as presented. The voting was unanimous in the affirmative.

**c. Approve Supplemental Financial Information from November 1, 2011 through November 30, 2011**

Ms. Vagner said the Supplemental Financial data from November 1, 2011 through November 30, 2011 was included in the packet. She said 42% of the year was complete and 68% of the District's revenue had been received. She said this request was routine and the administration recommended Board approval.

**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Ms. Gebhardt to approve the Supplemental Financial Data from November 1, 2011 through November 30, 2011 as presented. The voting was unanimous in the affirmative.

**EMPLOYEE SERVICES – Information – Mr. Smart – *NO REPORT/ACTION***

There were no Employee Services reports or action items at the time of the meeting.

**HUMAN RESOURCES – Information – Dr. Howell**

**a. Approve Monthly Human Resources Report**

Ms. Vagner said the turnover rate in the middle of the school year was unusually high this year. She said each circumstance was unique and principals had supported the early releases from contracts. Ms. Cranor asked if there were replacements lined up for any of the staff. Ms. Vagner said three out of the four resignations had replacements lined up and the Human Resources department was still in the process of recruiting a replacement for the fourth.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to approve the monthly Human Resources report as presented. The voting was unanimous in the affirmative.

**b. Approve Certificated Staff Supervision and Evaluation Forms**

Ms. Vagner said the staff supervision and evaluation forms were presented at the December 13, 2011 Work Session and were included in the packet. She said the administration recommended Board approval.

**Board Direction/Action:** A motion was made by Mr. Murphy and seconded by Ms. Gebhardt to approve the certificated staff supervision and evaluation forms as presented. The voting was unanimous in the affirmative.

**c. Hear on First Reading:**

Policy 7141 – Teacher Supervision and Evaluation of Certificated and Professional Staff

Ms. Vagner said the revisions to Policy 7141 – Teacher Supervision and Evaluation of Certificated and Professional Staff had been made in accordance with Students Come First legislation and were reviewed by the District’s Students Come First Committee and by the Board at the December 13, 2011 Work Session. She said the administration recommended the Board hear the Policy on first reading.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to hear Policy 7141 – Teacher Supervision and Evaluation of Certificated and Professional Staff on first reading as presented. The voting was unanimous in the affirmative.

**d. Hear on First Reading for Deletion:**

Policy 7131 – Annual Contracts

Policy 7132 – Renewable Contracts

Ms. Vagner said applicable components of the policies proposed for deletion had been incorporated into Policy 7141 and remaining components were no longer applicable due to SCF legislation. She said the administration recommended the Board hear the policies on first reading for deletion.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to hear Policy 7131 – Annual Contracts and Policy 7132 – Renewable Contracts on first reading for deletion as presented. The voting was unanimous in the affirmative.

**SUPERINTENDENT REPORT – Information – Mrs. Vagner**

**a. Hearing on First Reading for Adoption per Board Policy 2210 – Governance of the Board of Trustees:**

Policy 8116 – Part-Time Enrollment/Attendance of Students

Policy 8130 – Attendance of Students

Ms. Vagner said the Board reviewed the changed to the Policies at the December 13, 2011 Work Session and were aware of the need to accommodate for fractional ADA for the enrollment of home schooled students and the enrollment of any student attending another public school with the caveat that the public school of origin be billed for tuition for the dual enrollment. She said Board Policy 2210 allowed for the adoption of Policy on first reading when necessary. Ms. Gebhardt said we essentially adopted the changes last month and were only making further revisions.

**Board Direction/Action:** A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to hear Policy 8116 – Part-Time Enrollment/Attendance of Students and Policy 8130 – Attendance of Students on first reading for adoption as presented. The voting was unanimous in the affirmative.

**b. Direct Administration to Ensure there is Deliberation on the Criteria for the Election of Board Officers Prior to Nominations in Accordance with the Following: *Interest in serving; experience on the Board; holding a previous office on the Board; availability and willingness to be the spokesperson for the Board***

Ms. Vagner said the Board engaged in discussion regarding deliberation on the criteria for the election of Board Officers prior to nominations at the December 13, 2011 Work Session. She said the discussion included the fact that as the Board generally did not have a Work Session prior to the July Reorganization Meeting, the Board Chair would pass the gavel to the Superintendent who would be responsible to ensure

discussion took place regarding criteria and desire to serve prior to nominations. Ms. Cranor said she thought it was a good process and agreed with the change. Mr. Murphy thanked Ms. Gebhardt and Mr. Sargent for their work in outlining the process.

**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Ms. Gebhardt to direct the administration to ensure there was deliberation on the criteria for the election of Board Officers prior to nominations in accordance with the following: interest in serving; experience on the Board; holding a previous office on the Board; availability and willingness to be the spokesperson for the Board. The voting was unanimous in the affirmative.

**ADJOURN TO EXECUTIVE SESSION IN THE SUPERINTENDENT’S OFFICE TO DISCUSS IN ACCORDANCE WITH 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;

A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mr. Rash, aye. The Board adjourned to Executive Session at 12:28 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. 12-11** (*Not Present*)

Kent Hobbs, Director of Student Support Services  
Ralph Daniels, Sergeant, Pocatello Police Department  
Renae Johnson, Board Secretary  
Bret Walther, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 12:58 p.m. A motion was made by Mr. Murphy and seconded by Ms. Gebhardt that the Board expel **Student Docket No. 12-11** 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. 12-11** has:

1. Engaged in conduct in violation of the school’s discipline policies specifically with regard to attendance.
2. Engaged in conduct in violation of the school’s discipline policies regarding attendance to the extent that the student is deemed a habitual truant.

This decision is necessary in light of the student’s continued, willful decision not to attend school.

In addition, The District shall comply with all lawful orders of the Judge with jurisdiction over the juvenile proceedings of **Student Docket No. 12-11**, including but not limited to an exchange of information relative to educational records and materials.

If the student desires to reenroll in school in the future, **Student Docket No. 12-11** 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 and 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 12:59 p.m.

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

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 1:01 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Ms. Gebhardt, aye; Mr. Rash, aye.

**OTHERS PRESENT:**

**Student Docket No. 11-01**

**Student Docket No. 11-01** Mother

Kent Hobbs, Director of Student Support Services

D. Scott Heide, Attorney, D Scott Heide Attorney at Law

Ralph Daniels, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Bret Walther, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 1:19 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-01** 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. 11-01** has:

1. Engaged in conduct in violation of the District's policies and with regard to violation of the student's Behavioral and Academic Contract.
2. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school and is detrimental to the health, welfare and safety of others.

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 at this time and not put into effect contingent upon **Student Docket No. 11-01** meeting the following conditions:

1. At any point in time the student is at the Youth Detention Center, the District shall cooperate with court and juvenile justice authorities in aiding the education of **Student Docket No. 11-01**.
2. Should the student be released from the Youth Detention Center, the student shall complete the remainder of the school year on homebound services, with educational activities to be provided in a public location. Such services shall be provided in consultation and under the direction of the Court.
3. **Student Docket No. 11-01** and the family of the student shall meet with the District's administration to develop a Behavioral and Academic Contract for the student.
4. If the student is involved in any juvenile probation, counseling, mental health or social services activities, appropriate releases will be entered into by the family of the student to allow for the exchange of information that will aid with the student's education.

Should **Student Docket No. 11-01** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other infraction of District or School Discipline Policies, **Student Docket No. 11-01** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion.

Prior to any return to attendance for schooling at any of the District's Schools, **Student Docket No. 11-01** shall participate in an enrollment hearing before the Board to address if a return to schooling is appropriate and if such, under what reasonable conditions enrollment will be permitted. At this hearing, the student and family of the student should be prepared to discuss the educational steps the student has taken as well as what actions have been implemented to prevent any further occurrence of this nature. The voting was unanimous in the affirmative. The Board recessed at 1:23 p.m.

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

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Murphy to reconvene to Executive Session at 1:24 p.m. The roll call vote was unanimous in the affirmative: Ms. Cranor, aye; Mr. Murphy, aye; Ms. Gebhardt, aye; Mr. Rash, aye.

**OTHERS PRESENT:**

**Student Docket No. 10-33** (Not Present)

- Kent Hobbs, Director of Student Support Services
- Ralph Daniels, Sergeant, Pocatello Police Department
- Renae Johnson, Board Secretary
- Bret Walther, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 1:40 p.m. A motion was made by Ms. Cranor and seconded by Mr. Murphy that the Board expel **Student Docket No. 10-33** 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. 10-33** has:

1. Engaged in conduct which violated District Policy No. 8210 – Student Discipline with regards to smoking on school property.
2. Engaged in conduct which violated District Policy No. 8210 – Student Discipline, with regard to lighting fires in the restroom.
3. Engaged in conduct which continuously demonstrates that the student’s presence at school is detrimental to the health, safety and welfare of other students.

Prior to the commencement of the 2012-2013 school year, the student and/or 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 2012-2013 school year and what conditions, if any, the Board will impose if reinstatement is permitted.

Should the student seek to complete any on-line or correspondence type courses during the period of expulsion, 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 graduation 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.

**Adjourn:**

A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 1:43 p.m.

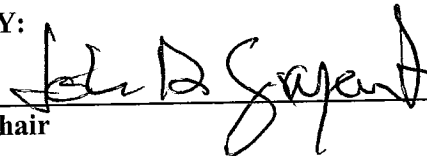
**APPROVED ON:**

FEBRUARY 21, 2012

**MINUTES PREPARED BY:**

  
Secretary, Board of Trustees

**BY:**

  
Chair

**ATTESTED BY:**

  
Clerk