

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, November 13, 2013
4:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
Jackie Cranor, Vice Chair, Board of Trustees
Paul Vitale, Acting Chair/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 4:40 p.m. A motion was made by Mr. Vitale 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 4:41 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. 14-18

Student Docket No. 14-18 Mother

Student Docket No. 14-18 Stepfather

Brad Wallace, Principal, New Horizon Center

Craig Gunn, School Resource Officer, Alameda Middle School

Rena Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:19 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-18** from attendance at the Pocatello/Chubbuck School District No. 25 through the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-18** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to 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; and
3. Engaged in conduct, which in the judgment of the Board is continually disruptive to the discipline and instructional 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 and not put into place contingent upon **Student Docket No. 14-18** meeting the following conditions:

1. The student shall return to Kinport Academy for the remainder of the 2013-2014 school year.
2. Attendance shall be pursuant to a strict academic, attendance and behavioral contract, which will include, but is not limited to addressing issues pertaining to her behavior while outside of the classroom, the terms of which shall be at the sole discretion of the school's administration.
3. The student shall be subject to random searches of her locker and possessions to ensure that no prohibited substance is present on school property.
4. The student shall prepare a written apology to the students who were given the pills. This apology shall be submitted to be proofread and approved by the school's administration on or before November 22, 2013.
5. The student shall engage in twenty (20) hours of community service with an outside agency. Such community service shall be in addition to any community service ordered pursuant to any court or juvenile probation department. Proof of completion of such community service shall be provided and approved by the school's administration on or before January 31, 2014.
6. 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 5:23 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 5:25 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. 14-19

Student Docket No. 14-19 Mother

Susan Pettit, Principal, Alameda Middle School

Craig Gunn, School Resource Officer, Alameda Middle School

Rena Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:42 p.m. A motion was made by Mr. Facer and seconded by Mr. Vitale that the Board expel **Student Docket No. 14-19** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2013-2014 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-19** 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 in violation of the District's Student Discipline Policy relating to injury to another student.
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. 14-19** meeting the following conditions:

1. The student shall return to educational activities at Alameda Middle School.
2. The student's IEP Team may convene to consider the implementation of an academic and behavioral contract as the Team deems appropriate.
 - a. The student shall prepare a written apology to the injured student, which shall be proofread and reviewed for approval by the school's administration on or before November 22, 2013.

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 conduct of which is not a manifestation of the student's disability, 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 5:45 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 5:49 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. 14-20

Student Docket No. 14-20 Grandmother/Legal Guardian

Student Docket No. 14-20 Grandfather/Legal Guardian

Student Docket No. 14-20 Great Aunt

Student Docket No. 14-20 Great Aunt

Susan Pettit, Principal, Alameda Middle School

Craig Gunn, School Resource Officer

Dan Montgomery, Probation Officer, Juvenile Justice

Rena Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:34 p.m. A motion was made by Mr. Mattson and seconded by Mr. Vitale that based upon the information presented to the District's Board of Trustees during the Reinstatement/Enrollment Hearing for **Student Docket No. 14-20**, I hereby move that the Board permit enrollment for **Student Docket No. 14-20** to the Pocatello/Chubbuck School District No. 25 commencing on November 20, 2013 of the current 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. An IEP Team shall convene on November 20, 2013 at a time to be coordinated by School Principal to establish all necessary student placement decisions and to consider the implementation of a behavior plan for the student.
2. As part of the IEP Team's review, the Board would request the Team consider the appropriateness of implementing the recommendations from the Aberdeen School District in regard to their previously established reasonable conditions for re-enrollment.
3. The Co-Guardians agree that the IEP meeting to be scheduled on November 20, 2013 is acceptable to them. The Co-Guardians also agree to communicate to the student that the behavioral expectations of the Pocatello/Chubbuck School District No. 25 are substantially higher and shall be complied with. Further, that the student's behaviors which he exhibited in Aberdeen will not be tolerated.

Should **Student Docket No. 14-20** fail to meet the above stated conditions, or engage in any major infraction of District or School Discipline Policies, the occurrence of which is not a manifestation of the student's disability, **Student Docket No. 14-20** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the enrollment to school. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Mr. Vitale and seconded by Ms. Cranor to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 6:37 p.m.

APPROVED ON:

17 December 2013

By:

Janie Hebert
Chair

ATTESTED BY:

Paul N Vitale
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees