

The District School Board of Indian River County met on June 14, 2016, at 4:15 p.m. The hearing was held in the Superintendent's Conference Room located at the J.A. Thompson Administrative Center, 1990 25th Street, Vero Beach, Florida 32960. District School Board Members attending were: Chairman Dale Simchick, Vice Chairman Shawn R. Frost, and Board Member: Charles G. Searcy. Mark J. Rendell, Ed.D, Superintendent of Schools; and Suzanne D'Agresta, School Board Attorney, were also present. Board Members, Matthew McCain and Claudia Jiménez, were not present.

Student Expulsion Hearing Minutes

- I. Hearing was called to order by Chairman Simchick.
- II. Purpose of Student Expulsion Hearing #2016-03
Chairman McCain stated that the purpose of the hearing was for Student Hearing #2016-03, a student at Vero Beach High School, Freshman Learning Center, who was recommended by the Superintendent for expulsion. Note: that this hearing was audio recorded.

Those present were: Dr. Lillian Torres-Martinez, Director of Student Services
No one was present to represent the Student.

- III. Action Agenda
 - A. Approval of Findings of Fact and Conclusions of Law, Student #2016-03**

Chairman Simchick asked Dr. Rendell to briefly state the findings, reasoning, and recommendations. Dr. Rendell stated that Student #2016-03 was found to be in possession of a weapon on school property. Student admitted that he brought an air soft gun to school and brandished it as a fire arm in an attempt to strike fear into other students on campus. This was a clear violation of the Code of Student Conduct, a Level V offense. The Student had an extensive discipline record. In the 2015-2016 School Year alone he had over twenty discipline referrals. As part of the process, this case was referred to an impartial hearing officer. The recommendation from the Hearing was to expel the student for one calendar year, with the opportunity to enroll in virtual coursework during that calendar year.

Dr. Rendell stated that his recommendation for the Board was to expel Student #2016-03 from regular school program for one calendar year, beginning June 14, 2016, and conclude on June 14, 2017. Dr. Rendell said that he agreed with the Hearing Officer's recommendation that during that calendar year, the Student would be permitted to enroll in virtual coursework. Dr. Rendell further stated that he was amending his recommendation in the following manner:

Student #2016-03 had the opportunity to pursue enrollment in the Florida Youth Challenge Academy. The Florida Youth Challenge Academy was an alternative school located in Starke, Florida. It was a six-month residential program. If the Student was accepted into the July cohort at the Florida Youth Challenge Academy and was successful in completing the program, he could return to our School District in January and enroll in the Alternative Center for the spring semester of next school year. This would allow the Student to maintain his academic progress while attending the Florida Youth Challenge Academy and the Alternative Center. If the Student was not successful in gaining enrollment in the Florida Youth Challenge Academy and completing the program, the initial recommendation of expulsion from the regular school program for one calendar year, with the opportunity to enroll in virtual coursework would remain the recommendation.

Hearing no further requests to speak, Chairman Simchick called for a motion. Mr. Frost moved approval of the Findings of Fact and Conclusions of Law. Mr. Searcy seconded the motion and it carried with a 3-0 vote.

B. Recommendations, Student #2016-03

Board Members discussed the Superintendent's amended recommendation for expulsion. Chairman Simchick called for a motion. Hearing no further requests to speak, Chairman Simchick called for a motion. Mr. Frost moved approval of the Superintendent's amended recommendation. Mr. Searcy seconded the motion and it carried with a 3-0 vote.

Chairman Simchick asked the Superintendent if it had been documented that the parents or guardians were notified of the offense and of this hearing and how they were notified. Dr. Rendell said, "Yes", they were notified in person and by U.S. mail.

With no further business, the hearing adjourned at approximately 4:38 p.m.