

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, May 19, 2010

BOARD/SUPERINTENDENT PRESENT:

Marianne Donnelly, Chair, Board of Trustees
Janie Gebhardt, Vice Chair, Board of Trustees (Excused)
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 4:31 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash to adjourn to Executive Session. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye. The Board adjourned to Executive Session at 4:32 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. 10-38
Student Docket No. 10-38 Mother
Student Docket No. 10-38 Bus Driver/Friend
Jim Harrell, Director of Student Support Services
Patrick Vereecken, Assistant Principal, Franklin Middle School
Maurice Canfield, Sergeant, Pocatello Police Department
Renae Johnson, Board Secretary
Chris Hansen, Legal Counsel (by phone)

Return to Open Session

The Board returned to Open Session at 5:38 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 Administration and do hereby expel **Student Docket No. 10-38** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year and for the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-38** has:

1. Engaged in conduct which demonstrates that the student's presence upon the school's property is a continual disruption to the school's instructional effectiveness and discipline 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. Engaged in actions in violation of the District's policies, specifically provisions relating to insubordination and sexual harassment.

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 Board shall hold this expulsion in abeyance and **Student Docket No. 10-38** shall be allowed to continue the remainder of the 2009-2010 school year at Franklin Middle School contingent upon **Student Docket No. 10-38** meeting the following conditions:

1. **Student Docket No. 10-38** and the family of **Student Docket No. 10-38** shall meet with the District and School Administration and a strict Behavioral and Academic contract will be put into place, the final terms and conditions of this contract will be at the sole discretion of the school's administration.
2. **Student Docket No. 10-38** shall attend Crossroads for the first month of the 2010-2011 school year.

Should **Student Docket No. 10-38** 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. 10-38** 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 5:41 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 5:46 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-39 (Not Present)

Student Docket No. 10-39 Parent (Not Present)

Jim Harrell, Director of Student Support Services

John Crawford, Assistant Principal, Kinport Academy

Maurice Canfield, Sergeant, Pocatello Police Department

Rena Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 6:02 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 10-39** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year and for the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-39** has:

1. Engaged in conduct which demonstrates that the student's presence upon the school's property is a continual disruption to the school's instructional effectiveness and discipline 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. Engaged in actions in violation of the District's policies, specifically provisions relating to physical aggression and fighting.

Prior to the commencement of the second trimester of the 2010-2011 school year, **Student Docket No. 10-39** and/or the parent/legal guardian of **Student Docket No. 10-39** shall be responsible for contacting and communicating with the District to schedule a Board reinstatement hearing to allow the Board to consider reinstatement for the second trimester of the 2010-2011 school year.

At such hearing the Board will determine if a return to the District is appropriate and if so, at what placement and under what reasonable terms and conditions re-enrollment would be allowed to occur.

Student Docket No. 10-39 and the parent/legal guardian of **Student Docket No. 10-39** shall be prepared to discuss the activities of **Student Docket No. 10-39** during this period of expulsion including and what actions have been taken to assure that there will be no further disciplinary problems should the student return to the school district. The voting was unanimous in the affirmative. The Board recessed at 6:05 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 6:09 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-40

Student Docket No. 10-40 Mother

Student Docket No. 10-40 Friend

Jim Harrell, Director of Student Support Services

Sue Pettit, Principal, Irving Middle School

Maurice Canfield, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 7:07 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 Administration and do hereby expel **Student Docket No. 10-40** 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. 10-40** has:

1. Engaged in conduct in violation of the District's policies with regard to interaction and conduct towards a teacher and profanity.
2. Engaged in conduct in violation of the District's attendance policies and demonstrating that the student is a habitual truant due to repeated violations of the District's attendance regulations pursuant to Idaho Code 33-206.

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 Board shall hold this expulsion in abeyance contingent upon **Student Docket No. 10-40** meeting the following conditions:

1. **Student Docket No. 10-40** will attend summer school or IDLA and earns at least three (3) credits;
2. The parent/legal guardian of **Student Docket No. 10-40** will contact the school to attempt to salvage any credits for the third trimester of the 2009-10 school year;
3. The parent/legal guardian of **Student Docket No. 10-40** contact school if **Student Docket No. 10-40** misses his bus or misses school due to illness;
4. The parent/legal guardian of **Student Docket No. 10-40** shall arrange for a free flow of information concerning medical and counseling records;
5. **Student Docket No. 10-40** shall prepare a letter of apology perfectly proofed, edited and approved by the administration and hand delivered to Mrs. Gibson
6. **Student Docket No. 10-40** and the family of **Student Docket No. 10-40** shall meet with the District and School Administration and an appropriate amendment to the behavioral and academic contract will be prepared. The final terms and conditions of this contract will be at the sole discretion of the school's administration. This contract shall, at minimum, run through the entirety of the 2010-2011 school year, regardless of school placement;
7. **Student Docket No. 10-40** and the parent/legal guardian of **Student Docket No. 10-40** shall attend a placement hearing with the District's Director of Student Support Services to determine a continued placement for the remainder of the 2010-2011 school year.

Should **Student Docket No. 10-40** 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. 10-40** 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 7:10 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 7:14 p.m. The roll call vote was unanimous in the affirmative, Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-12

Student Docket No. 10-12 Mother

Student Docket No. 10-12 Father

Jim Harrell, Director of Student Support Services

Steve Anderson, Assistant Principal, Century High School

Maurice Canfield, Sergeant, Pocatello Police Department

Renae Johnson, Board Secretary

Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 8:02 p.m. A motion was made by Ms. Cranor and seconded by Mr. Rash that the Board approve and adopt the recommendation of the District Administration and do hereby expel **Student Docket No. 10-12** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year and for the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-12** has:

1. Engaged in actions in violation of the District's policies, specifically provisions relating to the possession and/or use of tobacco or tobacco products upon the school's property.
2. Engaged in conduct in violation of the District's behavioral contract, for which compliance with this contract was a required condition for the abeyance status of the District Board's previous decision to expel **Student Docket No. 10-12**.

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 Board shall hold this expulsion in abeyance contingent upon **Student Docket No. 10-12** meeting the following conditions:

1. **Student Docket No. 10-12** shall attend New Horizon's High School for the first two (2) blocks (equivalent to one trimester) of the 2010-2011 school year.
2. **Student Docket No. 10-12** and the family of **Student Docket No. 10-12** shall meet with the District and School Administration and an appropriate amendment to the behavioral and academic contract will be prepared and shall address at minimum tobacco, alcohol and/or drug related violations. The final terms and conditions of this contract will be at the sole discretion of the school's administration.
3. Upon successful completion of the two (2) blocks at New Horizon's High School, **Student Docket No. 10 - 12** may return to Century High School.

Should **Student Docket No. 10-12** 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. 10-12** 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 8:05 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 8:07 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 09-19

Student Docket No. 09-19 Mother

Student Docket No. 09-19 Father

Jim Harrell, Director of Student Support Services

Sue Pettit, Principal, Irving Middle School

Maurice Canfield, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 9:08 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 Administration and do hereby expel **Student Docket No. 09-19** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year and the first trimester of the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 09-19** has:

1. Engaged in conduct which demonstrates that the student's presence at school is detrimental to the health, welfare and safety of other students.
2. Engaged in actions in violation of the District's policies relating to the use, possession, distribution and sale of drugs upon school property.

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. 09-19** meeting the following conditions:

1. **Student Docket No. 09-19** shall remain in the PASS Room at Irving Middle School for the remainder of the 2009-2010 school year;
2. **Student Docket No. 09-19** shall be placed on Homebound for the first trimester of the 2010-2011 school year;
3. The IEP Team for **Student Docket No. 09-19** shall meet and discuss an appropriate placement for **Student Docket No. 09-19** for the second trimester of the 2010-2011 school year;
4. The IEP Team and District's Administration shall hold a meeting with **Student Docket No. 09-19** and the parent/legal guardian of **Student Docket No. 09-19** for the development and/or modification of an appropriate behavioral and academic contract;
5. **Student Docket No. 09-19** shall also be required to participate in community service for the school in conjunction with and/or recommended by the IEP team relative to the safety of the school;
6. **Student Docket No. 09-19** and the parent/legal guardian of **Student Docket No. 09-19** shall arrange for a free flow of information for all probationary and/or any service providers to assist the administration with the education of **Student Docket No. 09-19**;
7. **Student Docket No. 09-19** shall prepare a letter of apology to Ms. Pettit and Ms. Wilkes that is proofed, edited and in presentation format, taking responsibility for endangering himself and others and that such a letter shall be delivered by May 22, 2010;
8. **Student Docket No. 09-19** shall enroll in the Saturday Substance Abuse course at the commencement of the 2010-2011 school year.

Should **Student Docket No. 09-19** 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. 09-19** 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 9:10 p.m.

Return to Executive Session – Student Expulsion Hearing:

Following the recess, a motion was made by Ms. Cranor and seconded by Mr. Rash to reconvene to Executive Session at 9:15 p.m. The roll call vote was unanimous in the affirmative; Mr. Rash, aye; Ms. Cranor, aye; Ms. Donnelly, aye.

OTHERS PRESENT:

Student Docket No. 10-41 (Not Present)

Jim Harrell, Director of Student Support Services
John Crawford, Assistant Principal, New Horizons High School
Maurice Canfield, Sergeant, Pocatello Police Department
Rena Johnson, Board Secretary
Chris Hansen, Legal Counsel (by phone)

Return to Open Session:

The Board returned to Open Session at 9:22 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 Administration and do hereby expel **Student Docket No. 10-41** from attendance at the Pocatello/Chubbuck School District No. 25 for the remainder of the 2009-2010 school year and for the 2010-2011 school year.

Such motion is based upon the judgment of the Board of Trustees that **Student Docket No. 10-41** has:

1. Engaged in conduct which demonstrates that the student’s presence upon the school’s property is a continual disruption to the school’s instructional effectiveness and discipline 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. Engaged in conduct that is in violation of the District’s policies with regard to threatening of harm to a school employee, threatened violence to all school students and threatened vandalism to the school’s property. The voting was unanimous in the affirmative.

Adjourn:

A motion was made by Mr. Rash and seconded by Ms. Cranor to adjourn. The voting was unanimous in the affirmative. The Board adjourned at 9:26 p.m.

APPROVED ON:

MINUTES PREPARED BY:

By:

Secretary, Board of Trustees

Chair

ATTESTED BY:

Clerk