

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 Schools, in partnership with the community, will achieve excellence in a positive environment where motivation and quality instruction ensure learning and equip students for success in society.

MEETING: Regular Meeting
 DATE: December 14, 2020
 TIME: 6:00 p.m.
 PLACE: Electronic/Virtual
 Administration Office, 809 East Tinkham Avenue, Ludington, Michigan

- I. CALL TO ORDER & ROLL CALL
 - ☑ Steve Carlson ☑ Bret Autrey ☑ Mike Nagle ☑ Stephanie Reed ☑ Josh Snyder ☑ Leona Ashley ☑ Scott Foster
- II. AGENDA MODIFICATION
- III. GOOGLE MEET PARTICIPANT CONTROLS
- IV. CITIZEN PARTICIPATION
- V. CONSENT AGENDA
 - A. Ratification of Bill Payment - Per Summary Dated December 14, 2020
 - B. Approval of Minutes: November 16, 2020 Regular Meeting
- VI. BOARD COMMITTEE REPORTS
 - A. Personnel/Policy Committee Report: December 9, 2020
 - B. Finance Committee Report: December 10, 2020
 - C. Building & Site Committee Report: December 11, 2020
- VII. SUPERINTENDENT'S REPORT and COMMENTS
 - A. Review Owner, Architect, Construction Team Meeting Notes and Progress
 - B. Building Schedule for Ludington Elementary School
 - C. Review Secondary School Complex Schematic Design Meetings
 1. Activity #1: Empathy Mapping and Ideas that Stick
 2. Activity #2: Dot Polling Activity
- VIII. DISCUSSION ITEMS
 - A. Elementary Bond Project Application and Certificate for Payment #8
 - B. Update on Notice of Condition of Sale of Buildings
 - C. Second Reading: NEOLA Special Policy Update - EDGAR Revisions
 - D. First Reading: NEOLA Special Policy Update - Emergency Temporary Telecommuting Policy
 - E. Planning for Retirement of Food Service Director
 - F. Update on Extended COVID-19 Continuity of Learning Plan: Reconfirmation
- IX. ACTION ITEMS
 - A. Elementary Bond Project Application and Certificate for Payment #8
 - B. NEOLA Special Policy Update - EDGAR Revisions
 - A. Extended COVID-19 Continuity of Learning Plan: Reconfirmation
- X. OTHER ITEMS OF BUSINESS & ANNOUNCEMENTS
- XI. 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 J. Kennedy, Superintendent
RE: Electronic/Virtual Regular Meeting

Meeting Notice and Meeting Access Information:

This notice is given and published pursuant to the Epidemic Emergency Order issued by Michigan Department of Health and Human Services Director Robert Gordon.

The Board of Education for Ludington Area School District will meet on Monday, December 14, 2020 at 6:00 pm for a regular meeting as an electronic / virtual meeting (online and/or by phone) to protect the health, safety, and welfare of the citizens of Ludington Area School District from Coronavirus/COVID-19. This virtual meeting is authorized pursuant to the Michigan Open Meetings Act, MCL 15.263a.

Public comment will be handled using the participant controls of the Google Meet platform. These will be discussed at the start of the meeting. If you are listening by telephone only, you will be called upon by the host during the time for public participation in the meeting.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend this meeting and/or to obtain this notice in an alternative format, should contact Superintendent Jason Kennedy, Ludington Area School District at (231) 845-7303 at least twenty-four (24) hours prior to this meeting.

Google Meet Instructions for Participants

To join the conference by telephone:

1. On your phone, dial the teleconferencing number provided below:
 - Phone number: (US) +1 402-744-0281
2. Enter the meeting pin number below when prompted using your touch-tone (DTMF) keypad:
 - Pin number: 294 586 795#

Before the meeting:

1. You will need a computer, tablet, or smartphone with speakers or headphones. You will have the opportunity to check your audio immediately upon joining the meeting.

To join the meeting via video conference or technology device:

1. At the start time of the meeting, click on the link below to join via computer. You may be instructed to download the Google Meet application.

Meeting Link: meet.google.com/ysr-qayn-epb

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

Memorandum - Office of the Superintendent

TO: Board of Education

FROM: Jason Kennedy, Superintendent

RE: Electronic/Virtual Regular Meeting ~ Agenda Notes

Regular Meeting

SUPERINTENDENT'S REPORT

Review Owner, Architect, Construction Team Meeting Notes and Progress

We will review the most recent owner, architect, and construction team meeting notes for the elementary school project, as well as the construction progress update that has been provided to the District by the Christman Company, as a way to continue to keep the building and site committee apprised of the work and progress at the elementary school project site.

Building Schedule for Ludington Elementary School

We will review the building schedule for the new elementary school with the Board of Education that has been provided to the District by The Christman Company so that the Board can see what milestones have been completed within the project, and what milestones remain.

Review Secondary School Complex Schematic Design Meetings

- **Activity #1: Empathy Mapping and Ideas that Stick**

Several staff members and administrators completed these activities this week to officially begin the work of developing the schematic design of the secondary complex. The Ideas that Stick exercise was facilitated asynchronously through a Mural Canvas prior to a live Zoom session to capture individual thoughts and ideas around three different questions. The questions included:

1. What is the future of education at the HS/MS?
2. What is the future student experience at the HS/MS?
3. What are the qualities of the current building that will make it challenging to the future of education?

During the live Zoom session that is scheduled for the afternoon of December 11, 2020, an empathy mapping exercise will be completed, while also discussing the feedback that the design team received from the asynchronous activity.

- **Activity #2: Dot Polling Activity**

The week of December 14, 2020, an activity called dot polling will be introduced to members of the staff and administrative team. This exercise will be facilitated asynchronously through multiple Mural Canvases to capture the qualitative aspects of potential design ideas and solutions asking individuals to use red and green dots to describe what elements they do not like (red) and like (green) in a series of image categories. Notes of the specific reasons why a red or green dot will be used to help the team process people's thoughts. This activity will help the team see common themes. Areas such as the building exterior, general classroom layout, the layout of science classrooms and extended learning areas, athletics, collaboration spaces, the main office, and CTE spaces will be reviewed in this activity.

As a reminder, the proposed milestone schedule for the secondary project is outlined below:

- Pool Equipment Project:
 - Schematic Design: 12/2/20
 - Design Development: 1/6/21
 - Specifications Due: 1/31/21
 - Construction Documents: 2/3/21

- Building Additions/Renovations:
 - Programming Deliverable: 12/16/20
 - Schematic Design: 2/23/21
 - Design Development: 6/28/21
 - Specifications Due: 10/25/21
 - Construction Documents: 11/3/21

DISCUSSION ITEMS

Elementary Bond Project Application and Certificate for Payment #8

We will need an action item at the Board meeting on Monday to approve the certificate for payment on the elementary school bond project and to authorize the District to pay the certificate for payment in the amount of **\$1,955,963.51**, as certified by the architect and construction manager, and as outlined in the Certificate for Payment. The District received the pay application information from the construction manager to process on December 9, 2020. This information was reviewed with the Finance Committee at the committee meeting on December 10, 2020.

Update on Notice of Condition of Sale of Buildings

We will discuss updates associated with the Notice of Condition of Sale of Buildings with the committee. As a reminder, sealed bid forms from prospective buyers are due to the District by Friday, January 8, 2020 at 3:30 pm.

Second Reading: NEOLA Special Policy Update - EDGAR Revisions

In December 2014, the U.S. Department of Education (ED) released the newly updated Education Department General Administrative Regulations (EDGAR). This major rewrite of the regulations was issued after nearly 40 years of very little change in the compliance measures that federally funded programs must meet. The regulations covered the application process, financial management, procurement, inventory management, time and effort accountability, cost allowability, record retention, and program oversight.

The Office of Management and Budget (OMB) has now revised sections of OMB Guidance for Grants and Agreements, also known as Uniform Grant Guidance (UGG). Proposed changes to 2 C.F.R Part 200 were published in the Federal Register in January 2020, comments closed on March 23, 2020, and Final Revisions were published in August 2020. Despite the intervening pandemic, OMB released its final revisions to the Uniform Grants Guidance (2 CFR Part 200) on schedule. The revisions continue the OMB's push for results-oriented accountability for grants, significantly rewrite the sections on procurement, and attempt to clarify prior requirements, including provisions related to the period of performance and indirect costs. NEOLA released the special policy update for schools on October 27, 2020, as the revised rules take effect on November 12, 2020.

These revisions reflect changes outlined in the President's Management Agenda (PMA). This guidance is intended to focus on improved stewardship and ensuring that the American people are receiving

value for funds spent on grant programs. The revisions are limited in scope to support implementation of statutory requirements, alignment of these provisions with other Federal requirements, and clarification of existing requirements to minimize risk in financial transactions.

These new regulations will require some revision to current policies. Neola has conducted a thorough review of policy and administrative guidelines templates and has provided appropriate revisions and additions in this special update to ensure that the District meets the compliance standards put forth by EDGAR. Policy documents in this special update have been reviewed by Brustein & Manasevit, PLLC Attorneys at Law and by Varnum LLP for consistency with Federal and State law, respectively.

The special update includes revisions to the following District policies:

- Policy 6114 - Cost Principles - Spending Federal Funds (Revised)
- Policy 6325 - Procurement - Federal Grants/Funds (Revised)

First Reading: NEOLA Special Policy Update - Emergency Temporary Telecommuting Policy

This Special Update is being issued in response to the Michigan Occupational Safety and Health Administration's release of Emergency Rules regarding Coronavirus Disease 2019 (COVID-19). The rule requires that all Michigan employers shall create a policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely. We will complete the first reading of this policy.

Planning for Retirement of Food Service Director

We will continue to discuss options for replacing the food service directors position and provide an update to the Board. As a reminder, the District received the retirement notice for Donna Garrow, the District's Food Service Director, effective December 31, 2020.

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.

ACTION ITEMS

Elementary Bond Project Application and Certificate for Payment #8

We will need an action item at the Board meeting on Monday to approve the certificate for payment on the elementary school bond project and to authorize the District to pay the certificate for payment in the amount of **\$1,955,963.51**, as certified by the architect and construction manager, and as outlined in the Certificate for Payment. The District received the pay application information from the construction manager to process on December 9, 2020. This information was reviewed with the Finance Committee at the committee meeting on December 10, 2020.

NEOLA Special Policy Update - EDGAR Revisions

We will need an action item to approve the NEOLA Special Policy Update - EDGAR Revisions, as discussed and outlined above. The special update includes revisions to the following District policies:

- Policy 6114 - Cost Principles - Spending Federal Funds (Revised)
- Policy 6325 - Procurement - Federal Grants/Funds (Revised)

Extended COVID-19 Continuity of Learning Plan: Reconfirmation

We will need an action item to approve the District's reconfirmation of its Extended COVID-19 Continuity of Learning Plan, as presented. This includes: reconfirming how instruction will continue to be delivered during the 2020 - 2021 school year, reviewing public comments from parents and/or guardians on the Extended Continuity of Learning Plan at this meeting, and reviewing weekly 2-way interaction rates.