

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
9:30 a.m.
Wednesday, August 25, 2010

BOARD/SUPERINTENDENT PRESENT:

Marianne Donnelly, Chair, Board of Trustees
Janie Gebhardt, Vice Chair, Board of Trustees
Frank Rash, Clerk, Board of Trustees (Excused at 2:09 p.m. – Returned at 2:50 p.m.)
John Sargent, Member, Board of Trustees (Excused)
Jackie Cranor, Member, Board of Trustees (Excused at 4:15 p.m.)
Mary M. Vagner, Superintendent

Call to Order/Executive Session – Student Reinstatement Hearing:

Chair Donnelly called the meeting to order at 9:37 a.m. A motion was made by Mr. Rash and seconded by Ms. Cranor to adjourn to Executive Session. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 9:37 a.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. 10-19

Student Docket No. 10-19 Mother

Kent Hobbs, Director of Student Support Services
Dian Swanson, Assistant Principal, Highland High School
Tina Vinnick, Assistant Principal, New Horizon 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 10:20 a.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-19**, held on August 25, 2010, the recommendation of the District's Administrative Team and the conduct of **Student Docket No. 10-19** during the period of absence from the School District, I hereby move that the Board approve and adopt the recommendation of the school administration for the reinstatement of **Student Docket No. 10-19** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. **Student Docket No. 10-19** shall be enrolled at New Horizon's High School for the first two blocks of the 2010-2011 school year. At the end of the first two blocks, an administrative hearing shall be held to determine if a transition to Highland High School for the second trimester of the school year is appropriate.
2. **Student Docket No. 10-19** and the parent/legal guardian of **Student Docket No. 10-19** shall attend a meeting with administrative personnel from the District and New Horizon's High School with regard to the terms and conditions of a Behavioral and Academic Contract. **Student Docket No. 10-19** shall enter into a strict Academic and Behavioral Contract, established at the aforementioned meeting. The final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board would recommend such Contract include, at minimum, provisions relating to the following issues:
 - i. Timely arrival at school each day;
 - ii. Tardy situations eliminated;
 - iii. Earn all credits in courses he enrolls in;
3. Should **Student Docket No. 10-19** transition to Highland High School for the second trimester, a new Behavioral and Academic Contract shall be developed through a meeting between the school's administration and the family of **Student Docket No. 10-19**. The final terms and provisions of the Contract will be at the sole discretion of the school's administration. At minimum, the above three elements will continue to be included in this plan.
4. **Student Docket No. 10-19** and the parent/legal guardian of **Student Docket No. 10-19** shall enter into appropriate documentation to allow for a free flow of information between the District and probation department with regard to information that is associated with and will impact upon the education of **Student Docket No. 10-19**.
5. **Student Docket No. 10-19** and the family of **Student Docket No. 10-19** shall report the results of all UA testing, at no cost to the District.
6. Should **Student Docket No. 10-19** return to Highland High School a formal plan will be made for **Student Docket No. 10-19** to attend summer school during the summer of 2011 or 2012 or engage in some other form of credit recovery in order to get back on track for a timely graduation.

Should **Student Docket No. 10-19** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or School Discipline Policies, **Student Docket No. 10-19** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed at 10:25 a.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Ms. Gebhardt to reconvene to Executive Session at 10:26 a.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-01

Student Docket No. 10-01 Mother

Kent Hobbs, Director of Student Support Services
 Steve Anderson, Assistant Principal, Century High School
 Keith Barnes, Principal, New Horizon High School
 Tina Vinnick, Assistant Principal, New Horizon High School
 Maurice Canfield, Sergeant, Pocatello Police Department
 Tara Jensen, Acting Board Secretary
 Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 10:54 a.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-01**, held on August 25, 2010, **Student Docket No. 10-01** the recommendation of the District's Administrative Team and the conduct of **Student Docket No. 10-01** during the period of absence

from the School District, I hereby move that the Board approve and adopt the recommendation of the school administration for the reinstatement of **Student Docket No. 10-01** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. **Student Docket No. 10-01** shall be enrolled at Crossroads for a period of six weeks at the commencement of the 2010-2011 school year. At the end of the first six weeks, a transition to New Horizon's High School for the remainder of the School Year will occur if deemed appropriate by the school's administration.
2. **Student Docket No. 10-01** and the parent/legal guardian of **Student Docket No. 10-01** shall attend a meeting with the school's administrative personnel with regard to the terms and conditions of a Behavioral and Academic Contract. **Student Docket No. 10-01** shall enter into a strict Academic and Behavioral Contract, the terms of which shall be established at the aforementioned meeting. The final terms and provisions of the Contract shall be at the sole discretion of the administration. This behavioral contract shall apply both while attending Crossroads and New Horizon's High School.
3. **Student Docket No. 10-01** and the parent/legal guardian shall enter into appropriate documentation to allow for a free flow of information between the District and agencies, service providers, health care professionals and probation department with regard to information that is associated with and will impact upon the education of **Student Docket No 10-01**.
4. **Student Docket No. 10-01** and the family of **Student Docket No. 10-01** shall report the results of all UA testing, at no cost to the District.
5. Upon arrival at Crossroads, a study will be conducted as to the status of the student's credits and credits needed for graduation. Thereafter, a formal plan will be developed for **Student Docket No. 10-01** to attend summer school during the summer of 2011 and/or 2012 and/or to engage in other forms of credit recovery in order to get back on schedule for a timely graduation.

Should **Student Docket No. 10-01** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or School Discipline Policies, **Student Docket No. 10-01** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed at 10:59 a.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 11:00 a.m. The roll call vote was unanimous in the affirmative; Ms. Cranor, aye; Ms. Gebhardt, aye. Mr. Rash, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-52

Student Docket No. 10-52 Mother

Kent Hobbs, Director of Student Support Services

Dian Swanson, Assistant Principal, Highland High School

Maurice Canfield, Sergeant, Pocatello Police Department

Tara Jensen, Acting Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 11:48 a.m. A motion was made by Mr. Rash and seconded by Ms. Gebhardt that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 10-52** from attendance at the Pocatello/Chubbuck School District No. 25 for the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-52** has:

1. Engaged in conduct in violation of the District's policies with regard to having physical aggression and threats of violence.
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.

However, pursuant to the statutory discretion provided to the Board relating to the discipline of students and with consideration of administrative input, the expulsion shall be held in abeyance. In addressing the student's attendance, the following shall occur:

1. **Student Docket No. 10-52** shall return to the District for the 2010-2011 school year at a placement as determined by the student's IEP team. The Board asks the IEP team to include, among their considerations and discussions, the safety of the student and the safety of other students when determining the appropriate placement, restrictive placement and the possibility of out of school placement.
2. Attendance at the District's schools shall be pursuant to an Academic and Behavioral Contract, the final terms of which are to be set at the discretion of the IEP team. The Board asks the IEP team to include, among their considerations and discussions issues relating to attendance requirements, ramifications for tardy situations, exchange of necessary provider information addressing the education of the student and anger management activities.

Should the parent/legal guardian of **Student Docket No. 10-52** seek to place the student in an alternative educational placement, the District's administrators and/or counselors will meet with the family to discuss the various alternatives available.

Should **Student Docket No. 10-52** engage in any other infraction of District or school discipline policies or violate the contract established by the IEP team, **Student Docket No. 10-52** 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 11:51 a.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 11:54 a.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 09-23

Student Docket No. 09-23 Mother

Kent Hobbs, Director of Student Support Services

Keith Barnes, Principal, New Horizon High School

Tina Vinnick, Assistant Principal, New Horizon High School

Maurice Canfield, Sergeant, Pocatello Police Department

Tara Jensen, Acting Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 12:23 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 09-23**, held on August 25, 2010, **Student Docket No. 09-23** having met established conditions, as well as the recommendation of the District's Administrative Team and the conduct of **Student Docket No. 09-23** during the period of absence from the School District, I hereby move that the Board approve and adopt the recommendation of the school administration for the reinstatement of **Student Docket No. 09-23** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. A credit check will be run to establish whether or not the student is eligible to attend High School or if the student needs to complete additional middle school credits.
2. Should the Student be eligible for High School, he shall enter into the PASS room at Pocatello High School for the commencement of the 2010-2011 school year, to thereafter transition into the traditional classroom at Pocatello High School. Should the student not qualify for high school due to a lack of required credits, the student shall enroll in the credit recovery program at the Alameda Center for the first two blocks of the 2010-2011 school year. **Student Docket No. 09-23** will be eligible to transition to Pocatello High School or New Horizon's High School at the start of the second trimester if he has completed sufficient credits.
3. Regardless of which school **Student Docket No. 09-23** attends, the student and parent/legal guardian of **Student Docket No. 09-23** shall attend a meeting with the school's administrative personnel to establish a Behavioral and Academic Contract. **Student Docket No. 09-23** shall enter into a strict Academic and Behavioral Contract, the final terms and provisions of which shall be at the sole discretion of the administration. However, the Board would recommend such Contract include, at minimum, provisions relating to the following issues:
 - i. The sexual communications and nuisance behaviors of the student.
4. **Student Docket No. 09-23** and the parent/legal guardian shall enter into appropriate documentation to allow for a free flow of information between the District and agencies, service providers, health care professionals and the probation department with regard to information that is associated with and will impact upon the education of **Student Docket No. 09-23**.

Should **Student Docket No. 09-23** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 09-23** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed at 12:28 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 12:36 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 08-35 (Not Present)

Kent Hobbs, Director of Student Support Services
 Steve Anderson, Assistant Principal, Century High School
 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 12:50 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 08-35**, held on August 25, 2010, I hereby move to continue the expulsion of **Student Docket No. 08-35** into the 2010-2011 school year, pursuant to the same terms and conditions as identified in the previous expulsion, to continue through the entirety of the school year or until such time as the family of **Student Docket No. 08-35** requests a reinstatement hearing before the Board. The voting was unanimous in the affirmative. The Board recessed 12:54 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 1:00 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-55

Student Docket No. 10-55 Mother

Kent Hobbs, Director of Student Support Services
Tonya Wilkes, Assistant Principal, Irving Middle School
Keith Barnes, Principal, New Horizon High School
Stace Gearhart, Juvenile Probation Officer
Forrest Peck, School Resource Officer
Maurice Canfield, Sergeant, Pocatello Police Department
Brenda Scheer, Administrative Intern, Pocatello High School
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 1:36 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-55**, held on August 25, 2010, I hereby move that the Board approve and adopt the recommendation of the school administration and waive the remainder of the previously established period of expulsion and reinstate **Student Docket No. 10-55** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. **Student Docket No. 10-55** shall be enrolled at Crossroads for a period of six weeks and thereafter be eligible for consideration for transition to New Horizon's High School for the 2010-2011 school year, if deemed appropriate by the school's administration and in a manner deemed appropriate by the school's administration.
2. **Student Docket No. 10-55** and the parent/legal guardian of **Student Docket No. 10-55** shall attend a meeting with the school's administration to establish a Behavioral and Academic Contract. **Student Docket No. 10-55** shall enter into a strict Academic and Behavioral Contract, the final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board requests that this plan include at minimum the following:
 - i. Monitoring of his academic abilities to determine if any referral is necessary.
 - ii. Absolute prohibition of any sexual conduct relating to the school and the student's presence on school premises, the violation of which will result in an immediate expulsion hearing.
 - iii. A component associated with research relating to sexual harassment and sexual harassment issues. Such research is to be completed during his attendance at Crossroads, under the supervision and guidance of the school's personnel.
3. **Student Docket No. 10-55** and the parent/legal guardian shall enter into appropriate documentation to allow for a free flow of information between the District and agencies, service providers, health care professionals and probation department with regard to information that is associated with and will impact upon the education of Student Docket No 10-55.
4. **Student Docket No. 10-55** shall prepare a letter of apology to those involved in the underlying instances leading to the student's expulsion. This includes letters to the staff involved and the victim involved in this event.

Should **Student Docket No. 10-55** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-55** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed 1:40 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Rash to reconvene to Executive Session at 1:43 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-36

Student Docket No. 10-36 Mother

Kent Hobbs, Director of Student Support Services
Tonya Wilkes, Assistant Principal, Irving Middle School
Robert Parker, Assistant Principal, Pocatello High School
Maurice Canfield, Sergeant, Pocatello Police Department
Brenda Scheer, Administrative Intern, Pocatello High School
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 2:06 p.m. A motion was made by Mr. Rash and seconded by Ms. Gebhardt that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-36**, held on August 25, 2010, the recommendation of the District's Administrative Team and the conduct of **Student Docket No. 10-36** during the period of absence from the School District, I hereby move that the Board approve and adopt the recommendation of the school administration for the reinstatement of **Student Docket No. 10-36** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is contingent upon **Student Docket No. 10-36** meeting the following conditions:

1. **Student Docket No. 10-36** shall be enrolled at Pocatello High School.
2. **Student Docket No. 10-36** and the parent/legal guardian of **Student Docket No. 10-36** shall attend a meeting with administrative personnel to establish a Behavioral and Academic Contract. **Student Docket No. 10-36** shall enter into a strict Academic and Behavioral Contract, the final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board would recommend such Contract include at minimum, provisions relating to the following issues:
 - i. Requirement of assistance and expectations in his math instruction;
 - ii. Requirement of an absolute prohibition of weapons;
 - iii. Requirement that the parent of the student periodically check the school materials and backpack of the student for inappropriate items for school, including but not limited to any form of weapon.

Should **Student Docket No. 10-36** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-36** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. The voting was unanimous in the affirmative. The Board recessed 2:09 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Ms. Cranor to reconvene to Executive Session at 2:11 p.m. The roll call vote was unanimous in the affirmative; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 07-09

Student Docket No. 07-09 Father

Student Docket No. 07-09 Grandfather
Student Docket No. 07-09 Grandmother
Kent Hobbs, Director of Student Support Services
Tonya Wilkes, Assistant Principal, Irving Middle School
Robert Parker, Assistant Principal, Pocatello High School
Keith Barnes, Principal, New Horizon High School
Maurice Canfield, Sergeant, Pocatello Police Department
Brenda Scheer, Administrative Intern, Pocatello High School
Rena Johnson, Board Secretary
Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 2:50 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 07-09**, held on August 25, 2010, the recommendation of the District's Administrative Team and the conduct of **Student Docket No. 07-09** during the period of absence from the School District, I hereby move that the Board approve and adopt the recommendation of the school administration for the reinstatement of **Student Docket No. 07-09** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. Accordingly, this reinstatement is conditioned upon the following:

1. The student shall be placed at New Horizon's High School for the 2010-2011 school year.
2. **Student Docket No. 07-09** shall enter into a strict Academic and Behavioral Contract, the terms of which are to be established during a meeting between the school's administration and the student/family of the student. The final terms and provisions of the Contract shall be at the sole discretion of the administration. However, the Board recommends such Contract include at minimum, provisions relating to the following issues:
 - i. The student must maintain a 2.0 Grade Point Average.
 - ii. The student must engage in credit recovery through participation in summer school and/or through online credit recovery opportunities, at no cost to the District.
 - iii. The student shall not violate any provision of the school's discipline policies. Any violation shall result in an immediate return to the Board for consideration of implementation of expulsion.
3. **Student Docket No. 07-09** and the parent/legal guardian shall enter into appropriate documentation to allow for a free flow of information between the District and agencies, service providers, health care professionals and the probation department with regard to information that is associated with and will impact upon the education of **Student Docket No. 07-09**.
4. **Student Docket No. 07-09** shall participate in anger management counseling activities, at no cost to the District.

Should **Student Docket No. 07-09** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 07-09** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school. Ms. Cranor and Ms. Gebhardt were in favor. Ms. Donnelly was opposed. The Board recessed 2:54 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 2:58 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-15
Student Docket No. 10-15 Sister-in-law

Student Docket No. 10-15 Brother
Kent Hobbs, Director of Student Support Services
Dian Swanson, Assistant Principal, Highland 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 3:40 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that based upon the information presented to the Board of Trustees during the hearing for **Student Docket No. 10-15**, held on August 25, 2010, the Board directs the matter be returned to the administrative level so that the IEP team may meet and convene a Manifest Determination relating to the underlying facts associated with the scheduled hearing.

The Board would request the IEP team, if they determine the conduct of **Student Docket No. 10-15** is not a manifestation of the student's medical condition and/or disability, commence discussions as to the appropriate placement of **Student Docket No. 10-15** as well as appropriate consequences for **Student Docket No. 10-15**, including such matters as the terms and provisions of a behavioral and academic contract, informational exchange, credit recovery and informational exchanges, should the Board decide to expel **Student Docket No. 10-15** upon his return to the Board.

The Board further directs that the expulsion recommendation for **Student Docket No. 10-15** be returned to the Board subsequent to the Manifest Determination and discussions by the IEP team. Until such time as this determination is made, **Student Docket No. 10-15** shall continue to be provided educational services by the District as determined by the IEP team. The voting was unanimous in the affirmative. The Board recessed 3:41 p.m.

Return to Executive Session – Student Reinstatement Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Rash to reconvene to Executive Session at 3:44 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-17
Student Docket No. 10-17 Grandmother/Guardian
Kent Hobbs, Director of Student Support Services
Tina Vinnick, Assistant Principal, New Horizon High School
Dian Swanson, Assistant Principal, Highland High School
Tom Dickman, Teacher, Alameda Center
Kris Brown, Counselor, Alameda Center
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 4:10 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that based upon the information presented to the District Board of Trustees during the reinstatement hearing for **Student Docket No. 10-17**, held on August 25, 2010, as well as the recommendation of the District's Administrative Team and the conduct of **Student Docket No. 10-17** during the period of absence from the School District, I hereby move that the Board approve and adopt the recommendation of the school administration for the reinstatement of **Student Docket No. 10-17** to the Pocatello/Chubbuck School District for the 2010-2011 school year.

As provided by Idaho Code 33-205, a Board of Trustees may establish reasonable conditions for a student's re-enrollment to a District. The following reasonable accommodations shall be addressed by the student's IEP team:

1. The IEP team for **Student Docket No. 10-17** shall convene and determine and appropriate placement and plan for **Student Docket No. 10-17** to obtain all remaining credits necessary for graduation.
2. The IEP team shall determine an appropriate Behavioral and Academic Contract during a meeting with **Student Docket No. 10-17** and the parent/legal guardian of **Student Docket No. 10-17** and the administration. The final terms and conditions of the Behavioral and Academic Contract shall be determined by the IEP team.

Should **Student Docket No. 10-17** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, engage in any other major infraction of District or school discipline policies, **Student Docket No. 10-17** shall be brought back before the Board of Trustees for consideration of expulsion and revocation of the reinstatement to school, subsequent to an appropriately held manifest determination process. The voting was unanimous in the affirmative. The Board recessed 4:13 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 4:16 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. 11-01

Student Docket No. 11-01 Mother

Student Docket No. 11-01 Grandmother

Student Docket No. 11-01 Grandfather

Kent Hobbs, Director of Student Support Services

Tina Vinnick, Assistant Principal, New Horizon High School

Tonya Wilkes, Assistant Principal, Irving Middle School

Kris Brown, Counselor, Alameda Center

ML Rutherford, Administrative Intern, Irving Middle 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 5:19 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Rash that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 11-01** from attendance at the Pocatello/Chubbuck School District No. 25 for the first trimester of the 2010-2011 school year. However, pursuant to the statutory discretion provided to the Board, this expulsion shall be held in abeyance at this time.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-01** has:

1. Engaged in conduct in violation of the District's policies and with regard to having engaged in conduct in violation of his behavioral contract.
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 and is detrimental to health, welfare and safety of others.

This abeyance status is contingent upon **Student Docket No. 11-01** meeting the following conditions:

1. **Student Docket No. 11-01** shall start the 2010-2011 school year at Crossroads for a period of six weeks. Thereafter, a transition shall commence to Kinport. This transition can be staggered which shall be determined by the school's administration to best fit the needs of the student.
2. **Student Docket No. 11-01** and the parent/legal guardian of **Student Docket No. 11-01** shall attend and participate in an intake meeting at Crossroads. During this meeting the following shall occur:
 - The parties shall establish a new Academic and Behavioral Contract, the terms of which shall be built upon the prior Contract from Irving Middle School. The final terms of this Contract shall be at the discretion of the administration.
 - A discussion and review of grade and credit status for the student from the prior placement at Irving.
 - A discussion as to credit recovery so that the student may transition to high school on schedule with the rest of his classmates.
 - A discussion of community service as a part of the school day to promote productive behavior.
 - The entry into appropriate releases for the exchange of information from private providers that will aid the District only with regard to educational matters.
 - Attendance requirements and related avenues of addressing attendance.
 - Positive behavioral support

Should **Student Docket No. 11-01** fail to meet the above stated conditions, violate any provision of the Behavioral and Academic Contract, or engage in any other major infraction of District or school discipline policies, **Student Docket No. 11-01** 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 5:23 p.m.

APPROVED ON:

MINUTES PREPARED BY:

By:

Secretary, Board of Trustees

Chair

ATTESTED BY:

Clerk