

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, May 7, 2014
4:30 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
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 4:36 p.m. A motion was made by Ms. Cranor and seconded by Mr. Facer to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale; aye; Ms. Cranor, aye; Ms. Gebhardt, aye. The Board adjourned to Executive Session at 4:37 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. 14-54
Student Docket No. 14-54 Father
Student Docket No. 14-54 Father's Girlfriend
Susan Pettit, Principal, Alameda Middle School
Kent Hobbs, Director of Student Support Services
Craig Gunn, 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 5:01 p.m. A motion was made by Mr. Mattson and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-54** from attendance at the Pocatello/Chubbuck School District No. 25 through the end of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-54** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession of a weapon or look-alike weapon 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.

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. 14-54** meeting the following conditions:

1. The student shall return to the student's placement at Alameda Middle School with a transition to Pocatello High School.
2. Attendance shall continue to be pursuant to the academic and behavioral contract previously developed in conjunction with the school's administration. The plan shall be in place for the remainder of this school year. At the transition to Pocatello High School, the administration has the discretion to amend the contract, which shall remain in place for the entirety of the 2014-2015 school year.
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, fail to follow the terms of the Contract or fail to fulfill the reasonable terms and conditions established by the Board for continued enrollment, **Student Docket No. 14-54** 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 5:04 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 5:06 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 13-16 (Not Present)

Student Docket No. 14-60 (Not Present)

Cory Taylor, Principal, Washington Elementary
Kent Hobbs, Director of Student Support Services
Craig Gunn, 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 5:20 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor to direct the administration to consider alternative placement for **Student Docket No. 13-16**, including but not limited to Turning Point, for the 2014-15 school year. The voting was unanimous in the affirmative. No action was taken on **Student Docket No. 14-60** by the Board at the time of the meeting. The Board recessed at 5:22 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 5:06 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-57

Student Docket No. 14-54 Father

Student Docket No. 14-54 Mother

David Ross, Assistant Principal, Century High School
Kent Hobbs, Director of Student Support Services
Craig Gunn, 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 5:45 p.m. A motion was made by Mr. Facer and seconded by Mr. Mattson that the Board expel **Student Docket No. 14-57** from attendance at the Pocatello/Chubbuck School District No. 25 through the first trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-57** 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 the possession of a weapon on school property in violation of the applicable state and federal laws associated with the length of a knife blade.
3. 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. 14-57** meeting the following conditions:

1. The student shall return to Century High School.
2. Attendance shall be pursuant to an academic and behavioral contract developed in conjunction with the school's administration. This contract shall be in place for the remainder of this school year and shall extend into the 2014-2015 school year. The contract shall be developed in a meeting between the student, family and school administration, with the final terms at the discretion of the school's administration. The Board would request that the contract include, at minimum:
 - a. The student's property and possessions as well as the student's locker shall be subject to random searches at the discretion of the school's administration.
3. The student shall complete 20 hours of community service, separate and apart from any community service ordered by any court or probation department. Such community service shall be completed prior to the commencement of the 2014-2015 school year, with proof of completion provided to the school's administration.
4. Should the student be provided any social services or health care services or be under the purview of the juvenile probation department, documentation shall 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, **Student Docket No. 14-57** 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 5:49 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Vitale 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; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-15 (Not Present)

Student Docket No. 14-56 (Not Present)

Student Docket No. 14-61 (Not Present)

Kent Hobbs, Director of Student Support Services

Craig Gunn, SRO, Pocatello Police Department

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:59 p.m. No action was taken by the Board at the time of the meeting. The Board recessed at 6:00 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 6:01 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-58

Student Docket No. 14-58 Father

Student Docket No. 14-58 Mother

Don Cotant, Principal, Pocatello High School

Kent Hobbs, Director of Student Support Services

Forrest Peck, SRO, Pocatello Police Department

Craig Gunn, 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 6:47 p.m. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 14-58** from attendance at the Pocatello/Chubbuck School District No. 25 through the end of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-58** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession and distribution of drugs.
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. 14-58** meeting the following conditions:

1. The student shall return to Pocatello High School.
2. The student shall be placed in the PASS room as necessary for the remainder of the school year.
3. With the exception of a prohibition against the student walking at graduation, as determined by the Board, the Board delegates to the administration the authority to determine the participation, or not, for all end of year activities the student.

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, **Student Docket No. 14-58** 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 6:50 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 6:01 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-59

Student Docket No. 14-59 Father

Susan Pettit, Principal, Alameda Middle School

Kent Hobbs, Director of Student Support Services

Craig Gunn, SRO, Pocatello Police Department
Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:31 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-59** 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 No. 14-59** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to Physical Aggression.
2. Engaged in conduct in violation of the District's Student Discipline Policy relating to weapons or the use of items as a weapon on school property.
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 and school personnel.
4. 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, the parent/legal guardian of the student shall be responsible for contacting 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 period of expulsion, the student shall not be present upon any District property or at any District activity, regardless of location, absent pre-authorization of the District's Administration.

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 reinstatement, the student shall complete 20 hours of community service, with such community service to be in addition to and separate from any community service ordered by any court or probation department. Proof of completion of community service shall be provided to the District prior to the commencement of the reinstatement hearing.

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 6:50 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 7:36 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, aye; Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-55 (Not Present)
Steve Morton, Principal, Greenacres Elementary
Kent Hobbs, Director of Student Support Services
Craig Gunn, SRO, Pocatello Police Department
Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:45 p.m. No action was taken by the Board at the time of the meeting.

Adjourn:

A motion was made by Mr. Facer and seconded by Mr. Vitale to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:46 p.m.

APPROVED ON:

17 June 2014
By:

Janie A. Hebert
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk