

**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  
2:00 p.m.  
Wednesday, September 1, 2010

**BOARD/SUPERINTENDENT PRESENT:**

Marianne Donnelly, Chair, Board of Trustees  
Janie Gebhardt, Vice Chair, Board of Trustees  
Frank Rash, Clerk, Board of Trustees (Arrived at 2:39 p.m.)  
John Sargent, Member, Board of Trustees (Excused)  
Jackie Cranor, Member, Board of Trustees  
Mary M. Vagner, Superintendent

**Call to Order/Executive Session – Student Reinstatement Hearing:**

Chair Donnelly called the meeting to order at 2:04 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 2:05 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. 10-32**

**Student Docket No. 10-32 Mother**

Kent Hobbs, Director of Student Support Services  
Robert Parker, Assistant Principal, Pocatello High School  
Keith Barnes, Principal, New Horizon High School  
Lynda Steenrod, Director of Special Services  
Stephanie Dahlke, Consultant Teacher, Special Services  
Maurice Canfield, 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 2:42 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-32**, held on September 1, 2010, I hereby move that the Board approve and adopt the recommendation of the School administration for the reinstatement of **Student Docket No. 10-32** to the Pocatello/Chubbuck School District for the 2010-2011 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. The following reasonable accommodations shall be addressed by the student's IEP team.

1. The IEP team for **Student Docket No. 10-32** shall convene and determine an appropriate placement and plan for **Student Docket No. 10-32**. This meeting should occur prior to September 3, 2010, if at all possible.
2. In the meantime, the parent of **Student Docket No. 10-32** has consented to a short term temporary change of placement to Pocatello High School until such time as the IEP team can meet and address placement.
3. The IEP team shall determine an appropriate behavioral and academic contract during a meeting with **Student Docket No. 10-32** and the parent/legal guardian of **Student Docket No. 10-32** and the administration. The final terms and conditions of the Behavioral and Academic Contract shall be determined by the IEP team.

Should **Student Docket No. 10-32** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-32** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school, subsequent to an appropriately held manifest determination process.

The voting was unanimous in the affirmative. The Board recessed at 2:44 p.m.

#### **Return to Executive Session – Student Reinstatement Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 2:46 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

#### **OTHERS PRESENT:**

##### **Student Docket No. 10-35**

**Student Docket No. 10-35** Stepfather

Kent Hobbs, Director of Student Support Services

Patrick Vereecken, Assistant Principal, Franklin Middle School

Maurice Canfield, 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 3:08 p.m. A motion was made by Mr. Rash and seconded by Ms. Gebhardt that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-35**, held on September 1, 2010, I hereby move that the Board reinstate **Student Docket No. 10-35** to the Pocatello/Chubbuck School District for the 2010-2011 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. **Student Docket No. 10-35** shall be enrolled at Franklin Middle School.
2. **Student Docket No. 10-35** and the parent/legal guardian of **Student Docket No. 10-35** shall attend a meeting with administrative personnel with regard to the terms and conditions of a Behavioral and Academic Contract. **Student Docket No. 10-35** shall enter into a strict Academic and Behavioral

Contract, the terms of which will be established at the aforementioned meeting. The final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board would like such Contract to include, at minimum, provisions relating to the following issues:

- i. Requirement of expectations in his grades, as established by the administrative team;
  - ii. Requirement that all homework be completed and, in a timely fashion, turned in to the teacher;
  - iii. Requirement that the student be on time for school and for all of his classes and if there is a tardy at the commencement of the school day, such will be addressed with the student's parent.
  - iv. Requirement of an absolute prohibition of any matches, lighters, cigarettes or items which can be smoked, or any form of accelerant at school;
  - v. Requirement that the parent of the student periodically check the school materials and backpack of the student for inappropriate items for school, including but not limited to matches, lighters or any form of accelerant.
3. Should **Student Docket No. 10-35** 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 **Student Docket No. 10-35** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-35** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed at 3:11 p.m.

**Return to Executive Session – Student Reinstatement Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 3:14 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

**OTHERS PRESENT:**

**Student Docket No. 10-11**

**Student Docket No. 10-11 Mother**

Kent Hobbs, Director of Student Support Services  
Robert Parker, Assistant Principal, Pocatello High School  
Keith Barnes, Principal, New Horizon High School  
Maurice Canfield, 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 3:39 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-11**, held on September 1, 2010, I hereby move that the Board reinstate **Student Docket No. 10-11** to the Pocatello/Chubbuck School District for the 2010-2011 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. **Student Docket No. 10-11** shall be enrolled at Alameda Center in the credit recovery program in order to complete the necessary credits to advance his grade. Once enough credits have been earned

for advancement, a meeting will be held with the parent, student and the administration to determine appropriate placement for the student.

2. Upon the completion of the 2010-2011 school year, the student and family of the student shall meet to discuss options for additional credit recovery.
3. The parent/legal guardian of **Student Docket No. 10-11** and the student shall attend a meeting with the District's administration at which time the student shall enter into a strict Academic and Behavioral Contract, the terms of which will be established at the aforementioned meeting. The final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board would like such Contract to include, at minimum, provisions relating to the following issues:
  - i. Requirement of an average "C" grade and no "F" grades in his courses;
  - ii. Requirement that all homework be completed and, in a timely fashion, turned in to the teacher;
  - iii. Requirement that the student is on time for school and for all classes and if there is a tardy at the commencement of the school day, such will be addressed with the student's parent.
  - iv. Requirement of an absolute prohibition of any matches, lighters, cigarettes, tobacco products or items which can be smoked while on any school property;
  - v. No weapons of any nature while present on school property;
  - vi. Requirement that the parent of the student periodically check the school materials and backpack of the student for inappropriate items for school, including but not limited to matches, lighters, cigarettes or weapons.

This contract shall be in place for the entire school year, regardless of placement location.

4. Completion of the District's Saturday student smoking program.
5. Should **Student Docket No. 10-11** 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 **Student Docket No. 10-11** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-11** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed at 3:43 p.m.

#### **Return to Executive Session – Student Reinstatement Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Rash to reconvene to Executive Session at 3:48 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Gebhardt, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

#### **OTHERS PRESENT:**

##### **Student Docket No. 09-40**

##### **Student Docket No. 09-40 Sister**

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, New Horizon High School

Willie Walker, Juvenile Probation Officer

Maurice Canfield, Sergeant, Pocatello Police Department

Rena Johnson, Acting Board Secretary

Amy White, Legal Counsel (by phone)

#### **Return to Open Session:**

The Board returned to Open Session at 4:13 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that based upon the information presented to the District Board of Trustees during the

reinstatement hearing for **Student Docket No. 09-40**, held on September 1, 2010, I hereby move that the Board approve and adopt the recommendation of the school administration and deny the requested reinstatement of **Student Docket No. 09-40** and hereby expel and/or continue the expulsion of **Student Docket No. 09-40** through the 2010-2011 school year.

Such decision is based upon the fact that **Student Docket No. 09-40** did not seek out any opportunities for credit recovery during her period of expulsion, her presence at school is continuously disruptive of the school's discipline and instructional effectiveness, the student is a habitual truant and the fact that the student has been previously expelled.

Should the student seek to enroll in on-line credits or a GED program, the student and/or the family of the student may seek guidance and information from the District's counseling personnel.

Should **Student Docket No. 09-40** seek to re-enroll after the conclusion of the 2010-2011 school year, including any desire to attend summer school at the District, a re-admission hearing will be requested by the student and/or the family of the student. If such hearing is requested, the student and family of the student should be prepared to address the academic pursuits of the student during the student's period of expulsion. The voting was unanimous in the affirmative. The Board recessed at 4:15 p.m.

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

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 4:20 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

**OTHERS PRESENT:**

**Student Docket No. 10-28 (Not Present)**

Kent Hobbs, Director of Student Support Services  
Dian Swanson, Assistant Principal, Highland High School  
Keith Barnes, Principal, New Horizon High School  
Maurice Canfield, 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 4:32 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Rash that the Board approve and adopt the recommendation of the District administration and do hereby expel **Student Docket No. 10-28** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year and the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-28** has:

1. Engaged in actions in violation of the District's policies with regard to aggression, specifically fighting.
2. Engaged in conduct which demonstrates that his continued presence upon the school's property is a continual disruption to the school's instructional effectiveness and discipline of the school.
3. Engaged in conduct which demonstrates that his presence at school is a detriment to the health, welfare and safety of other students at the District.

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. 10-28** meeting the following conditions:

1. **Student Docket No. 10-28** shall attend school in a placement as determined by the IEP team for the 2010-2011 school year. The District would request that this consideration include a placement at New Horizons. The student shall remain at Highland High School until such time as this placement determination is made by the IEP team by September 3, 2010, if at all possible.
2. **Student Docket No. 10-28** and the family of **Student Docket No. 10-28** shall meet with the Student's IEP Team and prepare a continued Academic and Behavioral Contract, the terms of which will be established by the IEP Team. The District would request consideration of an inclusion of a closed campus provision for this contract.
3. **Student Docket No. 10-28** and the family of **Student Docket No. 10-28** shall enter into appropriate documentation to allow for the free flow of information and documentation between the District and any social service provider, juvenile justice and/or any health care or medical care provider with regard to any issue solely relevant to the student's education, including but not limited to any drug testing results.

Should **Student Docket No. 10-28** 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. 10-28** 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 4:33 p.m.

**Return to Executive Session – Student Reinstatement Hearing:**

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 4:35 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

**OTHERS PRESENT:**

**Student Docket No. 10-37**

**Student Docket No. 10-37** Father

Kent Hobbs, Director of Student Support Services

Sue Pettit, Principal, Irving Middle School

Keith Barnes, Principal, New Horizon High School

Andrew Lake, Interpreter

Maurice Canfield, 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 5:07 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-37**, held on September 1, 2010, I hereby move that the Board reinstate **Student Docket No. 10-37** to the Pocatello/Chubbuck School District for the 2010-2011 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. **Student Docket No. 10-37** shall be enrolled at Kinport Academy at the Alameda Center.

2. The parent/legal guardian of **Student Docket No. 10-37** and the student shall attend a meeting with the District's administration at which time the student shall enter into a strict Academic and Behavioral Contract, the terms of which will be established during the meeting. The final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board would like such Contract to include, at minimum, provisions relating to the following issues:
  - i. Requirement of assistance and expectations in his course work and conditions of the ESL program be discussed in detail.
  - ii. Requirements relating to homework completion;
  - iii. Requirement that the student is on time for school and for all of classes and if there is a tardy at the commencement of the school day, such will be addressed with the student's parent.
  - iv. Discussion and provisions relating to no drugs of any nature while present on school property, unless the school is advised and a prescription from a health care provider is provided and a system is arranged for the student to take prescription medications;
3. At the conclusion of the 2010-2011 school year an administrative review will be conducted with the student and family of the student regarding the best placement for the student for the 2011-2012 school year.

Should **Student Docket No. 10-37** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-37** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative.

**Adjourn:**

A motion was made by Ms. Gebhardt and seconded by Mr. Rash to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 5:23 p.m.

**APPROVED ON:**

**MINUTES PREPARED BY:**

\_\_\_\_\_  
By:

\_\_\_\_\_  
Secretary, Board of Trustees

\_\_\_\_\_  
Chair

**ATTESTED BY:**

\_\_\_\_\_  
Clerk