

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, March 30, 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 (Arrived at 5:27 p.m.)
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. 11-06

Student Docket No. 11-06 Mother

Student Docket No. 11-06 Father

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, Alameda Center

Caspar VanHaalen, Assistant Principal, Pocatello High School

Stace Gearhart, Probation Officer, Bannock County Juvenile Justice

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 5:27 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-06** 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. 11-06** 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;

3. Engaged in conduct in violation of the student's Behavioral and Academic Contract, the terms of which were reasonable conditions which permitted the student's attendance at school; and
4. That **Student Docket No. 11-06** has violated the school's disciplinary policies, including:
 - a. Possession of prohibited drugs while on school property.

Each of 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. 11-06** meeting the following conditions:

1. **Student Docket No. 11-06** shall be enrolled at New Horizon's High School for the remainder of the 2010-2011 school year. The administration may place the student entirely into the RIT program or may do a blend of RIT and other classes as the Administration deems to be appropriate.
2. **Student Docket No. 11-06** 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. A minimum grade expectation of a "C" average or better in all classes.
 - b. Full participation in classes, including completing and turning in all assigned class work and homework.
 - c. The student shall have no possession of any weapons, drugs, drug paraphernalia or tobacco product while at school or at any school activity.
 - d. The student shall dress down for all PE classes.
 - e. The student shall not wear any "colors" on any location of the student's body.
 - f. The student shall remove himself from any individual associated with gang affiliations or encouraging gang affiliation.
3. The student shall participate in twenty (20) hours of community service, to be completed by May 27, 2011. This community service shall be in addition to any assigned by probation and shall be reported as completed as of May 27, 2011.
4. 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.
 - a. The results of all required UA tests shall be reported to the District's Administration, at no cost to the District.

Should **Student Docket No. 11-06** meet grade and behavioral expectations through the remainder of the school year an Administrative Placement evaluation shall occur for the 2011-2012 school year. The Administration can consider placement at Pocatello High School. The final placement decision is at the sole discretion of the Administrative Placement team.

Should **Student Docket No. 11-06** 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. 11-06** 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 5:31 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 5:35 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Mr. Sargent, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 11-16

Student Docket No. 11-16 Mother

Student Docket No. 11-16 Sister

Kent Hobbs, Director of Student Support Services
Patrick Vereecken, 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 6:28 p.m. A motion was made by Ms. Cranor and seconded by Mr. Sargent that the Board expel **Student Docket No. 11-16** 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. 11-16** 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. 11-16** 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.

Should **Student Docket No. 11-16** seek to enroll in courses through any other institution during the period of expulsion, the school's administration would agree to meet with the student and parent of the student to discuss what courses are needed and what would be acceptable for transcription at the District.

Student Docket No. 11-16 shall engage in Summer School for credit recovery, at no cost to the District. This attendance shall be pursuant to a strict Behavioral and Academic Contract, the terms of which will be at the sole discretion of the school's administration and shall be established during a meeting between the school's administration and the parent of the student.

- a. As part of the Contract, the student and family of the student shall enter into necessary and appropriate paperwork for a free flow of information between the District and any other service or health care provider relating solely to information to aid in the provision of educational services to the student.

Prior to the commencement of the 2011-2012 school year, **Student Docket No. 11-16** and the family of **Student Docket No. 11-16** shall be responsible for communicating with the District to schedule a Board Reinstatement Hearing to allow the Board to consider reinstatement for the 2011-2012 school year. During this hearing, the student and parent should be prepared to discuss what steps the student has taken during the period of probation, activities during summer school and how the school can be assured that these problems will not continue in the future should the student be re-enrolled.

At the Reinstatement 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 reinstatement would be appropriate. The voting was unanimous in the affirmative. The Board recessed at 6:31p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 6:37 p.m. The roll call vote was unanimous in the affirmative: Mr. Rash, aye; Ms. Cranor, aye; Mr. Sargent, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 09-10

Student Docket No. 09-10 Mother
Student Docket No. 09-10 Stepfather
Kent Hobbs, Director of Student Support Services
Caspar VanHaalen, Assistant Principal, Pocatello 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 6:54 p.m. A motion was made by Mr. Sargent and seconded by Mr. Rash that the Board expel **Student Docket No. 09-10** 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. 09-10** has:

1. Engaged in acts in violation of the District's policies and standards relating to the possession of a weapon upon school property.
2. Engaged in conduct in violation of state and/or federal law relating to the possession of a weapon on school 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. 09-10** meeting the following conditions:

1. **Student Docket No. 09-10** shall return to his school of enrollment.
2. **Student Docket No. 09-10's** 504 plan shall address issues which would typically be addressed in a behavioral and academic contract to the extent appropriate.
3. The student shall enroll in summer school during the summer of 2011 for credit recovery at no cost to the District.

Should **Student Docket No. 09-10** 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. 09-10** 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 6:57 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Ms. Cranor to reconvene to Executive Session at 6:59 p.m. The roll call vote was unanimous in the affirmative: Mr. Rash, aye; Ms. Cranor, aye; Mr. Sargent, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 11-17 (Not Present)
Student Docket No. 11-18 (Not Present)
Kent Hobbs, Director of Student Support Services
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:01 p.m. There was no Board Action taken on the students at the time of the meeting.

Adjourn:

A motion was made by Ms. Cranor and seconded by Mr. Sargent to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:02 p.m.

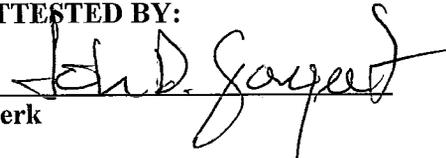
APPROVED ON:

APRIL 19, 2011
By: 
Chair

MINUTES PREPARED BY:


Secretary, Board of Trustees

ATTESTED BY:


Clerk