

Minutes of the Special School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Monday, October 26, 2015

Members Present:

Annie Harala
Rosie Loeffler-Kemp
Mike Miernicki
Bill Westholm
Harry Welty

Others Present:

Bill Gronseth, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Members Absent:

Art Johnston
Judy Seliga Punyko

- Vice-Chair Harala called the special school board meeting of October 26, 2015 to order at 4:00 p.m.

M-Westholm, S-Loeffler-Kemp, to approve the agenda. Upon a vote, the same was approved – 5-0.

Member Miernicki presented the resolution:

RESOLUTION
Executive (Closed) Session

WHEREAS, Pursuant to Minnesota Statutes section 13D.05 subd. 2.(a)(3) a public body must close a meeting for discussion of private educational data.

NOW, THEREFORE, BE IT RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board shall meet in Executive (Closed) Session on October 26, 2015 at approximately 4:00 p.m. in the Board Conference Room of Historic Old Central High School for the purpose of discussing private educational data.

Resolution E-10-15-3308

October 26, 2015

M-Miernicki, S-Welty, to approve Resolution E-10-15-3308 - Executive Closed Session. Upon a vote the same passed – 5-0.

Recessed at 4:04

Reconvened at 4:20

Member Miernicki presented the resolution:

RESOLUTION EXCLUDING A STUDENT

WHEREAS, written notice of the proposed exclusion of a student was served upon the student and the student's parents in compliance with the Minnesota Pupil Fair Dismissal Act;

WHEREAS, a hearing on the proposed exclusion was held before an Independent Hearing Officer on October 16, 2015, in the law offices of Dryer Storaasli Knutson & Pommerville located at 200 Sellwood Building, 202 West Superior Street, Duluth, Minnesota 55802;

WHEREAS, the Independent Hearing Officer has made written Findings of Fact, Conclusions, and a Recommendation to the School Board regarding the proposed exclusion;

WHEREAS, the School Board has reviewed the Independent Hearing Officer's Findings of Fact, Conclusions, and Recommendation;

WHEREAS, the Pupil Fair Dismissal Act states that the School Board shall base its decision upon the recommendation; and

WHEREAS, the written notice of proposed exclusion, the name of the student proposed for exclusion, and the Independent Hearing Officer's Findings of Fact, Conclusions and Recommendation are private educational data under the Minnesota Government Data Practices Act;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The School Board hereby accepts and adopts the Independent Hearing Officer's Findings and Fact, Conclusions and Recommendation as the basis for its decision.
2. The School Board hereby excludes the student from the schools of Independent School District No. 709 from October 26, 2015, through June 9, 2016. The exclusion takes effect on October 26, 2015.
3. The Superintendent, or his designee, is directed to mail the following to the student and to the student's parents: a copy of this Resolution; a copy of the Independent Hearing Officer's Finding of Fact, Conclusions and Recommendation; and a letter stating that the student has been excluded effective October 26, 2015, and may be reinstated effective September 6, 2016.
4. The Superintendent, or his designee, is directed to identify the alternative educational services that are available to the student during the period of exclusion, if the student wishes to take advantage of them.
5. The Superintendent, or his designee, is directed to make an electronic report of this exclusion to the Commissioner of the Minnesota Department of Education within thirty calendar days as required by Minnesota Statutes section 121A.53.

E-10-15-3309

October 26, 2015

M-Miernicki, S-Welty, to approve Resolution E-10-15-3309 – Resolution Excluding A Student. Upon a vote, the same was approved – 5-0.

- Vice-Chair Harala adjourned the Special School Board meeting of October 26, 2015 at 4:24 p.m.