

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, February 23, 2011

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

Call to Order/Executive Session – Student Expulsion Hearing:

Chair Donnelly called the meeting to order at 4:34 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 4:35 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. 11-14

Student Docket No. 11-14 Father
Kent Hobbs, Director of Student Support Services
Dixie Erickson, Assistant Principal, Hawthorne 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 5:06 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-14** 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. 11-14** has:

1. Engaged in conduct demonstrating that the student's presence at school is continuously disruptive of school discipline and the 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. 11-14** has violated the school's disciplinary policies, including:
 - a. Sexual harassment/inappropriate interactions with other students;

Which, in the judgment of the Board, demonstrate that the presence of the student is disruptive to the educational effectiveness of the school and continuously disruptive of the school's discipline.

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. 11-14** meeting the following conditions:

1. **Student Docket No. 11-14** shall engage in educational services for the remainder of the 2010-2011 school year via homebound services, provided at a public location with family supervision.
2. **Student Docket No. 11-14** shall enter into and abide by a strict Behavioral and Academic Contract the terms of which shall be at the sole discretion of the District's Administration.
3. The student and family of the student shall enter into necessary and appropriate paperwork for a free flow of information between the District, probation and any other service or health care provider relating solely to information to aid in the provision of educational services to the student.

Should **Student Docket No. 11-14** 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. 11-14** 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 at 5:10 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 5:12 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. 11-15

Student Docket No. 11-15 Mother

Student Docket No. 11-15 Father

Student Docket No. 11-15 Brother

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 5:53 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-15** 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. 11-15** has:

1. Engaged in conduct demonstrating that the student's presence at school is continuously disruptive of school discipline and the 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. 11-15** has violated the school's disciplinary policies, including:
 - a. Physical aggression/threats of physical harm and inappropriate interactions with other students;

Which, in the judgment of the Board, demonstrate that the presence of the student is disruptive to the educational effectiveness of the school and continuously disruptive of the school's discipline.

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. 11-15** meeting the following conditions:

1. **Student Docket No. 11-15** shall engage in educational services for the remainder of the 2010-2011 school year at a placement as determined by the student's IEP team. The District's Board would request that the IEP Team consider a homebound placement of the student until the student has attained a "C" level grade in each of the student's classes. When such an event occurs, the Board would request that the IEP team consider a change in placement for a return to Alameda Center, in the RIT program for the remainder of the year.
2. **Student Docket No. 11-15** shall enter into and abide by a strict Behavioral and Academic Contract the terms of which shall be determined in consultation with the District's Administration and IEP Team.
3. The student shall participate in thirty (30) hours of school-related community service. This is to be coordinated with the school's administration, the probation department and the IEP team. This service shall be in addition to any ordered by the Court or probation department.
4. The student and family of the student shall enter into necessary and appropriate paperwork with the IEP team for a free flow of information between the District, probation and any other counseling service or health care provider relating solely to information to aid in the provision of educational services to the student.
5. The family of the student shall continue to remain in contact with the IEP Team with regard to the student's use and work with current medications and/or adjustments to medication.

Should **Student Docket No. 11-15** 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. 11-15** 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 at 5:57 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 6:01 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. 09-26

Student Docket No. 09-26 Mother

Kent Hobbs, Director of Student Support Services

Tina Vinnick, Assistant 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 6:37 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash that the Board expel **Student Docket 09-26** 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. 09-26** has:

1. Engaged in conduct demonstrating that the student's presence at school is continuously disruptive of school discipline and the instructional effectiveness of the school.
2. That **Student Docket No. 09-26** has violated the school's disciplinary policies, including:
 - a. District Policy 8210 – Student Discipline;

Which, in the judgment of the Board, demonstrate that the presence of the student is disruptive to the educational effectiveness of the school and continuously disruptive of the school's discipline.

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. 09-26** meeting the following conditions:

1. **Student Docket No. 09-26** shall remain in the PASS room through the remainder of the fifth block. If successful with a "C" grade in each of his classes, the student shall participate in a placement hearing with the school's Administration as to possible future placement for the remainder of the school year.
2. At the end of this school year, there shall be an evaluation of his credits as to whether or not he will be required to attend summer school, at no cost to the District, for credit recovery.
3. **Student Docket No. 09-26** shall continue on a strict Behavioral and Academic Contract the terms of which shall be at the sole discretion of the District's Administration but shall, at minimum, address a "C" grade in each class, credit recovery issues and a possible return to the Board for consideration of expulsion prior to the commencement of the sixth block should there be any additional truancy.
4. The student shall participate in twenty (20) hours of school-related community service during the fifth block. This is to be coordinated with the school's administration.
5. The student and family of the student shall enter into necessary and appropriate paperwork for a free flow of information between the District, probation and any other service or health care provider relating solely to information to aid in the provision of educational services to the student.

Should **Student Docket No. 09-26** 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. 09-26** 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 6:41 p.m.

APPROVED ON:

MARCH 15, 2011
By:

Maura E. Donnelly
Chair

ATTESTED BY:

Frank Rash
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees