

**MINUTES OF SPECIAL MEETING/EXECUTIVE SESSION**  
**To Discuss Matters as Allowed by Idaho Code, Section 67-2345 (1b)**  
*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, March 10, 2010

**BOARD/SUPERINTENDENT PRESENT:**

Marianne Donnelly, Chair, Board of Trustees  
Janie Gebhardt, Vice Chair, Board of Trustees  
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 Discipline Hearing:**

Chair Donnelly called the meeting to order at 4:34 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Rash to adjourn to Executive Session. The roll call vote was unanimous in the affirmative; Ms. Cranor, aye; Mr. Rash, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye. The Board adjourned to Executive Session at 4:35p.m.

**Purpose: To discuss student discipline.**

The Board proceeded to discuss student discipline as provided in Idaho Code, Section 67-2345 (1b) 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. 09-40**

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

Jim Harrell, Director of Student Support Services  
John Crawford, Assistant Principal, Highland High School  
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 5:12 p.m. A motion was made by Mr. Rash and seconded by Ms. Gebhardt that the Board approve and adopt the recommendation of the District's administration and expel **Student Docket No. 09-40** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 09-40** has:

1. Engaged in continual actions in violation of the District's attendance policies and regulations, to the extent that the Board believes **Student Docket No. 09-40** is habitually truant.

Due to this determination, the Board directs the school's administration to report the Board determination of habitual truancy of **Student Docket No. 09-40** to the proper legal authorities pursuant to the Juvenile Corrections Act, Section 33-206 and 33-207, Idaho Code.

**Student Docket No. 09-40** has participated in a prior meeting of the Board of Trustees addressing the same truancy issues and was well aware of the expectations for her attendance and the consequences for the violation of attendance policies and expectations.

1. **Student Docket No. 09-40** shall be permitted to attend summer school during the summer of 2010 to attempt to obtain three credits. Such attendance shall be at no cost to the District and through a strict academic and behavioral contract, the terms of which are to be established solely by the District's administration.
2. Should **Student Docket No. 09-40** choose not to attend summer school during the summer of 2010, **Student Docket No. 09-40** shall return to the Board prior to the commencement of the 2010-2011 school year for the purpose of participating in a re-enrollment hearing to consider if enrollment at the District is appropriate and if so, pursuant to what reasonably established Board conditions.
3. Should **Student Docket No. 09-40** seek to obtain credit recovery from any other sources, **Student Docket No. 09-40** may consult with the District's administration and/or counseling personnel for information relating to options for credit recovery from other sources.
4. The actions of the District in expelling **Student Docket No. 09-40** shall not prevent **Student Docket No. 09-40** from enrolling and participating in a GED program.

Should **Student Docket No. 09-40** attend a re-enrollment hearing prior to the commencement of the 2010-2011 school year, **Student Docket No. 09-40** and the family of **Student Docket No. 09-40** shall be prepared to discuss the activities of the student during the period of expulsion as well as what steps have and will be taken to assure that there will not be a reoccurrence of truancy of this child. The voting was unanimous in the affirmative. The Board recessed at 5:15 p.m.

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

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Rash to reconvene to Executive Session at 5:19 p.m. The roll call vote was unanimous in the affirmative, Ms. Cranor, aye; Mr. Rash, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye.

#### **OTHERS PRESENT:**

##### **Student Docket No. 10-14**

##### **Student Docket No. 10-14 Mother**

Jim Harrell, Director of Student Support Services

John Crawford, Assistant Principal, Highland High School

Sally Welker, PSR Worker

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 6:24 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that the Board approve and adopt the recommendation of the DDRRC and District's administration and do hereby expel **Student Docket No. 10-14** from attendance at the Pocatello/Chubbuck School District No. 25 for the duration of the third block at New Horizon's High School for the 2009-2010 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-14** has:

1. Engaged in actions in violation of the District Policies and procedures specifically relating to physical aggression.
2. Engaged in conduct which demonstrates her presence at school is a continual disruption of the school's discipline and instructional effectiveness.
3. Engaged in actions in violation of the reasonable terms and conditions allowing enrollment and attendance of **Student Docket No. 10-14** subsequent to the last expulsion hearing.

However, pursuant to the statutory discretion provided to the Board relating to the discipline of students and with consideration and heavy weight placed upon the input of the District's administration the expulsion shall again be held in abeyance at this time and not put into effect contingent upon **Student Docket No. 10-14** meeting the following conditions:

1. **Student Docket No. 10-14** shall remain at Crossroads for the remainder of the third block.

2. Administration at the District and Alameda Center shall develop a fourth quarter schedule that will allow **Student Docket No. 10-14** to remain at Crossroads for the remainder of the 2009-2010 school year but allow limited attendance at classes at New Horizons at the discretion of the administration, taking into consideration course needs and student behavior.
3. Attendance at Crossroads will be according to a new and updated strict academic and behavioral contract, to include the assignment of an administrator that **Student Docket No. 10-14 shall** seek out to avoid conflict or altercation, the terms of which are at the sole discretion of the District's administration.
4. **Student Docket No. 10-14** shall participate for credit recovery for any failed classes, specifically with regard to Algebra. This shall be completed through summer school with consideration of transition and student placement/student interaction.
5. **Student Docket No. 10-14** shall complete and deliver the letter of apology addressed during her prior expulsion hearing to the teacher injured in the altercation. She shall likewise prepare a letter of apology to the driver of the bus involved in this current altercation.
  - Both letters shall be completed prior to the end of the week, March 12, 2010.
  - Both letters shall be proofed and grammatically correct and shall be reviewed in advance by the school's administration.
  - Delivery of the letters shall be done in person to each of the above staff members, in the presence and supervision of a school administrator
6. **Student Docket No. 10-14** shall not ride on any school district transportation or school district provided transportation for the remainder of the 2009-2010 school year.
7. **Student Docket No. 10-14** shall complete 30 hours of community service. This shall be done through communication with school administration and Bannock House.
8. All urinalysis results for **Student Docket No. 10-14** shall be provided to the District's administration from the student's probation officer.
9. Prior to the commencement of the 2010-2011 school year, **Student Docket No. 10-14** and the parent of **Student Docket No. 10-14** shall attend a placement hearing with the District's Board to address enrollment and placement issues for the 2010-2011 school year.

Should **Student Docket No. 10-14** violate any term or provision of the academic and behavioral contract, any condition set forth in this motion, or engage in any action that is a major infraction of any District policy **Student Docket No. 10-14** shall be returned to the Board for possible implementation of expulsion.

**Student Docket No. 10-14** and the family of **Student Docket No. 10-14** shall be prepared to address the educational and other activities of the student from today through to the date of the hearing as well as what steps have and will be taken to prevent reoccurrence of events similar to those of the nature which has brought **Student Docket No. 10-14** before the Board. 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 6:31 p.m.

**APPROVED ON:**

**MINUTES PREPARED BY:**

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

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

\_\_\_\_\_  
Chair

**ATTESTED BY:**

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Clerk