

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

Friday, January 31, 2014

Members Present:

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

Others Present:

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

Members Absent:

Art Johnston

- Chair Miernicki called the special school board meeting of January 31, 2014 to order at 3:05 p.m.

Member Westholm presented the resolution:

RESOLUTION Executive (Closed) Session

WHEREAS, Pursuant to Minnesota Statutes section 13D.05 subdivision 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 January 31, 2014 at approximately 3:00 p.m. in the Board Conference Room of Historic Old Central High School for the purpose of discussing private educational data related to a possible expulsion.

Resolution E-1-14-3159

January 31, 2014

M-Westholm, S-Harala, to approve the Resolution E-1-14-3159 - Executive Closed Session. Upon a vote the same passed – 6-0.

Recess at: 3:07

Reconvene at: 3:42

Member Harala presented the Resolution:

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 an Independent Hearing Officer on January 23, 2014, in the law offices of Dryer Storaasli Knutson & Pommerville located at 200 Sellwood Building, 202 West Superior Street, Duluth, Minnesota 55802;

2-Minutes of the Special School Board Meeting
January 31, 2014

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 January 23, 2014, through January 22, 2015. The expulsion takes effect on January 23, 2014.
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 January 23, 2014, and may be reinstated effective January 23, 2015.
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.

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.

Resolution: E-1-14-3160

January 31, 2014

M-Miernicki, S-Welty, to amend the effective dates to read effective January 23, 2014 and January 22, 2015, reinstated January 23, 2015. Upon a vote, the same was approved 6-0.

M-Harala, S-Westholm, to approve Resolution E-1-14-3160 – Resolution Expelling a Student. Upon a vote, the same was approved – 6-0.

- Chair Miernicki adjourned the Special School Board meeting of January 31, 2014 at 3:48 p.m.