

Mission: The Ludington Area School District, in partnership with parents and community, will educate and empower students to adapt and succeed in their future.

Personnel/Policy Committee Meeting

Date: April 14, 2021

Time: 7:00 a.m.

Place: Ludington Area School District Administration Office
809 East Tinkham Avenue, Ludington, Michigan

- 1) CALL TO ORDER & ROLL CALL
 Stephanie Reed Mike Nagle Leona Ashley
- 2) CITIZEN PARTICIPATION
- 3) MEETING PARTICIPANT CONTROLS
- 4) AGENDA MODIFICATION
- 5) DISCUSSION ITEMS
 - a) Update on Extended COVID-19 Continuity of Learning Plan
 - b) Young 5 / Developmental Kindergarten Program
 - c) Second Reading: NEOLA Policy Updates
 - i. Volume 35, Number 2 Update - February 2021
 - ii. EDGAR Policy Update - February 2021
 - iii. Nondiscrimination and Anti-Harassment Policy Update - February 2021
 - d) Thrun Law Firm - Review of School Law Notes
 - e) Updates from Other Committees
 - i. Bids Received for Lakeview Elementary School and Property
- 6) OTHER ITEMS OF BUSINESS AND ANNOUNCEMENTS
- 7) ADJOURNMENT

This is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. Official minutes of the Ludington Board of Education are available for public inspection during normal business hours at the Board of Education's Central Business Office, 809 E. Tinkham Avenue, Ludington, Michigan, 231-845-7303. The Ludington Area School District is an equal opportunity employer and provider. If you are an individual with a disability who is in need of special accommodations to attend or participate in a public meeting please contact Superintendent Jason J. Kennedy at 231-845-7303 at least 24 hours prior to the meeting or as soon as possible.

Memorandum - Office of the Superintendent

TO: Board of Education
FROM: Jason Kennedy, Superintendent
RE: Personnel/Policy Committee Meeting ~ Agenda Notes

CITIZEN PARTICIPATION

Review Board Policy 0167.3: Public Participation at Board Meetings

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings. The rules shall be administered and enforced by the presiding officer of the meeting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business, or at the discretion of the presiding officer.
- B. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.
- C. Each statement made by a participant shall be limited to three (3) minutes duration.
- D. No participant may speak more than once.
- E. Participants shall direct all comments to the Board and not to staff or other participants.
- F. The presiding officer may:
 1. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 2. request any individual to leave the meeting when that person does not observe reasonable decorum;
 3. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 4. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 5. waive these rules with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.
- G. The portion of the meeting during which the participation of the public is invited shall be limited to thirty (30) minutes, but the timeframe will be extended, if necessary, so that no one's right to address the Board will be denied.
- H. Tape or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:
 1. No obstructions are created between the Board and the audience.
 2. No interviews are conducted in the meeting room while the Board is in session.

3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.
- I. Each Board agenda will include the following statement, "Public participation shall be permitted only as indicated on the order of business."

Revised: January 21, 2019

Legal: M.C.L.A. 15.263(4)(5)(6), 380.1808

DISCUSSION ITEMS

Update on Extended COVID-19 Continuity of Learning Plan

On August 20, 2020, Governor Whitmer signed House Bill 5913 into law as Public Act 149. Section 98a states that in order to receive state aid for 2020-2021, districts must provide for instruction under an extended COVID-19 Learning Plan ("Plan") that has been approved by an intermediate district or authorizing body. The Plan does not replace the District's/PSA's COVID-19 Preparedness and Response Plan, it is an additional plan that includes new assurances and sections on educational goals, instructional delivery, grading, and equitable access.

Section 98a(1)(c) states, "Thirty days after the approval of the plan under subsection (2), and every 30 days thereafter, the district must, at a meeting of the board or board of directors, as applicable, of the district, reconfirm how instruction is going to be delivered during the 2020-2021 school year. Public comment must be solicited from the parents or legal guardians of the pupils enrolled in the district during a meeting described in this subdivision." Section 98a(1)(i) states, "The district shall publicly announce its weekly interaction rates under this subdivision at each reconfirmation meeting described in subdivision (c) and make those rates accessible through the transparency reporting link located on the district's website each month."

We will review the Extended Continuity of Learning Plan Reconfirmation Meeting template and reconfirm how instruction is going to be delivered during the 2020-2021 school year, accept public comment during the meeting from parents and/or guardians on the Extended Learning Plan, and review weekly 2-way interaction rates. We will also discuss any changes to the plan. We will also complete each of these tasks at the Board meeting on Monday so that the Board can reconfirm the District's Extended Continuity of Learning Plan.

Young 5 / Developmental Kindergarten Program

We will discuss the development and implementation of a young 5's / developmental kindergarten program at LASD, starting next year, and will need board approval for the program prior to implementation, should this be something that is supported by the committee.

Second Reading NEOLA Policy Updates: Released February 2021

- **Volume 35, Number 2 Policy Update**

We will discuss the Volume 35, Number 2 NEOLA Policy Update that was released to the District after our board meeting in February 2021 by the District's policy adviser. Policy updates will be discussed for the following policies:

2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability

This policy update places particular emphasis on protections for students who are identified under Section 504 and ADA, including accessibility to qualified individuals with regard to facilities, programs and activities according to federal law. Revisions to this policy are based on recent Office for Civil Rights (OCR) investigations and reviews of compliance issues, particularly related to vocational education/Career-Technical education programs with particular emphasis on vocational education.

2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities

This policy has been revised to reflect the recognized definition of "Rape" as of January 2021, deleting the original reference to the definition required by the Clery Act at the time of the release of the regulations in May 2020. The revised definition is that provided by the National Incident-Based Reporting System (NIBRS). Also, there is a suggested revision in the Appeals section of the policy. While the current regulation does not specifically address the implementation of remedies during the appeals process, it seems to be inappropriate to impose disciplinary sanctions while an appeal is pending.

5341 - Emergency Medical Authorization

This revision is necessary to comply with the revisions to the Do Not Resuscitate (DNR) laws that allow DNR orders for minors under appropriate circumstances. This revision is required to remain compliant with Michigan law.

5342 - Do Not Resuscitate Orders (DNR) for Minor Students

This new policy is necessary to comply with revisions to the Do Not Resuscitate (DNR) laws that now allow DNR orders for minors under appropriate circumstances and require specific procedures school districts must follow if they receive such an order. The policy is in compliance with M.C.L. 380.1180.

5343 - Physician Order for Scope of Treatment (POST)

This new policy is necessary to comply with the new statute setting out specific procedures that school districts must follow if they receive a physician order for scope of treatment (POST) form for a student. This policy is compliant with M.C.L. 380.1181.

7440.01 – Video Surveillance and Electronic Monitoring

Due to the significant increase in the use of virtual/on-line learning, this policy has been revised to allow a District to use pre recorded lessons or observations of on-line or virtual learning sessions as part of an employee's evaluation, in accordance with a collective bargaining agreement or Memorandum of Understanding approved by the Board. These revisions are provided to enable expanded use of technology monitoring for appropriate purposes.

8321 - Criminal Justice Information Security (Non-Criminal Justice Agency)

This policy is revised to include the latest review of procedures by the Department of Homeland Security (DHS) of implementation reviews by the Michigan State Police (MSP) and the qualified use of criminal records information by school employers. These revisions should be adopted in order to maintain accurate policies.

8330 - Student Records

This policy has been revised to comply with the obligation not to disclose the address of a student who provides the District with notice that they have received a participation card issued by the attorney general under the address confidentiality program act. This revision should be adopted in order to remain compliant with Michigan law.

8400 - School Safety Information

This policy has been revised to reflect the changes required by amendments, approved by the Governor, to the Sex Offender Registration Act (SORA). These revisions should be adopted in order to remain compliant with Michigan law.

8450.01 – Protective Facial Coverings During Pandemic/Epidemic Events

This policy is revised to reflect the changes in recommended exemptions enacted by the Center for Disease Control and Prevention (CDC). The guidance and content of this revised policy may be included in the District's Restart/Reopening plan for the 2020-21 school year. The policy provides coverage for students, district employees, and volunteers/visitors. This revised policy is not currently required by statute or regulation, however is provided for district consideration.

8500 – Food Services

This policy has been revised to add the emphasis being sought by the United States Department of Agriculture (USDA) to prohibit stigmatizing students who lack the funds to pay for their meal or with unpaid meal charges. This revision is recommended for adoption.

8510 - Wellness

Revisions to this policy reflect updated requirements for evaluation and review of district wellness policies (at least every three years) and the updated regulations issued by the U.S. Department of Agriculture (USDA). These regulations provide the basis for USDA review and monitoring of district compliance with the Health and Hunger-Free Kids Act. WELLSAT:3.0 is the assessment tool widely used to audit school wellness policies. These revisions reflect the updated USDA regulations and are recommended for adoption.

- **EDGAR Policy Update - February 2021**

The update includes the following documents:

- Policy 6114 - Cost Principles - Spending Federal Funds (reissued)

- Policy 6325 - Procurement - Federal Grants/Funds (reissued)
 - Policy 7450 - Property Inventory
 - Policy 7455 - Accounting System for Capital Assets
- **Nondiscrimination and Anti-Harassment Policy Update - February 2021**
 These policies have been revised to reflect changes in terminology and definitions, terms, and processes that are consistent with the latest regulations released by the United States Department of Education (USDOE), specifically Title IX regulations released in May 2020; effective August 2020.

While these revisions are substantially technical in nature, they should be considered as policy revisions. The update includes the following documents:

- 1422/3122/4122 - Nondiscrimination and Equal Employment Opportunity
- 1623/3123/4123 - Section 504/ADA Prohibition Against Disability Discrimination Based in Employment
- 1662/3362/4362 - Anti-Harassment
- 2260 - Nondiscrimination and Access to Equal Educational Opportunity
- 5517 - Anti-Harassment

NEOLA Policy Legal Updates

We will review a series of legal alerts from the District's policy adviser that will be shared with the committee.

Thrun Law Firm - Review of School Law Notes

We will discuss the most recent school law notes with the committee. This will provide the committee with the most recent developments in school law with regard to policy development.

Updates from Other Committees

- Bids Received for Lakeview Elementary School and Property
 We will discuss the bids that were received for the Lakeview Elementary School property with all committee members so that all board members are aware of the proposals that were received by the District at the time of the bid notice closing on Friday, April 9th.
- We will review updates from each of the other committees in preparation for the Board meeting on Monday, April 19, 2021.