

**Will Carleton Academy  
Board of Directors  
2001 W Hallett Rd.  
Hillsdale, MI 49242  
Board Regular Meeting  
November 13, 2018  
Academy Workroom  
5:15 PM**

## **PROPOSED AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Comments (Limited to Agenda Items only)**
- 4. Approval of Agenda**
- 5. Consent Agenda**
  - A. Approval of Board Meeting Minutes of October 9, 2018**
- 6. Treasurer's Report**
  - A. Monthly Financial Report for October 2018**
- 7. Business Items**
  - A. Monthly Financial Report for October 2018—Action**
  - B. Amended 2018-19 School Operating Budget—Action**
  - C. Board Policy 8310 Public Records—Action**
  - D. Board Committees**
  - E. Building Projects: Science Laboratory, Parking Lot Paving, and Gymnasium**
- 8. Business Manager Reports**
  - A. Director's Report**
  - B. Management Report**
- 9. Extended Public Comment (Limited to Non-Agenda Items)**
- 10. Board Comments**
- 11. Closed Session**
- 12. Reconfirmation of Next Board Meeting Date: Board Regular Meeting, December 11, 2018, 5:15 PM, Academy Workroom**
- 13. Adjournment**

**Individuals wishing to address the Board of Directors under Item 3 and 9 above are requested to sign in with the Recording Secretary prior to the start of the meeting. Individual comments are limited to no more than**

three (3) minutes each and a total time allowance not to exceed thirty (30) minutes. The Board will not verbally respond to public comments but may follow up in the most appropriate and time-effective manner.

Complaints or concerns regarding Board members or school employees associated with the Academy shall first be addressed in writing and delivered to the Board President at least five (5) days prior to the Board meeting or such complaints or concerns shall not be heard by the Board.

This meeting is a meeting of the Board of Directors in public for the purpose of conducting the Academy's business and is not to be considered a meeting of the public. There is a time for public comment during the meeting as indicated on the agenda.

Individuals with special need accommodations should contact the Director's office at 517-437-2000 preferably five (5) business days prior to the meeting.

Proposed minutes of this meeting will be available for public inspection at the Office of the Director, Will Carleton Academy located at 2001 West Hallett Road, Hillsdale, MI 49242 eight (8) business days after the meeting.

Approved minutes are available within five (5) business days after the meeting at which they are approved [Open Meetings Act, Public Act 267]

Will Carleton Academy  
Board of Directors  
2001 W Hallett Rd.  
Hillsdale, MI 49242  
Regular Board Meeting  
October 9, 2018  
Room 16  
5:15 PM

## PROPOSED MINUTES

1. Call to Order

In the absence of Board President Brock Lutz and Board Vice President Lisa Roberts, Board Treasurer Don Westblade called the meeting to order at 5:27 PM.

The oath of office was administered to Chris Busch and Luke VanCamp by Hillsdale ISD Vice President Laura Nye and Superintendent Ronna Steel.

2. Roll Call

Members Present: Chris Busch, Rick Shaerer, Luke VanCamp, and Don Westblade, Lisa Roberts arrived at 6:20 pm.

Members Absent: Sarah Hartzler and Brock Lutz

Others Present: Colleen Vogt, Brian Beaudrie, Sid Faucette, Randy Darnell, Eric Martinez, Carla Stewart, AJ Watkins, and Melissa Bowles

3. Public Comments (Limited to Agenda Items Only)

None

4. Approval of Agenda

It was moved by Schaerer and supported by VanCamp to approve the October 9, 2018 Regular Board Meeting Agenda. The motion passed unanimously with 4 Ayes and 0 Nays.

5. Consent Agenda

It was moved by Schaerer and supported by Busch to approve the Consent Agenda to approve the Organizational and Regular Meeting Minutes of the August 13, 2018 meeting and the Strategic Planning Workshop Meeting Minutes of the September 11, 2018 meeting as presented. The motion passed unanimously with 4 Ayes and 0 Nays.

6. Treasurer's Report

A. Independent Auditor's Report of Fiscal Year 2018

Randy Darnell, representing the independent auditor firm, Darnell and Meyering, presented the audit report for fiscal year 2018 which had an unqualified opinion with no significant audit findings. It was moved by Schaerer and supported by VanCamp to accept the audit as presented. The motion passed unanimously with 4 Ayes and 0 Nays.

B. Monthly Financial Report for August 2018 and September 2018

7. Business Items

A. Monthly Financial Report for August 2018 and September 2018

It was moved by Busch and supported by VanCamp to approve the monthly Financial Reports for August 2018 and September 2018. The motion passed unanimously with 4 Ayes and 0 Nays

B. Amended 2018-2019 School Operating Budget

Brian Beaudrie presented draft budget based on 251 students and revenues and expenditures adjustments. The draft budget also included a Staffing Chart to update the budget line items to actual practice. Board members sought clarification from Brian Beaudrie and Sid Faucette. No action was taken on the draft budget.

Brian Beaudrie asked the Board to authorize a Student Activities Fund to separate athletics and other student activity revenues and expenditures from the General Fund.

It was moved by Busch and supported by Westblade to authorize the opening of a Student Activities Fund with Colleen Vogt as the Signatory to track Student Activities, including Athletics, revenues and expenditures. The motion passed unanimously with 4 Ayes and 0 Nays.

C. Hillsdale ISD

1. CI Program Plan

It was moved by Busch and supported by VanCamp to have the school attorney, Kevin Foley advise Choice Schools and the Board on the need for an agreement with SPARC/Tammy Ryan for life skills training.

2. Charter Contract with Schedules

Sid Faucette reported to the Board that the charter contract with legal counsel comments has been submitted to the Hillsdale County ISD. Sid Faucette suggested that the Board take no action on the draft attachments, also reviewed by Kevin Foley and found sufficient.

D. Building Projects: Science Laboratory, Parking Lot Paving and Gymnasium  
Rick Postema's drawings of the three projects were presented to the Board for review and discussion.

E. 2018-2019 School Calendar Amendment

It was moved by Westblade and supported by Busch to approve the Amended 2018-2019 School Calendar which changed a Staff PD date from January 14, 2019 to November 2, 2018. The motion passed unanimously with 5 Ayes and 0 Nays.

F. Out of State Field Trip

It was moved by Schaerer and supported by VanCamp to approve the trip to Paris, France. The motion passed unanimously with 5 Ayes and 0 Nays.

G. Appointment of Board Committees

The Board decided to decrease the current 8 committees to 6 committees to include a Site Committee, Long Range Planning Committee, School Improvement Committee, Policy Committee, Curriculum Committee and Discipline Committee. Board members are to let the Board President know their committee preferences.

8. Business Manager Reports

A. Director's Report

Director Vogt presented her monthly report and responded to questions of the Board. It was moved by Schaerer and supported by VanCamp to grant a one-time exception to

class size limitations to allow siblings currently on the waiting list to enroll. The motion passed unanimously with 4 Ayes and 0 Nays.

B. Management Report

1. Strategic Planning Proposal

It was moved by Schaerer and supported by VanCamp to create a Strategic Planning Committee of two Board members appointed by the President to work with Sid Faucette on Vision and Mission/Philosophy, Core Values, Key Performance Indicators and Goals. Any Board members who are interested in this committee should notify the President. The motion passed unanimously with 4 Ayes and 0 Nays.

2. Board Policy Manual and Administration Guidelines

Sid Faucette presented options for updating the Board Policy Manual. This will be addressed by the Policy Committee.

3. Safety Grant Application

The Board was notified that the school, with the help of Choice Schools Associates and support of the Sheriff's Office, has applied for a School Safety grant.

9. Extended Public Comment

AJ Watkins, Parent Forum board Liaison informed the Board of the upcoming Trunk or Treat and Reverse Raffle. He also expressed some personal concerns.

10. Board Comments

Chris Busch thanked Sid Faucette and Brian Beaudrie for their quick response time to questions.

11. Reconfirmation of Next Board Meeting Date:

Members agreed that the next regular meeting will be on November 13, 2018, 5:15 PM, Academy Workroom.

12. Adjournment

It was moved by Schaerer and supported by VanCamp that the meeting be adjourned. The motion passed with 5 Ayes and 0 Nays. The meeting adjourned at 7:43 PM.

Proposed minutes respectfully submitted,

\_\_\_\_\_  
Recording Secretary

Date: October 9, 2018

Approved by the Board of Directors at its \_\_\_\_\_ meeting.

\_\_\_\_\_  
Board Secretary

Date: \_\_\_\_\_

## PUBLIC RECORDS

Reference: MCL 15.231 et seq.  
MCL 445.81 et seq.  
Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

The Board recognizes its responsibility to maintain the public records of the Academy and to make such records available to residents of Michigan for inspection and reproduction.

The public records of the Academy include any writing or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the Academy, its Board, officers, or ESP employees, subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA).

Any person may make a written request for any public records of the Academy. The person may inspect, copy, or receive copies of the public record requested. The Academy shall respond to such requests within five (5) working days after receipt unless otherwise agreed to in accordance with the Freedom of Information Act.

An individual may purchase copies of the Academy's public records upon payment of a fee. No original public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Neither the Board nor ESP shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see Policy 8350 and AG 8350).

The Board chooses not to provide for enhanced access to any of its public records.

The Board has determined that personal and confidential information provided to and retained by the Academy on parents, students, staff and others will be considered exempt from disclosure pursuant to a Freedom of Information Act request, unless advised specifically by the Academy's legal counsel that the particular information must be released. Such personal and confidential information shall include home addresses, telephone numbers, e-mail addresses or website pages (e.g. My Space, Facebook), except as they are specifically related to the operation of the schools, or specifically authorized for release by the individual, or the parent/guardian if the individual is a minor.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of the Academy, except student records and certain portions of personnel records.

The ESP is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or E-mail, providing the message does not alter existing Academy records.

The ESP is responsible for transmission of data contained in the single record student data base established by the Michigan Department of Education. Such transmission shall be in accordance with procedures established by the Intermediate School District and the Center for Educational Performance and Information (CEPI).

The ESP, shall establish Administrative Procedures to ensure proper compliance with the intent of this policy and the Freedom of Information Act.



## PUBLIC RECORDS

It is the policy of the Board that all persons are entitled to full and complete information regarding governmental decision-making, consistent with the Michigan Freedom of Information Act (the "FOIA" or the "Act").

For purpose of these procedures and guidelines, a "public record" means: a writing prepared, owned, used, in the possession of, or retained by School in the performance of an official function, from the time it is created. Public record does not include computer software.

### Procedures & Guidelines:

#### GENERAL INFORMATION

- A. All officers, employees, and agents of the School shall protect public records from loss, unauthorized alteration, mutilation, or destruction.
- B. The Area Superintendent/Board Liaison/CAO is hereby designated the "FOIA Coordinator" with the authority and responsibilities stated in the Act and these procedures and guidelines.
- C. The FOIA Coordinator shall be responsible to accept and process all written requests for public records under the Act and shall be responsible for approving ~~a denial~~ under Section 5 of the Act (MCL 15.235).  
*For denying same*
- D. These procedures and guidelines regarding time frames, appeals, and fees do not apply to public records prepared for, or disclosed pursuant to another act or statute (i.e., requests for medical records made pursuant to the Public Health Code, or requests made pursuant to the ~~Public Employment Relations Act~~ or the Bullard-Plawecki Employee Right to Know Act, etc.).  
*Family Educational Rights and Privacy Act*

#### WRITTEN REQUESTS

- A. All individuals desiring to inspect or receive a copy of a public record shall make a written request to the FOIA Coordinator that describes the public record sufficiently to enable the FOIA Coordinator, or his/her designee, to identify and locate the public record.
- B. The FOIA Coordinator, or any other designee, is not required to respond to oral requests for public records, but may do so for routine requests that can be granted immediately.
- C. If a written request is received directly by an School employee other than the FOIA Coordinator, the original shall be promptly forwarded to the FOIA Coordinator. The date the School employee receives the request shall be considered the date the request is validly received by the School, for the purpose of determining when a response is due.
- D. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the FOIA Coordinator until one business day after the electronic submission is made. If a request is delivered to a spam or junk mail folder, the request is not received by the FOIA Coordinator until one business day after it is discovered.

- E. Upon receiving a written request for a public record pursuant to these procedures and guidelines, a person or entity has the right to inspect, copy, or receive copies of the requested public record(s), unless the requested public record is exempt from disclosure pursuant to Section 13 of the Act (MCL 15.243), as amended. If the exempt status of any request is questioned, legal counsel should be consulted. New public records, compilations, summaries, and/or reports of information shall not be created in response to a FOIA request.
- F. Upon request for public inspection, the FOIA Coordinator, or any other designee, shall furnish a requestor a reasonable opportunity for inspection and examination of the requested public records, subject to applicable exemptions, and shall furnish reasonable facilities for making memoranda or abstracts from its public records during regular business hours.
- G. A requestor may stipulate that the public records be provided on non-paper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. Notwithstanding the foregoing, such stipulation must be within the technological capabilities of the School.
- H. A person or entity may subscribe to future issuances of public records that are created, issued, or disseminated on a regular basis. A subscription shall be valid for up to six months, at the request of the subscriber, and shall be renewable.
- I. If a requested public record may be obtained on the School's website or webpage, the FOIA Coordinator shall notify the requestor in writing of such availability and provide the direct internet address or link to obtain such public record. If, after receiving such written notification from the FOIA Coordinator, the requestor notifies the School that he or she continues to want the School to provide a copy of the available public record, in any format, the School shall process such request and may impose additional labor costs as specified within Article IV below.

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#### REQUEST PROCESSING

- A. When the School receives a written request for a public record, the FOIA Coordinator, or any other designee, shall, in not more than five (5) business days after the School receives the request, respond to the request by one of the following:
  - 1. Grant the request.
  - 2. Issue a written notice to the requestor denying the request.
  - 3. Grant the request in part and issue a written notice to the requestor denying the request in part.
  - 4. Issue a written notice extending, for not more than ten (10) business days, the period during which the School shall respond to the request.
- B. Any failure to respond to a written request as provided for above constitutes the School's determination to deny the request.



- C. Any written response denying a request for a public record, in whole or in part, is a final determination to deny the request or portion of that request. A denial response should contain the following:
1. An explanation of the basis under the Act or other statute for the determination that a public record(s), or portion(s) thereof, is exempt from disclosure, if that is the reason for denying all or part of a request.
  2. A statement that the public record(s) do not exist under the name/description given by the requestor or by another name reasonably known to the School.
  3. A description of a public record(s) or information on a public record that is separated or deleted if such separation or deletion is made.
  4. A full explanation of the requestor's right to either file an appeal with the Board or seek judicial review of the denial pursuant to Section 10 of the Act (MCL 15.240).
  5. Notice that a requestor may receive attorneys' fees and damages pursuant to the Act if the Court determines that the School has not complied with Section 5 (MCL 15.235) of the Act and orders disclosure of all or a portion of a public record.

#### DEPOSIT & FEES

- A. Fees for responding to any request shall include duplication (copying) costs and mailing costs. Duplication (copying) costs shall be set from time to time by resolution of the Board in an amount that does not exceed 10 cents per page (8½ x 11 and 8½ x 14). The School shall use the most economical method of duplication (i.e., double-siding, etc.) and the least expensive form of postal delivery, unless a more expensive method is specifically requested by the FOIA requestor.
- B. The cost of hourly labor may also be charged if the failure to do so will result in unreasonably high costs to the School because of the nature of the request in a particular instance. If such is the case, the School shall specifically identify the nature of these unreasonably high costs. For purposes of these procedures and guidelines, "unreasonably high costs" shall generally mean calculated labor costs that are estimated to exceed \$50.00, inclusive of salary or wage and fringe benefits. *for the cost to search, examine, review, delete and separate exempt from non-exempt information*
- C. Labor costs shall include the cost of the search, examination, review, separation, and/or deletion of exempt information from non-exempt information in order to fulfill a request. *incurred in copying or publishing a public record for inspection or for providing a copy.*
- D. Labor costs will be calculated using the wage of the lowest paid School employee capable of searching for, locating, and examining the public record(s), regardless of whether that person is available or actually performs the labor. Labor costs shall be charged in increments of at least 15 minutes or more with all partial time increments rounded down. The School may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits. If it does so, it will clearly note the percentage multiplier used to account for benefits in the detailed itemization form. Subject to the 50% limitation, the School shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe

benefits. Notwithstanding the foregoing, 100% of fringe benefit costs may be added to the applicable labor charge if a requestor is notified in writing that public records are available on the School's website or webpage and the requestor continues to request that the School provide a copy, in any format, of the available public record.

- E. Overtime wages shall not be included in the calculation of labor costs unless the requestor specifically approves the use of overtime in writing, and overtime wages are clearly noted in the detailed itemization form.
- F. If the School does not employ a person in-house who is capable of separating exempt from non-exempt information in a particular instance, as determined by the FOIA Coordinator, it may utilize an outside contractor. In those instances, the School shall clearly note the name of the contractor or firm on the detailed itemization form. The cost of the contractor's labor, including necessary review directly associated with separating and deleting exempt information from non-exempt information, shall not exceed an amount equal to 6 times the state minimum hourly wage rate.
- G. The School will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.
- H. The School may require a good faith deposit (not to exceed 50% of the total labor and duplication costs) from the requestor, if the total estimated fee exceeds fifty dollars (\$50.00). A request for a good faith deposit shall include a detailed itemization of the fee the School estimates or charges pursuant to the Act. Additionally, a request for a good faith deposit shall include a best efforts estimate regarding the time frame it will take to comply with the Act in providing the public records to the requestor. The School may require a one-hundred percent (100%) deposit from a requestor who has not previously paid a fulfilled FOIA request, provided the requirements in Section 5 of the Act are met.
- I. All fees and deposits calculated under these procedures and guidelines shall be listed within a detailed itemization form that shall be provided to the requestor. A copy of such form is attached hereto and incorporated by reference.
- J. Pursuant to Section 4(2) of the Act, the School shall search for and furnish a copy of a public record without charge for the first \$20.00 of the fee for each request made by either of the following:
  - 1. An individual who is entitled to information under the Act and who submits an affidavit stating that the individual is indigent and receiving specific public assistance or, if not receiving public assistance, stating facts showing an inability to pay the cost because of indigence. If an individual is ineligible for a discount, then the School will inform the individual of the specific reason for the ineligibility in its written response. The right to financial assistance for indigent individuals shall not apply where:
    - a. an individual has received discounted copies of public records from School twice during the calendar year; or



- b. an individual requests information in conjunction with outside parties who are offering or providing payment, or other remuneration to the individual to make the request.
- 2. A non-profit organization formally designated by the state to carry out activities under Subtitle C of The Developmental Disabilities Assistance And Bill Of Rights Act of 2000, Public Law 106-402, and The Protection And Advocacy For Individuals With Mental Illness Act, Public Law 99-319, or their successors provided the following requirements are satisfied:
  - a. The request is made directly on behalf of the organization or its clients;
  - b. the request is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, MCL 330.1931; and
  - c. the request is accompanied by documentation of its designation by the State, if requested by School.
- K. The School may waive any charges if the FOIA Coordinator determines the cost is de minimis. For purposes of these procedures and guidelines, "de minimis" shall mean a calculated fee that is estimated to be less than \$10.00, inclusive of labor costs, duplication and mailing.

#### FEE DISPUTE APPEAL

- A. If the requestor believes the fee estimated or charged for the request exceeds the amount permitted under these procedures and guidelines or Section 4 of the Act, the requestor is required to submit to the Board a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under these procedures and guidelines or Section 4 of the Act.
- B. Within 10 business days after receiving a written appeal, the Board shall do one of the following:
  - 1. Waive the fee.
  - 2. Reduce the fee and issue a written determination to the requestor indicating the specific basis under Section 4 of the Act that supports the remaining fee. The determination shall include a certification from the Board that the statements in the determination are accurate and that the reduced fee complies with these procedures and guidelines and Section 4 of the Act.
  - 3. Uphold the fee and issue a written determination to the requestor indicating the specific basis under Section 4 of the Act that supports the required fee. The determination shall include a certification from the Board that the statements in the determination are accurate and that the fee complies with these procedures and guidelines and Section 4 of the Act.
  - 4. Issue a notice extending, for not more than 10 business days, the period during which the Board shall respond to the written appeal. The

notice of extension shall include a detailed reason or reasons why the extension is necessary. The Board shall not issue more than one notice of extension for a particular written appeal.

- C. If a requestor disagrees with the School's determination, the requestor may comment an action in Circuit Court in the County in which School is located, within 45 days of the public body's determination, to seek a fee reduction.

RIGHT TO APPEAL A DENIAL OF A PUBLIC RECORD REQUEST

- A. If a requestor desires to appeal a denial of a request for a public record, in whole or in part, the requestor may submit a written appeal to the Board or may seek judicial review of the denial, pursuant to Section 10 of the Act (MCL 15.240). A written appeal to the Board shall specifically state the word "appeal" and identify the reason(s) for reversal of the denial.
- B. Within 10 business days after receiving a written appeal, the Board shall do one of the following:
  - 1. Reverse the disclosure denial.
  - 2. Issue a written notice to the appellant upholding the denial.
  - 3. Reverse the denial in part and issue a written notice to the appellant upholding the denial in part.
  - 4. Under unusual circumstances, issue a notice extending, for not more than 10 business days, the period during which the Board shall respond to the written appeal. The Board shall not issue more than 1 notice of extension for a particular written appeal.
- C. The Board is not considered to have received a written appeal until its next regularly scheduled meeting after the appeal is submitted.
- D. Any failure to respond to an appeal shall be considered a decision to uphold the denial. If an appeal is denied in whole or in part by the Board, the appellant may seek judicial review of the nondisclosure by commencing an action in Circuit Court in the County in which School is located.