

**MINUTES OF SPECIAL MEETING FOR THE PURPOSE OF ACCEPTING A RESIGNATION**  
*(Action to Follow) AND;*  
**TO ADJOURN TO 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 Officer, Employee, Staff Member or Agent*  
*(With Option to Take Action in Open Session)*

**Superintendent's Office at the Education Service Center**  
**Wednesday, October 5, 2011**  
**4:30 p.m.**

**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/Statement of Purpose:**

Chair Rash called the Special Meeting to order at 4:31 p.m. He said the purpose of the Special Meeting was to take action to accept an employee resignation.

**OTHERS PRESENT:**

Douglas Howell, Director of Human Resources  
Rena Johnson, Board Secretary

**Take Action to Accept Resignation**

A motion was made by Ms. Cranor and seconded by Mr. Sargent that:

**WHEREAS**, the Administration has received a request for a release from contract and resignation from **Employee Docket No. 12-01**, and has thereby endorsed said release and resignation;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees accepts the request for release from contract and resignation of Certificated **Employee Docket No. 12-01**, and authorizes the release from contract of said employee by accepting the employee's resignation, based upon the expressed written conditions as received on September 30, 2011. The resignation shall be effective September 30, 2011. The voting was unanimous in the affirmative.

Chair Rash recessed the meeting at 4:34 p.m. until Friday, October 7, 2011 because the original quorum which heard the first component of the student hearing on September 28, 2011 was not present.

**Friday, October 7, 2011**

**Superintendent's Office at the Education Service Center**  
**9:30 a.m.**

**BOARD/SUPERINTENDENT PRESENT:**

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

Chair Rash reconvened the Special Meeting/Executive Session at 9:42 a.m. and entertained a motion to adjourn to Executive Session for the purpose of student discipline.

**Adjourn to Executive Session – Student Expulsion Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Murphy to adjourn to Executive Session at 9:43 a.m. The roll call vote was unanimous in the affirmative; Mr. Murphy, aye; Ms. Gebhardt, aye; Mr. Rash, aye.

**OTHERS PRESENT:**

**Student Docket No. 12-01**

**Student Docket No. 12-01 Mother**

**Student Docket No. 12-01 Father**

Kent Hobbs, Director of Student Support Services

David Ross, Assistant Principal, Century High School

Josh Hancock, School Resource Officer, Century High School (partial/by phone)

Maurice Canfield, 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 11:09 a.m. A motion was made by Ms. Gebhardt and seconded by Mr. Murphy that the Board expel **Student Docket No. 12-01** from attendance at the Pocatello/Chubbuck School District No. 25 for the entirety of the 2011-2012 school year. Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 12-01** has:

1. Engaged in conduct in violation of the student's behavioral contract.
2. Engaged in conduct in violation of the school's discipline policies specifically with regard to sexual harassment and physical interactions with other students.
3. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students; and

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. 12-01** meeting the following conditions:

1. **Student Docket No. 12-01** shall be expelled until the commencement of the second block at New Horizon High School.
2. **Student Docket No. 12-01** shall be placed at New Horizon High School for the commencement of the second block, and absent any other disciplinary issue, shall remain there for the remainder of the 2011-2012 school year.
3. The student and the family of the student shall meet with the District's Administration to address behavioral and academic expectations and to develop an amended Behavioral and Academic Contract as a condition for the student's attendance at New Horizon High School. The final terms of this contract shall be at the sole discretion of the District's Administrative Team.
  - a. At minimum, an element of this contract shall require that the student have absolutely no physical contact with any female student.
  - b. The student shall be assigned an individual at the school with whom the student shall report to should the student have any issues with any other student at the school.
  - c. The student shall be assigned to a specific counselor to work with to address any problems.
4. The student and the family of the student will be responsible for the transportation of the Student to New Horizon's High School.
5. If the student is 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.

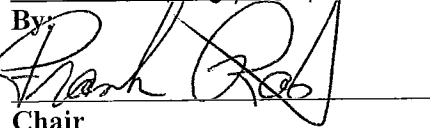
Should **Student Docket No. 12-01** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other infraction of District or School Discipline Policies, including any physical contact with any female student, **Student Docket No. 12-01** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. Mr. Rash and Ms. Gebhardt voted in the affirmative. Mr. Murphy opposed.

**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 11:13 a.m.

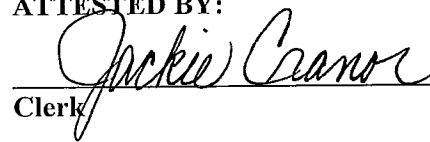
**APPROVED ON:**

**MINUTES PREPARED BY:**

OCTOBER 18, 2011  
By:   
Chair

  
Secretary, Board of Trustees

**ATTESTED BY:**

  
Clerk