

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, February 10, 2010

BOARD/SUPERINTENDENT PRESENT:

Marianne Donnelly, Chair, Board of Trustees
Janie Gebhardt, Vice Chair, Board of Trustees
Frank Rash, Clerk, Board of Trustees (Arrived at 5:16 p.m.)
John Sargent, Member, Board of Trustees
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 4:29 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. Sargent, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye. The Board adjourned to Executive Session at 4:30 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. 10-19
Student Docket No. 10-19 Mother
Student Docket No. 10-19 Brother
Jim Harrell, Director of Student Support Services
John Crawford, 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 5:26 p.m. A motion was made by Ms. Cranor and seconded by Ms. Gebhardt that the Board approve and adopt the recommendation of the DDRC and District Superintendent and do hereby expel **Student Docket No. 10-19** 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. 10-19** has:

1. Engaged in actions in violation of the District's Drug policies, including but not necessarily limited to possession of drug paraphernalia while on school property for personal use and/or distribution to others for money.

2. Engaged in conduct in violation of the District's alcohol policies, including but not necessarily limited to possession of alcohol while on school property.
3. Engaged in actions, including but not limited to the distribution of drug paraphernalia, which demonstrate that his presence upon school property is detrimental to the health, welfare and safety of other school students.
4. Engaged in conduct which demonstrates that his continued presence upon the school's property is a continual disruption to the school's instructional effectiveness and discipline of the school.
5. Engaged in conduct in violation of the District's discipline policies associated with vandalism.

Student Docket No. 10-19 shall be eligible to participate in summer school with the District 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.
2. If any social services are ordered by the Court, **Student Docket No. 10-19** and the family of **Student Docket No. 10-19** shall enter into documentation for a free-flow of information to allow for the exchange of information associated solely with advancing his education.
3. If **Student Docket No. 10-19** wishes to participate in on-line or correspondence courses during his period of expulsion **Student Docket No. 10-19** and the family of **Student Docket No. 10-19** can meet with the school's counseling personnel regarding information and assistance in enrolling in such courses.

Prior to the commencement of the 2010-2011 school year, should **Student Docket No. 10-19** seek to return to the District for schooling, **Student Docket No. 10-19** shall participate in a reinstatement hearing before the District's Board to determine if a return to school is appropriate and if so, under what reasonable terms and conditions the Board will allow reinstatement.

During such hearing, **Student Docket No. 10-19** shall be prepared to discuss the educational and remedial activities engaged in by **Student Docket No. 10-19** during his absence from the school setting, including his progress and behavior during summer school. The voting was unanimous in the affirmative. The Board recessed at 5:30 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Gebhardt and seconded by Mr. Sargent to reconvene to Executive Session at 5:32 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Mr. Sargent, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-17

Student Docket No. 10-17 Father

Jim Harrell, 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 6:19 p.m. A motion was made by Mr. Sargent and seconded by Ms. Gebhardt that the Board approve and adopt the recommendation of the DDRC and District Superintendent and do hereby expel **Student Docket No. 10-17** 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. 10-17** has:

1. Engaged in actions in violation of the District's alcohol policies, including but not necessarily limited to distribution of alcohol while on school property.
2. Engaged in actions in violation of the District's discipline policies relating to physical aggression and inappropriate interactions with his fellow students.

3. Engaged in actions which demonstrate that his presence upon school property is detrimental to the health, welfare and safety of other school students.
4. Engaged in conduct which demonstrates that his continued presence upon the school's property is a continual disruption to the school's instructional effectiveness and discipline of the school.

The IEP team for **Student Docket No. 10-17** shall convene and determine an appropriate alternative educational placement for **Student Docket No. 10-17** for the remainder of the 2009-2010 school year as well as determine details for the provision of such educational services. Until such time as the IEP team makes a placement determination, **Student Docket No. 10-17** shall be in a stay-put status at Highland High School.

If **Student Docket No. 10-17** desires, **Student Docket No. 10-17** shall be eligible to participate in summer school during the summer of 2010 for credit recovery, should his IEP team determine that this is an appropriate placement.

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 and IEP team.

Prior to the commencement of the 2010-2011 school year, should **Student Docket No. 10-17** seek to return to the District for schooling, **Student Docket No. 10-17** shall participate in a reinstatement hearing before the District's Board to determine if a return to school is appropriate and if so, under what reasonable terms and conditions the Board will allow reinstatement. Such a hearing shall only occur after a meeting of the student's IEP team for discussion as to appropriate possible placement and terms for return to school.

During such hearing, **Student Docket No. 10-17** shall be prepared to discuss the educational and remedial activities engaged in by **Student Docket No. 10-17** during his absence from the school setting. 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 Ms. Gebhardt and seconded by Mr. Sargent to reconvene to Executive Session at 6:29 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Mr. Sargent, aye; Ms. Cranor, aye; Ms. Gebhardt, aye; Mrs. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-04

Student Docket No. 10-04 Mother

Student Docket No. 10-04 Father

Student Docket No. 10-04 Grandmother

Jim Harrell, Director of Student Support Services

Pat Tiede, 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 7:05 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. 10-04** 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. 10-04** has:

1. Engaged in actions in violation of the District's Drug policies, including but not necessarily limited to possession of marijuana while on school property.
2. Engaged in actions which demonstrate that his presence upon school property is detrimental to the health, welfare and safety of other school students.
3. Engaged in conduct which demonstrates that his continued presence upon the school's property is a continual disruption to the school's instructional effectiveness and discipline of the school.

However, prior to the commencement of the last block of school at New Horizon's **Student Docket No. 10-04** can petition the Board and seek a re-enrollment hearing to allow for reinstatement for the last block at New

Horizons. During such hearing, the Board will determine if a return to school is appropriate and if so, under what terms or conditions such re-enrollment will be permitted.

Student Docket No. 10-04 shall be eligible to 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.

If **Student Docket No. 10-04** does not seek reenrollment for the last block, prior to the commencement of the 2010-2011 school year, should **Student Docket No. 10-04** seek to return to the District for schooling, **Student Docket No. 10-04** shall participate in a reinstatement hearing before the District's Board to determine if a return to school is appropriate and if so, under what reasonable terms and conditions the Board will allow reinstatement.

During any reinstatement hearing, **Student Docket No. 10-04** shall be prepared to discuss the educational and remedial activities engaged in by **Student Docket No. 10-04** during his absence from the school setting. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Ms. Gebhardt and seconded by Mr. Sargent to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 7:08 p.m.

APPROVED ON:

MINUTES PREPARED BY:

By:

Secretary, Board of Trustees

Chair

ATTESTED BY:

Clerk