

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, June 9, 2010

BOARD/SUPERINTENDENT PRESENT:

Marianne Donnelly, Chair, Board of Trustees (Excused)
Janie Gebhardt, Vice Chair, Board of Trustees – Acting Chair
Frank Rash, Clerk, Board of Trustees
John Sargent, Member, Board of Trustees
Jackie Cranor, Member, Board of Trustees (Excused)
Mary M. Vagner, Superintendent

Call to Order/Executive Session – Student Discipline Hearing:

Acting Chair Gebhardt called the meeting to order at 4:35 p.m. A motion was made by Mr. Sargent and seconded by Mr. Rash to adjourn to Executive Session. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Mr. Sargent, aye; Ms. Gebhardt, 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. 08-30 (Not Present)
Jim Harrell, Director of Student Support Services
John Crawford, Assistant Principal, Alameda Center
Maurice Canfield, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Bret Walthers, Legal Counsel (by phone)

Return to Open Session

The Board returned to Open Session at 5:15 p.m. A motion was made by Mr. Rash and seconded by Mr. Sargent that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 08-30** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 08-30** has:

1. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school.

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. 08-30** meeting the following conditions:

1. **Student Docket No. 08-30** shall attend Crossroads for the first block of the 2010-2011 school year.

2. Such attendance shall be pursuant to a strict Academic and Behavioral contract, the final terms of which will be at the sole discretion of the District's Administration. In order to establish this Behavioral and Academic contract, **Student Docket No. 08-30** and the parent/legal guardian of **Student Docket No. 08-30** shall attend a meeting at Crossroads with the School and District's Administration. This meeting must be scheduled prior to the commencement of the first block of the 2010-2011 school year. The purpose of this meeting will be to address the Behavioral and Academic contract and expectations of the student.
3. Prior to the conclusion of the first block of the 2010-11 school year, a meeting will be held between Administration, **Student Docket No. 08-30** and the parent/legal guardian of **Student Docket No. 08-30**. The purpose of this meeting will be to address the placement of the student for the remainder of the school year, the development of a continued Behavioral and Academic contract and a discussion of the behavioral and academic expectations of the student.
4. **Student Docket No. 08-30** and the parent/legal guardian of **Student Docket No. 08-30** shall provide the administration with appropriate and necessary documentation to provide for a free flow of information with any service or healthcare provider and the probation department that would have information relevant solely to the issues of the student's education.
5. **Student Docket No. 08-30** shall engage in twenty (20) hours of community service. It is preferred that this be outside of school-related community service but facilitated by the District.
6. A report as to the completion of community service and behavior of **Student Docket No. 08-30** shall be filed with the Director of Student Support Services prior to the meeting with the school administration. This report shall be prepared and submitted by an agency, organization or person for whom this service was provided and who is not a family member of the student.

Should **Student Docket No. 08-30** 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. 08-30** 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 5:18 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Mr. Rash to reconvene to Executive Session at 5:20 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 10-53 (Not Present)

Jim Harrell, Director of Student Support Services

John Crawford, Assistant Principal, Alameda Center

Maurice Canfield, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Bret Walthers, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 5:39 p.m. A motion was made by Mr. Rash and seconded by Mr. Sargent that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 10-53** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-53** has:

1. Engaged in conduct in violation of the District's policies with regard to the possession, use or distribution of drugs on school property.
2. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school.
3. Engaged in conduct which demonstrates that the presence of **Student Docket No. 10-53** is detrimental to the health and safety of other students.

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. 10-53** meeting the following conditions:

1. **Student Docket No. 10-53** shall attend the last block of summer school for credit recovery.
2. Such attendance shall be pursuant to a strict academic and behavioral contract, the terms of which are to be set at the sole discretion of the District's Administration. In order to establish this Behavioral and Academic contract, **Student Docket No. 10-53** and the parent/legal guardian of **Student Docket No. 10-53** shall attend a meeting with the School and District's Administration. This meeting must be scheduled prior to the commencement of the last block of summer school 2010. The purpose of this meeting will be to address the Behavioral and Academic contract and expectations of the student.
3. Thereafter, **Student Docket No. 10-53** shall be permitted to attend New Horizon's High School for the first two blocks of the 2010-2011 school year;
4. Through Summer School and the first two blocks of school at New Horizon's **Student Docket No. 10-53** shall successfully complete 6.75 credits;
5. Should the student not successfully complete 6.75 credits during the last block of summer school and the first two blocks of the 2010-2011 school year at New Horizon's High School, a placement hearing will be held to determine the most appropriate placement of the student for the remainder of the school year as well as the terms and conditions of such placement.
6. The student shall successfully complete the District's Saturday Substance Abuse Course if not already completed or required through probation.
7. **Student Docket No. 10-53** and the parent/legal guardian of **Student Docket No. 10-53** shall provide the administration with documentation as to the student's activities during the period of expulsion, including a free flow of information with any service or healthcare provider and the probation department that would have information relevant solely to the issues of the student's education.
8. At no cost to the District, the parent/legal guardian or other outside source shall provide to the District a weekly drug testing result to assure that the student remains drug free while on school property. The administration will have the discretion to work with the probation office to coordinate drug testing requirements in consideration of financial issues.

Should **Student Docket No. 10-53** 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. 10-53** 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 5:43 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Mr. Rash to reconvene to Executive Session at 5:47 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 09-09

Student Docket No. 09-09 Mother

Jim Harrell, Director of Student Support Services

Jared Marchand, Case Manager, Bannock House

Maurice Canfield, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Bret Walthers, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:19 p.m. A motion was made by Mr. Sargent and seconded by Mr. Rash that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 09-09** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2010-2011 school year.

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

1. Engaged in conduct in violation of the District's policies with regard to theft of property of another student.
2. Engaged in conduct in violation of the District's policies with regard to destruction or vandalism of another student's property.
3. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school.

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. 09-09** meeting the following conditions:

1. **Student Docket No. 09-09** shall participate in credit recovery during last block of summer school 2010.
2. **Student Docket No. 09-09** shall attend New Horizon's High School for the 2010-2011 school year.
3. All such attendance, including summer school and New Horizon's High School for the 2010-2011 school year, shall be pursuant to a strict academic and behavioral contract, the final terms of which will be at the sole discretion of the District's Administration. In order to establish the Behavioral and Academic contract, **Student Docket No. 09-09** and the parent/legal guardian of **Student Docket No. 09-09** shall attend a meeting with the School and District's Administration. This meeting must be scheduled prior to the commencement of the last block of summer school and the first block of the 2010-2011 school year. The purpose of this meeting will be to address the behavioral and academic contract and expectations of the student.
4. During summer school and upon the student's return to New Horizon's High School for the 2010-2011 school year, the student shall not touch the personal property of any other student and shall arrange for any necessary school supplies through the District's administration.
5. The parent/legal guardian of **Student Docket No. 09-09** shall arrange for a free flow of information with any outside service providers and/or the probation office that would have information relevant solely to the issues of the education of **Student Docket No. 09-09**
6. The results of the random UA's administered by the Bannock House will be provided to the District's and/or school's administration to ensure **Student Docket No. 09-09** is drug free while on school property.

Should **Student Docket No. 09-09** 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. 09-09** 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 6:23 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Mr. Rash to reconvene to Executive Session at 6:25 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 10-54

Student Docket No. 10-54 Uncle

Jim Harrell, Director of Student Support Services

Sue Pettit, Principal, Irving Middle School

Maurice Canfield, Sergeant, Pocatello Police Department

Rena Johnson, Board Secretary

Bret Walthers, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:56 p.m. A motion was made by Mr. Sargent and seconded by Mr. Rash that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 10-54** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-54** has:

1. Engaged in conduct in violation of the District's policies with regard to the school's dress code, nudity and indecent exposure.

2. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school.

During the period of expulsion, the student shall:

1. Engage in a period of community service of not less than twenty (20) hours. Evidence of completion of such service shall be provided to the District's Administration from the agency, entity or person (non-family member) for whom the service was performed;

If the student seeks to enroll in any online academic courses through an outside provider the District would transcript acceptable and completed courses for the student's academic records. If any courses are in question the District's Administration would advise the student and the parent/legal guardian as to what courses would be acceptable.

The parent/legal guardian of **Student Docket No. 10-54** shall arrange for a free flow of information with any outside service providers and/or the probation office that would have information relevant solely to the issues of the education of **Student Docket No. 10-54**.

Prior to the commencement of the second trimester of the 2010-2011 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 second trimester of the 2010-2011 school year.

During such hearing **Student Docket No. 10-54** and the parent/legal guardian of **Student Docket No. 10-54** 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. The Board recessed at 6:59 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Mr. Sargent and seconded by Mr. Rash to reconvene to Executive Session at 7:00 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Mr. Sargent, aye; Ms. Gebhardt, aye.

OTHERS PRESENT:

Student Docket No. 10-55

Student Docket No. 10-55 Mother

Jim Harrell, Director of Student Support Services

Sue Pettit, Principal, Irving Middle School

Maurice Canfield, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Bret Walthers, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:36 p.m. A motion was made by Mr. Rash and seconded by Mr. Sargent that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 10-55** from attendance at the Pocatello/Chubbuck School District No. 25 for the first block (six weeks) of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-55** has:

1. Engaged in conduct in violation of the District's policies with regard to the school's dress code, nudity and indecent exposure.
2. Engaged in conduct which demonstrates that the student's presence at school is continuously disruptive of the school's discipline and instructional effectiveness of the school.

During the period of expulsion, **Student Docket No. 10-55** shall complete the following:

1. Engage in a period of community service of not less than twenty (20) hours. Evidence of completion of such service shall be provided to the District's Administration from an agency, entity or person (non-family member) for whom the service was performed;

2. **Student Docket No. 10-55** shall enroll in summer school at no cost to the District. **Student Docket No. 10-55** and the parent/legal guardian of **Student Docket No. 10-55** shall meet with the District's administration to establish a strict Behavioral and Academic contract, the final terms of which shall be at the sole discretion of the District's administration.
3. The parent/legal guardian of **Student Docket No. 10-55** shall arrange for a free flow of information with any outside service providers and/or the probation office that would have information relevant solely to the issues of the education of **Student Docket No. 10-55**

Prior to the commencement of the second block of the 2010-2011 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 hearing to allow the Board to consider reinstatement at New Horizon's High School for the 2010-2011 school year.

During such hearing 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 Mr. Sargent and seconded by Mr. Rash to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:39 p.m.

APPROVED ON:

MINUTES PREPARED BY:

By:

Secretary, Board of Trustees

Chair

ATTESTED BY:

Clerk