

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, April 17, 2013
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
John Sargent, Vice Chair, Board of Trustees (Excused)
Jackie Cranor, Clerk, Board of Trustees
Jim Facer, Member, Board of Trustees (Excused)
Paul Vitale, 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 Mr. Vitale and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative: 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. 13-33

Student Docket No. 13-33 Mother

Kent Hobbs, Director of Student Support Services
Mike Roberts, Assistant Principal, Highland High School
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 5:24 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 13-33** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2012-2013 school year through the first trimester of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-33** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to fighting.
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. 13-33** meeting the following conditions:

1. The student shall resume educational activities at New Horizon High School commencing with the 6th Block, through the first trimester of the 2013-2014 school year.

- a. Prior to the commencement of the second trimester of the 2013-2014 school year, the student and the family of the student shall engage in an Administrative Placement Hearing. At that time, the administration shall determine if the student is eligible to transition back to a regular high school setting or if the student shall remain at New Horizon High School. This decision shall be in the sole discretion of the administration. The administration shall consider such factors as behavior, grades and attendance of the student while in attendance at New Horizon High School.
2. Attendance shall be pursuant to a strict academic and behavioral contract. This contract shall be in effect through the remainder of the 2013-2014 school year. The student and family of the student shall meet with the school's administration for the preparation of the contract. However, the final terms of this contract are at the sole discretion of the school's administration. The terms of the contract shall, at minimum include:
 - a. Attendance expectations and limitations with regard to absence.
 - b. Grade expectations.
 - c. Behavioral expectations.
 - d. Completion of twenty (20) hours of community service at New Horizon High School, to be completed by the end of the school year under the direction of the school's administration.
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 her 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, the student shall be brought back before the Board of Trustees for consideration of implementation of the expulsion held in abeyance. The voting was unanimous in the affirmative. The Board recessed at 5:28 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 5:31 p.m. The roll call vote was unanimous in the affirmative: Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket 13-32

Student Docket 13-32 Mother

Student Docket 13-32 Sister

Kent Hobbs, Director of Student Support Services

Orlando Cardenas, 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. A motion was made by Mr. Vitale and seconded by Ms. Cranor that the Board expel **Student Docket No. 13-32** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2012-2013 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 13-32** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession of a deadly or dangerous 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. 13-32** meeting the following conditions:

1. The student shall return to educational activities at Edahow Elementary School.

2. Attendance shall be pursuant to a strict academic and behavioral contract. This contract shall be in effect through the remainder of the 2013-2014 school year. The student and family of the student shall meet with the school's administration for the preparation of the contract. However, the final terms of this contract are at the sole discretion of the school's administration. The terms of the contract shall, at minimum shall include:
 - a. Attendance expectations.
 - b. Grade expectations.
 - c. A provision that the property of the student and the locker of the student shall be subject to random searches. The Board likewise requests that the family engage in random searches of the student prior to the student coming to school.
 - d. The student shall participate in fifteen (15) hours of community service, separate and apart from any court-ordered service, with written confirmation of such community service being provided to the school's administration. The community service can be school-related community service under the direction of the school's administration.
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 his 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, the student shall be brought back before the Board of Trustees for consideration of implementation of the expulsion held in abeyance. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Ms. Cranor and seconded by Mr. Vitale to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 6:03 p.m.

APPROVED ON:

May 21, 2013

By:

Janie Hebbardt

Chair

MINUTES PREPARED BY:

[Signature]

Secretary, Board of Trustees

ATTESTED BY:

Jackie Cranor

Clerk