

MINUTES OF SPECIAL MEETING/EXECUTIVE SESSION

To Discuss Matters as Allowed by Idaho Code, Section 74-206 (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 21, 2015

3:00 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
Jackie Cranor, Vice Chair, Board of Trustees (Excused)
Paul Vitale, Clerk, Board of Trustees
Dave Mattson, Assistant Treasurer
Jacob Gertsch, Member, Board of Trustees
Douglas Howell, Interim Superintendent

Call to Order/Executive Session – Student Discipline:

Chair Gebhardt called the meeting to order at 3:02 p.m. A motion was made by Mr. Vitale and seconded by Mr. Mattson to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Gertsch, aye; Mr. Mattson, aye; Mr. Vitale, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 3:03 p.m.

Purpose: To discuss student discipline.

The Board proceeded to discuss student discipline as provided in Idaho Code, Section 74-206 (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. 15-55

Student Docket No. 15-55 Mother
Kent Hobbs, Director of Student Support Services
Dian Swanson, Principal, Highland High School
Willie Walker, Probation Officer, Juvenile Probation
Carol Dillon, Children's Mental Health
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 3:34 p.m. A motion was made by Mr. Mattson and seconded by Mr. Vitale that based upon the information presented to the District Board of Trustees during the Reinstatement/Enrollment hearing for **Student Docket No. 15-55**, I hereby move that the Board permit enrollment of **Student Docket No. 15-55** to the Pocatello/Chubbuck School District at the commencement of the second trimester of the 2015-2016 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this Reinstatement is conditioned upon the following:

1. Upon return, the student shall be permitted to attend Highland High School. Final placement shall be at the discretion of the student's IEP Team.
2. The student's IEP Team shall meet to address the student's Behavior Plan.
 - a. The Board requests the IEP Team consider possible searches of the student's locker and possessions with regard to any inappropriate items.
 - b. The Board requests the IEP Team consider the discussion and issues raised during the student's Reinstatement hearing similar to the restorative process which the student participated in during expulsion.

Should **Student Docket No. 15-55** fail to meet the above stated conditions, or engage in any infraction of District or School Discipline Policies the student may be brought back before the Board of Trustees for consideration of possible expulsion and revocation of the enrollment to school. The voting was unanimous in the affirmative.

A motion was made by Mr. Mattson and seconded by Mr. Vitale to amend the previous motion to allow reinstatement effective October 26, 2015, rather than at the commencement of the second trimester as stated in the previous motion. The voting was unanimous in the affirmative. The Board recessed at 3:39 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Mattson to reconvene to Executive Session at 3:43 p.m. The roll call vote was unanimous in the affirmative: Mr. Gertsch, aye; Mr. Mattson, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-60

Student Docket No. 15-60 Mother

Kent Hobbs, Director of Student Support Services

Tonya Wilkes, Principal, Irving Middle School

Shantel Delonas, Administrative Intern

Dan Montgomery, Probation Officer, Juvenile Probation

Angela Bogert, Intern, Juvenile Probation

Orlando Cardenas, SRO, Pocatello Police Department

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 4:12 p.m. A motion was made by Mr. Gertsch and seconded by Mr. Mattson that based upon the information presented to the District Board of Trustees during the Reinstatement/Enrollment hearing for **Student Docket No. 15-60**, I hereby move that the Board permit enrollment of **Student Docket No. 15-60** to the Pocatello/Chubbuck School District on October 26, 2015.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this Reinstatement is conditioned upon the following:

1. Upon return, the IEP Team shall be convened to determine appropriate placement for the student.
 - a. The Board requests that the IEP Team consider a temporary placement at Crossroads, followed by a transition to Kinport Middle School at the start of the second trimester. However, the IEP team shall be responsible for making final placement determinations.
2. The student's IEP Team shall meet to address the student's Behavior Plan.
 - a. The Board requests the IEP Team consider possible searches of the student's locker and possessions with regard to any inappropriate items.
 - b. Should the student be subject to any UA testing, the Board requests that the IEP Team consider providing the results to the school's administration, at no cost to the District.

Should **Student Docket No. 15-60** fail to meet the above stated conditions, or engage in any infraction of District or School Discipline Policies, the student may be brought back before the Board of Trustees for consideration of possible expulsion and revocation of the enrollment to school. The voting was unanimous in the affirmative. The Board recessed at 4:14 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Mattson to reconvene to Executive Session at 4:17 p.m. The roll call vote was unanimous in the affirmative: Mr. Gertsch, aye; Mr. Mattson, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 16-04

Student Docket No. 16-04 Mother

Student Docket No. 16-04 Father

Kent Hobbs, Director of Student Support Services

Dian Swanson, Principal, Highland High School

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 4:59 p.m. A motion was made by Mr. Mattson and seconded by Mr. Gertsch that the Board expel **Student Docket No. 16-04** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the first trimester of the 2015-2016 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 16-04** has:

1. Engaged in conduct which the Board believes demonstrates the student's violation of District Policy 8130 – Attendance of Students.
2. Engaged in conduct which, in the Board's judgment, demonstrates that the student is an habitual truant.
3. Engaged in conduct which, in the Board's judgment, is consistent with section 33-206, Idaho Code so as to allow the Board to declare the student an habitual truant.

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 effect contingent upon **Student Docket No. 16-04** meeting the following conditions:

1. The student shall be assigned to Homebound for the remainder of the first trimester.
2. Should the student not be successful on any credit recovery during Homebound, the student shall return to the Board for continuation of the Expulsion Hearing held in abeyance.
3. Should the student be successful in credit recovery during Homebound, at the commencement of the second trimester, the student shall be allowed to attend New Horizon's High School for the remainder of the 2015-2016 school year.
 - a. Attendance shall be pursuant to an Academic and Behavioral Contract which shall be developed during a meeting with the student, the family of the student and the school's administration. The administration shall have the final decision as to the terms of the Contract. The Board requests that the Contract include at minimum the following:
 - i. Attendance expectations
 - ii. Grade expectations
 - b. For each day the student is absent from school, the student shall provide the school with a medical excuse from a physician. Depending upon the circumstance of absence, the building administrator has the right to waive such a requirement for any specific absence.
4. Should additional credit recovery options become necessary, the student and the family of the student shall meet with one of the school's counselors to discuss opportunities for credit recovery, at no cost to the District.

Should **Student Docket No. 16-04** 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 5:02 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Vitale and seconded by Mr. Mattson to reconvene to Executive Session at 5:04 p.m. The roll call vote was unanimous in the affirmative: Mr. Gertsch, aye; Mr. Mattson, aye; Mr. Vitale, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 16-05 *(Not Present)*

Kent Hobbs, Director of Student Support Services

Renaë Johnson, Board Secretary

Return to Open Session:

The Board returned to Open Session at 5:06 p.m. No action was taken by the Board at the time of the meeting.

Adjourn:

A motion was made by Mr. Vitale and seconded by Mr. Mattson to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 5:06 p.m.

APPROVED ON:

17 November 2015

By:

Janie A. Hebardt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

~~ATTESTED BY:~~

[Signature]
Clerk