

Monday, February 8, 2010
Northwinds Elementary
6:00 p.m.

MINUTES

1. CALL TO ORDER BY CHAIR Dave Wilson at 6:00 p.m. AND ROLL CALL OF ATTENDANCE

Present: Melissa Brings, Jeff Mattson, Dave Wilson, Sue Lee, Rolf Mohwinkel, Patti Pokorney, Doug Olson

2. PRELIMINARY ACTIONS

- A. Pledge Of Allegiance
- B. Approval Of Agenda

JMattson, SLee to approve agenda
Motion carried 7-0

3. CLOSED SESSION

MBrings/Patti Pokorney moved to go into closed session.
Motion carried 7-0

- A. Student Expulsion – presented by Moreen Martell, Director of Human Resources

MBrings/Rolf Mohwinkel
Moved to come out of closed session.
Motion carried 7-0

4. ACTION ITEMS

- A. Resolution Regarding Expulsion of Student

Member _P Pokorney__ 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 in compliance with the Minnesota Pupil Fair Dismissal Act;

WHEREAS, a hearing on the proposed expulsion was held before an Independent Hearing Officer on Friday, February 5, 2010, in the Board Room of the School District Offices;

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, except that the Board hereby strikes the word "exclusion" wherever it appears in the Hearing Officer's Findings, Conclusions, and Recommendation and replaces it with the word "expulsion." This change is being made because the Hearing Officer's use of the word "exclusion" is an obvious clerical error when read in the context of the entire decision.
2. The School Board hereby expels the student from the schools of Independent School District No. 877 from February 8, 2010, through January 28, 2011. The expulsion takes effect on February 8, 2010.
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 February 8, 2010, and may be reinstated effective January 31, 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 __Sue Lee__ seconded the foregoing resolution and upon a vote being taken thereon, the following voted in favor thereof: Melissa Brings, Jeff Mattson, Dave Wilson, Sue Lee, Rolf Mohwinkel, Patti Pokorney, Doug Olson. And the following voted against the same: None

Whereupon said Resolution is declared duly passed and adopted.

5. OTHER

PPokorney/DOlson to adjourn at 6:30 p.m.

Respectfully submitted,

Melissa Brings, Clerk
Buffalo-Hanover-Montrose Board of Education