

**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 Hearing in Open Session)**  
Pocatello/Chubbuck School District No. 25  
County of Bannock – State of Idaho

Superintendent's Office at the Education Service Center  
4:30 p.m.  
Wednesday, January 11, 2012

**BOARD/SUPERINTENDENT PRESENT:**

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

**Call to Order/Executive Session – Student Expulsion Hearing:**

Acting Chair Cranor called the meeting to order at 4:36 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Murphy to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Ms. Gebhardt, aye; Ms. Cranor, 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. 12-08**

**Student Docket No. 12-08** Mother

**Student Docket No. 12-08** Father

Kent Hobbs, Director of Student Support Services

Julian Duffey, Assistant Principal, Highland High School

Alvin Naumu, Probation Officer, Bannock County Juvenile Justice Department

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 5:00 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that the Board expel **Student Docket No. 12-08** 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. 12-08** has:

1. Engaged in conduct in violation of state and/or federal law with regard to the possession of a weapon on school property and the length of the blade of such a weapon.
2. Engaged in conduct which violated District Policy 8210 – Student Discipline and Policy 8153 – Prohibition of Weapons.

3. Engaged in conduct, namely the crafting and possession of a weapon on school property and, which the Board believes demonstrates that the student's presence at school is detrimental to the health, safety and welfare of other students.

However, pursuant to the statutory discretion provided to the Board relating to the discipline of students who have been in possession of weapons, and allowing for exceptions from the mandatory expulsion requirements, 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. 12-08's** meeting the following conditions:

1. **Student Docket No. 12-08** shall continue his instruction through homebound services for the remainder of the second Trimester of the 2011-2012 school year. It is the recommendation of the Board that **Student Docket No. 12-08** be placed at Century High School, or an alternate school if deemed appropriate by the District's administration, commencing with the third Trimester of the 2011-2012 school year under the following conditions:
  - a. The student's family is to determine, on a daily basis, that the student and the property of the student not contain/possess any form of weapons.
  - b. The school's administration shall randomly search the backpack that **Student Docket No. 12-08** brings to school as well as the desk of the student to assure that no weapon has been brought onto school property.
  - c. The student shall refrain from making any racial comments and/or threats.
  - d. The student shall enter into a strict Behavioral and Academic Contract, the terms of which shall be at the sole discretion of the school's administration.
  - e. Appropriate paperwork shall be entered into so as to provide for a free flow of information between any health care provider and/or probation department only with regard to matters impacting upon the student's education.

Should **Student Docket No. 12-08** fail to meet the above stated conditions or engage in any other infraction of District or School Discipline Policies, **Student Docket No. 12-08** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. Ms. Gebhardt and Ms. Cranor voted in the affirmative. Mr. Murphy opposed. The Board recessed at 5:35 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 5:38 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Gebhardt, aye; Ms. Cranor, aye.

#### **OTHERS PRESENT:**

##### **Student Docket No. 11-12**

**Student Docket No. 11-12** Family Representative

Kent Hobbs, Director of Student Support Services

Stephen Anderson, Assistant Principal, Century High School

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 6:18 p.m. A motion was made by Mr. Murphy and seconded by Ms. Gebhardt that the Board expel **Student Docket No. 11-12** from attendance at the Pocatello/Chubbuck School District No. 25 from the current date through the first trimester of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-12** has:

1. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline.
2. Engaged in conduct which demonstrates the student's presence is continuously disruptive of the institutional effectiveness of the school.

3. Engaged in conduct which violated District Policy No. 8210, Student Discipline and Policy 8153 Prohibition of weapons.
4. 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.
5. Engaged in violation of state and federal laws with regard to the possession of a weapon on school property.
6. Engaged in conduct in violation of the student's Academic and Behavioral Contract.

Prior to the commencement of the second trimester 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 remainder of 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 online or correspondence type courses during the period of expulsion, the District's Administrative or Counseling personnel will participate in a meeting with the parent/legal guardian 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. The Board recessed at 6:20 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 6:23 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Gebhardt, aye; Ms. Cranor, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-12**

**Student Docket No. 12-12 Mother**

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, Alameda Center

Dan Montgomery, Probation Officer, Bannock County Juvenile Justice Department

Ralph Daniels, Sergeant, Pocatello Police Department

Rena Johnson, Board Secretary

Bret Walther, Legal Counsel (by phone)

**Return to Open Session:**

The Board returned to Open Session at 7:03 p.m. A motion was made by Mr. Murphy and seconded by Ms. Gebhardt that the Board expel **Student Docket No. 12-12** 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. 12-12** has:

1. Engaged in conduct which violated District Policy No. 8210, Student Discipline.
2. Engaged in conduct which in the judgment of the Board is continuously disruptive of the school's discipline and instructional effectiveness.

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. 12-12** meeting the following conditions:

1. **Student Docket No. 12-12** shall engage in educational services through homebound placement for the remainder of the 2011-2012 school year.

2. The student shall not be on the school's property or at any school activity held at any other location during this period of homebound instruction absent a specific request to and with approval of the District's Administration.
3. The student shall enter into a Behavioral and Academic Contract, the terms of which shall be at the sole discretion of the school's administration.
4. The student and the family of the student shall participate in a meeting with the District's Administration relative to credit and possible credit recovery/advancement through summer school or other schooling options. This discussion shall include courses which are necessary and approvable for transcription towards graduation.
5. Appropriate paperwork shall be entered into to provide for a free-flow of information between any health care providers and/or probation department only with regard to matters impacting upon the student's education.
6. A meeting shall be held with the student and parent/legal guardian of the student and the District's Administration relating to any possible evaluations for the student.

Prior to the commencement of the 2012-2013 school year, the student and/or parent/legal guardian of the student shall be responsible for contacting the District's Administration to schedule a Reinstatement hearing to allow the Board to consider reinstatement for 2012-2013 school year and what reasonable 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 homebound placement 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 7:06 p.m.

**APPROVED ON:**

FEBRUARY 21, 2012

By:

John D. Goyent  
Chair

**MINUTES PREPARED BY:**

[Signature]  
Secretary, Board of Trustees

**ATTESTED BY:**

Jackie Cranor  
Clerk