

# WATERFORD BOARD OF EDUCATION – MINUTES

## Interim Meeting

August 3, 2017

### OPENING

The Regular Meeting of the Waterford School District Board of Education, held at the Waterford Township Hall Auditorium, 5200 Civic Center Drive, Waterford, Michigan, was called to order by President Petrusha at 6:00 PM.

### PLEDGE

The audience joined the Board of Education in the Pledge of Allegiance.

### ROLL CALL

Present: Members Halls, Himmelspach, Sutherland, Piggott, Petrusha and Torres

Absent: Member Barghahn

Others: Keith Wunderlich, William Holbrook, Lisa McFee, Janet McLeod, Nadine Milostan, Troy Beasley, Becky Lesh, Jackie Judge, Grant Smith, Megan Roberts and others that did not register.

### APPROVAL OF THE AGENDA

President Petrusha approved the agenda.

### INFORMATION ITEMS

a. Northwest Evaluation Association Assessment Results (NWEA)

Lisa McFee, Assistant Superintendent, Teaching and Learning Services, provided information relative to the Waterford School District 2016-2017 NWEA results and conditional growth percentiles. A copy of the presentation is available on the District's website.

Member Sutherland clarified that this assessment is a measure of growth rather than proficiency.

Member Piggott asked if we approach those teachers doing well. Ms. McFee explained that all teachers use the same instructional strategies and curriculum and that teachers do work together.

Member Torres inquired about how comprehensive the training is. Staff receive consistent professional development during the school year and coaches assist with this training.

Member Halls clarified that all information is reviewed in the event that there is a technical issue with the percentile.

b. Negotiations Update

Janet McLeod, Director, Human Resources, provided an update on negotiations. It is expected that tentative agreements will be presented for both information and action on August 17, for five bargaining units.

## INFORMATION ITEMS

### c. Bid Package 17-5: Supplemental Cooling – Technology Costs

Waterford School District administration is seeking proposals for the following projects for Bid Package 17-5, Supplemental Cooling - Technology Closets at the following locations:

- Beaumont, Donelson, Grayson, Haviland, Houghton, and Knudsen Elementary
- Mason Middle School
- Stepanski Early Childhood Center
- Waterford Durant and Waterford Kettering High Schools
- Kingsley Montgomery School
- Leggett Center and Waterford Village

Requests for proposals were posted July 19, 2017. A recommendation is expected to be presented to the Board of Education on August 17, 2017

Founding Source: 2016 Bond Series I and II

## AUDIENCE COMMENTS ON ACTION ITEMS

There were no audience comments on action items.

## APPROVAL OF THE MINUTES

- a. July 20, 2017, Regular Meeting
- b. July 20, 2017, Closed Session

Moved by Member Piggott and supported by Member Himmelspach that the Board of Education adopt the minutes of the July 20, 2017 Regular Meeting and Closed Session.

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

## NEW BUSINESS

### a. Superintendent's Recommendations

- (1) Recommendation 16-17-18 Relative to Retirements/Resignations/Leave of Absence Expirations

Moved by Member Piggott and supported by Member Himmelspach that the Board of accept the following resignations:

Bache, Colleen, Teacher  
Houghton Elementary School  
Resignation  
Effective August 24, 2017

Berry, Kathryn, Teacher  
Grayson, Haviland and Riverside Elementary Schools  
Resignation  
Effective July 21, 2017

## NEW BUSINESS

### a. Superintendent's Recommendations

- (1) Recommendation 16-17-18 Relative to Retirements/Resignations/Leave of Absence Expirations  
(*continued*)

Graves, Steve, Teacher  
Riverside Elementary School  
Resignation  
Effective August 24, 2017

Janower Goldman, Nicole, Teacher  
Mason Middle School  
Resignation  
Effective July 22, 2017

Lynch, Grace, Speech Pathologist  
Student Support Services  
Resignation  
Effective July 23, 2017

Reichert, Brooke, Teacher  
Mott High School  
Resignation  
Effective June 16, 2017

Ayes: Members Halls, Himmelpach, Torres, Sutherland, Piggott, and Petrusha  
Nays: None  
Motion carried. (6-0)

- (2) Recommendation 17-17-18 Relative to Teaching Contract Changes/Appointments

Moved by Member Piggott and supported by Member Halls that the Board of Education approve the following teaching contract changes/appointments for the 2017-2018 school year:

Heilig, Courtney, Social Worker  
Knudsen Elementary School  
100% Annual Contract  
Effective August 24, 2017

Hlywa, Kaitlyn, Teacher  
Durant High School  
40% Probationary Contract  
Effective Date August 24, 2017

Lindsay, Shelby, Special Education Teacher  
Riverside Elementary School  
100% Probationary Contract  
Effective August 24, 2017

## NEW BUSINESS

### a. Superintendent's Recommendations

#### (2) Recommendation 17-17-18 Relative to Teaching Contract Changes/Appointments (*continued*)

Naish, Katherine, Special Education Teacher  
Kingsley Montgomery School  
100% Probationary Contract  
Effective August 24, 2017

Wills, Christina, Teacher  
Kettering High School  
100% Probationary Contract  
Effective August 24, 2017

Zatkoff, Caitlin, School Social Worker  
Riverside Elementary School  
100% Annual Contract  
Effective August 24, 2017

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

#### (3) Recommendation 18-17-18 Relative to NEOLA Policy Updates

Moved by Member Piggott and supported by member Himmelspach that the Board of Education approve updates to the following policies. These policies have been prepared, reviewed and recommended by NEOLA's legal counsel for statutory compliance.

0175.1 School Board Conferences, Conventions, and Workshops

Revisions are required by Public Act 477 of 2014 with regard to board member expense reimbursement and public reporting requirements. The law requires the board to adopt a policy regarding allowable expenses. These revisions reflect the current state of the law and should be adopted to maintain accurate policies.

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3120 Employment of Professional Staff  
4120 Employment of Support Staff

Language has been updated to reflect current "Highly Qualified" certification requirements. This revision reflects the current state of the law and regulations and should be adopted to maintain accurate policies.

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1240 Evaluation of Superintendent  
1420 School Administrator Evaluation  
3220 Professional Staff Evaluation

Revisions reflect changes to the Revised School Code on the topic of administrator evaluations. Some of the mandated changes require adjustments to the evaluation process. All revisions to the statute are included in this change. These revisions reflect the current state of the law and should be adopted to maintain accurate policies.

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## NEW BUSINESS

### (3) Recommendation 18-17-18 Relative to NEOLA Policy Updates (*continued*)

1630.01/3430.01/4430.01          FMLA

These policies have been revised to incorporate the US Department of Labor's final regulations issued in February 2015. The new regulation provides further clarification regarding leave for pregnancy or the birth of a child. The new regulation also provides a definition of spouse that covers all person lawfully entered into marriages provided the marriages were lawful in the location they occurred at the time they were entered into – this is known as the "place of celebration" rule. These regulations are consistent with the US Supreme Court's decision in Obergefell v Hodges (2015), in which the Court held that the US Constitution requires States to license a marriage between two people of the same sex and to recognize marriage between two people of the same sex when the marriage was lawfully licensed.

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3121/4121          Criminal History Record Check

These policies have been revised in order to be consistent with compliance requirements of the Michigan State Policy/Federal Bureau of Investigations (MSP/FBI) requirements for access and handling of criminal record information.

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2623                  Student Assessment

This policy has been revised to bring specific references up to date with current requirements, including the assessments required by the new third grade reading legislation. The reference to Michigan promise grants has been left in on page 5 because the reference has not been deleted in statute. These revisions reflect the current state of the law and should be adopted to maintain accurate policies.

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#### ESSA Policies

The Elementary and Secondary Education Act (ESEA) was reauthorized by the US Congress in December 2015 with the passage of the Every Student Succeeds Act. Since passage, each state has been working on its plan for the implementation of Federal requirements. State plans, once developed and adopted by the state, must be submitted to the US Department of Education for approval. Overall implementation is targeted to begin July 1, 2017.

The following policies reflect the current state of federal regulations (ESSA) and should be adopted to maintain accurate policies.

5111.01          Homeless Students (Replacement)  
5111.03          Children and Youth in Foster Care (New)  
8340              Letters of Reference

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5112                  Entrance Age

Revisions are necessary due to the passage of Public Act 479 of 2014. Entrance age has been revised to September 1. Revisions reflect the current state of the law and should be adopted to maintain accurate policies.

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## NEW BUSINESS

### (3) Recommendation 18-17-18 Relative to NEOLA Policy Updates (*continued*)

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#### 5114 Foreign and Exchange Students

The revisions proposed address the requirements set forth in current Federal law pertaining to nonimmigrant students who have citizenship in countries other than the US and who enter the US on either a J-1 or F-1 Visa to attend high school in the US. Students who have a J-1 Visa are what we have traditionally thought of as foreign exchange students. The District can also chose to sponsor nonimmigrant students who have citizenship in countries other than the US who seek admission to the US to study for up to one academic year. If the District agrees to sponsor a nonimmigrant student who has citizenship in a country other than the US so that student is able to apply for an F-1 Visa. Revisions reflect the current state of the law and should be adopted to maintain accurate policies.

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#### 5320 Immunizations

The Joint Committee on Administrative Rules approved an educational requirement for Michigan parents seeking a non-medical waiver from the vaccination requirements for their children. The rule requires parents/guardians to speak with a health educator from their local health department regarding the benefits of vaccination and the risks to the department regarding the benefits of vaccination and the risks to the individual and the community from not getting vaccinated. The county health department will provide the non-medical waiver form to the parent, which the school district must honor.

Additionally, the Department of Health and Human Services is duly noted in the policy in recognition that the Michigan Department of Community Health and the Department of Human Services have been consolidated.

These revisions reflect the current state of the law and regulations and should be adopted to maintain accurate policies.

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#### 5517.02 Sexual Violence (NEW)

Guidance from the Office for Civil Rights directs federal funding recipients to take very specific steps in investigating and responding to sexual violence allegations. Although OCR's regulations appear to focus on postsecondary learning institutions, they apply to public school districts as well. The guidance does not explicitly mandate a separate policy dealing with sexual violence, but the level of detailed compliance OCR demands compels a separate policy. Further, several high-profile OCR decisions imposing liability on university emphasized missing or inaccurate policy elements. This policy is not specifically required by law but is recommended by NEOLA.

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#### 5610 Emergency Removal, Suspension, and Expulsion of Nondisabled Students

The revisions to this policy require consideration of specific factors when making decisions relating to suspensions and expulsions. The revisions are mandated by newly enacted MCL 380.1310d and should be adopted, to be effective as of August 1, 2017, by the District to maintain accurate policies.

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#### 5610.01 Expulsions/Suspensions – Required by Statute

The revisions are also based on MCL 380.1310d and include the consideration of specific factors as in Policy 5610 and standards for assessing weapons violations, to be effective as of August 1, 2017. See note regarding Policy 5610.

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## NEW BUSINESS

### (3) Recommendation 18-17-18 Relative to NEOLA Policy Updates (*continued*)

#### 5630.01 Student Seclusion and Restraint (Replacement)

In December 2016, the Michigan Legislature adopted new law restricting the use of seclusion and restraint in schools (MCL 380.1307). The Michigan Department of Education (MDE) and the State Board of Education were charged with developing a model policy regarding the use of seclusion and restraint in the public schools that includes all of the components of the intended objectives, along with appropriate guidance. Not later than the beginning of the 2017-2018 school year, the Board of a school district or ISD shall adopt and implement a local policy that is consistent with the state model policy. Failure to comply with this section or any of the requirements of the state model policy is considered to have failed to comply with and to have violated the revised school code.

The replacement policy reflects the current state of the law and the model policy adopted by the State Board of Education on March 14, 2017 and should be adopted to maintain accurate policies.

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#### 8390 Animals on Property (New for WSD)

As it relates to service animals, pursuant to guidance issued by the Department of Justice, public entities may only ask: 1) is the dog a service animal required because of a disability, and 2) what work or task has the dog been trained to perform. Thus, while service animals in general may be subject to state and county laws, regulations, and ordinances pertaining to their licensing, vaccination and veterinary requirements, a public entity may not inquire about these topics. Additionally, while a service animal may, in some limited circumstances, be a component of an IEP or 504 Plan, those processes cannot serve as a mechanism to limit a student's ability to be accompanied by a service animal if required because of the student's disability and has been trained to perform work or a task specific to the disability. Finally, the policy continues to reflect that employees who wish to utilize a service animal remain subject to the reasonable accommodation provisions of Title I of the ADA.

The policy reflects the Department of Justice's strict interpretation of this limitation. Additionally, while a service animal may, in some limited circumstances, be a component of a student's individualized education program (IEP) or Section 504 Plan, those processes cannot serve as a mechanism to limit a student's ability to be accompanied by a service animal if the animal is required because of the student's disability and has been trained to perform work or a task specific to the student and his/her disability. Finally, the policy continues to reflect that employees who wish to utilize a service animal remain subject to the reasonable accommodation provisions of Title I of the ADA.

The policy reflects the current state of the law and should be adopted to maintain accurate policies.

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#### 8321 Criminal Justice Information Security

This policy continues to undergo revision by the State Police. These revisions reflect the language and implementation expectations of the enforcement agency and should be adopted to maintain accurate policies.

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#### 8330 Student Records

The revisions were made to comply with the new MCL 380.1136 which prohibits the sale of personally identifiable information that is part of a student's education record (with noted exceptions), provisions of information to parents about disclosure of personally identifiable information upon request, compilation of a list of data and disclosures and provision of notices, and provision of an opt-out form (form 8330F17) for disclosure of directory information on an annual basis.

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## NEW BUSINESS

(3) Recommendation 18-17-18 Relative to NEOLA Policy Updates (*continued*)

8400 School Safety Information

The revision to this policy was made to reflect the change to MCL 380.1308, which was made in conjunction with changes to suspension/expulsion.

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9800 Diploma to Veterans

This policy has been revised to include Vietnam Era veterans to those eligible for awarding of a high school diploma, according to the provisions of the Department of Military and Veteran Affairs, Veterans Affairs Directorate, as provided by Public Act 55 of 2014.

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

(4) Recommendation 19-17-18 Relative to Head Start Policies

Moved by Member Piggott and supported by Member Halls that the Board of Education approve the following Head Start policies as approved by the Head Start Policy Committee: Staff Qualifications, Staff Health and Wellness, Program Goals, Disclosure for Parents, Vehicle Operations, Training and Professional Development, Management Systems, Confidentiality, Maintaining Records, Transportation Services and Children with Disabilities

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

(5) Recommendation 20-17-18 Relative to Head Start COLA Increase

Moved by Member Torres and supported by Member Halls that the Board of Education approve the Waterford School District Head Start COLA increase of 1% to be used to offset the cost of retirement fringes.

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

(6) Recommendation 21-17-18 Relative to Short Term Borrowing 2017-2018

Based on cash flow projections the Administration has determined it is necessary to borrow up to \$15,000,000 to meet short term cash flow obligations. These projections have been reviewed and supported by the Michigan School Investment Association. This short term borrowing for the 2017-18 fiscal year will be repaid September of 2018.

Historically the District has borrowed for short term obligations based on the timing of receiving state aid funds. The borrowing will be accomplished through brokerage firms and banking institution bids.



## NEW BUSINESS

- (6) Recommendation 21-17-18 Relative to Short Term Borrowing 2017-2018 (*continued*)

Moved by Member Torres and supported by Member Himmelspach that the Board of Education adopt the attached resolution authorizing borrowing not to exceed \$15,000,000.

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

- (7) Recommendation 22-17-18 Relative to Letter of Understanding – International Academy

Moved by Member Piggott and supported by Member Himmelspach that the Board of Education approve the attached five year agreement of the Letter of Understanding with the teachers at the International Academy.

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

- (8) Recommendation 23-17-18 Relative to Designation of Depositories

Moved by Member Torres and supported by Member Halls that the Board of Education approve the following school meal prices for the 2017-2018 school year. Prices remain the same as the 2016-2017 school year.

<u>Breakfast</u>	<u>16-17</u>	<u>17-18</u>
Elementary	\$1.75	\$1.75
Secondary	\$1.75	\$1.75
Adult	\$2.50	\$2.50
<u>Lunch</u>	<u>16-17</u>	<u>17-18</u>
Elementary	\$2.75	\$2.75
Secondary	\$3.00	\$3.00
Adult	\$3.75	\$3.75

Ayes: Members Halls, Himmelspach, Torres, Sutherland, Piggott, and Petrusha

Nays: None

Motion carried. (6-0)

## DISCUSSION ITEMS

- a. Future Items  
(1) Action – Tentative Agreements  
(2) Action – Bid Package 17-5
- b. Board of Education Reports

Member Halls reminded the community about Project Backpack and thanked Costco for the donation of 250 backpacks for Waterford students.

## **AUDIENCE COMMENTS ON NON-ACTION ITEMS**

Jackie Judge addressed the Board of Education regarding a Senior Center transportation matter.

## **SUPERINTENDENT'S REPORT**

Superintendent Wunderlich addressed public comments and shared information on the Enrollment Fair, new bus driver applicants and our drone camp featured on a drone racing YouTube channel.

## **ADJOURNMENT**

The meeting was adjourned by President Petrusha at 6:27 PM.

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Secretary, Board of Education

/mr