

**SPECIAL MEETING AND EXECUTIVE SESSION**  
**May 2, 2013**

**I. CALL TO ORDER**

A Special Meeting of the Board of Trustees of Moscow School District 281 was called to order May 2, 2013 at 5:32 PM by Dawn Fazio, Chair, pursuant to Idaho Code Sections 33-506, 33-510 and 67-2345 (1) (b) and Notice properly given. The purpose of the Special Meeting is to hold an executive session for a student discipline hearing. Fazio also stated that action on this student hearing will be taken in open session following deliberation in the executive session.

**II. DETERMINE QUORUM**

The Chair asked the clerk to determine if a quorum of the Board was present for the Special Meeting. The clerk responded that five Trustees are in attendance and a quorum is present. Trustees present are Dawn Fazio, Chair, Zone 4, Kim Campbell, Vice Chair, Zone 3, Jim Frenzel, Zone 1, Aleisa Barber, Zone 2, and Margaret Dibble, Zone 5.

The staff members present are Dale Kleinert, Superintendent, Angie Packard, Clerk and Bob Celebrezze, Principal, Moscow High School.

The Chair called for a motion to retire into Executive Session pursuant to Idaho Code 67-2345 (1) (b) for the purpose of holding the student discipline hearing.

Motion and Roll Call vote for Executive Session pursuant to Idaho Code 67-2345 (1) (b) for the discussion of student discipline.

**RESOLUTION 13-116**

**RESOLVED:** That the Board of Trustees of Moscow School District No. 281 retire into executive session pursuant to Idaho Code 67-2345 (1) (b) to hold a student discipline hearing.

Frenzel moves the Board approve Resolution 13-116, second by Barber. The clerk called the roll for the vote on the resolution for executive session: Fazio – yes, Campbell - yes, Frenzel – yes, Barber – yes, Dibble – yes. The vote is unanimous for the executive session.

The Board retired into Executive Session at 5:33 PM for the student discipline hearing.

**IV. EXECUTIVE SESSION**

MHS Principal Bob Celebrezze, Superintendent Dale Kleinert and Angie Packard, Board Clerk remained for the executive session and Assistant Principal Perryman, the student and father then entered the room to begin the hearing.

Superintendent Kleinert then read and explained the procedural outline for the expulsion hearing. Following the procedural steps, Dawn Fazio, Chair, called the hearing to order at 5:37 PM. Fazio identified herself as the board chair and presider and asked everyone present to identify themselves for the record.

Fazio then read the rights and asked the father to respond as each question was read and he responded yes to all the questions.

Fazio stated the Board's findings and recommendations must be derived from the evidence presented at this hearing and the Board has the responsibility to compile the facts and make a ruling. Fazio noted that the basic outline of the procedures to be followed during this hearing was read earlier by the Superintendent Kleinert.

Fazio asked if anyone had any questions concerning the procedures to be followed. There were none.

Fazio directed that evidence and testimony be presented to the Board and that all questions, comments, and statements will also be directed to the Board. Fazio stated the intention is to complete the hearing, if possible, by 6:30 PM, and both parties indicated they were prepared to proceed with the hearing.

Assistant Principal Perryman explained the policies from the student handbook and Board Policy Manual. The student has been suspended for five days by the high school administration and an additional five days by the Superintendent. Assistant Principal Perryman then gave the reasons behind the expulsion and the findings that resulted in this determination.

Fazio asked if the student or parent wished to make a statement or submit any documents and the father responded he did not.

The father then gave a brief statement in regards to the charges listed by Mr. Perryman. The student then gave a statement indicating he didn't realize the full impact of what he did and gave an apology for his actions. The Board asked the student some questions. Mr. Kleinert then responded to the father's statement in regards to his concern with some of the evidence presented by Mr. Perryman. The board members then continued with additional questions of the student.

Mr. Perryman then gave a summation of all the evidence and the impact it had on the high school.

The father then stated that he believes his son now fully understands the impact his actions had on everyone involved and that it wasn't just a fun thing to do. Fazio asked the student if he had anything to say and he said no.

Fazio stated that deliberation would continue in executive session with action taken in open session immediately following the executive session tonight.

The student, parent, and principals were excused from the room at 6:15 PM and the Board began deliberations.

At 6:45 PM, Chair Fazio turned the meeting over to Vice Chair Campbell. Fazio and Frenzel were then excused from the hearing,

## **V. RETURN TO OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION**

Vice-Chair Campbell then announced that the Board is returning to open session at 6:50 PM. The student, father and principals returned for the open session. Campbell explained why Fazio and Frenzel were no longer present. Campbell then called for a motion for action on Student Case 13-03.

### **RESOLUTION 13-117**

**RESOLVED:** That the Board of Trustees of Moscow School District No. 281 hereby expels the student identified by Student Discipline Case 13-03 for the remainder of the 2012-13 school year and for the 2013-14 school year pursuant to Board Policies 5053.01 (a), 5053.06 and Idaho Code 33-205.

**FURTHER RESOLVED**, that the student identified by Case 13-03 is not allowed access to the campuses of Moscow School District or attendance at any school events during the expulsion.

**BE IT FURTHER RESOLVED** that the student identified by Case 13-03 must show evidence of the following conditions before applying for re-entry:

1. Development and documentation of a written set of goals which will include appropriate standards of behavior in school, attitude, and academic objectives upon petition for re-entry.
2. Development and documentation of a successful independent learning program while out of school that, when completed, will show compelling evidence of successful academic growth leading to completion of the freshman core requirements.
3. Display confirmation from Moscow School District administrators that the student did not enter any campus during the time of expulsion from the district.
4. The student must make an appointment and meet with the administration of Moscow High School on or before March 10, 2014 to show evidence of satisfactory progress in order to begin registration for the 2014-2015 school year.

If all of the above requirements have been met and approval is granted by the administration of Moscow High School on or before June 10, 2014, application by the student for a re-entry petition will be heard by the Board of Trustees at the July 2014 Regular Monthly Board Meeting for consideration for re-entry into the Moscow School District at the start of the 2014-15 school year with a grade level placement to be determined by the administration at Moscow High School.

Barber moves the Board approve Resolution 13-117, second by Dibble. The motion carried 3-0-0.

Campbell asked if the student understood what happened. The student responded that he did. Campbell then stated that she hopes that the student will complete his freshman credits so that he can re-enter school in 2014-15. Kleinert will send a letter to the father as to the results of this hearing.

## **VI. ADJOURNMENT**

There being no further business of the special meeting the Vice-Chair announced the meeting was adjourned at 6:58 PM.