

**MINUTES  
BOARD OF EDUCATION  
Livonia Public Schools  
15125 Farmington Road  
Regular Meeting  
September 17, 2012**

President Mang convened the meeting at 7:00 p.m. in the Board Room, 15125 Farmington Road, Livonia.

<b>Members Present</b>	Colleen Burton, Mark Johnson, Dianne Laura, Patrice Mang, Eileen McDonnell, Gregory Oke, Randy Roulier
<b>Members Absent</b>	None
<b>Recognition of Donation from Alpha</b>	Superintendent Dr. Liepa extended his appreciation to Alpha for sponsoring three students (Erin Brown and Melisa Savich from Stevenson High School, and Jessica Suer from Franklin High School) to attend a two week engineering program at Kettering University – LITE (Life Improves Through Engineering).
<b>Summer Projects Presentation</b>	Ms. Abbey, director of business services, provided a presentation regarding sinking fund projects that took place over the summer.
<b>Written Communication</b>	None
<b>Audience Communication</b>	<b>Joseph Neussendorfer</b> , a member of the U.S. Building Green Council, addressed the Board regarding “green schools” and National Green Apple Day on September 29, 2012. He noted that more information is available at <a href="http://mygreenapple.org">mygreenapple.org</a>
<b>Response to Prior Audience Communication</b>	President Mang responded to a question regarding the locking of classroom doors. She shared that the district does have lockdown procedures in place at schools if there is an intruder in the building. During the course of a regular school day teachers are given the option of how to secure their classroom, including closing their door.
<b>Consent Agenda</b>	<p>It was moved by Ms. McDonnell and supported by Ms. Burton that the Board of Education of the Livonia Public Schools School District approve the following consent agenda items, as recommended by the superintendent:</p> <ul style="list-style-type: none"><li>IV.A. Minutes of the Regular Meeting of August 20, 2012</li><li>IV.B. Minutes of the Special Meeting of August 20, 2012</li><li>V.A. Approval of Adult and Continuing Education Programs of Study</li><li>VI.A. Bills for Payment—September 18, 2012</li></ul>

- VI.B. Approval of Lease Renewal for Garfield Cooperative Preschool (Lease agreement effective July 1, 2012 through June 30, 2013, for the total amount of \$9,495.00)
- VI.C. Approval of Bid Results for Printing Dept. Paper Purchase (Accept the low bid to purchase 1,585 cartons of printing paper from Paper Express for a total of \$59,920.25.)
- VI.D. Approval of Bid Results for Pizza Purchase (Accept food service pizza bid recommendation for the 2012-2013 school year -- Dominos Pizza, dependent upon volume sold, for an estimated total of \$71,000.)

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

**Annual Education  
Report  
Presentation**

Sheila Alles, director of academic services, and Kathy Maxwell, student assessment and evaluation supervisor, presented information regarding the 2011-2012 Annual Education Report for Livonia Public Schools.

**Recall of Teachers**

It was moved by Ms. Laura and supported by Ms. Burton that the Board of Education of the Livonia Public Schools School District recall as teachers for the 2012-13 school year, the persons listed below:

Megan Bruestle	(1.0) Grade 1/Randolph
Joseph Bublitz	(.6) Social Studies/Emerson
Brenda Howe	(1.0) Grade 3/Hayes
Kelsey Mack	(1.0) Kindergarten/Buchanan
Rachel Majewski	(1.0) Kindergarten/Kennedy
John McCabe	(1.0) Grade 4/Kennedy
Cynthia Miller	(1.0) Kindergarten/Cass
Elizabeth Turbiak	(1.0) Grade 1/2/Kennedy
Claire Walker	(.8) English Language Arts & (.1) Health/Frost

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

**Approval of  
Teachers**

It was moved by Ms. Burton and supported by Ms. Laura that the Board of Education of the Livonia Public Schools School District accept the recommendation of the superintendent and offer employment for the 2012-13 school year to the following teachers:

Haley Albertsen, Rachel Banks, Victoria Barbieri, Brooke Brewster, Sherri Brown, Lisa Cardenas, Mary Crombez, Carolyn Corp, Kimberly Daugherty, Katrina DeKleine, Dawn Drabicki, Lynne Lohmeyer, Mary Morrison, Amy Nichols, Meghan Ort, Andrew Pesci, David Roeser, Jillian Veiga, and Jaclyn Vine.

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

**Leaves of  
Absence**

It was moved by Mr. Oke and supported by Ms. McDonnell that the Board of Education of the Livonia Public Schools School District accept the recommendation of the superintendent and approve the request for an extension of medical leave for Lisa Anderson, effective August 28, 2012; personal leave of absence for Patrick Mies and Scott Zeigler, effective August 28, 2012; and child care leave for Rebecca Bray, effective November 8, 2012.

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

**Resignation**

Ms. Cynthia DeMan, director of personnel, informed the Board of the resignation of John McCabe, effective August 27, 2012.

**Appointment of  
Elementary  
Principal – Lora  
Boka**

It was moved by Mr. Oke and supported by Mr. Johnson that the Board of Education of the Livonia Public Schools School District accept the recommendation of the superintendent and employ the selected candidate as the principal of Webster Elementary School.

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

**Second Reading  
and Adoption of  
Board Policy DFF-  
Post-Issuance Tax  
Compliance**

It was moved by Mr. Oke and supported by Mr. Johnson that the Board of Education of the Livonia Public Schools School District accept the recommendation of the Policy Committee and adopt language, as shown below, for new Board Policy DFF – Post-Issuance Tax Compliance.

**BOARD POLICY  
FISCAL MANAGEMENT  
POST-ISSUANCE TAX COMPLIANCE**

**DFF  
SEPTEMBER 17, 2012**

**Debt Compliance Officer**

The Director of Business Services shall serve as the Debt Compliance Officer for the District.

The Debt Compliance Officer shall implement procedures for the purpose of monitoring compliance with regard to all tax-exempt or tax-advantaged obligations. The procedures established and implemented by the Debt Compliance Officer shall encourage the timely identification of noncompliance. The Debt Compliance Officer shall ensure that the District maintains a record of such compliance. Further, the Debt Compliance Officer will ensure that this Post-Issuance Debt Compliance Policy and procedures, if any, are updated on a regular and as needed basis, as well as establish procedures designed to detect non-compliance and to address the necessary steps in the event non-compliant actions or inactions are detected.

This Post-Issuance Tax Compliance Policy shall apply to all debt obligations designated as having tax-exempt or tax-credit status issued on behalf of the District. The duties of the Debt Compliance Officer shall include, but not be limited to, the following:

- 1) oversee and manage compliance with the Code and Regulations, as defined above, as well as other general requirements;
- 2) monitor the use of proceeds from debt obligations and ensure that such use is proper and timely;
- 3) supervise timely filings of reports or forms required by state and federal agencies as applicable;
- 4) monitor arbitrage yield restriction and rebate requirements under the Code;
- 5) develop training programs, as necessary, for the purpose of training individuals responsible for the proceeds of the tax-exempt or tax-advantaged debt;
- 6) monitor compliance with six-month, 18-month or 2-year spending exceptions, if applicable; and
- 7) establish procedures to address non-compliance with state or federal law immediately upon the discovery of such non-compliance.

**External Advisors/Documentation**

The District shall consult with bond counsel and other legal counsel and advisors, as needed, throughout the issuance of an Obligation to identify requirements and to establish procedures necessary or appropriate so that the Obligation will continue to qualify for tax-exempt status or tax credit status, as applicable.

The District also shall consult with advisors, bond counsel or other legal counsel, as needed, following issuance of an Obligation to ensure that all applicable post-issuance requirements in fact are met. This shall include, without limitation, consultation in connection with any potential changes in use of assets financed (or refinanced) with the Obligations issued. This requirement shall be documented in the tax certificate and/or other documents finalized at or before issuance of the Obligations.

The District shall be responsible to determine (or obtain expert advice to determine) whether arbitrage rebate calculations have to be made for the Obligations. If it is determined that such calculations are or are likely to be required, the District shall engage an advisor (hereinafter "Rebate Service Provider") to assist in the calculation of arbitrage rebate payable in respect of the investment of proceeds from the issuance, or shall otherwise ensure that it has adequate financial, accounting and legal resources of its own to make such calculations.

In lieu of engaging an outside Rebate Service Provider, the District may make a determination that it has sufficient capabilities using its own personnel, supported by its regular accounting and legal advisers, to be able to make the required rebate calculations. Such determination shall be evidenced in writing with specific reference to the personnel and advisers to carry out the calculations, and such written determination shall be maintained in the records of the bond transaction.

The District shall file or cause to be filed all required IRS forms and make any rebate payments required on a timely basis. Unless otherwise provided by the indenture relating to an Obligation, unexpended proceeds shall be held by a trustee or other financial institution, and the investment of bond proceeds shall be managed by the District. The District shall prepare (or cause the trustee or other financial institution to prepare) regular, periodic statements regarding the investments and transactions involving proceeds of the Obligations.

**Arbitrage Rebate and Yield**

The following requirements shall apply to any Obligation issued by the District for which compliance with arbitrage rebate requirements under the Code and Regulations is required. The Debt Compliance Officer or his/her designee shall be responsible for overseeing compliance with arbitrage rebate requirements under federal tax regulations:

- 1) If at the time of issuance of any Obligation, based on reasonable expectations set forth in the Tax Certificate or other applicable document(s), it appears likely that the Obligation will qualify for an exemption from the rebate requirement, the District may defer taking any of the actions set forth in the subsection (2). Not later than the time of completion of construction or acquisition of the project, and depletion of all funds from the project fund, the District in consultation with the appropriate professionals shall make a determination if expenditure of the bond proceeds qualified for exemption from the rebate requirements based on spending within 6 month or 18 month period after issuance. If rebate exemption is determined to be applicable, the District shall prepare and maintain a record to support such conclusion. If the transaction does not qualify for rebate exemption, the District shall initiate the steps set forth in (2) below.
- 2) If at the time of issuance of any Obligations it appears likely that arbitrage rebate calculations will be required, or upon determination that calculations are required pursuant to (1) above, the District shall:
  - a) engage the services of a Rebate Service Provider or assign District personnel capable of preparing a rebate analysis for the Obligation and, prior to each rebate calculation date, cause the trustee or other financial institution investing bond proceeds to deliver periodic statements concerning the investment of proceeds to the Rebate Service Provider or relevant District personnel handling the rebate calculation;
  - b) provide to the Rebate Service Provider, or relevant District personnel conducting any rebate calculation, additional documents and information reasonably requested by the Rebate Service Provider or District personnel;
  - c) monitor efforts of the Rebate Service Provider or District personnel;
  - d) in the case of obligations issued by the District, assure payment of required rebate amounts, if any, no later than the applicable rebate payment due date for such Obligation for which rebate is due;
  - e) during the construction period of each capital project financed in whole or in part by an Obligation, monitor the investment and expenditure of bond proceeds and consult with the Rebate Service Provider or relevant District personnel handling rebate calculation to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months or 18 months, as applicable, following the issue date of the Obligations; and
  - f) retain copies of all arbitrage reports and trustee statements as described below under "Record Keeping Requirements."

**Use of Bond Proceeds and Bond-Financed or Refinanced Assets**

The Debt Compliance Officer, or his/her designee, shall be responsible for:

- 1) monitoring the use of Bond proceeds (including investment earnings and including reimbursement of expenditures made before bond issuance) and the use of the debt obligation financed or refinanced assets (*e.g.*, facilities, furnishings or equipment) throughout the term of the Obligations to ensure compliance with covenants and restrictions set forth in the Tax Certificate or other applicable agreements relating to the Obligations;
- 2) monitoring the use of Bond proceeds (including investment earnings and including reimbursement of expenditures made before bond issuance) and the use of Bond-financed or refinanced assets (*e.g.*, facilities, furnishings or equipment) throughout the term of the Obligations to ensure compliance with covenants and restrictions set forth in the Tax Certificate or other applicable agreements relating to the Obligations;
- 3) maintaining records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of Obligations (including investment earnings and including reimbursement of expenditures made before bond issuance), including a final allocation of Bond proceeds as described below under "Record Keeping

Requirements”;

- 4) consulting with bond counsel or other professional advisers in the review of any change in use of Bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Tax Certificate or other applicable agreements relating to the Obligations;
- 5) conferring at least annually with personnel responsible for Bond-financed or refinanced assets to identify and discussing any existing or planned use of debt obligations financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Tax Certificate or other applicable agreements relating to the Obligations;
- 6) to the extent that the District discovers that any applicable tax restrictions regarding use of proceeds will or may be violated, consulting promptly with bond counsel or other professional advisers to determine a course of action to remediate all nonqualified bonds, if such counsel advises that a remedial action is necessary;
- 7) to the extent that tax-exempt proceeds from the debt obligation were used to acquire an existing building, confirming that qualified rehabilitation expenditures in an amount equal to at least 15% of the amount of such proceeds were made no later than 24 months after the later of (1) the date of issuance of the Obligations, or (2) the date of acquisition of the building;
- 8) the District shall review the debt obligations at least annually in order to determine if this Policy and state and federal law are being adhered to; and
- 9) undertaking the following:
  - a) retain copies of all arbitrage reports and trustee statements as described below under “Record Keeping Requirements” and, upon request, providing such copies to the bond issuer;
  - b) with respect to Qualified Zone Academy Bonds (QZABs) and any other tax credit bonds, confirming that 100% of available project proceeds are spent within three years of issue date of bonds;
  - c) with respect to facilities financed by QZABs or other tax credit bonds, confirming that such facilities continue to be used for a qualified purpose for the life of the Obligations; and
  - d) with respect to other types of exempt facilities, adopting any such procedures that bond counsel or other professional advisors deem appropriate to periodically assess whether such facility continues to qualify as an exempt facility.

All relevant records and contracts shall be maintained as described below.

**Record Keeping Requirement**

The Debt Compliance Officer, or his/her designee, shall be responsible for maintaining the following documents for the term of each Obligation (including refunding bonds, if any) plus at least three years:

- 1) a copy of the closing transcript(s) and other relevant documentation delivered to the District at or in connection with closing of the issue of Obligation;
- 2) a copy of all material documents relating to capital expenditures financed or refinanced by Bond proceeds, including (without limitation) construction contracts, purchase orders, invoices, trustee requisitions and payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of Bond; and
- 3) a copy of all records of investments, investment agreements, arbitrage reports and underlying documents, including trustee statements, in connection with any investment agreements as well as copies of all bidding documents, if any.

Adopted on \_\_\_\_\_ to be effective on \_\_\_\_\_.

Note: It is the intent of the District to ensure that all tax-exempt obligations issued by the District satisfy and will continue to satisfy all requirements of the Internal Revenue Code of 1986, as amended and regulations thereunder.

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

**Adjournment**

It was moved by Ms. Burton and supported by Mr. Oke that the Regular Meeting of September 17, 2012 be adjourned.

Ayes: Burton, Johnson, Laura, Mang, McDonnell, Oke, Roulier  
Nays: None

President Mang adjourned the meeting at 8:59 p.m.

**Off/Supt/jw**