

**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  
4:45 p.m.  
Tuesday, September 21, 2010

**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  
Mary M. Vagner, Superintendent

**Call to Order/Executive Session – Student Expulsion Hearing:**

Chair Donnelly called the meeting to order at 4:45 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; Ms. Cranor, aye; Mr. Rash, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 4:46 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. 10-11**

**Student Docket No. 10-11 Mother**

Kent Hobbs, Director of Student Support Services  
Keith Barnes, Principal, New Horizon High School  
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 5:24 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that the Board approve and adopt the recommendation of the District administration and do hereby expel **Student Docket No. 10-11** from attendance at the Pocatello/Chubbuck School District No. 25 for the first block at New Horizon High School.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-11** 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.
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. That **Student Docket No. 10-11** has repeatedly violated disciplinary policies established by this Board, in this particular situation the school's tobacco and smoking policies.
4. That **Student Docket No. 10-11** has violated the reasonable conditions established by this Board permitting **Student Docket No. 10-11** to re-enroll at the District subsequent to his previous expulsion.
5. That **Student Docket No. 10-11** violated his behavioral contract.

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. 10-11** meeting the following conditions:

1. **Student Docket No. 10-11** shall complete the first block through homebound instruction. Arrangements for this will be made by the school's administration. Should **Student Docket No. 10-11** complete all required activities a meeting will be held for a possible transition back to the New Horizon High School for the second block of the school year.
2. The student's strict academic and behavioral contract shall remain in place, with a strengthening of the meeting requirements to include meeting with school administration at least once per week and any other term the administration deems in need of modification.
3. The student shall complete the smoking cessation program, at no cost to the District.
4. All necessary documentation shall be entered into to provide for a free flow of information with the probation department relating to issues associated with the student's academics and attendance.
5. All other terms and conditions as established in the Board's earlier ruling of this month shall continue in place.

Should **Student Docket No. 10-11** 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. 10-11** shall be brought back before the Board of Trustees for consideration of implementation of the expulsion. Ms. Cranor, Mr. Rash, and Ms. Gebhardt were in favor. Ms. Donnelly was opposed.

**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 5:29 p.m.

**APPROVED ON:**

**MINUTES PREPARED BY:**

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**By:**

\_\_\_\_\_  
**Secretary, Board of Trustees**

\_\_\_\_\_  
**Chair**

**ATTESTED BY:**

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**Clerk**