

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.
Monday, June 20, 2011

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 (Excused)
Mary M. Vagner, Superintendent

Call to Order/Executive Session – Student Expulsion Hearing:

Chair Donnelly called the meeting to order at 4:29 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: Mr. Rash, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 4:30 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. 11-30

Student Docket No. 11-30 Father

Student Docket No. 11-30 Mother

Kent Hobbs, Director of Student Support Services

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 4:46 p.m. A motion was made by Mr. Rash and seconded by Ms. Gebhardt that the Board expel **Student Docket No. 11-30** from attendance at the Pocatello/Chubbuck School District No. 25 for 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. 11-30** has:

1. Engaged in conduct in violation of state and/or federal laws with regard to the possession of a weapon on school property.
2. Engaged in conduct in violation of the school's discipline policies regarding the use and/or 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

- a. That **Student Docket No. 11-30** has violated the school's disciplinary policies, including the possession of a weapon on school property, which in the judgment of the Board, demonstrates 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 11-30 meeting the following conditions:

1. **Student Docket No. 11-30** shall return to his school placement for the 2011-2012 school year.
2. The student's IEP team shall meet prior to the commencement of the school year to address behavioral and academic expectations, including:
 - i. The development of a behavioral and academic contract.
 - ii. Provisions for the daily and/or periodic administrative search for weapons.
 - iii. Provisions to address safety of other students at school.
3. The Student's family is to determine, on a daily basis, that the student and the property of the student 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. 11-30** 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. 11-30** 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 4:50 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 5:02 p.m. The roll call vote was unanimous in the affirmative: Mr. Rash, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 11-31

Student Docket No. 11-31 Mother
Kent Hobbs, Director of Student Support Services
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 5:14 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Rash that the Board expel **Student Docket No. 11-31** from attendance at the Pocatello/Chubbuck School District No. 25 for 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. 11-31** has:

1. Engaged in conduct in violation of state and/or federal laws with regard to the possession of a weapon on school property.
2. Engaged in conduct in violation of the school's discipline policies regarding the use and/or 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
 - a. That **Student Docket No. 11-31** has violated the school's disciplinary policies, including the possession of a weapon on school property, which in the judgment of the Board, demonstrates

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. 11-31** meeting the following conditions:

1. **Student Docket No. 11-31** shall return to his school placement for the 2011-2012 school year.
2. The student and the family of the student shall meet with the District's Administration prior to the commencement of the 2011-2012 school year to address behavioral and academic expectations and to develop a behavioral and academic contract. The final terms of this contract shall be at the sole discretion of the District's Administrative Team.
3. The Student's family is to determine, on a daily basis, that the Student and the property of the student not contain/possess any form of weapons.

Should **Student Docket No. 11-31** 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. 11-31** 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. Gebhardt and seconded by Mr. Rash to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 5:17 p.m.

APPROVED ON:

July 19, 2011

By:


Chair

MINUTES PREPARED BY:


Secretary, Board of Trustees

ATTESTED BY:


Clerk