

**MINUTES
BOARD OF EDUCATION
Livonia Public Schools
15125 Farmington Road
Regular Meeting
February 10, 2014**

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

Members Present Tammy Bonifield, Colleen Burton, Mark Johnson, Eileen McDonnell, Julie Robinson, Randy Roulier

Members Absent Dianne Laura

Student Art Gallery Recognition – Emerson Middle School Stacy Jenkins, administrator of communications, recognized the artistic ability of students from Emerson Middle School and presented them with a certificate of recognition. The students pointed out their artwork and shared a few details about their piece. The following Emerson students had artwork displayed: Steven Binkley, Elise Clancy, Nicole Downs, Madison Porreca, and Hannah Sexton.

Golden Apple Award – Lynn Whitaker Mrs. Jenkins recognized the Golden Apple honoree Lynn Whitaker, secretary of the LPS insurance department, and shared some comments that were made by Lynn's nominators. Trustee Roulier congratulated Lynn and presented her with a Golden Apple plaque and pin.

Principals' Week Resolution It was moved by Mrs. Robinson and supported by Mrs. McDonnell that the Board of Education of the Livonia Public Schools School District adopt a resolution establishing the week of February 9-15, 2014, as Principals' Week in Livonia Public Schools.

Ayes: Bonifield, Burton, Johnson, McDonnell, Robinson, Roulier
Nays: None

Recess President Johnson asked if Board members had any objection to taking about a five minute recess to visit with guests. There were no objections, therefore the Board recessed at 7:21 p.m.

The meeting reconvened at 7:28 p.m.

Written Communication None

Audience Communication None

**Response to
Prior Audience
Communication**

None

Consent Agenda

It was moved by Mrs. Burton and supported by Mrs. Bonifield that the Board of Education of the Livonia Public Schools School District approve the following consent agenda items as recommended by the superintendent:

IV.A. Minutes of the Regular Meeting of January 21, 2014

VI.A. Bills for Payment—February 11, 2014

Ayes: Bonifield, Burton, Johnson, McDonnell, Robinson, Roulier

Nays: None

**Bond
Presentation –
Technology
Update**

Rael Blair from Barton Malow and Judy Wright from Plante Moran Cresa presented an overview of the technology portion of the 2013 bond project, highlighting the progress to date as well as future plans.

**Approval of Bid
Results for Web
Hosting**

It was moved by Mrs. Bonifield and supported by Mrs. Robinson that the Board of Education of the Livonia Public Schools School District accept the bid recommendation from SharpSchool for web hosting and content management, and enter into a three-year contract with an option to renew the contract each year for two additional years. The annual subscription cost is \$22,810 plus \$5,373 for active mobile apps, for a total of \$28,183. In addition, there is a one-time implementation cost of \$16,350. The total first year cost of \$44,533 includes both the annual subscription cost and the one-time implementation cost.

Ayes: Bonifield, Burton, Johnson, McDonnell, Robinson, Roulier

Nays: None

**Approval of Bid
Results for Floor
Care Equipment
– 2013 Bond
Issue**

It was moved by Mrs. McDonnell and supported by Mr. Roulier that the Board of Education of the Livonia Public Schools School District accept the bid recommendation for eight 28" and five 32" walk behind scrubbers from Nichols Supply Company, Waterford, Michigan for an amount of \$83,823.22; three stand on riders from Arnold Sales, Madison Heights, Michigan for an amount of \$16,476.96; and eight Clark self carpet extractors from KSS, Kalamazoo, Michigan for \$16,600.00; for a total amount of \$116,900.18.

Ayes: Bonifield, Burton, Johnson, McDonnell, Robinson, Roulier

Nays: None

**Teachers for
Approval**

It was moved by Mr. Roulier and supported by Mrs. Burton that the Board of Education of the Livonia Public Schools School District accept the recommendation of the superintendent and offer employment for the 2013-2014 school year to the following teacher: **Melinda Magoulick**.

Ayes: Bonifield, Burton, Johnson, McDonnell, Robinson, Roulier
Nays: None

Retirements

It was moved by Mrs. Robinson and supported by Mrs. Burton that the Board of Education of the Livonia Public Schools School District adopt a resolution of appreciation for services rendered by:

Kathleen Facione, who will retire from the district on June 30, 2014, and has devoted 20.5 years of dedicated, loyal, and outstanding service to the students of Hayes Elementary School, McKinley Elementary School, and Grant Elementary School as a teacher.

John Gores, who will retire from the district on June 30, 2014, and has devoted 26 years of dedicated, loyal, and outstanding service to the students of Coolidge Elementary School, Kennedy Elementary School, Buchanan Elementary School, Garfield Elementary School, Nankin Mills Elementary School, Stevenson High School, Washington Elementary School, Cooper Upper Elementary School, Cleveland Elementary School, Rosedale Elementary School, Hayes Elementary School and Grant Elementary School as a teacher.

Gary Meldrum, who will retire from the district on June 30, 2014, and has devoted 19 years of dedicated, loyal, and outstanding service to the students of Stevenson High School as a teacher and as an assistant principal at Franklin High School.

Paula Nowotny, who will retire from the district on June 30, 2014, and has devoted 26 years of dedicated, loyal, and outstanding service to the students of Buchanan Elementary School, Kennedy Elementary School, Cleveland Elementary School, and Hoover Elementary School as a teacher.

Sarah Orvis, who will retire from the district on June 30, 2014, and has devoted 12 years of dedicated, loyal, and outstanding service to the students of Cass Elementary School, Kennedy Elementary School, Dickinson Center, Washington Elementary School, Randolph Elementary School, Hull Elementary School, Hoover Elementary School, Riley Upper Elementary School, Garfield Elementary School, Buchanan Elementary School, and Webster Elementary School as a teacher.

Terri Van Poperin, who will retire from the district on June 30, 2014, and has devoted 42.2 years of dedicated, loyal, and outstanding service to the students of Cooper Elementary School Annex, Harrison Elementary School, Webster Elementary School, Churchill High School, and Franklin High School as a teacher of the trainable mentally handicapped.

Loretta Weiner, who will retire from the district on June 30, 2014, and has devoted 16 years of dedicated, loyal, and outstanding service to the students of McKinley Elementary School and Grant Elementary School as a teacher.

Ayes: Bonifield, Burton, Johnson, McDonnell, Robinson, Roulier
Nays: None

First Reading of Board Policies:

President Johnson relayed that the policies listed below were reviewed by Board members at previous meetings and are on the agenda for a first reading. These policies will be brought to the next regular Board meeting for a second reading and possible adoption.

GBRB – Criminal History Record Check

**BOARD POLICY
PERSONNEL
CRIMINAL HISTORY RECORD CHECK**

**GBRB
March 17, 2014**

BHA – Code of Ethics

Prior to employing any individual, either full-time or part-time, or permitting an individual to continuously and regularly work in the schools under contract, the District shall request and obtain a criminal history records check of the individual in accordance with applicable state and federal laws. As used in this policy, the phrase “continuously and regularly work under contract” shall

apply to individuals, including owners and employees of entities, that contract directly with the District to provide instructional services to students or related and auxiliary services to special education students, custodial services, transportation services, counseling services, food services, administrative services, or any other services on more than an intermittent or sporadic basis.

The District may determine it necessary to conditionally hire an individual or to conditionally allow an individual to continuously and regularly work under contract, prior to receiving an individual's criminal history records check, provided that:

- The criminal history records check has been requested prior to conditionally employing the individual or conditionally allowing the individual to continuously and regularly work under contract;
- The individual signs a statement disclosing all crimes for which he or she has been convicted, if any, and acknowledges that his or her employment contract or assignment with the District may be terminated if there are discrepancies between the individual's disclosure and the criminal history records check; and
- The individual is hired or allowed to continuously and regularly work under contract for a particular school year during that school year or not more than 30 days before the beginning of that school year.

An applicant for employment with the District shall give written consent at the time of application for the criminal history records check. The applicant must submit his or her fingerprints to the Michigan State Police for the purpose of the criminal history records checks at the time the applicant initially applies for employment with the District or is initially employed by the District or is initially assigned to continuously and regularly work under contract.

The District shall ensure that criminal history checks have been completed as to each individual assigned to provide continuous and regular services, including substitute teachers, by contract.

For individuals working in more than one school district, either through direct employment by the school districts or by continuously and regularly working under contract in the school districts, the District may, in lieu of requesting a criminal history records check, use a records check previously obtained by another school district, provided that the individual has agreed in writing to allow the other school district to share the results of the records check.

If an individual's criminal history records check has already been completed by and reported to another school district, intermediate school district, public school academy or nonpublic school, the District need not obtain another records check for the individual, provided that the individual remains employed or remains continuously and regularly working under contract with the same employer, with no separation from service by any school district, intermediate school district, public school academy, or nonpublic school in this state. Upon receipt of an individual's criminal history records check from another school district, intermediate school district, public school academy or nonpublic school, the District must confirm that the records check belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex, and date of birth through the Internet Criminal History Access Tool (ICHAT).

For purposes of the preceding paragraph, the phrase "no separation from service" means:

- The employee was laid off or placed on a leave of absence and returned to active employment with the same employer within one year; or
- The employee transferred without a break in service to another school district, intermediate school district, public school academy, or nonpublic school and remains continuously employed.

When the District receives a criminal history records check that discloses that an individual has been convicted of a listed offense, as defined under MCLA 28.722, or any felony, as defined under

MCLA 761.1, the District shall take steps to verify that information using public records. If the District verifies that an individual was convicted of a listed offense, as defined under MCLA 28.722, the District shall not employ the individual in any capacity and shall not allow the individual to regularly and continuously work under contract in any of its schools. If the District verifies that an individual was convicted of a felony, as defined under MCLA 761.1, other than a listed offense, the District shall not employ the individual in any capacity and shall not allow the individual to continuously and regularly work under contract in any of its schools, unless the Superintendent and Board of Education each specifically approve the employment or work assignment of the individual in writing.

Within 60 days of receiving a criminal history records check that discloses a conviction as described in the preceding paragraph, the District shall submit to the Michigan Department of Education a report detailing the information and any action taken as a result by the District.

Upon receipt of an individual's criminal history records check, the District shall retain the records check in the individual's employment records. Information obtained through a criminal history records check, and the records check itself, are confidential. With the exception of certain circumstances enumerated herein, employees of the District and members of the Board of Education are prohibited from disclosing or disseminating information obtained through a criminal history records check or the records check itself to any person who is not directly involved in evaluating the applicant's qualifications for employment or assignment. Employees and Board members may, however, disclose the following:

- A misdemeanor conviction involving sexual or physical abuse;
- Any felony conviction;
- A District employee or Board member may confirm to an employee of another school district either that a criminal history records check has revealed that an individual does not have any criminal history or that no criminal history records check was received for the individual;
- A District employee or Board member may provide a copy of the criminal history records check obtained for an individual to a representative of another school district, provided that the individual has agreed, in writing, to share the results of the criminal history records check.

Any criminal history records check received from the Michigan Department of Education or Michigan State Police regarding District employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days after receipt of the records check. If the information is determined to be inaccurate during the first fifteen (15) days, the information is exempt from disclosure under FOIA. If the information is determined to be accurate during the first fifteen (15) days, the District must disclose the information in accordance with applicable state laws. Criminal history records checks may be released with the written authorization of the individual.

The District may only use information received through a criminal history records check for the purpose of evaluating an individual's qualifications for employment or assignment in the position for which he or she has applied or been assigned.

All individuals who, as of December 1, 2005, were employed by the District, either full-time or part-time, or were assigned to continuously and regularly work under contract, must undergo a criminal history records check by July 1, 2008 under the policies and procedures described herein. Such individuals shall give written consent for the criminal history records check and shall submit his or her fingerprints to the Michigan State Police for the purpose of the records check. Individuals who fail to consent to the criminal history records check, fail to submit his or her fingerprints, or otherwise fail to cooperate with the District's attempt to obtain the individual's criminal history record check shall have their employment terminated or their work assignment ended.

The District need not obtain a criminal history records check for individuals that the District directly employs or individuals that are assigned to continuously and regularly work under contract, provided that:

- The individual is 19 years of age or younger and is enrolled as a general education student of a school district, intermediate school district, public school academy or non public school;
- The individual is 26 years of age or younger and is enrolled in special education programs or services in a school district, intermediate school district, public school academy, or nonpublic school.

Before employing such individuals or assigning them to continuously and regularly work under contract, the District shall perform a criminal history check on that individual using the Internet Criminal History Access Tool (ICHAT). If the ICHAT search discloses that an individual has been convicted of a listed offense, as defined under MCLA 28.722, or any felony, as defined under MCLA 761.1, the District shall take steps to verify that information using public records. If the District verifies that an individual was convicted of a listed offense, as defined under MCLA 28.722, the District shall not employ the individual in any capacity and shall not allow the individual to continuously and regularly work under contract in any of its schools. If the District verifies that an individual was convicted of a felony, as defined under MCLA 761.1, other than a listed offense, the District shall not employ the individual in any capacity and shall not allow the individual to regularly and continuously work under contract in any of its schools, unless the Superintendent and Board of Education each specifically approve the employment or work assignment of the individual in writing.

The District shall establish the necessary administrative procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police and the Federal Bureau of Investigations. In addition, the District shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

**BYLAWS OF THE BOARD
BOARD OPERATIONS
CODE OF ETHICS**

**BHA
June 3, 2013**

As members of the Livonia Public Schools Board of Education, we shall promote the best interests of the school district as a whole, and will make decisions that place student learning and the success of all students first by adhering to the following educational and ethical standards:

As a Board member,

- I will make decisions in terms of the educational welfare of children, and will seek to develop and maintain schools that meet the individual needs of all children regardless of their race, color, national origin, age, religion, sex, height, weight, marital status or handicap/disability.
- I will focus Board action on policy making, strategic planning, and designating and evaluating the superintendent.
- I will recognize that the role of the Board is to govern and oversee the management of the District. I will delegate authority to the Superintendent for the day to day operations of the District, and will not seek to participate in the day-to-day operations.
- I will review and evaluate ~~existing all policies, bylaws, and procedures, and processes~~ and will work to make desired changes ~~through legal and ethical policies and procedures. so they will be current, up to date, and relevant.~~
- I will come to Board meetings prepared to discuss and take action on all agenda items. I will study the material in the Board packet and send requests for additional information to

the Superintendent or his/her designee prior to each Board meeting.

- I will give the Superintendent or Board President notification of my concerns prior to the Board meetings, so that the concerns can be properly addressed.
- I will understand that I have not only the right, but the duty to express my views and opinions and ask questions at the Board table, and will make a good faith effort to understand the views of others.
- I will recognize that the Board must make decisions as a whole in public. I will render all decisions based on the available facts and my independent judgment, and I will refuse to surrender **my independent judgment** to individuals or special interest groups.
- I will avoid being placed in a position of conflict of interest, and, if such a conflict is unavoidable, I will disclose such interest ~~to Board members and the Superintendent~~ and abstain from voting on such matters.
- I will respect the decision and the implementation of the consensus of the Board once a decision has been made.
- I will recognize that while I am free to express my personal views, the Board President is the spokesperson for the Board and the Superintendent is the spokesperson for the District.
- I will be respectful and listen to all ideas presented to the Board, be it from parents, staff, students, community members, **other Board members** or other stakeholders. **I will listen and then refer any person to appropriate personnel any employee, parent, student or other community member/stakeholder who may contact me with an issue.**
- I will communicate to other Board members and the Superintendent expression of public reaction to board policies and school programs.
- I will exercise caution when communicating between and among Board members via electronic communication, and will abide by the Open Meetings Act.
- I will hold confidential all matters that, if disclosed, would needlessly injure individuals, schools, or the district. I will respect the confidentiality of information that is privileged under applicable law, including closed session discussions.
- I will stay informed about current educational issues **by individual study and through participation in programs providing needed information, for example, those sponsored by my state and national school board associations.**
- I will take no private action that will compromise the Board, the Administration, or the District.
- I will refrain from using my Board position for personal or partisan gain.
- I will support the employment of those persons best qualified to serve as District staff.
- I will support and protect District personnel in the proper performance of their duties.
- I will, along with my fellow Board members, review, revise (if appropriate) and sign this Code of Ethics **annually** at the ~~January Organization Meeting~~. **beginning of each year.**

As Board President,

- **I will insure that persons addressing the Board follow established policy guidelines as outlined in Board policy.**
- **I will insure that persons addressing the Board do so in a professional manner and not allow inappropriate communication to be directed to the Board or the Superintendent during Board meetings.**
- **I will insure that all Board members are given an opportunity to reflect their views. I will work toward building consensus among all Board members.**

- I will follow parliamentary procedure, to the extent that it does not conflict with Board policy matters.

First Reading of Board Policies: ABCDA – Unexpired Term Fulfillment

BHA(1) Conflict of Interest – Board Members

BHA(2) Conflict of Interest - Administration

**BYLAWS OF THE BOARD
DISTRICT ORGANIZATION
UNEXPIRED TERM FULFILLMENT**

**ABCDA
June 20, 1988**

(1) If less than a majority of the ~~offices~~ trustee seats of the Board of Education become vacant, the remaining members of the Board appoint a qualified resident to fill the vacancy immediately. If a vacancy is not filled within ~~20~~ 30 days after it occurs, the Intermediate School Board shall fill the vacancy by appointment. If a majority of the offices are vacant at the same time, ~~the remaining member or members of the Board shall immediately call a special election of the school district to fill the vacancies. If the election is not called by the remaining member or members of the Board within 20 days after the happening of the vacancies, or if all offices of the members of the Board are vacant, the intermediate superintendent shall call a special election of the school district to fill the existing vacancies for unexpired portions of the respective terms. The special election shall be held on a date approved by the county election scheduling committee as provided by law.~~ **the Intermediate School Board shall fill each vacancy by appointment.**

(2) If a vacancy occurs in an office of School Board member more than 90 days before a regular school election, an election shall be held at that regular school election to fill that office for the remainder of the office’s unexpired term, if any. This subsection applies regardless of whether an individual is appointed under subsection (1) to fill the vacancy.

(3) Within three (3) days after an appointment is made to fill a vacancy in an elected office in a school district, the secretary of the School Board shall notify the School District election coordinator, in writing, of the name, address, and office of the person who vacated the office as well as the person filling the office.

~~A person elected or appointed to fill a vacancy on the Board shall file an acceptance of office and qualify under Section 1102 (see ABCB), and shall hold office until the next annual school election when the vacancy shall be filled for the remainder of the unexpired term.~~

**BYLAWS OF THE BOARD
BOARD OPERATIONS
CONFLICT OF INTEREST—~~FINANCIAL~~ BOARD MEMBERS**

**BHA(1)
June 20, 1988**

This policy is intended to govern each Board member in the conduct of the business of the school district.

~~No member of the Board shall have a personal financial interest in any contract or purchase of the district or benefit directly or indirectly from any financial transaction or contract of the district unless that interest or benefit has been fully disclosed and the member has abstained from voting in accordance with the law.~~

Public Act 606 of the Michigan School Code provides direction to assure appropriate actions on behalf of School Board members related to potential conflicts of interest. As outlined in P.A. 606, any Board member who believes or has reason to believe that he or she has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board shall abstain from voting on the contract or other financial transaction and shall disclose the specific conflict of interest. A member of the Board is presumed to have a conflict of interest if the member or his or her family member has a financial interest, or a competing financial interest, in the contract or other financial transaction or is an employee or recommended for hire by the school district.

For the purposes of this section, an individual is not considered to have a financial interest in any of the following instances:

- (a) A contract or other financial transaction between the school district, intermediate school district, or public school academy and any of the following:

- (i) A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
 - (ii) A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
 - (iii) A professional limited liability company organized pursuant to the Michigan limited liability company act, 1993 PA 23, MCL 450.4101 to 450.5200, if the individual is an employee but not a member of the company.
- (b) A contract or other financial transaction between the school district, intermediate school district, or public school academy and any of the following:
 - (i) A corporation in which the individual is not a director, officer, or employee.
 - (ii) A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
 - (iii) A corporation or firm that has an indebtedness owed to the individual.
 - (c) A contract between an intermediate school district and a constituent district.
 - (d) A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This subdivision does not apply to amendments or renegotiations of a contract or to additional payments under the contract that were not authorized by the contract at the time of award.

If a majority of the members of the Board of a school district or intermediate school district or of the board of directors of a public school academy are required to abstain from voting on a contract or other financial transaction due to the operation of this section, then, notwithstanding any other provision of law or any bylaw, for the purposes of that contract or other financial transaction, the members who are not required to abstain constitute a quorum of the board or board of directors and a majority of those members eligible to vote is required for approval of the question.

As used in this section, "family member" means a person's spouse or spouse's sibling or child; a person's sibling or sibling's spouse or child; a person's child or child's spouse; or a person's parent or parent's spouse, and includes these relationships as created by adoption or marriage.

In addition, no elected official of Livonia Public Schools shall become employed by the school district until that individual has been out of office at least one full year from the date of official separation from office.

Board members will not only abide by the requirements under P.A. 606, but any other disclosures and voting requirements on conflict of interest for public contracts as required by law.

In addition, Board of Education members will not involve themselves in the administrative process of developing recommendations or making decisions and will not influence staff for same when there is a conflict of interest. This includes any familial or acquaintance relationship. Board members are expected to hold each other accountable to this standard as outlined in Board operating procedures.

**BYLAWS OF THE BOARD
BOARD OPERATIONS**

**BHA(4) (2)
FEBRUARY 1994**

CONFLICT OF INTEREST—NEPOTISM ADMINISTRATION

No member of the immediate family of a person holding the title of superintendent or ~~assistant superintendent~~ director shall become employed by the district. ~~The immediate family includes parent, grandparent, spouse, son or daughter, brother, sister, aunt, uncle, niece, nephew (including~~

~~all-in laws), son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandchildren.~~

As used in this section, “family member” means a person’s spouse or spouse’s sibling or child; a person’s sibling or sibling’s spouse or child; a person’s child or child’s spouse; or a person’s parent or parent’s spouse, and includes these relationships as created by adoption or marriage.

Adjournment

President Johnson adjourned the meeting at 8:48 p.m.

Off/Supt/jw