

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
4:30 p.m.
Wednesday, October 20, 2010

BOARD/SUPERINTENDENT PRESENT:

Marianne Donnelly, Chair, Board of Trustees
Janie Gebhardt, Vice Chair, Board of Trustees (Excused)
Frank Rash, Clerk, Board of Trustees
John Sargent, Member, Board of Trustees (Excused)
Jackie Cranor, Member, Board of Trustees
Mary M. Vagner, Superintendent (Excused)
Kent Hobbs, Director of Student Support Services and Acting Superintendent

Call to Order/Executive Session – Student Expulsion Hearing:

Chair Donnelly called the meeting to order at 4:37 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash to adjourn to Executive Session. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 4:38 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. 10-19 (Not Present)
Kent Hobbs, Director of Student Support Services
Keith Barnes, Principal, Alameda Center
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 4:52 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board expel **Student Docket No. 10-19** from attendance at the Pocatello/Chubbuck School District No. 25 for the second and third block of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-19** has:

1. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school;

2. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students;
3. That **Student Docket No. 10-19** has violated disciplinary policies and procedures established by this Board relating to theft;
4. That **Student Docket No. 10-19** has violated disciplinary policies and procedures established by this Board relating to the use, possession or being under the influence of drugs and/or look-alikes.
5. Engaged in conduct in violation of the reasonable conditions established by the Board to permit the student's enrollment, as exhibited by violation of the student's Behavioral and Academic Contract.

The aforementioned also serves as a basis for the Board to revoke the August 25, 2010 reinstatement of this student.

If the student seeks to enroll in academic courses outside of the Pocatello/Chubbuck School District, taken at no cost to the District, during the period of expulsion, the District would agree to engage in a conference to discuss on-line and correspondence options and acceptable courses. If such courses were taken, the District would transcript acceptable and completed courses for the student's academic records.

Prior to the commencement of the fourth block of the 2011-2012 school year, the student and/or the parent/legal guardian 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 fourth block of the 2010-11 school year.

During such 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.

During the period of expulsion the student shall be expected to locally, in Pocatello participate in 20 hours of community service in addition to the community service assigned by any court, and a drug and alcohol abuse assessment, at no cost to the District as well as compliance with his requirements for his probation and/or criminal charges. During the reinstatement hearing, **Student Docket No. 10-19** shall be prepared to discuss these matters.

Prior to the reinstatement hearing, the family of **Student Docket No. 10-19** shall enter into the appropriate documentation to provide for a free flow of information between the school and any social service providers relating to any matter of the student's education.

At such hearing the Board will determine if a return to the District is appropriate and if so, at what placement and under what reasonable terms and conditions re-enrollment would be allowed to occur. The voting was unanimous in the affirmative. The Board recessed at 4:55 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 5:03 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 11-03

Student Docket No. 11-03 Mother

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, Alameda Center

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 5:14 p.m. The Mother of **Student Docket No. 11-03** requested to postpone the Student Expulsion Hearing until November 3, 2010. The Board rescheduled the Student Expulsion Hearing as requested to November 3, 2010 and no action was taken. The Board recessed at 5:15 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 5:51 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 11-04

Student Docket No. 11-04 Father

Kent Hobbs, Director of Student Support Services
Keith Barnes, Principal, Alameda Center
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 6:15 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash that the Board expel **Student Docket No. 11-04** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-04** has:

1. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school;
2. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students; and
3. That **Student Docket No. 11-04** has repeatedly violated disciplinary policies and procedures established by this Board, specifically with regard to theft and attempted theft of property.

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. 11-04** meeting the following conditions:

1. **Student Docket No. 11-04** shall attend Crossroads for the remainder of the trimester.
2. Attendance shall be pursuant to a strict Behavioral and Academic Contract, the final terms of which are at the sole discretion of the school's administration. In order to establish this Behavioral and Academic Contract, the student and the parent/legal guardian of the student shall attend a meeting with the School and District's Administration.
 - i. At minimum, the Board requires this Contract to include provisions for the student to use the restroom either on a supervised basis or only between classes.

3. At the conclusion of the trimester, a placement hearing will be held for the student's placement for the remainder of the school year.
4. The student shall successfully complete an additional ten hours of community service in excess of any service required through the criminal justice system.
5. The student and the parent/legal guardian of the student shall enter into appropriate documentation to allow for a free flow of information with any service provider or social provider/probation department that relate directly to the education of the student.

Should **Student Docket No. 11-04** 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. 11-04** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Ms. Cranor and seconded by Mr. Rash to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 6:18 p.m.

APPROVED ON:

By:

Chair

ATTESTED BY:

Clerk

MINUTES PREPARED BY:

Secretary, Board of Trustees