

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, April 6, 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 4:32 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 4:33 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. 11-19

Student Docket No. 11-19 Mother

Student Docket No. 11-19 Father

Kent Hobbs, Director of Student Support Services

Julian Duffey, Assistant Principal, Century 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 5:46 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-19** 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. 11-19** 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 in violation of state and federal law with regard to possession of a weapon on school property.
3. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students; and
4. That **Student Docket No. 11-19** has violated the school's disciplinary policies, including:

- a. Physical aggression/threats of physical harm and inappropriate interactions with other students.
- b. Possession of a weapon and use of a weapon to threaten another student.

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. 11-19** meeting the following conditions:

1. **Student Docket No. 11-19** shall continue his education in the RIT program at the Alameda Center for the remainder of the school year with an Administrative Hearing for placement for the 2011-2012 school year to be held prior to the commencement of the 2011-2012 school year.
2. The student's IEP team shall meet to address issues of placement modification in the IEP and behavioral and academic expectations, including:
 - i. Consideration of a "C" requirement in all classes for the remainder of the school year.
 - ii. Participation in summer school, at no cost of the District, for credit recovery.
 - iii. Provisions for the daily and additional periodic administrative search for weapons.
 - iv. Provisions to address safety of other students at school.
3. The Student's family is to determine, on a daily basis, that the child and the property of the child do not contain/possess any form of weapons.
4. **Student Docket No. 11-19** shall participate in an outside and independent evaluation, at no cost to the District, to determine if he is a danger to himself or any other individual prior to the commencement of the 2011-2012 school year.
5. The student and family of the student shall enter into necessary and appropriate paperwork with the IEP team and school's administration for a free flow of information between the District, probation, any other counseling service or health care provider or social services provider relating solely to information to aid in the provision of educational services to the student.

Should **Student Docket No. 11-19** 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. 11-19** 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 5:50 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 5:53 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. 11-20

Student Docket No. 11-20 Father

Student Docket No. 11-20 Stepmother

Kent Hobbs, Director of Student Support Services

Julian Duffey, Assistant Principal, Century High School

Kim Ward, PSR Worker

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 6:25 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash that the Board expel **Student Docket No. 11-20** 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. 11-20** 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 in violation of state and federal law with regard to possession of a weapon on school property.
3. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students; and
4. That **Student Docket No. 11-20** has violated the school's disciplinary policies, including:
 - a. Possession of a weapon on school property.

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. 11-20** meeting the following conditions:

1. **Student Docket No. 11-20** shall continue his education at Century High School for the remainder of the 2010-2011 school year.
2. The student's IEP team shall meet to address issues of possible IEP modification relating to placement modification, as well as any behavioral and academic expectations if they deem such to be necessary. The District's Board would specifically request that the IEP team review issues of:
 - i. Participation in summer school, at no cost of the District, for credit recovery if recovery of credits is necessary.
 - ii. Provisions for the daily and additional periodic administrative search for weapons.
3. The Student's family is to determine, on a daily basis, that the child and the property of the child do not contain/possess any form of weapons.
4. The student and family of the student shall enter into necessary and appropriate paperwork with the IEP team and school's administration for a free flow of information between the District, probation, any other counseling service or health care provider or social services provider relating solely to information to aid in the provision of educational services to the student.

Should **Student Docket No. 11-20** 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. 11-20** 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 6:29 p.m.

APPROVED ON:

MAY 17, 2011
By: _____

Marianne E. Donnelly
Chair

ATTESTED BY:

[Signature]
Clerk

MINUTES PREPARED BY:

[Signature]
Secretary, Board of Trustees