

**MILAN AREA SCHOOLS
BOARD OF EDUCATION
REGULAR MEETING
WEDNESDAY, January 12, 2022
AGENDA**

I. Call to Order

II. Pledge of Allegiance

III. Board Recognitions

- A. School Board Recognition Month

IV. Board Organization

- A. Election of Officers
 - 1. Nominations for President
 - 2. Election of President
 - 3. Nomination for Vice President
 - 4. Election of Vice President
 - 5. Nomination for Secretary
 - 6. Election of Secretary
 - 7. Nomination for Treasurer
 - 8. Election of Treasurer
- B. Appointment of Representatives (WASB and LRN)

V. Communications

This meeting 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 meeting. There are two times for public participation during the meeting as indicated in the agenda. When addressing the Board, you will be asked to state your name. The Board determines the amount of time granted to individuals or groups to speak. Each person shall be allowed to speak for up to 3 minutes. Board members may question speakers, but are not obligated to answer questions or make statements or commitments in response to issues raised by the public. In general, such items will be referred to the superintendent for advisement, investigation, study, and/or recommendation or designated as future agenda items for Board consideration.

- A. Public Comments

VI. Consent Agenda

- A. Approval of Minutes - Regular Meeting - December 1, 2021
 - Workshop Meeting - December 7, 2021
 - Closed Session - December 7, 2021
- B. Approval of Bills/Reimbursement of Expenses

VII. Old/New Business

- A. Budget and Finance Issues
 - 1. General Fund Budget Amendment - Attachment A - First Reading
- B. Personnel Issues
 - 1. Teacher Appointment
 - 2. 2021-2022 Milan Education Association Letter of Agreement - Attachment B
- C. Board Issues
 - 1. Book Study Discussion - Safe Is Not Enough: Better Schools for LGBTQ Students
 - 2. Policy Update - Attachment C - First Reading
- D. Public Comments
- E. Superintendent's Comments
- F. Assistant Superintendent's Comments
- G. Addenda
 - 1. Student Board Member Comments

2. Board Member Comments
 - a. Board Committee Assignments
3. Closed Session – Student Discipline
4. Student Discipline Action

VIII. Adjournment

**MILAN AREA SCHOOLS
BOARD OF EDUCATION
REGULAR MEETING
WEDNESDAY, January 12, 2022
RESOLUTIONS**

I. Call to Order

The regular meeting of the Milan Area Schools Board of Education was called to order in the Milan High School Theater located at 200 Big Red Drive, Milan MI, 48160, by President Cislo at _____ p.m. on January 12, 2022.

Board Members Present:

Board Members Absent:

Staff Present:

Guests Present:

II. Pledge of Allegiance

III. Board Recognitions

A. School Board Recognition Month

IV. Board Organization

A. Election of Officers

1. Nominations for President

2. Election of President

Motion by _____ supported by _____ to elect _____ for President of the Milan Area Schools Board of Education for a one year term.

Cislo ____ Faro ____ Frait ____ Heikka ____ Kiger ____ Landingham ____ Moccio ____
Carried _____.

3. Nomination for Vice President

4. Election of Vice President

Motion by _____ supported by _____ to elect _____ for Vice-President of the Milan Area Schools Board of Education for a one year term.

Faro ____ Frait ____ Heikka ____ Kiger ____ Landingham ____ Moccio ____ Cislo ____
Carried _____.

5. Nomination for Secretary

6. Election of Secretary

Motion by _____ supported by _____ to elect _____ for Secretary of the Milan Area Schools Board of Education for a one year term.

Frait ____ Heikka ____ Kiger ____ Landingham ____ Moccio ____ Cislo ____ Faro ____
Carried _____.

7. Nomination for Treasurer

8. Election of Treasurer

Motion by _____ supported by _____ to elect _____ for Treasurer of the Milan Area Schools Board of Education for a one year term.

Heikka _____ Kiger _____ Landingham _____ Moccio _____ Cislo _____ Faro _____ Frait _____
Carried _____.

B. Appointment of Representatives (WASB and LRN)

Motion by _____ supported by _____ to approve the appointments listed below:
Washtenaw School Board Association Representative _____
Legislative Relations Network Representative _____.

Kiger _____ Landingham _____ Moccio _____ Cislo _____ Faro _____ Frait _____ Heikka _____
Carried _____.

V. Communications

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A. Public Comments

VI. Consent Agenda

- A. Approval of Minutes - Regular Meeting - December 1, 2021
- Workshop Meeting - December 7, 2021
- Closed Session - December 7, 2021

B. Approval of Bills/Reimbursement of Expenses

Motion by _____ supported by _____ to approve the consent agenda that includes the minutes of the regular meeting of December 1, 2021, the minutes of the workshop meeting of December 7, 2021, the minutes of the closed session meeting of December 7, 2021, and the approval of bills/reimbursement of expenses.

Landingham _____ Moccio _____ Cislo _____ Faro _____ Frait _____ Heikka _____ Kiger _____
Carried _____.

VII. Old/New Business

A. Budget and Finance Issues

- 1. General Fund Budget Amendment - Attachment A - First Reading

B. Personnel Issues

- 1. Teacher Appointment

Motion by _____ supported by _____ to appoint the following person to the teaching position listed and Base Salary listed effective immediately.

* Lindsay Smith - MMS Teacher Consultant (\$70,418)

Moccio _____ Cislo _____ Faro _____ Frait _____ Heikka _____ Kiger _____ Landingham _____
Carried _____.

2. 2021-2022 Milan Education Association Letter of Agreement - Attachment B

Motion by _____ supported by _____ to approve the Milan Education Association 2021-2022 Letter of Agreement as included in Attachment B.

Cislo _____ Faro _____ Frait _____ Heikka _____ Kiger _____ Landingham _____ Moccio _____
Carried _____.

C. Board Issues

1. Book Study Discussion - Safe Is Not Enough: Better Schools for LGBTQ Students
2. Policy Update - Attachment C - First Reading

D. Public Comments

E. Superintendent's Comments

F. Assistant Superintendent's Comments

G. Addenda

1. Student Board Member Comments
2. Board Member Comments
 - a. Board Committee Assignments
3. Closed Session – Student Discipline

Motion by _____ supported by _____ to enter into closed session pursuant to Section 8(b) of the Michigan Open Meetings Act, and upon the request of the student's parent/guardian, for the purpose of conducting a hearing to consider the discipline of a student whose identity is known to the Board as student 2021-2022-1.

Faro _____ Frait _____ Heikka _____ Kiger _____ Landingham _____ Moccio _____ Cislo _____
Carried _____.

Time entered closed session _____.

Time returned to open session _____.

4. Student Discipline Action

Motion by _____ supported by _____ to _____ student 2021-2022-1 in accordance with the attached resolution.

Frait _____ Heikka _____ Kiger _____ Landingham _____ Moccio _____ Cislo _____ Faro _____
Carried _____.

VIII. Adjournment - Time of Adjournment _____.

**MILAN AREA SCHOOLS
BOARD OF EDUCATION
General Fund
2021-2022 Budget Amendment**

		FY 21-22 Adopted Budget	FY 21-22 January Amended Budget	Increase/ Decrease
<u>REVENUE:</u>				
100	Local	\$3,531,576	\$4,688,348	\$1,156,772
300	State	17,765,336	18,975,225	1,209,889
400	Federal	1,234,789	1,610,760	375,971
500/600	Incoming Transfers	2,900,753	2,773,447	(127,306)
	Total Revenues	\$25,432,454	\$28,047,780	\$2,615,326
<u>EXPENDITURES:</u>				
110	Basic Programs	\$11,747,463	\$13,049,918	\$1,302,455
120	Added Needs	2,443,526	2,779,923	336,397
130	Adult/Cont. Ed.	223,493	224,640	1,147
	Total Instruction	\$14,414,482	\$16,054,481	\$1,639,999
210	Pupil Support Services	\$3,794,050	\$4,001,465	\$207,415
220	Instructional Support	1,071,079	1,147,927	76,848
230	General Administration	536,566	559,831	23,265
240	School Administration	1,547,092	1,570,752	23,660
250	Business Support	433,960	448,944	14,984
260	Operation/Maintenance	3,027,242	3,421,092	393,850
270	Transportation	1,250,211	1,379,447	129,236
280	Central Support	772,370	865,876	93,506
290	Support Service Other	532,929	533,892	963
300	Community Services	623,723	816,084	192,361
400	Site Improvement Services	-	-	-
600	Transfers	-	-	-
	Total Supporting Services	\$13,589,222	\$14,745,310	\$1,156,088
	Total Expenditures	\$28,003,704	\$30,799,791	\$2,796,087
	Excess of Revenues Over Expenditures	(\$2,571,250)	(\$2,752,011)	(\$180,761)
	Beg. General Fund Balance @ 7/1/21	\$5,924,740	\$5,924,740	\$0
	Beginning Fund Balance as % of Expenditures	21.16%	19.24%	-1.92%
	Est. Total Ending Fund Balance @ 6/30/22	\$3,353,490	\$3,172,729	(\$180,761)
Ending Fund Balance Assignments				
	Assigned Harkness Estate	-	(50,000)	(50,000)
	Assigned Curriculum	(90,000)	(90,000)	-
	Assigned PECC	(41,297)	(41,297)	-
	Assigned Athletics	(20,965)	(20,965)	-
	Assigned Technology	(75,000)	(75,000)	-
	Assigned Building & Grounds	(75,000)	(75,000)	-
	Assigned Buses	(90,000)	(90,000)	-
	Unassigned	2,961,228	2,730,467	(230,761)
	Total Ending Fund Balance as % of Expenditures	11.98%	10.30%	-1.67%
	Unassigned Ending Fund Balance as % of Expenditures	10.57%	8.87%	-1.71%

Milan Area Schools
 2021-2022 Budget Amendment #1
 Proposed Changes to the Fiscal Year 2021-2022 Budget

Proposed revenue increase/(decrease) for the amendment: **2,615,326**

Revenue	
Grants w/offsetting expenses	1,078,630
State Aid funding adjustments	396,810
\$425 per pupil increase to foundation student count 33.5 less than adopted budget	
Adjustment to Property Tax revenues	803,722
Adjustment to Early Childhood revenues based on enrollment	353,000
MPERS state aid adjustments	(182,153)
Increase to Section 147c - MPERS	238,373
Adjustments to Act 18 payments from WISD	(127,306)
Miscellaneous adjustments	54,250
Total Revenue Change	<u>2,615,326</u>

Proposed expense increase/(decrease) for the amendment: **2,796,087**

Expenses	
Grants w/offsetting revenues	1,078,630
Wage changes: Increases to wage including FICA & Retirement	1,185,153
Increase to Section 147c - MPERS	238,373
Insurance increase as of Jan 2022 and change in MEA contract	166,336
Parking lot repairs/maintenance	90,250
Chillers at the Middle School	8,294
Miscellaneous adjustments	29,051
Total Expense Change	<u>2,796,087</u>

Resulting in an additional use of fund balance of: **180,761**

Fund Balance as of July 1, 2021	5,924,740
Revenues over Expenditures based on amendment	(2,752,011)
Estimated Fund Balance as of June 30, 2022	3,172,729

Milan Area Schools Board of Education and Milan Education Association Letter of Agreement

This Letter of Agreement ("Agreement") is entered into by the Board of Education ("Board") of the Milan Area Schools ("District") and the Milan Education Association ("Association") to address modified working conditions related to the COVID-19 pandemic for the 2021-2022 school year. The term "Teacher" when hereinafter used in this Agreement, shall refer to all employees represented by the Association as described in Article 1 of the Collective Bargaining Agreement.

1. The District will provide, at no cost to teachers, the following personal protective equipment:
 - a. Face coverings that satisfy the District's definition. The District may, in its discretion, provide disposable or reusable face coverings. If the District provides reusable face coverings, the teacher is responsible for laundering and cleaning the face covering.
 - b. Hand sanitizer in each classroom.
 - c. Disinfectant spray in each classroom.
 - d. Face shields and goggles, if requested by an individual teacher because the nature of the teacher's duties does not allow the teacher to maintain 3 feet of distance from students.
 - e. Disposable gowns for teachers assigned to assist students with hygiene and toileting needs or who are assigned to supervise students with COVID-19 symptoms.
2. When masks are mandated by orders or by MAS Board Policy, teachers and administrators will require students to wear face coverings, unless the student is exempt from the face-covering requirement for a reason described in applicable county or state orders. Building administrators will assist teachers by promptly addressing any reported incidents of student noncompliance.
3. If a vaccinated teacher *, while at work, is determined to be a close contact of someone confirmed to have COVID-19 and is subject to a COVID-19 quarantine or isolation pursuant to an order of the local public health department, the teacher will continue to be paid during the quarantine/isolation period, and the District will not deduct days or hours from the teacher's accrued sick leave.

If a teacher, vaccinated or unvaccinated, tests positive for COVID-19, the teacher will continue to be paid and the District will not deduct days or hours from the teacher's accrued sick leave for up to fifteen (15) work days, unless the exposure is traceable to an outside circumstance.

If the teacher submits a physician's note stating that the teacher is not able to work due to COVID-19, then any absences beyond the original fifteen (15) work days, unless the exposure is traceable to an outside circumstance, will be handled as follows:

- Work days sixteen (16) through twenty-five (25), the teacher will be required to take available sick leave or other available leave consistent with the Master Agreement.
- Work days twenty-six (26) through forty (40) the teacher will be paid, and the District will not deduct days or hours from the teacher's accrued sick leave.
- Work days forty-one (41) and beyond, the teacher will be required to take available sick leave or other available leave consistent with the Master Agreement.

If the exposure is traceable to an outside circumstance, then the teacher will be required to take available sick leave or other available leave consistent with the Master Agreement for all absences related to the exposure.

If the teacher is able to work, the District may require the teacher to work or provide instruction remotely during the quarantine/isolation period. In such circumstances, the teacher is not considered absent. If the teacher is able to work or provide instruction remotely during the quarantine/isolation period and the teacher does not have access to the necessary technology or equipment, the District will provide the technology and equipment, if feasible, at no cost to the teacher.

* This includes those staff who for medical reasons cannot be vaccinated, provided the teacher supplies a doctor's note supporting the claim. Only an MD or DO signature will be accepted.

4. In the event that worker's compensation coverage is extended to COVID-19 infections in the education sector, employees who collect worker's compensation payments may elect to use accrued sick time to make up the difference between their regular salary and the worker's compensation benefit. Example: Worker's Compensation provides half of the employee's regular salary, then a half of a sick day will be used to make the employee whole.
5. Should it become necessary, due to the pandemic, for the District to institute a hybrid program of education or a fully virtual education program, the Administration will consult with the Association prior to determining expectations and guidelines of the educational program.
6. The "tenure sick bank" memorialized in Article 10.A.2 of the Master Agreement will be opened to all teachers. Any teacher may elect to become a participating member of the sick leave bank by authorizing such in writing during a one week open membership period mutually agreed upon between the parties. Said authorization shall be filed with the Superintendent. All new members shall be required to contribute one (1) personal sick leave day and will remain members of the bank following the expiration of this agreement. All other sick bank language remains in effect as per the Master Agreement.
7. All provisions of this agreement regarding sick day coverage shall be retroactive to August 30, 2021.
8. If any provision of this Letter of Agreement is inconsistent with a provision in the Master Agreement between the parties, the provision in this Letter of Agreement controls.
9. The terms of this Agreement constitute sufficient consideration for the parties' respective undertakings and covenants.
10. No precedent, custom, or binding past practice is established by this Agreement.
11. This Agreement constitutes the entire agreement between the parties, and supersedes any prior or concurrent agreements, written or oral, regarding its subject matter.
12. This Agreement is effective for the 2021-2022 school year only and expires on June 30, 2022.

January __, 2021

For the Board of Education of Milan Area Schools

Andrew Cislo
Its: President

January __, 2021

For the Milan Education Association

James Brousseau
Its: President

8450.06 Temporary COVID-19 Vaccination, Testing, and Face Covering

On November 5, 2021, the U.S. Department of Labor's Occupational Safety and Health Administration published Emergency Temporary Standards on employee vaccination, testing, and face coverings ("ETS").

A. Policy Duration

This Policy will become effective immediately when the Michigan Occupational Safety and Health Administration ("MIOSHA") issues rules that require compliance with the ETS. This Policy will remain in effect for the duration of those rules. If this Policy becomes effective, Sections C-M will apply beginning on the overall implementation date, unless otherwise specified below.

Notwithstanding anything to the contrary in this Policy, the Superintendent may suspend or revise this Policy (in whole or in part) if, following consultation with the District's legal counsel, the Superintendent determines that legal authority requires or permits the suspension or revision. The Superintendent must report such suspension or revision to the Board at the next scheduled Board meeting.

B. Definitions

The definitions in this Section apply only to this Policy.

1. "Employee" means a person employed by the Board, except a person:
 - a. Who does not report to work where other people, such as co-workers, are present,
 - b. While working from home, or
 - c. Who works exclusively outdoors.

"Employee" does not include self-employed independent contractors or employees of third parties who provide services to the District.
2. "Acceptable Proof of Vaccination Status" means any of the following:
 - a. The employee's record of COVID-19 immunization from a health care provider or pharmacy.
 - b. A copy of the employee's:
 - i. COVID-19 vaccination record card,
 - ii. Medical records documenting COVID-19 vaccination,
 - iii. COVID-19 immunization records from a public health, state, or tribal immunization information system, or

- iv. Other official documentation that contains the type of COVID-19 vaccine, administration date(s), and the name of the health care professional(s) or clinic(s) that administered the vaccine(s).
 - c. If an employee is unable to provide any document listed in (a)-(b), a signed and dated statement by the employee:
 - i. Attesting that the employee is fully or partially vaccinated,
 - ii. Attesting that the employee lost or is otherwise unable to provide any document listed in (a)-(b),
 - iii. Including the following language: "I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties," and
 - iv. Identifying, to the best of the employee's recollection, the type of vaccine received by the employee, administration date(s), and the name of the health care professional(s) or clinic(s) that administered the vaccine(s).
- 3. "COVID-19" means the disease caused by SARS-CoV-2 (severe acute respiratory coronavirus 2).
- 4. "COVID-19 test" means a test that is:
 - a. Cleared, approved, or authorized, including in an emergency use authorization, by the FDA to detect current infection with the SARS-CoV-2 virus (e.g., a viral test),
 - b. Administered in accordance with the authorized instructions, and
 - c. Not both self-administered and self-read unless observed by the Superintendent or designee or an authorized telehealth proctor.
- 5. "Face covering" means a covering that meets all of the following requirements:
 - a. Completely covers the employee's nose and mouth.
 - b. Is made with at least 2 layers of breathable fabric that is tightly woven. If gaiters are worn, they must have 2 layers of fabric or be folded to make 2 layers.
 - c. Is secured to the head with ties, ear loops, or elastic bands that go behind the head.
 - d. Fits snugly over the nose, mouth, and chin with no large gaps on the outside of the face.

- e. Is a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings.

A “face covering” also includes a covering with a clear plastic panel that, despite the non-fabric material, otherwise meets the above requirements and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker’s mouth or facial expressions to understand speech or sign language.

- 6. “Facemask” means an FDA-approved surgical, medical procedure, dental, or isolation mask.
- 7. “Overall implementation date” will be determined by MIOSHA, unless the Superintendent or designee establishes a different date in writing to the extent required or permitted by law.
- 8. “Testing implementation date” will be determined by MIOSHA, unless the Superintendent or designee establishes a different date in writing to the extent required or permitted by law.
- 9. Vaccination
 - a. An employee is considered “fully vaccinated” 2 weeks after receiving:
 - i. an approved COVID-19 vaccine that requires only 1 dose (e.g., Johnson & Johnson), or
 - ii. the second dose of an approved COVID-19 vaccine that requires 2 doses with at least the minimum recommended interval between doses (e.g., Pfizer or Moderna).
 - b. An employee is considered “partially vaccinated” immediately after receiving the first dose of an approved COVID-19 vaccine that requires 2 doses.
 - c. An employee is considered “unvaccinated” if the employee has not received any dose of an approved COVID-19 vaccine.
- 10. “Workplace” means a physical location where District work or operations are performed. “Workplace” does not include an employee’s residence.

C. COVID-19 Employee Mandate

Each employee shall (1) be fully vaccinated, or (2) comply with the COVID-19 test and face covering requirements in Sections I and J below.

D. Accommodation Requests

The Superintendent or designee will consider, in consultation with the District’s legal counsel, an accommodation request under applicable federal or state law based on an employee’s disability or sincerely held religious belief, practice, or

observance that conflicts with a COVID-19 vaccination, testing, or face covering requirement in this Policy.

E. Vaccination Status Documentation

Each employee shall provide to the Superintendent or designee:

1. If fully or partially vaccinated, acceptable proof of vaccination status.
2. If unvaccinated, a written, signed, and dated statement that contains the following language: "I am not vaccinated against COVID-19. I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status may subject me to criminal penalties."

For each person who becomes a District employee after the overall implementation date, that person shall provide acceptable proof of vaccination status or the above statement, as applicable, before beginning District employment.

The District will maintain a roster of each employee's vaccination status.

F. Vaccination Leave

An employee may request leave from work for each COVID-19 vaccine dose to travel to a COVID-19 vaccination site, receive a vaccination, and return to work. That request must be submitted to the Superintendent or designee in writing, and leave is subject to the prior approval of the Superintendent or designee.

For each COVID-19 vaccine dose, up to the first 4 hours of leave will be paid by the District at the employee's regular rate of pay (i.e., 8 hours of leave maximum). The remaining leave time will be unpaid, unless the employee requests, and is eligible to use, accrued paid leave (e.g., paid sick time).

G. Vaccination Side Effects Leave

An employee may request to use up to 2 workdays of accrued paid sick leave immediately following each COVID-19 vaccine dose to recover from vaccination side effects that prevent the employee from working. If the employee has no accrued paid sick leave, the employee may request up to 2 workdays of paid sick leave for each dose for this purpose.

A request under this Section shall be submitted to the Superintendent or designee in writing, and leave is subject to the prior approval of the Superintendent or designee.

H. Reporting Positive COVID-19 Test or Diagnosis

An employee shall promptly notify the Superintendent or designee if the employee has received a positive COVID-19 test or has been diagnosed with COVID-19 by a licensed healthcare provider. The employee shall be immediately removed from

the workplace. The employee shall not return to the workplace without the prior written approval of the Superintendent or designee, which approval will be granted when the employee establishes – to the satisfaction of the Superintendent or designee – that the employee is eligible to return to the workplace.

An employee removed from the workplace under this Section will be eligible to return to the workplace when the employee:

1. Receives a negative result on a COVID-19 nucleic acid amplification test (NAAT) following a positive result on a COVID-19 antigen test if the employee chooses to seek a NAAT test for confirmatory testing,
2. Meets the return to work criteria in CDC's "Isolation Guidance" (https://www.osha.gov/sites/default/files/CDC's_Isolation_Guidance.pdf), or
3. Receives a recommendation to return to work from a licensed healthcare provider.

An employee removed from the workplace pursuant to this Section will be placed on unpaid leave, unless the employee requests – and is eligible to use – accrued paid leave (e.g., paid sick time) or meets the requirements of the district's LOA with the MEA to receive paid leave.

I. COVID-19 Testing for Employees Who Are Not Fully Vaccinated

Beginning on the testing implementation date, an employee who is not fully vaccinated shall comply with the testing requirements in this Section.

1. If the employee reports to the workplace at least once every 7 days, the employee shall:
 - a. Take a COVID-19 test at least once every 7 days, and
 - b. Provide documentation of the most recent COVID-19 test result to the Superintendent or designee no later than the 7th day following the date on which the employee last provided a COVID-19 test result.
2. If the employee does not report to the workplace at least once every 7 days, the employee shall:
 - a. Take a COVID-19 test within 7 days before returning to the workplace, and
 - b. Provide documentation of that test result to the Superintendent or designee upon return to the workplace.

If an employee fails to provide documentation as required by this Section, the employee shall not return to the workplace without the prior written approval of the Superintendent or designee, which approval will be granted when the employee establishes – to the satisfaction of the Superintendent or designee – that the employee is eligible to return to the workplace.

An employee excluded from the workplace under this Section will be eligible to return to the workplace when the employee provides a negative COVID-19 test result to the Superintendent or designee.

An employee excluded from the workplace pursuant to this Section will be placed on unpaid leave, unless the employee requests – and is eligible to use – accrued paid leave (e.g., paid vacation time).

An employee who has received a positive COVID-19 test or has been diagnosed with COVID-19 by a licensed healthcare provider is not required to undergo COVID-19 testing for 90 days following the date of the employee's positive test or diagnosis.

J. Face Coverings for Employees

An employee shall wear a face covering when indoors at the workplace or when occupying a vehicle with another person for work purposes. This requirement does not apply in any of the following circumstances:

1. The employee is:
 - a. Alone in a room with floor to ceiling walls and a closed door,
 - b. Eating or drinking for a limited time,
 - c. Asked to remove a face covering for identification purposes in compliance with safety and security requirements, or
 - d. Wearing a respirator or facemask.
2. Current mask exemptions for indoor athletics and extracurricular school activities do not apply to unvaccinated employees. The Superintendent or designee determines that the use of a face covering is infeasible or creates a hazard after consultation with the District's legal counsel (e.g., when a face covering presents a risk of serious injury or death to the employee or others).

K. Document Confidentiality

The District will maintain as confidential all employee medical information, including vaccination and COVID-19 test documentation, in accordance with applicable laws and policies.

L. Notice

The District will provide to employees, in writing, the notice required by 29 CFR 1910.501(j) by the overall implementation date. The District will provide that written notice to each person who becomes a District employee after that date as soon as practicable.

M. Discipline

An employee who fails to comply with this Policy is subject to discipline, up to and including discharge.

Legal authority: MCL 380.11a; 29 CFR 1910.501, *et seq.*

Date adopted:

Date revised:



DRAFT

**MILAN AREA SCHOOLS
BOARD OF EDUCATION
REGULAR MEETING
Wednesday, December 1, 2021**

The regular meeting of the Milan Area Schools Board of Education was called to order in the Milan High School Theater located at 200 Big Red Drive, Milan MI, 48160, by President Cislo at 7:00 p.m. on December 1, 2021

Board Members Present: Cislo, Moccio Heikka, Landingham

Board Members Absent: Kiger, Faro, Frait

Staff Present: Bryan Girbach, Ryan McMahon, Jennifer Barker, Yvette Kashmer

Guests Present: Allie Millina, Andrea Bennink, Holli Vallade, Rachel Hobbs, Shannon Dare Wayne, Matt West, George Elder, Rachel Helzerman, Gwendolyn La Croix

Pledge of Allegiance

The Board had a moment of silence for Oxford Community Schools.

The Board thanked the Paddock Staff for the basket of goodies they received.

Public Comments:

- Andrea Bennink apologized publicly for speaking out of turn at the last Board Meeting. Bennink thanked Jeannie Baber, Sean DeSarbo, and Ben Malecki, and the District. Bennink expressed her concerns regarding quarantines.
- Rachel Hobbs shared information she received regarding the Dundee Community Schools' Superintendent's Evaluation process and a community survey.
- Holli Vallade spoke to the Board about their plan for gathering information for the Superintendent's evaluation.

Motion by Landingham supported by Heikka to approve the consent agenda that includes the minutes of the regular meeting of November 9, 2021, and the approval of bills/reimbursement of expenses. All Ayes. Carried 4-0

The Superintendent Self Evaluation was provided to Board

Public Comments:

- Andrea Bennink thanked the Board for listening to parent input on the visitor policy and for conducting a survey of MAS staff.
- Holli Vallade spoke to the Board about not restricting public comments, and inquired about a Town Hall meeting.
- Shannon Dare Wayne expressed her appreciation of the Board of Education.

Superintendent's Comments:

On Tuesday, there was an active shooter incident at Oxford High School. Our thoughts go out to the Oxford students, staff, and families whose lives have been forever changed.

While we hope that such a tragedy never occurs in Milan, we do have emergency response plans in place. Milan Area Schools, along with all of the districts and public entities in Washtenaw County use the ALICE (Alert, Lockdown, Inform, Counter, Evacuate) response system for school building emergencies. This consistent use of ALICE allows every police force to be prepared to support any other police agency across the county. Our staff are trained in ALICE and our schools conduct regular safety drills using ALICE. Student and staff safety is and always will be a top priority for Milan Area Schools.

Students

- The district wants to remind our students and families that, throughout the 2021-2022 school year, full meal equivalent breakfasts and lunches will be free to all students on scheduled school days. Individual milks and other food items will NOT be free.
- The Milan Girls Swim & Dive team finished 9th in the state out of 33 teams. The team scored 35 points at the MHSAA State Meet.
 - The 200Y Medley Relay team of Krista Cook, Rylee Mitchell, Kmaryn Stripp, and Hailey Brady finished 8th in the state earning All-State honors.
 - The 200Y Free Relay team of Hailey Brady, Annabelle Williams, Phoebe Rhoney, and Elina Malach finished 6th in the state, earning all-state honors.
 - The 400Y Free Relay team of Elaina Malach, Phoebe Rhoney, Hailey Brady, and Annabelle Williams finished 5th in the state, earning all-state honors.
 - Other Notable finishes
 - 200Y Free - 12th place - Elaina Malach
 - 50Y Free - 12th place - Annabelle Williams
 - 100Y Free - 10th place - Annabelle Williams
 - 500Y Free - 10th - Elaina Malach
 - 500Y Free - 11th - Phoebe Rhoney
- The High School play, Clue, was impressive. The cast, crew, set design, and production were outstanding! Everyone is looking forward to the spring production.
- The middle school and high school bands will be performing a holiday concert at 7:00 PM on Wednesday, December 8th.
- The middle school and high school choirs will be performing a holiday concert at 7:00 PM on Wednesday, December 15th.
- Students in kindergarten through 5th grade will be performing holiday music concerts in the MHS theater. Below is a schedule of the dates and time of each concert:
 - Dec 13 6:00 PM K Music Concert
 - Dec 13 7:00 PM 1 Music Concert

- Dec 14 6:00 PM 2 Music Concert
- Dec 14 7:00 PM 3 Music Concert
- Dec 16 6:00 PM 4 Music Concert
- Dec 16 7:00 PM 5 Music Concert

Staff

- John Fleming (Elementary PE Teacher) is Retiring Effective December 31, 2021
- Kim Russ (Bus Driver) Resigned
- Kelly Dyc (Bus Driver) Resigned
- The district has added 1 new bus driver and has 3 new bus drivers being trained.

Board

- At the December 7th Board meeting, the district will be providing a summary of the findings regarding recent concerns about potential Board member “Conflicts of Interest”.

General

- Milan COVID data can be viewed by visiting milanareaschools.org and clicking on the COVID Case Data (24 Hour Notifications & Weekly Dashboard) link.
- The district achieved a 100% pass rate on our 2020-2021 State School Bus Inspections. This marks 18 years of 100% pass rates for Milan Area Schools. Superintendent Girbach thanked the district’s mechanics (Doug Orr and Todd Anderson) and the transportation department for this accomplishment!
- Following a staff survey regarding building visitors and volunteers, the Administrative Team reviewed the responses and developed the building visitor and volunteer guidelines update detailed below.

2021-2022 Updated Volunteer and Visitor Guidelines

Milan Area Schools recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the staff responsible for the conduct of those programs and activities.

Milan Area Schools also recognizes that during times of elevated communicable disease community spread (pandemic or epidemic) that precautionary actions may be necessary to keep our staff and students safe.

With these recognitions in mind, Milan Area Schools will be returning to pre-COVID operations for visitors and volunteers with the following restrictions:

- Visitor actions that do not require access into the building, as determined by District employees, will continue to be handled at the entrance airlock.
- Visitors and volunteers must follow all District and Washtenaw County Health Department requirements for facial coverings while inside District facilities.
- Visitors and volunteers must be able to answer NO to the following questions before entering District facilities:

- Are you currently experiencing any of the following symptoms (not related to a known or chronic medical condition other than COVID-19)?
 - Temperature higher than 100.4 or signs of fever (chills/sweating)
 - Sore throat
 - New onset of cough (for individuals with chronic allergic/asthmatic cough, a change in their cough from baseline)
 - Diarrhea, vomiting, or abdominal pain
 - New onset of headache
 - Loss of taste or loss of smell
- In the past 14 days, have you:
 - Had close contact with a person with confirmed COVID-19
 - Had close contact with person under quarantine for possible exposure to COVID-19
 - Attended large events (examples: wedding, concert, etc.) especially indoors
 - Traveled outside the US
- Visitors and volunteers will not be allowed in cafeterias during student lunch periods.

All pre-COVID visitor and volunteer guidelines remain in force. These include but are not limited to:

- Volunteer opportunities and building visits must be pre-arranged with an administrator or teacher.
- Volunteers and visitors must complete all required background checks.
- The Washtenaw County Health Department recently released updated guidance for indoor athletics and extracurricular school activities. The new guidance allows school districts to create exemptions to the County Mask Order for participants in extracurricular activities as well as athletes, coaches, and officials while actively involved in competitions, practices, and performances. In line with this guidance, Milan Area Schools will be exempting the following programs:
 - Boys Basketball
 - Girls Basketball
 - Wrestling
 - Bowling
 - Boys Swimming and Diving
 - MHS Fall Play, Clue

These exemptions only apply to participants when they are actively involved in the event. These exemptions do not apply to spectators.

Assistant Superintendent Comments:

- Assistant Superintendent McMahon informed the Board that the Consolidated Application, which includes Title I, Title IIa, and Title IV funds, was finally opened to accept grant applications. In addition, the Section 41 Bilingual grant and the Title III

consortium grant applications have also been opened. Each of these carry an obligation dating back to the start of the year and will be submitted as soon as possible for approval.

Student Board Member Comments:

Allison Milina shared with the Board the seniors had an informational assembly regarding cap and gowns. The girls Varsity and JV basketball teams won their first games against Lincoln, and the theater is beginning auditions for Peter and the Starcatcher starting December 16th and 17th from 3:00-6:00p.m.

Board Member Comments:

- Board Member Moccio thanked the Paddock Elementary Staff for the gift baskets and expressed her appreciation for the staff.
- Board Member Landingham thanked Paddock Elementary for the amazing gift basket. She then stated that the entire Board is trained on the Evaluation Process and that the survey is a good idea, but is not required by the State. Landingham agreed that communication is important and thanked the community for their feedback and the idea of holding Town Hall Meetings. Landingham then talked about public comments and that she would like to see documentation on who gifted their 3 minutes of time to a fellow community member. Lastly, Landingham spoke about the tragedy at Oxford Community Schools and addressed bullying and the idea of a task force to collect ideas regarding safety and bullying.
- Board Member Heikka thanked the Paddock Elementary Staff for the gift baskets. Heikka spoke about the difficulty in sending her family to school in the aftermath of the Oxford tragedy but spoke about the safety measures in place in our schools. Heikka then thanked all the MAS staff for everything they do. Heikka shared her thoughts about the Oxford tragedy and stated shame on all of us for not doing more to stop this kind of thing from happening. Heikka agreed with Landingham regarding the task force on bullying.
- Board Member Cislo stated that the Board will provide MASB Leadership Conference updates in January. Cislo attended the High School play and thought it was excellent and stated that everyone on the stage and behind the stage did great work. Cislo attended the football banquet put on by the Football Boosters and thought it was a great event. Cislo stated that there are 33 people interested in being a part of the Communications Ad hoc committee. Cislo also spoke on the feedback that he gathers for the Superintendent's Evaluation through staff conversations, emails, community members, and appreciates Mrs. Hobbs' idea about a survey for the future. Cislo then addressed the hurt he felt from the public comments regarding the Board's job in putting together the Superintendent's Evaluation.

Time of Adjournment: 7:46 p.m.

DRAFT

MILAN AREA SCHOOLS BOARD OF EDUCATION WORKSHOP MEETING Tuesday, December 7, 2021

The regular meeting of the Milan Area Schools Board of Education was called to order in the Milan High School Theater located at 200 Big Red Drive, Milan MI, 48160, by President Cislo at 7:00 p.m. on December 7, 2021

Board Members Present: Cislo, Moccio Heikka, Landingham, Kiger, Faro, Frait

Board Members Absent: None

Staff Present: Bryan Girbach, Ryan McMahon, Jennifer Barker, Yvette Kashmer, Clara Thiry

Guests Present: Allie Millina, Aubry Bokoski, Jill Tewsley, Rachel Hobbs, Dawn Walkowiak, Kirk DeMars, Melissa DeMars, Camden DeMars, Pat Humes, Renee` Humes, Annie Kruise, Beth Vandergrift, Shannon Dare Wayne, George Elder, Patrick Dunn, Holli Vallade

Pledge of Allegiance

Public Comments:

- Shannon Dare Wayne thanked everyone and wished them Happy Holidays.
- Hollie Vallade spoke about the Superintendent evaluation process.
- Patrick Dunn shared great experiences, thanked Milan Area Schools, and wished everyone Happy Holidays.
- Rachel Hobbs spoke about the Oxford tragedy, made requests of the Board (improve school safety, Board work with community), and spoke about two way communication.
- Annie Kruise thanked Superintendent Girbach for his communication, requested the Board to evaluate Superintendent Girbach on connecting with the community, and requested town halls and community videos.
- Melissa DeMars stated her children do not see bullying or “clicks” in Milan. Thanked the District for supporting their family.
- Kirk DeMars thanked the Board for the moment of silence for Oxford Schools, spoke about the last Board meeting, public comments, and thanked Kim Russ from the Transportation Department.

Motion by Landingham supported by Kiger to approve the consent agenda that includes the minutes of the Regular Meeting of December 1, 2021. Motion failed. 4-3 No votes by Kiger, Landingham, Faro, Heikka

Superintendent's Comments

School Safety

- Due to the recent school tragedy, the past week has been difficult for everyone involved in K-12 education. It is not surprising, that at this time, levels of concern and anxiety about school safety are elevated for students, parents, and school staff.

Our district has a comprehensive Emergency Operations Plan. Our staff are trained in ALICE emergency response protocols and the district will be providing refresher ALICE courses starting with the teachers during this Friday's afternoon professional development. The district has physical safety measures in place. We employ a Milan Police Officer as a full time School Resource Officer who is a certified ALICE trainer. Each school also has counselors and/or social workers available to support students with mental health concerns.

Each school in the district conducts regular ALICE drills. These drills are age appropriate and cover many different emergency situations. Not every drill is an active shooter drill; and therefore, some drills do not require the use of all aspects of ALICE (Alert, Lockdown, Inform, Counter, Evacuate).

We have a very close relationship with the Milan Police Department. Milan officers are ALICE trained and know our district protocols. The Washtenaw County Superintendents also meet with all of the law enforcement agencies at least once a year to review our safety protocols across the county.

Please know that every threat made against the district is fully investigated by the school system. We also involve the School Resource Police Officer in these investigations. If needed, the Milan Police can also work with the Washtenaw County Sheriff's Office and the Michigan State Police.

While the administration wants students to report concerns to their building's office so that they can be properly investigated, we cannot have students posting unfounded rumors on social media. Therefore, consequences in line with the student code of conduct have been, and will continue to be, issued to students who make these posts on social media.

The Milan Administration treats every rumor as if it is an actual threat and every threat is fully investigated. Student's lockers and belongings are searched when there is probable cause for concern. While some incidents may lead to the expulsion of a student, that is not always the case. There are many factors involved in making the decision about the proper discipline for a specific student infraction. We will not allow a student to remain in school if we (and or the Milan PD) feel that the student is a threat to the safety of other students.

Board

- As most of you know, a few members of the Milan community raised concerns about whether board members complied with their legal duties in reporting, and abstaining from voting on, conflicts of interest. To address those concerns, I contacted the District's legal counsel and asked for a legal opinion on three specific scenarios:
 1. Whether a board member who is employed by Blue Cross/BSM may vote to approve a collective bargaining agreement in which Blue Cross/BSM is identified as the group health insurance provider?
 2. Whether the same board member may vote on wage increases for administrators who are covered by that same collective bargaining agreement?
 3. Whether board members who have family members who are employed by the District may approve a collective bargaining agreement that would cover the family member?

In response, legal counsel provided a comprehensive overview of the Michigan Revised School Code, the Contracts of Public Servants with Public Entities Act, and Board Policy. Based on that overview, I can report the following:

1. The Board member who is employed by Blue Cross/BSM does have a conflict of interest that would require that she abstain from voting on the collective bargaining agreement in which Blue Cross/BSM is identified as the employee health insurance provider. When the collective bargaining agreement was presented for approval, the Board member properly identified the conflict and abstained from voting on the agreement as required by law.
2. The Board member who is employed by Blue Cross/BSM does not have a conflict of interest that would require that she abstain from voting on administrator pay increases.
3. The Board members who have family members that are District employees have a conflict of interest that would require them to abstain from voting on the collective bargaining agreements covering their family members. When the collective bargaining agreements were presented for approval, those Board members properly identified the conflict and abstained from voting on the agreements as required by law.

4. Our District policy imposes additional requirements that are not mandated by law, including that board members refrain from participating in the discussion of contracts for which they have a conflict of interest. I am recommending that Board members review that Policy to ensure future compliance. In the alternative, the Board may wish to revisit whether the policy itself should be revised to more closely align with legal requirements.

To summarize: Board members have properly identified, and refrained from voting on, contracts in which they have a conflict of interest. The Board should, however, carefully review, and ensure compliance with, its conflicts of interest policy.

Students

- The district wants to remind our students and families that, throughout the 2021-2022 school year, full meal equivalent breakfasts and lunches will be free to all students on scheduled school days. Individual milks and other food items will NOT be free.
- The middle school and high school bands will be performing a holiday concert at 7:00 PM on Wednesday, December 8th.
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General

- Milan COVID data can be viewed by visiting milanareaschools.org and clicking on the COVID Case Data (24 Hour Notifications & Weekly Dashboard) link.

Assistant Superintendent Comments: None

Student Board Member Comments:

- Aubrey Bukosky shared that Friday varsity basketball has their first game and that the school store is opening soon.
- Allie Millina shared that Tuesday is the first boys home basketball game and a toy donation will be taking place at the game. She also reminded Seniors that the picture submission deadline is January 7th

Board Member Comments:

- Board Member Faro spoke about public participation at Board Meetings and Board Policy 0617.3, addressed a public comment regarding Board Members attending Superintendent Evaluation trainings, sending out evaluation surveys, and that the Superintendent evaluation is done during the closed session of the meeting (which is allowed). Faro also spoke about COVID in and around our district and asked parents for help. Lastly, he spoke about reading Safe is Not Enough and stated that it has been impactful.
- Board Member Kiger stated she has ordered books for kids with dyslexia and will be placing them in the Milan Reads cases around town and encouraged others to get books to herself and Mrs. Moccio for distribution. Kiger thanked the Administrators and all of our staff in Milan for taking good care of our students.
- Board Member Heikka thanked Kim Rhoney for inviting the Board to participate in the parade and thank our staff and our community. Heikka expressed her sympathy to the DeMars family and thanked them for sharing their experience and how staff handled the situation. Heikka congratulated the boys swim team for setting a record on their very first event of the season, and addressed public comments regarding two way communication. She also discussed Superintendent Girbach's and Assistant Superintendent McMahon's presence in the community and in the school buildings. Additionally Heikka spoke about a conflict of interest mistake and that she had apologized. She also suggested amending the conflict of interest policy to allow conversation but not a vote by members affected by a conflict.
- Board Member Frait apologized for not being able to attend the last meeting, thanked Superintendent Girbach for addressing the conflict of interest comments, and stated that the Board makes mistakes and needs to own up to them. She then suggested that the Board's bylaws should be reviewed. Frait also congratulated Mr. Fleming on his upcoming retirement.
- Board Member Cislo reminded the Board that the January meeting is an organizational meeting and the time to vote for officers. Cislo wished a Happy Holidays to all staff and expressed his appreciation to them. He also wished the community Happy Holidays. Cislo stated there is work to do and we can get there. He added that everyone has the best interest of kids at heart and asked people to remember the Oxford tragedy. He stated that no issue compares to the loss of a child.

Motion by Faro supported by Heikka to enter into closed session pursuant to Section 8(a) of the Michigan Open Meetings Act, and upon the request of the employee, for the purpose of conducting a periodic personnel evaluation. All Ayes. Carried 7-0

Time entered closed session 7:49 p.m.

Time returned to open session 9:46 p.m..

Motion by Faro supported by Heikka to rate Superintendent Bryan Girbach as Effective for the 2021-2022 school year. All Ayes. Carried 7-0

Time of Adjournment: 9:48 p.m.