



Duval County Public Schools

March 26, 2009, Special Board Meeting - Student Expulsion Hearing

Ms. Betty Burney
Mr. Tommy Hazouri, Chairman
Mr. Stan Jordan
Mr. W. C. Gentry
Ms. Nancy Broner
Ms. Vicki Drake
Ms. Brenda Priestly Jackson, Vice Chairman
Mr. Ed Pratt-Dannals, Superintendent

ATTENDANCE AT THIS SPECIAL STUDENT EXPULSION HEARING OF THE DUVAL COUNTY SCHOOL BOARD with Mr. Ed Pratt-Dannals, Superintendent of Schools, Mr. Tommy Hazouri, Board Chairman, Ms. Brenda Priestly Jackson, Vice Chairman and the following Board members present: Ms. Nancy Broner, Ms. Vicki Drake, Mr. W. C. Gentry and Mr. Stan Jordan. Ms. Betty Burney was absent.

Call Meeting To Order

[CALL MEETING TO ORDER](#)

Minutes:

The Chairman called the meeting to order at 10:04 a.m.

Academic Services - Special Services

[EXPULSION OF R. W.](#)

Minutes:

Present:

Mr. Jim Clark, Principal at Ed White High School
Mr. Leonard Chaplinsky, Assistant Principal at Ed White High School
Ms. Dana Kriznar, Executive Director, Alternative Programs & Support
Ms. Gloria Lockley, General Director, Alternative Education/Behavior
Ms. Bea Lewis, Hearing Officer
Ms. Sonita Young, Office of Policy and Compliance
Ms. Latrice Hilton, Parent
R.W., Student

R.W., a 16 year old student at Edward H. White High School, was charged with a 4.08 - Possession of a Firearm.

On February 9, 2009, a hearing was held with R.W. and his mother. R.W. said he needed the gun for protection due to a recent incident at the school.

Florida Statute 1006.13, Policy of Zero Tolerance for Crime and Victimization, states that each district School Board shall adopt a policy of Zero tolerance. the Zero Tolerance policy shall require students found to have committed one of the following offenses to be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year, and to be referred to the Criminal Justice or Juvenile Justice system.

(a) Bringing a firearm or weapon, as defined in Chapter 790, to school, tot any school function, or possessing a firearm at school.

The Duval County Code of Student Conduct establishes the School Board's policy on Zero tolerance offenses. Code 4.08, Possession of Firearms, states that any student who is determined to have brought a firearm as defined in 18 U.S.C. 921, to school, to any school function, or on any school sponsored transportation will be expelled, with or without continuing education services, from the student's regular school for a period not less than one (1) full year. (The expulsion requirement is subject to modification, on a case-by-case basis, as allowed by law.) A student who is determined to have brought a firearm to school will be referred for criminal prosecution.

Due to the seriousness of R.W.'s offense and the requirements of 18 U.S.C. 921, to expel students who possess a firearm at school, it is recommended that R.W. be expelled for the remainder of the 2008-09 school year and all of the 2009-2010 school year.

Speakers:

Mr. Tommy Hazouri, Board Chairman
Ms. Latrice Hilton, Parent
R.W., Student
Mr. Stan Jordan, Board Member
Mr. W. C. Gentry, Board Member
Mr. Jim Clark, Principal, Ed White High School
Mr. Leonard Chaplinsky, Assistant Principal, Ed White High School
Ms. Nancy Broner, Board Member

Ms. Bea Lewis, Hearing Officer
Ms. Brenda Priestly Jackson, Vice Chairman
Ms. Sonita Young, Office of Policy and Compliance

Mr. Gentry offered the following motion:

"That the student be expelled for violating the law that has to do with bringing a gun on campus. In light of what is clear, academic potential, would move with a condition that the expulsion, with his right to attend an alternative school for the remainder of this school year, and if he successfully completes that course/program, he would then be eligible for readmission to Duval County Public Schools."

Speakers:

Mr. Tommy Hazouri, Board Chairman
Mr. W. C. Gentry, Board Member
Ms. Nancy Broner, Board Member

Mr. Jordan seconded the motion.

Speakers:

Mr. W. C. Gentry, Board Member
Mr. Stan Jordan, Board Member
Ms. Latrice Hilton, Parent
Ms. Brenda Priestly Jackson, Vice Chairman
Ms. Nancy Broner, Board Member
Ms. Vicki Drake, Board Member
Mr. Tommy Hazouri, Board Chairman

Mr. Jordan said, "There may be a way as I listen and what I'm hearing is that the motion stated that he would attend Grand Park and the purpose and intent of the maker, as I understand it, to see that the child gets some help. There is a way out of this and go back to the original intent, the motion, that Grand Park is an option but if the parent wishes to continue with the private school the student is in now, at least that would not kill the private education opportunity that the parent has...make it that Grand Park is an option but the parent can also pursue the private school option."

Speakers:

Mr. Tommy Hazouri, Board Chairman
Ms. Sonita Young, Office of Policy and Compliance

Mr. Gentry said he would accept Mr. Jordan's comments and that the child may attend Grand Park and I agree that two months is not enough and my motion would be this year and next year he may attend with options of educational opportunities they have.

Ms. Young said her point to the Board is that the motion was for an expulsion.

Speakers:

Mr. Tommy Hazouri, Board Chairman
Mr. W. C. Gentry, Board Member

Mr. Jordan said if the child is "expelled", that kills the opportunity for continuing in private school. If I may, the proper way to do what everyone is trying here is we're not going to tolerate this gun stuff but to postpone action on it with prejudice so that he can't come back into a Duval County Public School for the remainder of this year and next year. That motion would accomplish the continuation of private school and protects the school system and we'll have a disclaimer on there that it doesn't allow us to be vulnerable for re-entry.

Speakers:

Mr. Tommy Hazouri, Board Chairman
Mr. Stan Jordan, Board Member

Ms. Jackson said there were a couple of things we need to do to protect ourselves. One would be if we would "stay the proceedings" for that time, the mother would need to sign some waiver for that time period saying that she understands that her child would then have to come back and reapply through the Hearing Officer to get back in public school...for the remainder of this year and all of next year and understand that all of the rights intended to that, she is waiving and giving up. I do feel that the communication in this unique case, they gave different options initially.

Mr. Gentry asked to reframe the motion, "That the child be expelled from Duval County Public Schools with the alternative for him to attend Grand Park for the remainder of this year and next year and that as of the school year, which you'll be a senior, 2010-2111, that he/his parent may reapply for re-entry to the Duval County Public Schools system on the condition that he has satisfactorily completed the previous year and two months (2008-2009 and 2009-2010) of school; and adjudication that I just stated be withheld depending upon his appearing in Duval County Public Schools and reapplying and at that time, the adjudication would be expunged."

Speakers:

Mr. Tommy Hazouri, Board Chairman
Ms. Sonita Young, Office of Policy and Compliance
Mr. W. C. Gentry, Board Member

Ms. Young said she didn't know if we can withhold once the Board has made a decision to expel...I don't know if we can withhold that unless we postpone...stay the proceedings contingent upon the child attempting to re-enter and then reconvene and then have that decision at that time. If that is the desire of the Board, that the child be allowed to attend private school, then my recommendation would be to "stay the proceeding", retain jurisdiction should he attempt to re-enter the system, then we reconvene and hold whatever decision the Board wants to hold at that time which would be expulsion with continuing services or some modification.

Speaker:

Ms. Brenda Priestly Jackson

Ms. Young said the current motion that is before the Board is as I understand, the amended motion of Mr. Gentry, "expulsion for the remainder of the year plus one additional year with or withhold adjudication, which I don't know if we can do, but

that's the motion."

Speaker:

Mr. Tommy Hazouri, Board Chairman

Ms. Brenda Priestly Jackson, Vice Chairman

Ms. Priestly Jackson said we have no jurisdiction over private schools and if they honor expulsions from public schools...just like we did. I think if you put "expulsion" on it, you preclude his options and opportunities to go on any place else. That is the challenge so if the Board's concern if he doesn't get the services, we "stay the proceedings" as recommended by Mr. Jordan for the window of time, the parent signs the waivers understanding what she's giving up at that time, we put whatever criteria the Board wants to have; he must come back in to the Hearing Officer who will come back to the Board after the jurisdiction for the remainder of this year and all of next year.

Speakers:

Mr. Tommy Hazouri, Board Chairman

Ms. Sonita Young, Office of Policy and Compliance

Mr. Jordan said if the word "expulsion" is included in the motion, does that preclude the child from attending private school?

Mr. Hazouri said based on what has happened, "yes"; the same thing we do.

Lack of a second, the motion dies.

Mr. Jordan offered a substitute motion, as follows:

"To postpone with prejudice based on the conditions are satisfactory for the remainder of this year and next year in a school setting other than Duval County and at that time, consider by the Board for re-entry upon successful information."

Ms. Priestly Jackson seconded the substitute motion.

Speakers

Mr. Tommy Hazouri, Board Chairman

Ms. Young said it is a postponement with the condition that if the child seeks to re-enter in the interim that the child would still have to come back before this body.

Mr. Gentry asked what sort of entry will be made on this young man's records that will be reviewed by the school to which he is being transferred? I want to hear that it will show that something happened here...suspended or whatever you want to call it...for carrying a firearm into the school. The question is will our records reflect that he was suspended because he had a weapon on school grounds?

Ms. Lockley said his disciplinary records will show the code for the weapon on campus. The withdrawal code will preclude him from re-entering without contacting the Hearing Officer. So, if he should try to re-enter at any time, then the school would

call the Hearing Officer immediately.

Mr. Gentry asked if he transfers to another school, within the state or outside the state, will his transcript clearly imply that he was suspended from one of our schools because he had a gun on campus?

Ms. Lockley said "yes" if the school sends all of his records.

Mr. Gentry asked if there were some reason we would not send all of his records?

Mr. Clark said that transcripts usually include withdrawal codes and academic records (grades, attendance, etc.) but do not include the disciplinary infractions.

Ms. Young said the motion before us is the "stay of proceedings".

Vote on the substitute motion:

Vote Results: PASS

Motion: Stan Jordan

Second: Brenda Priestly Jackson

Nancy Broner - Aye

Vicki Drake - Aye

W. C. Gentry - Nay

Tommy Hazouri - Nay

Stan Jordan - Aye

Brenda Priestly Jackson - Aye

Adjournment

[ADJOURNMENT](#)

Minutes:

The meeting adjourned at 11:39 am

Isd

Superintendent

Chairman