

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
INDEPENDENT SCHOOL DISTRICT #413
Monday, May 03, 2010 (4:00 PM)

4146

The Board of Education of Independent School District #413, Marshall Public Schools met for their regular meeting in the Professional Development Room of the District Administration Office on Monday, May 3, 2010. Chairman Chapman called the meeting to order at 4:00 p.m. and upon the roll being called, the following members were present: Jeff Chapman, Matt Coleman, Carolyn Jansen, Bill Mulso, Tim Swenson and Karen VanKeulen. Also present were Principals Jones, Grinager and Williams, La Oeltjenbruns, Deb Herrmann and Jodelle Greiner.

Approval of Agenda

Member (**Jeff Chapman**) Moved, Member (**Tim Swenson**) seconded to approve the **ORIGINAL** motion 'That the Board approves the May 3, 2010 agenda as presented.' Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **CARRIED. 6 - 0**

District Crisis Team Pandemic Plan Presentation

Herrmann, Williams and Grinager presented highlights from the District Pandemic Plan that has been developed. They presented this overview for Board information as it will be an action item for May 17 meeting. Due to several operational impacts involved in this plan, Board awareness and approval is important. Willert expressed, on behalf of the District and Board of Education their appreciation to Deb Herrmann for her guidance on the Crisis Team as well as this project. Discussion and questions held as part of the presentation.

Discussion Items:

Resolution to Enter Into a Line of Credit

Lamprecht reviewed this option that the District may take for cash flow. This is a line of credit should it be necessary over next few years. Discussion and questions were held for clarifying the need of this option. There will be action taken at the May 17, 2010 regular school board meeting on this resolution.

Flexible Learning Year Calendars, 2011-12 and 2012-13

These calendar options have been revisited by the calendar committee when they met last week, and a couple of revisions were made. The committee constitutes a good representation of staff and the community. There is an issue with running short 1 day for student conferences and these would still be held, but may 'look' differently based upon the number of teacher contract days per their Master Agreement. Each site has been directed to look at and develop some options regarding how conferences would be done for these calendars and still meet required number of days. Discussion and questions were held.

General Legislation Discussion

Willert highlighted what has been happening at the legislative level over the last few weeks and also the May, 2010 MSBA Journal article regarding the Funding Cliff. The costs involved with a statewide mandatory health insurance pool, reforms and race to the top will impact school districts across the state. Lamprecht added the legality of the Governor's un-allotment and also keeping solvent the public employee pension question come into play. Discussion and questions were held.

Convene to Closed Session

Member (**Jeff Chapman**) Moved, Member (**Bill Mulso**) seconded to approve the **ORIGINAL** motion 'that the Board goes into closed session to discuss matters of student expulsion.' Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **CARRIED. 6 - 0**

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EXTRACT OF MINUTES OF MEETING OF SCHOOL BOARD OF
INDEPENDENT SCHOOL DISTRICT NO. 413, MARSHALL, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 413, Marshall, Minnesota, was held on the 3rd day of May, 2010, at 4:00 p.m.

The following Board members were present: Chapman, Coleman, Jansen, Mulso, Swenson, VanKeulen and the following were absent: NONE

Board Member Chapman introduced the following resolution and moved its adoption:

**RESOLUTION RELATING TO THE PROPOSED
EXPULSION OF THE STUDENT IDENTIFIED
IN THE ATTACHMENTS HERETO**

(HEREINAFTER REFERRED TO AS THE "STUDENT")

WHEREAS, the Student is a full-time student of the School District; and

WHEREAS, the Student was placed on suspension and proposed for expulsion pursuant to the Pupil Fair Dismissal Act, Minnesota Statutes §§ 121A.40–121A.56; and

WHEREAS, the Student and parents were properly served with written notice of the School District's intent to initiate expulsion proceedings; a dismissal Act, said notice contained a statement of the facts, witnesses and a description of their testimony, described alternative educational services, stated the date, time and place of hearing, and advised them of their rights, including their right to waive the hearing in writing if they wished to acquiesce to the expulsion proposed by the School District; and

WHEREAS, this notice was also accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes §§ 121A.40–121A.56; and

WHEREAS, the Student and a parent elected to waive the scheduled hearing with the understanding that by such waiver the proposed term of expulsion would be submitted for action to the School Board of Independent School District No. 413.

THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 413 as follows:

1. The School Board of Independent School District No. 413 hereby accepts the Waiver of Hearing executed by the Student and parent, a copy of which is attached hereto as "Exhibit A" and incorporated herein by reference.

2. Having reviewed the record relating to this matter, the School Board hereby finds that the School District has fully complied with the Pupil Fair Dismissal Act.

3. Having reviewed the record relating to this matter, the School Board hereby finds that the student engaged in conduct that constituted a willful violation of reasonable School Board regulations; willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school-sponsored extracurricular activities; and willful conduct which endangered the pupil, other pupils, surrounding persons, including School District employees, or the property of the school. Due to the nature of the conduct engaged in by the Student, a term of expulsion for a period of 12 months is reasonable and appropriate.

4. The School Board of School District No. 413 hereby orders that the expulsion of the Student be imposed pursuant to the Pupil Fair Dismissal Act, Minnesota Statutes §§ 121A.40–121A.56. Said expulsion shall be imposed immediately for a period of 12 months in accordance with the written notice provided to the Student, a copy of which is attached hereto as "Exhibit B" and incorporated herein by reference.

5. The Clerk of the School Board is directed to provide written notice of expulsion to the Student and parents in substantially the form as provided in attached Exhibit C.

6. It is further ordered that pursuant to a proper request, the School District shall provide copies of this Resolution. However, any release of said Resolution shall not include the exhibits or

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attachments hereto as the School Board hereby finds that such materials constitute private data on individuals pursuant to the Minnesota Government Data Practices Act, Minnesota Statutes § 13.32. The Superintendent is specifically directed to maintain the private data classification of these materials in accordance with all applicable state and federal law, including the provisions of Minnesota Statutes Chapter 13.

The motion for the adoption of the foregoing resolution was duly seconded by Board Member Mulso and, upon vote being taken thereon, the following voted in favor thereof: Chapman, Coleman, Jansen, Mulso, Swenson, VanKeulen and the following voted against the same: NONE whereupon said resolution was declared duly passed and adopted.

Reconvene to Open Meeting

Member (**Jeff Chapman**) Moved, Member (**Bill Mulso**) seconded to approve the **ORIGINAL** motion 'that the Board reopen the meeting of May 3, 2010.' Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **CARRIED. 6 - 0**

Adjournment

Having no additional information to discuss, Chairman Chapman adjourned the May 3, 2010 meeting at 5:10 PM.

Bill Mulso, Clerk