

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
5:15 p.m.
Wednesday, November 3, 2010

BOARD/SUPERINTENDENT PRESENT:

Marianne Donnelly, Chair, Board of Trustees
Janie Gebhardt, Vice Chair, Board of Trustees
Frank Rash, Clerk, Board of Trustees (Excused)
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 5:17 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; Ms. Cranor, aye; Ms. Gebhardt, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 5:18 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. 11-05

Student Docket No. 11-05 Father

Student Docket No. 11-05 Stepmother

Kent Hobbs, Director of Student Support Services

Caspar VanHaalen, Assistant Principal, Pocatello High School

Jim Barbre, School Resource Officer, Alameda Center

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session

The Board returned to Open Session at 5:55 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that the Board expel **Student Docket No. 11-05** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-05** has:

1. Engaged in conduct, the possession of a weapon, in violation of state and federal laws as well as school policy;
2. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students; and

3. That **Student Docket No. 11-05** has violated disciplinary policies, including weapons and tobacco policies, which, in the judgment of the Board, demonstrate 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. 11-05** meeting the following conditions:

1. **Student Docket No. 11-05** shall return to Pocatello High School.
2. Attendance shall be pursuant to a strict Behavioral and Academic Contract, the final terms of which are at the sole discretion of the school's administration. In order to establish this behavioral and academic contract, the student and the parent/legal guardian of the student shall attend a meeting with the School and District's Administration.
 - i. The contract shall include provisions for **Student Docket No. 11-05** to refrain from possession of any prohibited item upon school property and a random check of his possessions for prohibited items.
 - ii. Elements addressing educational expectations and activities.
 - iii. Directives of how to respond and who to seek out when having problems with other students and/or knowledge of problematic situations while at school.
 - iv. **Student Docket No. 11-05** shall abide by a closed campus policy the duration of which is to be determined by the Pocatello High School's administration.
3. The student and the parent/legal guardian of the student shall enter into appropriate documentation to allow for a free flow of information with any medical or counseling service provider, social provider or probation department that relate directly to the education of the student.
4. The student shall participate in the Saturday tobacco classes.

Should **Student Docket No. 11-05** 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. 11-05** 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 5:59 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 6:05 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. 11-06

Student Docket No. 11-06 Mother

Student Docket No. 11-06 Brother

Kent Hobbs, Director of Student Support Services

Caspar VanHaalen, Assistant Principal, Pocatello High School

Jim Barbre, School Resource Officer, Alameda Center

Rena Johnson, Board Secretary

Amy White, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:38 p.m. A motion was made by Ms. Gebhardt and seconded by Ms. Cranor that the Board expel **Student Docket No. 11-06** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 11-06** has:

1. Engaged in conduct, the possession of a weapon, in violation of state and federal laws as well as school policy;
2. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students; and
3. That **Student Docket No. 11-06** has violated disciplinary policies, including weapons policies, which, in the judgment of the Board, demonstrate 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. 11-06** meeting the following conditions:

1. **Student Docket No. 11-06** shall return to Pocatello High School.
2. Attendance shall be pursuant to a strict Academic and Behavioral Contract, the final terms of which shall be at the sole discretion of the school's administration. The current contract shall be reviewed and improved upon during a meeting between the parent, student, the School and the District's Administration, such contract shall remain in place for the entirety of the 2010-2011 school year. At minimum, the Board requires this contract to include provisions for:
 - i. **Student Docket No. 11-06** shall refrain from possession of any prohibited item upon school property.
 - ii. Provisions for random search or inspection of the student's locker and possessions for prohibited items.
 - iii. Homework Academy as necessary and assigned for school work.
 - iv. Continued use of PASS program until the student is caught up on school work.
 - v. Free flow of information and completion of necessary paperwork for such free flow, should the administration deem such necessary and should any service provider exist.

Should **Student Docket No. 11-06** 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. 11-06** 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 Ms. Cranor to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 6:42 p.m.

APPROVED ON:

MINUTES PREPARED BY:

By:

Secretary, Board of Trustees

Chair

ATTESTED BY:

Clerk