

NOTICE OF PUBLIC MEETING

LUDINGTON BOARD OF EDUCATION - LUDINGTON AREA SCHOOL DISTRICT 809 E. Tinkham Avenue, Ludington, Michigan 49431 – Phone 231-845-7303

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. There is a time for public participation during the meeting as indicated on the agenda.

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

MEETING: Regular Meeting
DATE: February 18, 2019
TIME: 6:00 p.m.
PLACE: Lakeview Elementary School, 502 W. Haight Street, Ludington, Michigan

REGULAR MEETING

1. CALL TO ORDER & ROLL CALL
☑ Steve Carlson ☑ Bret Autrey ☑ Mike Nagle ☑ Stephanie Reed ☑ Josh Snyder ☑ Scott Foster ☑ Leona Ashley
2. PLEDGE OF ALLEGIANCE
3. SPECIAL PRESENTATION - All State Athletic Awards Presented by Randy Fountain
4. AGENDA MODIFICATION
5. CITIZEN PARTICIPATION
6. CONSENT AGENDA
 - a. Ratification of Bill Payment - Per Summary Dated February 18, 2019
 - b. Approval of Minutes – January 21, 2019 Organizational, Regular Meeting; February 4, 2019 Special Meeting
7. BOARD COMMITTEE REPORTS
 - a. Finance/Negotiation Committee Report February 14, 2019
 - b. Personnel Committee Report February 15, 2019
 - c. Building & Site Committee Report February 15, 2019
8. BUSINESS MANAGER REPORT
 - a. Update on Clean Diesel Bus Grant Award
9. PRINCIPAL'S REPORT -Jenn Mackey, Lakeview Elementary School Principal
10. SUPERINTENDENT'S REPORT
 - a. Oriole Foundation Grant Awards: Winter 2019
 - b. Update on Canceled Days of Instruction
 - c. Updated MDE Read by Grade 3 Guide
11. DISCUSSION ITEMS
 - a. Review and Discuss Bond Update and Draft Informational Bond Fact Sheet
 - b. School Safety Legislation Requirements
 - c. Paid Medical Leave Act and Minimum Wage Increase
12. ACTION ITEMS
13. OTHER ITEMS OF BUSINESS & ANNOUNCEMENTS
14. ADJOURNMENT

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. 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: Regular Meeting ~ Agenda Notes

Regular Meeting

BUSINESS MANAGER'S REPORT

Update on Clean Diesel Bus Grant Award

The Board will receive a brief update on the District's Clean Diesel Bus Grant Award. The District has received preliminary information indicating that it has received the award.

SUPERINTENDENT'S REPORT

Oriole Foundation Grant Awards: Winter 2019

The Oriole Foundation Board met to approve grant applications for the winter 2019 grant award cycle. The Board awarded grants totaling \$12,198.50, with \$6,800 of the grant award coming from support through the District's technology bond. Congratulations to the following projects and staff members who had portions or all of their project applications approved for funding:

- We are Philanthropists (Sniegowski/Kaminski): \$1,448.65
- Virtual Reality Field trips (Dotson): \$6,800; Support from technology bond.
- OJ Green Team Recycling Initiative (Marsh): \$600; District to assist with containers.
- Michigan Council for Exceptional Children Conference (Winterhalter, et al.): \$645; Grant to cover registration fees, District to cover substitute costs.
- Young Authors Writing Enrichment Program (Cooper/ Utter): \$840: Cost of one copy to be covered.
- Kagan Cooperative Learning (Millspaugh/James): \$1,696; Workshop registration and fees covered by grant; Lodging covered by District.
- Magnets and Magnetism (Venglar): \$168.85

Oriole Foundation grant awardees will receive an email with information outlining how to access funds and follow-up steps required. The next grant award application deadline is in September 2019.

Update on Canceled Days of Instruction

As of the date of this communication, the District has canceled eleven (11) days of instruction due to conditions outside its control. Section 101(4) of the State School Aid Act provides districts with six (6) days or the equivalent number of hours of forgiven time that can be used when pupil instruction is canceled due to conditions outside the control of school authorities, such as severe storms, fires, health conditions, and infrastructure issues. These initial days or hours can be used at any point throughout the year without prior authorization from the Department given the cancellation falls within acceptable reasons for school closure.

Further, Section 101(4) provides the State Superintendent the authority to allocate up to three (3) additional days or the equivalent number of hours of forgiven time to districts to be used when instruction

was not provided due to unusual and extenuating occurrences resulting from conditions not within the control of school authorities, such as those described above.

The District has completed and submitted an additional forgiven time request to Interim State Superintendent, Sheila Alles, and is awaiting the Michigan Department of Education's response to that request. If approved, the nine (9) of the canceled days of instruction would not be required to be made up. The District will work closely with its staff to add the necessary days of instruction to its calendar to comply with all legislative requirements. The last day of school was originally scheduled for Wednesday, June 12, 2019. Two (2) instructional days would be added to the school year, making the last day of school Friday, June 14, 2019.

On February 13, 2019, Senator Ananich introduced Senate Bill 113. The Bill was referred to the Committee on Education and Career Readiness. If approved, the Bill states: "In addition to these 6 days, if pupil instruction is not provided on 1 or more days that are included in a period for which the Governor has issued an Executive Order declaring a State of Emergency across this state, those days and the corresponding number of hours are considered to be days and hours of pupil instruction and the Department shall count them as days and hours of pupil instruction for the purposes of this section. For 2019-2020, the days included in the Executive Order are January 29, 2019 to February 2, 2019."

Updated MDE Read by Grade 3 Guide

The Board will review the updated Read by Grade 3 Guide that has been developed by the Michigan Department of Education (MDE). The guide compiles resources and responses to frequently asked questions regarding the Read by Grade 3 Law, MCL 380.1280f. The purpose of this guide is to support a District's implementation of the legislation by providing current information on the law. The guide can be found at the link below:

https://www.michigan.gov/documents/mde/Read_Grade_3_Guide_638247_7.pdf

DISCUSSION ITEMS

Review and Discuss Bond Update and Draft Informational Bond Fact Sheet

We will discuss a draft copy of the District's Bond Information Fact Sheet.

School Safety Legislation Requirements

In December 2018, the legislature enacted several laws focusing on school safety. A review of this legislation and the requirements will be discussed with the Board of Education. A legislative review was provided in the latest School Law Notes from Thrun Law.

Paid Medical Leave Act and Minimum Wage Increase (Source: Thrun Law Firm, PC)

We will discuss how the Act impacts Ludington Area Schools. In preparation for the PMLA, we must develop a policy outlining the school's rules and procedures relative to the PMLA and amend employee handbooks, as necessary. In cases where collective bargaining agreements, individual contracts, or employee handbooks already allow for sufficient paid leave to satisfy the PMLA, we will communicate this to eligible employees.

On December 13, 2018, Governor Snyder signed into law the Paid Medical Leave Act (PMLA), which replaces the Earned Sick Time Act. He also amended the Improved Workforce Opportunity Wage Act (IWOWA) to increase the minimum wage from \$9.25/hour to \$9.45/hour. Both laws take effect on March

29, 2019.

The PMLA covers employers, including school districts, with at least 50 employees. An employee is not eligible for benefits under the PMLA if he/she averages fewer than 25 hours per week in the immediately preceding calendar year or if he/she is employed for fewer than 25 weeks in a calendar year for a job scheduled for 25 weeks or fewer.

Only an employee who is considered “nonexempt” under the Fair Labor Standards Act is eligible for paid leave. The PMLA does not apply to “exempt” employees, which includes teachers, administrators, and other salaried employees. Typically, only employees paid on an hourly basis are covered by the PMLA, but individual circumstances may vary.

The PMLA requires employers to provide certain employees with paid sick leave. An eligible employee earns one hour of paid medical leave for every 35 hours worked. The employer, however, can limit accrual to one hour of paid medical leave for each work week. Only hours actually worked result in accrual of paid medical leave, meaning that vacation or personal days do not accrue for paid medical leave.

An employer may not limit an employee’s accrual of paid medical leave to less than 40 hours of paid medical leave during a benefit year (i.e., any 12-month period the employer selects to calculate paid medical leave). An employer may, however, limit an employee’s ability to carry over unused accrued hours of paid medical leave to 40 hours for the next benefit year. Schools must adopt a policy to set the school’s benefit year and to address the limits on paid-leave accrual.

Eligible employees will begin to accrue paid medical leave on March 29, 2019, or on the employee’s start date, whichever is later.

Employees may use accrued paid medical leave as soon as it is accrued unless an employer requires (by policy or handbook language) the employee to wait 20 days after beginning employment. Paid medical leave must be used in one-hour increments unless the employer has a different written leave-increment policy that allows eligible employees to take leave in smaller increments.

Before using paid medical leave, an employee must comply with the employer’s “usual and customary” notice, procedure, and documentation requirements for requesting leave. An employer must allow an employee three days to provide any requested documentation supporting the requested leave. These procedures and expectations, along with recordkeeping procedures related to an employee’s accrual and use of paid medical leave should be reflected in policies and handbooks. These records must be retained for at least one year.

Employees may use accrued paid medical leave for any of the following circumstances:

1. The eligible employee’s mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee’s mental or physical illness, injury, or health condition; or preventative medical care for the eligible employee.
2. The eligible employee’s family member’s mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee’s family member’s mental or physical illness, injury, or health condition; or preventative medical care for the eligible employee’s family member.

3. If the eligible employee or the eligible employee's family member is a victim of domestic violence or sexual assault, the medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
4. For closure of the eligible employee's primary workplace by order of a public official due to a public health emergency; for an eligible employee's need to care for a child whose school or place of care has been closed in certain circumstances; or in certain circumstances if the eligible employee or a family member has been exposed to a communicable disease.
5. As an alternative to complying with these requirements, an employer may instead provide employees with at least 40 hours of paid medical leave at the beginning of each benefit year. For example, if a school employs an eligible employee who works under a collective bargaining agreement that allows at least 40 hours paid medical leave a year, the school does not also have to comply with the PMLA by tracking the employee's accrual of paid medical leave.
6. By April 1, 2019, employers must give new employees notice of the employer's PMLA policies, including: the amount of paid medical leave required to be provided to an employee, the terms under which paid medical leave may be used, and the eligible employee's right to file a complaint with the Michigan Department of Licensing and Regulatory Affairs for an alleged violation of the PMLA. Employers must also post a visible workplace notice with information about the PMLA.