

SOLANO COUNTY BOARD OF EDUCATION

**MINUTES**  
**Special Meeting/Expulsion Appeal Hearing**  
**April 13, 2016**

In accordance with Education Code §48919 – §48925, the Solano County Board of Education met on Wednesday, April 13, 2016, in a special closed hearing to act as an appeals board to review a student expulsion appeal.

**I. CALL TO ORDER**

Board Vice President Elise Cheek called the meeting to order at 7:02 PM.

**II. ROLL CALL**

Members Present

Elise Minor, Vice President (Trustee Area 5)  
Mayrene Bates (Trustee Area 4)  
Peggy Cohen-Thompson (Trustee Area 7)  
Michelle Coleman (Trustee Area 1)  
Doug Ford (Trustee Area 6)  
Raymond Silva (Trustee Area 2)

Members Absent

Dana Dean, President (Trustee Area 3)

**III. APPROVAL AND ADOPTION OF AGENDA**

Motion was made by Trustee Coleman, seconded by Trustee Bates, and unanimously carried by a vote of those present to approve and adopt the agenda as presented.

**IV. PUBLIC COMMENT ON CLOSED HEARING AGENDA ITEM**

There were no comments from members of the public.

**V. CLOSED HEARING OPENS**

The hearing began at 7:05 PM.

- (a) Introduction of appellant, respondent, their representatives, SCOE staff, legal counsel, and others present

Lisette Estrella-Henderson, Associate Superintendent of Student Programs and Educational Services, introduced herself, explained her role as the non-voting facilitator of the hearing, and stated that this expulsion appeal was being held as a closed hearing. She introduced Dan Wolk, Solano County Deputy County Counsel, who serves as the Board's attorney in expulsion appeals to advise the Members in legal matters and rule on any objections raised; Dr. Victor Romualdi, Assistant Superintendent of Student Programs, who served as timekeeper; and Jay Speck, Solano County Superintendent of Schools and Secretary to the Board. Mr. Wolk, Dr. Romualdi, and Mr. Speck are all in non-voting roles. The Board Members introduced themselves.

The appellant, an 18-year-old male student, was present and represented by his father.

The Benicia Unified School District (BUSD) was represented by Dr. Michael Gardner, Deputy Superintendent, and Gregory J. Rolen, Attorney with the firm of Haight Brown & Bonesteel, LLP.

- (b) Review of legal authorization, purpose, scope, and procedures of the student expulsion appeal hearing and materials pertaining to the appeal

Mrs. Estrella-Henderson explained the hearing purpose, procedures, Board's limited scope of authority, and possible actions that the Board may take. She stated that both parties were limited to 30 minutes each to state their cases, the time may be split however the party wishes between opening and closing statements, and written arguments would be accepted. Both parties and each Board Member had received a record of the case in advance (pages 1.1 – 8.1).

## **VI. PRESENTATION OF CASE**

Members of the Board were given the opportunity to ask questions, limited to the scope of the hearing, of any person appearing before the Board.

(a) Appellant or representative presentation

The student's father made an opening statement on behalf of the Appellant including the reasons for the appeal, and both the parent and the Appellant answered questions from the Board.

(b) Respondent presentation

Mr. Rolan stated the district's case, and both he and Dr. Gardner answered questions from the Board.

(c) Appellant or representative closing remarks

The student's father made a closing statement.

(d) Respondent closing remarks

Mr. Rolan made a closing statement.

## **VII. HEARING CLOSES – CLOSED SESSION DELIBERATIONS BEGIN**

The hearing closed at 8:02 PM. Pursuant to Education Code §35146, the Board adjourned to closed session to deliberate the appeal.

## **VIII. RECONVENE IN OPEN SESSION**

The Board reconvened at 8:12 PM.

Motion was made by Trustee Coleman, seconded by Trustee Ford, and unanimously carried by a roll call vote of those present to affirm the district governing board's decision and deny the appeal based on the evidence presented.

## **IX. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:14 PM.

*Signature on File*

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Jay Speck  
Secretary to the Solano County Board of Education