

December 30, 2025

A special meeting of the Board of Education of Lake Orion Community Schools, County of Oakland, State of Michigan, was called to order on Tuesday, December 30, 2025, at 11:01 a.m.

Board Members Present: D. Bresett, J. Faber, S. Flaherty, B. McQuiston, H. Sinawi, J. Singer

Board Members Absent: S. Taylor

Administrators Present: H. Mercer, A. Curtis, A. Weldon

Others Present: J. Olko, M. Snyder, M. Flynn, L. Logsdon, J. Goral

Moved by McQuiston, seconded by Flaherty, to approve the agenda as presented. Ayes - all; Motion carried

#### **DISCUSSION ITEMS**

##### **Section 31aa Funding**

Mackenzie Flynn, Thrun Law Firm, summarized the impact of the recent court opinion on the 31AA funding and its implications for attorney-client privilege. The Court of Claims dismissed the lawsuit, finding the statute not void for vagueness and not an unconstitutional condition for funding. The privilege waiver applies broadly, including attorney-client privilege, and could impact future investigations. The case is now at the Court of Appeals with an expected decision in February. Board members discussed concerns about the ability to seek legal advice without waiving privileges, potentially hindering district management.

The financial impact of not accepting the \$1.13 million was discussed, with a net effect of \$550,000 decrease in the budget. Serious concerns about vague definitions and uncertain legal implications still exist and will not be answered prior to the December 30 deadline. The Board discussed rescinding the acceptance of funding due to the privilege waiver requirement remaining in place, emphasizing the importance of maintaining the district's operational rights over the financial gain. The district is still able to keep school safety and mental health programs and staffing in place without the funding this year and will continue to prioritize safety and transparency. Future development of a Board policy to define procedures in the event of a mass casualty was discussed.

#### **PUBLIC PARTICIPATION**

There was no participation from the public.

#### **ACTION ITEMS**

Moved by Flaherty, seconded by McQuiston, to authorize administration to rescind the opt-in status previously submitted to decline Section 31aa funding due to privilege-waiver requirements remaining in effect. Ayes - all; Motion carried

#### **RECAP/NEXT STEPS:**

- Administration will rescind the opt in selection for Section 31aa funding.
- The District will pursue development of a Board policy defining procedures for a mass casualty event.

**CLOSING COMMENTS:** Administrator and Board member items were provided for and so noted.

Meeting adjourned at 12:32 p.m.

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Board Secretary