

## Minutes of the Special School Board Meeting

. Of the School Board of Independent School District No. 709, held at Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Wednesday, October 13, 2021

### Members Present:

Kelly Durick Eder  
David Kirby  
Rosie Loeffler-Kemp  
Jill Lofald  
Alanna Oswald  
Paul Sandholm

### Others Present:

John Magas, Superintendent  
Anthony Bonds, Assistant Superintendent  
Jackie Dolentz, Secretary

### Members Absent:

Sally Trnka

Chair Lofald called the Special School Board meeting of October 13, 2021 to order at 6:36 p.m.

**M-Eder, S-Lofald, to amend the agenda to allow public comment at this special school board meeting. Upon a vote, the agenda was amended as requested - 6-0.**

**M-Eder, S-Oswald, to waive the time limitations for public comment. Upon a vote, the same was approved - 6-0.**

Public comment received by an advocate for the family. Public comment received by the family.  
Attorney comment received.

Chair Lofald read the following statement:

The next item on the agenda is the proposed expulsion of a student enrolled in Independent School District No. 709, Duluth Public Schools. In order to consider the proposed expulsion, the Board must review and discuss educational data regarding the student. The Open Meeting Law, Minnesota Statutes section 13D.05, subdivision 2(a)(3), states that any portion of a meeting must be closed if educational data are discussed. Accordingly, pursuant to the law I have cited, I will hereby entertain a motion that this meeting be closed for the purpose of considering the proposed expulsion of a student.

**M-Oswald, S-Eder, to recess to closed session. Upon a vote, the same was approved – 6-0.**

Recess to Closed Session at 7:10 p.m.

Reconvene to Open Session at 8:39 p.m.

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Member Eder 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 parent in compliance with the Minnesota Pupil Fair Dismissal Act;

WHEREAS, the School Board reviewed written Findings of Fact and Conclusions regarding the proposed expulsion; and

WHEREAS, the written notice of the proposed expulsion, the name of the student proposed for expulsion, and the 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 Findings of Fact and Conclusions as the basis for its decision.
2. The School Board hereby expels the student from Independent School District No. 709, Duluth Public Schools, for a period of twelve (12) calendar months.
3. The Assistant Superintendent, or his designee, is directed to mail the following to the student and to the student's parent: 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 October 13, 2021, and may apply for enrollment effective October 13, 2022.
4. The Assistant 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 Assistant 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.

E-10-21-3843

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**M- Eder, S-Kirby, to approve Resolution E-10-21-3843 – Resolution expelling a student. Upon a vote, the same was approved – 6-0.**

**M-Oswald, S-Eder, to adjourn the meeting. Upon a vote, the same was approved – 6-0.**

Chair Lofald adjourned the Special School Board Meeting of October 13, 2021 at 8:43 p.m.

  
Chair Lofald

  
Clerk Oswald