

RESOLUTION EXPELLING A STUDENT

WHEREAS, written notice of the proposed expulsion 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 expulsion was held before Independent Hearing Officer James K. Martin ("Hearing Officer") on June 8, 2021;

WHEREAS, the Hearing Officer proposed a recommendation including Findings of Fact and Conclusions to the School Board regarding the proposed expulsion;

WHEREAS, the School Board has reviewed the proposed Findings of Fact and Conclusions; and

WHEREAS, the written notice of the proposed expulsion, the name of the student proposed for expulsion, and the proposed Findings of Fact and Conclusions 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 proposed Findings of Fact and Conclusions as the basis for its decision.
2. The School Board hereby expels the student from Duluth Public Schools for the 2021-22 school year.
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 Findings of Fact and Conclusions; and a letter stating that the student has been expelled effective June, 30, 2021 and may apply for enrollment effective at the conclusion of the 2021-22 school year.
4. The Superintendent, or his designee, is directed to identify the alternative educational services that are available to the student during the period of expulsion, if the student wishes to take advantage of them.
5. The Superintendent, or his designee, is directed to make an electronic report of this expulsion to the Commissioner of the Minnesota Department of Education within thirty calendar days as required by Minnesota Statutes section 121A.53.

The motion for the adoption of this Resolution was duly made by Member Lofald and seconded by Member Trnka and on a roll call vote the following voted in favor of the Resolution:

Members Durick-Eder, Kirby, Loeffler-Kemp, Lofald, Oswald, Sandholm, and Trnka.

And the following voted against this Resolution: None.

Whereupon this resolution was declared duly passed and adopted.