

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, December 7, 2011

BOARD/SUPERINTENDENT PRESENT:

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

Call to Order/Executive Session – Student Expulsion Hearing:

Chair Rash called the meeting to order at 4:31 p.m. A motion was made by Mr. Sargent 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; Mr. Sargent, aye; Mr. Rash, aye. The Board adjourned to Executive Session at 4:39 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. 12-09

Student Docket No. 12-09 Mother
Kent Hobbs, Director of Student Support Services
Dian Swanson, Principal, Highland High School
Ralph Daniels, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:03 p.m. A motion was made by Mr. Sargent and seconded by Mr. Murphy that the Board expel **Student Docket No. 12-09** 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. 12-09** has:

1. Engaged in conduct in violation of the school's discipline policies specifically with regard to weapons, drug paraphernalia and attendance.
2. 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.
3. Engaged in conduct which demonstrates that the student's presence at school is disruptive of the school's discipline.
4. Engaged in conduct which demonstrates the student's presence is continuously disruptive of the institutional 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 at this time and not put into effect contingent upon **Student Docket No. 12-09** meeting the following conditions:

1. **Student Docket No. 12-09** shall return to schooling at Highland High School for the remainder of the school year.
 - a. The student and the parent/legal guardian of the student shall meet with the District's Administration to review the newly developed behavioral and academic expectations and to develop an amended behavioral and academic contract for the student's attendance. The review shall assure that the contract includes:
 - b. The student shall be assigned to a specific counselor to work with to address any problems.
 - c. The expectation of a "B" or better in his courses.
 - d. Provision of results from Probation Department UA tests, at no cost to the District.
2. Should the student be 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.
3. The student and the family of the student shall assume responsibility to assure that the student does not have in the student's possession any weapon of any nature, drugs or drug paraphernalia while on school property or at any school function.

Should **Student Docket No. 12-09** 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. 12-09** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. The voting was unanimous in the affirmative. The Board recessed at 5:07 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 5:09 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye; Mr. Rash, aye.

OTHERS PRESENT:

Student Docket No. 12-10 (*Not Present*)

Kent Hobbs, Director of Student Support Services
Pauline Alessi, Principal, Syringa Elementary
Ralph Daniels, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:14 p.m. A motion was made by Mr. Sargent and seconded by Mr. Murphy that 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, no expulsion or disciplinary action for this child shall be implemented or put into effect for violation of the District's weapons policy. The voting was unanimous in the affirmative. The Board recessed at 5:15 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 5:21 p.m. The roll call vote was unanimous in the affirmative: Mr. Murphy, aye; Ms. Cranor, aye; Mr. Sargent, aye; Mr. Rash, aye.

OTHERS PRESENT:

Student Docket No. 10-01

Student Docket No. 10-01 Mother

Kent Hobbs, Director of Student Support Services
Keith Barnes, Principal, Alameda Center
Ralph Daniels, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:29 p.m. A motion was made by Mr. Murphy and seconded by Mr. Sargent that the Board expel **Student Docket No. 10-01** 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. 10-01** has:

1. Engaged in conduct which violated District Policy No. 8210 – Student Discipline, regarding interactions with other students and threats of violence against other students.
2. Engaged in conduct, namely threats of violence to other students, which the Board believes demonstrates that the student’s presence at school is detrimental to the health, safety and welfare of other students.
3. Engaged in conduct which demonstrates that the student’s presence at school is continuously disruptive of the school’s discipline.
4. Engaged in conduct which demonstrates the student’s presence is continuously disruptive of the institutional effectiveness of the school.

During the period of expulsion, the student is prohibited from being present on school property and/or at any school activity, for any reason, absent specific permission from the District’s Superintendent’s Office.

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 commencing with the second trimester of the 2012-2013 school year and what conditions, if any, the Board will impose if reinstatement is permitted.

Should **Student Docket No. 10-01** 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 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. Should the student seek to complete a GED, the District’s administrative or counseling personnel will aid the student in direction towards an appropriate program.

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 Mr. Sargent and seconded by Mr. Murphy to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 5:32 p.m.

APPROVED ON:

FEBRUARY 21, 2012

By:

John W. Sargent
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

Jackie Cranor
Clerk