

Ludington Board of Education  
Public Meeting Notice

Please Post

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: Electronic / Virtual**

Date: December 09, 2020

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
  - a) Update on Food Service Director Hiring
- 5) DISCUSSION ITEMS
  - a) Second Reading: NEOLA Special Policy Update - EDGAR Revisions
  - b) First Reading: NEOLA Special Policy Update - Emergency Temporary Telecommuting Policy
  - c) Continued Discussion on Social Media Policy Update
  - d) Update on Extended COVID-19 Continuity of Learning Plan
  - e) Thrun Law Firm - Review of School Law Notes
  - f) Updates from other committees
- 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 J. Kennedy, Superintendent  
RE: Electronic/Virtual Committee 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 Personnel and Policy Committee of the Board of Education for Ludington Area School District will meet on Wednesday, December 9, 2020 at 7:00 am for a committee meeting as a 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) +1 224-407-4571
2. Enter the meeting pin number below when prompted using your touch-tone (DTMF) keypad:
  - Pin number: 602 920 566#

#### **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/ayh-vysg-hny](https://meet.google.com/ayh-vysg-hny)

# 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**

### **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.

### **Continued Discussion on Social Media Policy Update**

We will continue discussion on a draft social media policy that has been developed by Thrun Law and enacted by many school districts throughout the State, as well as discuss other policy options used by Districts across Michigan.

### **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.

### **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**

We will review updates from each of the other committees in preparation for the Board meeting on Monday, December 14, 2020.