

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, October 22, 2014
12:30 p.m.

BOARD/SUPERINTENDENT PRESENT:

Janie Gebhardt, Chair, Board of Trustees
Jackie Cranor, Vice Chair, Board of Trustees
Dave Mattson, Clerk, Board of Trustees
Jim Facer, Member, Board of Trustees
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 12:33 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 12:35 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. 15-07

Student Docket No. 15-07 Mother

Kent Hobbs, Director of Student Support Services
Lisa Delonas, Principal, Pocatello 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 1:03 p.m. A motion was made by Mr. Vitale and seconded by Mr. Mattson that the Board expel **Student Docket No. 15-07** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-07** 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. 15-07** meeting the following conditions:

1. The student shall attend school at the New Horizon Center.
2. The student and the parent of the student shall meet with the school's administrative team to establish a Contract outlining the behavioral and educational expectations for the student. This Contract shall run through the entirety of the 2014-2015 school year. The terms and conditions of such Contract shall be at the sole discretion of the school's administration. However, the Board requests that the Contract include at minimum the following expectations:
 - a. Closed campus for the remainder of the 2014-2015 school year, regardless of placement location, allowing discretion to the administration for the third trimester;
 - b. 15 hours of community service, to be completed and documented by the end of the second trimester, separate and apart from any court-ordered community service;
 - c. Attendance and behavior expectations;
 - d. If the student is subjected to any UA tests, any UA results relating to the student shall be provided to the District, in writing, at no cost to the District;
 - e. Student shall be subject to random searches.
3. The parent of the student shall enter into appropriate releases to allow the District to obtain information and documentation from any health care provider, counseling provider, court or probation department that relates solely to enhancing the provision of educational services provided to 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, the student 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 1:07 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 1:10 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. 15-06

Student Docket No. 15-06 Stepfather

Kent Hobbs, Director of Student Support Services

Sue Pettit, Principal, Alameda Middle School

Sid Seaman, SRO, Alameda/Hawthorne Middle Schools

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 2:09 p.m. A motion was made by Mr. Facer and seconded by Mr. Mattson that the Board expel **Student Docket No. 15-06** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-06** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to weapons on school property.
2. Engaged in conduct in violation of Idaho and Federal laws relating to the possession of weapons 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 third trimester of the 2014-2015 school year, the student and/or family 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 third trimester of 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 the Reinstatement Hearing, if the student is receiving any mental health or counseling services and/or contact with juvenile justice or probation department, 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.

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 2:12 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Facer and seconded by Mr. Vitale to reconvene to Executive Session at 2:15 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. 15-09

Student Docket No. 15-09 Mother

Kent Hobbs, Director of Student Support Services

Lisa Delonas, Principal, Pocatello High School

Mark Echo Hawk, Attorney, Echo Hawk Law

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 2:57 p.m. A motion was made by Mr. Mattson and seconded by Ms. Cranor that the Board expel **Student Docket No. 15-09** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-09** 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 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. 15-09** meeting the following conditions:

1. The student shall remain in the PASS room at Pocatello High School for the remainder of the first trimester. The student shall then be transitioned to Highland High School commencing with the start of the second trimester.
2. The student and the parent of the student shall meet with the school's administrative team to establish a Contract outlining expectations of the student. This Contract shall run through the entirety of the 2014-2015 school year. The terms and provision of such Contract shall be at the sole discretion of the

school's administration. However, the Board requests that the Contract include at minimum the following expectations:

- a. Closed campus for the remainder of the 2014-2015 school year, regardless of placement location, allowing discretion to the administration for the third trimester;
 - b. Attendance, grade and behavior expectations;
 - c. Student shall be subject to random searches;
 - d. The student is encouraged to participate in at least one extra-curricular activity.
3. The parent of the student shall enter into appropriate releases to allow the District to obtain information and documentation from any health care provider, counseling provider, court or probation department that relates solely to enhancing the provision of educational services provided to 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, the student 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 3:00 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 3:03 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-10

Student Docket No. 15-10 Father

Student Docket No. 15-10 Mother

Kent Hobbs, Director of Student Support Services

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 3:17 p.m. A motion was made by Ms. Cranor and seconded by Mr. Vitale that the Board expel **Student Docket No. 15-10** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-10** 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 conduct, which in the judgment of the Board, is detrimental to the health, welfare and safety of other pupils.
3. Engaged in conduct, which in the judgment of the Board, is continuously disruptive of the school's discipline and the 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. 15-10** meeting the following conditions:

1. The student shall return to his placement at Kinport Academy.
2. The student's Behavioral and Academic Contract shall remain in place. However, the administration is given the discretion to amend the terms of this Contract as they deem appropriate.
3. The family of the student shall enter into appropriate releases to allow the District to obtain information and documentation from any health care provider, counseling provider, court or

probation department that relates solely to enhancing the provision of educational services provided to 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, the student 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 3:20 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 3:03 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-08

Student Docket No. 15-08 Father

Student Docket No. 15-08 Sister

Kent Hobbs, Director of Student Support Services

Lisa Delonas, Principal, Pocatello High School

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 3:48 p.m. A motion was made by Mr. Vitale and seconded by Mr. Facer that the Board expel **Student Docket No. 15-08** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 15-08** has:

1. Engaged in conduct in violation of the District's Student Discipline Policy relating to the possession and/or use of drugs 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. 15-08** meeting the following conditions:

1. The student shall remain in the PASS room at Pocatello High School. The student shall be transitioned back to general attendance at Pocatello High School thereafter as deemed appropriate by the school's administration.
2. The student and the parent of the student shall meet with the school's administrative team to establish a Contract outlining the behavioral and educational expectations for the student. This Contract shall run through the entirety of the 2014-2015 school year. The terms and provision of such agreement shall be at the sole discretion of the school's administration. However, the Board requests that the Contract include at minimum the following expectations:
 - a. Closed campus for the remainder of the 2014-2015 school year, regardless of placement location, allowing discretion to the administration for the third trimester.
 - b. 20 hours of community service, to be completed and documented by the end of the second trimester.
 - c. Attendance and behavior expectations
 - d. Grade expectations by class, and not solely by total GPA.
 - e. Student shall be subject to random searches
3. The parent of the student shall enter into appropriate releases to allow the District to obtain information and documentation from any health care provider, counseling provider, court or

probation department that relates solely to enhancing the provision of educational services provided to 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, the student 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 3:52 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 3:03 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 15-11 (*Not Present*)

Kent Hobbs, Director of Student Support Services
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 3:57 p.m. No Action was taken by the Board at the time of the meeting. The Board recessed at 3:57 p.m.

Return to Executive Session – Student Discipline:

Following the recess, a motion was made by Mr. Facer and seconded by Mr. Mattson to reconvene to Executive Session at 4:04 p.m. The roll call vote was unanimous in the affirmative: Mr. Mattson, Mr. Facer, aye; Mr. Vitale, aye; Ms. Cranor, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 14-46

Student Docket No. 14-46 Mother

Kent Hobbs, Director of Student Support Services
Heidi Kessler, Principal, Hawthorne Middle School
Dixie Erickson, Assistant Principal, Hawthorne Middle School
Sid Seaman, SRO, Alameda/Hawthorne Middle Schools
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 4:47 p.m. A motion was made by Mr. Mattson and seconded by Ms. Cranor that the Board expel **Student Docket No. 14-46** from attendance at the Pocatello/Chubbuck School District No. 25 from today's date through the end of the second trimester of the 2014-2015 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 14-46** has:

1. 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;
2. Engaged in conduct to the extent that the Board has determined the student to be continuously disruptive of the school's discipline and the instructional effectiveness;
3. Engaged in conduct in violation of the Board's previous terms and conditions which allowed for attendance at school and its decision to not implement an expulsion including;

4. Engaging in conduct in violation of the student's Behavioral and Academic Contract, such Contract having established the reasonable conditions to allow the student's continued enrollment at the school.
5. Engaged in conduct to the extent that the Board has determined the student to be incorrigible.

Prior to the commencement of the third trimester of the 2014-2015 school year, the family 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 third trimester of 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 the Reinstatement Hearing, if the student is receiving any mental health or counseling services and/or contact with juvenile justice or probation department, paperwork shall be entered into to allow for an exchange of information only with regard to matters that impact upon the student's education, for the Board's consideration at the time of the Reinstatement Hearing.

During the Reinstatement Hearing the student and the family 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. Facer and seconded by Mr. Vitale to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 4:50 p.m.

APPROVED ON:

18 November 2014
By: Janie Stebbardt
Chair

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees

ATTESTED BY:

[Signature]
Clerk