

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, May 18, 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 4:32 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. 11-24

Student Docket No. 11-24 Mother

Kent Hobbs, Director of Student Support Services
Susan Pettit, Principal, Irving Middle School
Maurice Canfield, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Bret Walther, Legal Counsel (by phone)

Return to Open Session

The Board returned to Open Session at 5:28 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash that the Board expel **Student Docket No. 11-24** 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. 11-24** 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. 11-24** has violated the school's disciplinary policies, relating to the acceptable conduct of students related to distribution of illegal prescription drugs, 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. 11-24** meeting the following conditions:

1. **Student Docket No. 11-24** shall be suspended for the remainder of the 2010-2011 school year.
2. **Student Docket No. 11-24** will receive credit for all classes for which he is currently receiving a passing grade.
3. **Student Docket No. 11-24** shall attend summer school, at no cost to the district, in all classes in which he is not receiving a passing grade as of the date of this hearing.
4. The student and the parent/legal guardian of the student shall enter into appropriate limited releases with any support services provider solely with regard to information that will aid with the provision of education.
5. An administrative placement hearing shall be held prior to the commencement of the 2011-2012 school year to address placement and the student's transition to high school.

Should **Student Docket No. 11-24** 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. 11-24** 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 Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 5:33 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. 11-25

Student Docket No. 11-25 Aunt

Kent Hobbs, Director of Student Support Services

Sue Pettit, Principal, Irving Middle School

Maurice Canfield, Sergeant, Pocatello Police Department

Rena Johnson, Board Secretary

Bret Walther, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:15 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-25** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2010-2011 school year and through the first trimester of the 2011-2012 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-25** has:

1. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline.
2. Possessed, distributed and used controlled substances and as a result 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 which demonstrates the student's presence is continuously disruptive of the institutional effectiveness of the school.
4. Engaged in conduct which violated the terms of his Behavioral Contract, the terms of which had established the reasonable conditions to allow the student's continued enrollment in school.

5. Engaged in conduct which violated District Policy No. 8210, Student Discipline, regarding unacceptable student conduct relating to use and distribution of illegal drugs.

Prior to the commencement of the second trimester of the 2011-2012 school year, the student and/or the parent/legal guardian of the student shall be responsible for contacting and communicating with the District to schedule a Board reinstatement hearing to allow the Board to consider reinstatement for the remainder of the 2011-2012 school year with possible placement at the Alameda Center where an assessment for credit recovery for 8th Grade credits will be performed.

The student shall also complete a drug assessment and provide the results for consideration at the reinstatement hearing.

Should the student seek to complete any on-line or correspondence type courses during the period of expulsion, the District's administrative or counseling personnel will participate in a meeting with the parent of the student to review educational options, what courses are needed for the student to progress towards promotion to high school and what courses could be transferred to the District and transcribed towards promotion.

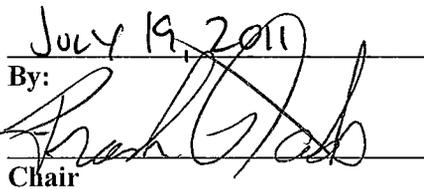
During the reinstatement hearing with the Board the student and the parent/legal guardian of the student shall be prepared to discuss the activities of the student during the period of expulsion as well as what actions have been taken to assure that this conduct and violation of District Policies will not occur in the future should re-enrollment be permitted.

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.

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.

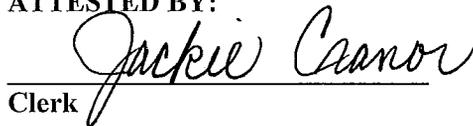
APPROVED ON:

July 19, 2011
By: 
Chair

MINUTES PREPARED BY:


Secretary, Board of Trustees

ATTESTED BY:


Clerk