

MINUTES OF SPECIAL MEETING/EXECUTIVE SESSION
To Discuss Matters as Allowed by Idaho Code, Section 67-2345 (1b)
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, January 13, 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 Discipline Hearing:

Chair Donnelly called the meeting to order at 4:30 p.m. A motion was made by Ms. Gebhardt 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; Mrs. Donnelly, aye. The Board adjourned to Executive Session at 4:31 p.m.

Purpose: To discuss student discipline.

The Board proceeded to discuss student discipline as provided in Idaho Code, Section 67-2345 (1b) 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. 10-15

Student Docket No. 10-15 Brother

Student Docket No. 10-15 Aunt

Jim Harrell, Director of Student Support Services

John Crawford, Assistant Principal, Alameda Center

Maurice Canfield, Sergeant, Pocatello Police Department

Joanne Gehman, Probation Officer

Renae Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session

The Board returned to Open Session at 5:33 p.m. A motion was made by Ms. Gebhardt and seconded by Mr. Rash that the Board approve and adopt the recommendation of the DDRC and District Superintendent and do hereby expel **Student Docket No. 10-15** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-15** has:

1. Engaged in actions in violation of the District policies and procedures specifically relating to the use, possession or distribution of alcohol at or relating to school.

2. Engaged in conduct which demonstrates his presence at school is a continual disruption of the school's discipline and instructional effectiveness.

During the period of expulsion, the IEP team for **Student Docket No. 10-15** shall meet and determine the process and procedure for the continued education of **Student Docket No. 10-15**.

Prior to the commencement of the 2010-2011 school year, **Student Docket No. 10-15** shall participate in a reinstatement hearing with the District's Board to discuss a possible return to the District's schools. Prior to that reinstatement hearing, the IEP team for **Student Docket No. 10-15** shall meet to address possible appropriate rules and placement for **Student Docket No. 10-15** for the 2010-2011 school year. Information relating to this recommendation as well as the activities of **Student Docket No. 10-15** during the period of expulsion will be addressed during this reinstatement hearing to determine if and when a return to the District's schools is appropriate and under what reasonable conditions such return may occur. This hearing shall include discussion as to anger management activities and other services that the student has engaged in, at no cost to the District, during his period of expulsion and a free flow of information to the District regarding these activities. The voting was unanimous in the affirmative. The Board recessed at 5:36 p.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 5:40 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-13

Student Docket No. 10-13 Mother

Student Docket No. 10-13 Father

Jim Harrell, Director of Student Support Services

Casper VanHaalen, Assistant Principal, Pocatello 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 6:13 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that the Board approve and adopt the recommendation of the DDRRC and District Superintendent and do hereby expel **Student Docket No. 10-13** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the second trimester of the 2009-2010 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-13** has:

1. Engaged in actions in violation of the District Policies and procedures specifically relating to the use or possession of alcohol relating to school.
2. Engaged in conduct which demonstrates his presence at school is a continual disruption of the school's discipline and instructional effectiveness.

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 the expulsion shall be held in abeyance at this time and not put into effect contingent upon **Student Docket No. 10-13** meeting the following conditions:

1. **Student Docket No. 10-13** shall return to Pocatello High School for his school assignment.
2. **Student Docket No. 10-13** shall enter into and abide by a strict behavioral and academic contract, the terms of which are at the sole discretion of the District's administration.
 - a. This contract shall include the requirement of a 2.50 GPA.
3. A component of **Student Docket No. 10-13's** Behavioral Contract shall include a provision for 30 hours of community service to be completed in cooperation with the school's administration.
4. **Student Docket No. 10-13** shall not be in possession of, shall not use or distribute any alcohol, tobacco or drugs other than prescription medication specifically prescribed to **Student Docket No. 10-13** while on school property.

5. **Student Docket No. 10-13** shall complete a drug and alcohol evaluation, at no cost to the District, and **Student Docket No. 10-13** and/or the parent/legal guardian of **Student Docket No. 10-13** shall enter into documentation allowing a free flow of information between the evaluator and the District relating solely to this evaluation.
6. **Student Docket No. 10-13** shall complete the District's Saturday Substance Abuse Classes and essay.
7. **Student Docket No. 10-13** shall abide by a closed campus rule for the remainder of the 2009-2010 school year and shall not have any contact with any other student involved in the alcohol event, other than the possible situation of the students being assigned to the same class.

Should **Student Docket No. 10-13** violate any term or provision of his behavioral and academic contract, any condition set forth herein, or any other District policy **Student Docket No. 10-13** shall be returned to the Board for possible implementation of expulsion. The voting was unanimous in the affirmative. The Board recessed at 6:17 p.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 6:26 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-10

Student Docket No. 10-10 Mother

Jim Harrell, Director of Student Support Services

John Crawford, Assistant Principal, 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 7:17 p.m. A motion was made by Mr. Rash and seconded by Ms. Cranor that the Board approve and adopt the recommendation of the District Superintendent and Administration and do hereby expel **Student Docket No. 10-10** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the second trimester of the 2009-2010 school year.

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

1. Engaged in actions in violation of the District Policies and procedures specifically relating to vandalism of school property.
2. Engaged in conduct which demonstrates his presence at school is a continual disruption of the school's discipline and instructional effectiveness.

At the commencement of the third trimester for the 2009-2010 school year, **Student Docket No. 10-10** shall enter Crossroads for a period of at least six weeks, wherein a transition will occur for a final placement for the remainder of the school year.

1. Attendance at Crossroads and any subsequent District placement will be according to a strict academic and behavioral contract, the terms of which are at the sole discretion of the District's administration but shall include, at minimum, a requirement that all classroom assignments be completed and turned in, no insubordination to school personnel and no verbal abuse or threats of physical harm to students or school personnel.

Student Docket No. 10-10 shall participate in summer school during the summer of 2010 for credit recovery.

1. Attendance at summer school shall be through a strict behavioral and academic contract, the terms of which are at the sole discretion of the District's administration but shall, at minimum, include the above-referenced components. In case of financial hardship, scholarship options would be provided by the District.

Student Docket No. 10-10 and the parent/legal guardian of **Student Docket No. 10-10** shall enter into the necessary documentation for a possible free-flow of information between any service, counseling or health care provider and juvenile justice or probation department relating solely to any matter which may impact upon the education of **Student Docket No. 10-10**.

Student Docket No. 10-10 shall be assigned a specific administrator, counselor and/or teacher for whom **Student Docket No. 10-10** shall seek out in situations where **Student Docket No. 10-10** seeks to avoid conflict and/or to address problems that **Student Docket No. 10-10** may have with other students or school-related issues.

A component of **Student Docket No. 10-10's** behavioral contract shall include a provision for 15 hours of school community service in cooperation with the school's administration.

Should **Student Docket No. 10-10** violate any term or provision of his behavioral and academic contract, any condition set forth herein, including credit recovery/summer school, or any other District policy **Student Docket No. 10-10** shall be returned to the Board for possible implementation of expulsion. The voting was unanimous in the affirmative. The Board recessed at 7:20 p.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 7:26 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-14

Student Docket No. 10-14 Mother

Jim Harrell, Director of Student Support Services

John Crawford, Assistant Principal, Alameda Center

Sally Welker, PSR Worker

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 8:15 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that the Board approve and adopt the recommendation of the DDRC and District Superintendent and do hereby expel **Student Docket No. 10-14** from attendance at the Pocatello/Chubbuck School District No. 25 for the duration of the third block at New Horizon's High School for the 2009-2010 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-14** has:

1. Engaged in actions in violation of the District Policies and procedures specifically relating to physical violence and fighting on school property.
2. Engaged in conduct which demonstrates her presence at school is a disruption of the school's discipline and instructional effectiveness.

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 the expulsion shall be held in abeyance at this time and not put into effect contingent upon **Student Docket No. 10-14** meeting the following conditions:

1. **Student Docket No. 10-14** shall enter Crossroads for a period of time as determined by the administration depending upon student conduct and need. Thereafter, the administration will arrange for a transition of placement to New Horizons High School.
2. Attendance at Crossroads and New Horizons and any other District placement, including but not limited to summer school, will be according to a strict academic and behavioral contract, the terms of which are at the sole discretion of the District's administration. The student and parent/legal guardian of **Student Docket No. 10-14** shall participate in development of this behavioral and academic contract. This contract shall remain in place through, at minimum, the 2010-2011 school year. In case of financial hardship, scholarship options will be made available by the District.
 - a. **Student Docket No. 10-14** shall participate in summer school during the summer of 2010 for credit recovery. The student is required to do summer credit recovery for classes the student has failed.
3. **Student Docket No. 10-14** and the parent/legal guardian of **Student Docket No. 10-14** shall enter into the necessary documentation for a possible free-flow of information between any service, counseling or health

care provider and juvenile justice or probation department relating solely to any matter which may impact upon the education of **Student Docket No. 10-14**.

4. **Student Docket No. 10-14** shall be assigned a specific administrator, counselor and/or teacher whom **Student Docket No. 10-14** shall seek out in situations where **Student Docket No. 10-14** seeks to avoid conflict and/or to address problems that **Student Docket No. 10-14** may have with other students or school-related issues. This assigned staff member shall arrange for a safe location for **Student Docket No. 10-14** in a situation where the student needs time and space to address anger management issues.
5. A component of **Student Docket No. 10-14's** behavioral contract shall include a provision for 30 hours of school community service to be completed in cooperation with the school's administration.
6. **Student Docket No. 10-14** shall prepare a sincere apology to all school staff involved in the fighting episode, including the injured staff member that led to this Board decision. Prior to personally delivering this letter to the school's staff, **Student Docket No. 10-14** shall provide it to the school's administration for review and approval.

Should **Student Docket No. 10-14** violate any term or provision of her behavioral and academic contract, any condition set forth herein, including credit recovery/summer school, or any other District policy **Student Docket No. 10-14** shall be returned to the Board for possible implementation of 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 8:21 p.m.

APPROVED ON:

MINUTES PREPARED BY:

By:

Secretary, Board of Trustees

Chair

ATTESTED BY:

Clerk