

REGULAR MEETING HELD ON THE 2ND DAY OF APRIL 2009

1. President Walter Hancock called the meeting to order at 5:01 p.m., and welcomed those in attendance.
2. President Walter Hancock led those in attendance in the flag salute.
3. Members of the Governing Board in attendance were: Walter Hancock, Marie Thomas, Susan Short, Terry Taylor, and Thomas Robertson.

Others present were: Sam Chimento, Theresa Holyoak, and Patti Hayes.

4. A motion was made by Susan Short, seconded by Marie Thomas, recommending that the agenda be approved. Motion unanimously carried.

CLOSED SESSION

The Board recessed into closed session at 5:02 p.m. for the purpose of discussing Student Matters/Discipline, in accordance with Education Code Sections 49073 and 49076, regarding Expulsion Case No. 11/20/97, ID No. 21581.

OPEN SESSION

The Board reconvened into open session at 6:05 p.m.

REPORT ON ACTION(S) TAKEN IN CLOSED SESSION

No action was taken in closed session.

ACTIONS ITEMS

5. Action on Expulsion Case No. 11/20/97, ID No. 21581.

a. Action No. 1 - Finding of Fact.

A motion was made by Susan Short, seconded by Marie Thomas, Thomas, that Student No. 11/20/97, I.D. No. 21581 did violate Education Code Section 48900(b):

Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

The Governing Board also found that other means of correction are not feasible or have repeatedly failed to bring about proper conduct. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

Motion unanimously carried.

b. Action No. 2 - Action Pending Expulsion

A motion was made by Susan Short, seconded by Marie Thomas, to expel student No. 11/20/97, I.D. No. 21581 through the end of the first trimester of the 2009/2010 school year, and recommended the following rehabilitation plan:

- (1) The student participate in a counseling program approved by the Principal of Palermo School. Parent counseling is recommended.
- (2) The student remain off any school campus, until otherwise notified in writing by a school official (exception: during school hours at Palermo Community Day School site).
- (3) The student demonstrate proper respect to and follow all directions of school officials.
- (4) The student demonstrate proper attitude toward school work, maintain a good attendance record, and demonstrate good school conduct with no disruptions.

ACTIONS ITEMS

5. Action on Expulsion Case No. 11/20/97, ID No. 21581.

b. Action No. 2 - Action Pending Expulsion (continued)

- (5) The student maintain a portfolio that contains evidence of improved achievement in math and reading, a sample of a completed assignment, and a sample or picture of a completed project.
- (6) The student adhere to all laws and regulations, federal, state, and local, as a demonstration of rehabilitation success.

The Board further ordered that the student will have the opportunity to demonstrate readiness for return to the regular education program, and may appeal to the Board if the following criteria are met:

- (1) Improved study habits.
- (2) Improved academics.
- (3) Improved social behavior.

If the student demonstrates the above, the student may appeal to the Board in the summer of 2009 for a suspended expulsion and readmission to the regular education program. If the expulsion is suspended, placement will be determined by the Principal, applying the promotion and retention policy.

If the student successfully completes the recommended behavior plan and maintains proper respect and conduct, the Order of Expulsion may be expunged from the student's school records upon meeting requirements for graduation from the Palermo Union School District, subject to approval of the Governing Board.

Motion unanimously carried.

6. **Audience with the Board.****Non-Agenda Items:**

No one had business to bring before the Board.

7. **Audience with the Board.**

Agenda Items:

No one had business to bring before the Board.

PUBLIC HEARING

Sam Chimento, Superintendent, introduced this agenda item.

Walter Hancock, President, declared the Public Hearing open.

The public was invited at this time to provide input and comments to the Governing Board regarding categorical fund transfers and uses in accordance with SBX3 4 (Chapter 12/2009). The Budget trailer bill (SBX3 4) gives local school agencies the authority to use the funds received from the state for Tier III programs for "any educational purpose, to the extent permitted by federal law." The flexibility to transfer funds from these programs is authorized for five years from the current year through 2012-13. The district is proposing to use up to the maximum flexibility available for each program in 2008-2009. The amounts to be transferred in each of the programs are estimates based on the information that is available to date.

No one presented comments to the Board.

Walter Hancock, President, declared the Public Hearing closed.

There was no discussion by the Board.

