

Member \_\_\_\_\_ introduced the following Resolution and moved its adoption:

### **RESOLUTION EXPELLING A STUDENT**

WHEREAS, written notice of the proposed expulsion of a student was served upon the student and the student's parents, and the stated factual basis for expulsion was threats to a middle school;

WHEREAS, the notice of proposed expulsion complied with the Minnesota Pupil Fair Dismissal Act;

WHEREAS, a hearing on the proposed expulsion was held before an Independent Hearing Officer on Tuesday, May 18, 2010;

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

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 expulsion, the name of the student proposed for expulsion, 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 expels the student from the schools of Independent School District No. 709 from May 25, 2010, through \_\_\_\_\_, 2011.
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 expelled effective May 25, 2010, and may be reinstated effective \_\_\_\_\_, 2011.
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.

Member \_\_\_\_\_ seconded the foregoing resolution and upon a vote being taken thereon, the following voted in favor thereof: \_\_\_\_\_

And the following voted against the same:

\_\_\_\_\_

Whereupon said Resolution is declared duly passed and adopted.