

REGULAR MEETING OF THE BOARD OF EDUCATION

December 18, 2025

I. Call to Order

The Regular Meeting of the Hale Area Schools Board of Education was called to order by President Spaw at 6:00 pm

Present: Olmstead, Shellenbarger, Sheldon, & Spaw
Absent-Members: 3 - Cryderman, Lynch, & Reilly
Guests in Attendance: 35

II. Pledge of Allegiance

III. Mission, Vision and Belief Statement

IV. Additions/deletions/corrections of agenda items:

V. Student Recognition

- A. Classroom** Mr. Boensch read teacher comments while Mr. Yorke handed out certificates of achievement.
- B. Volleyball District & League Championship Team:** members of the team were recognized for their outstanding season
- C. Honor's Band** - Brooke Sheldon was recognized for her efforts, and gave a report of the experience

VI. Guest Comments - Members of the public may address the board at this time: None

VII. Reports to the Board

- A. Principal's Report** was given by Mr. Yorke in Mrs. Griffin's absence, providing a review of recent class trips; the 12 days of Christmas events Mrs. Griffin put on for the staff. He also reflected on the recent band/music performances held over the last two days which were well attended.
- B. Business Manager's Report:** reviewed by Mr. Boensch provided budget details, including revenue and expenses and their sources, as well as an update on the budgeting process with a reminder of all of the unknowns at the start of this school year with state and federal title funding. He also provided a review of facilities improvements occurring over Christmas break to include door replacement/repairs/adjustments, and HVAC preventative maintenance.
- C. Superintendent's Report:** Mr. Yorke reviewed the senior trip details; track estimate & scope; other projects for growth, including the potential combination of rooms; a building for storage to free up some space; he also gave an update concerning 31aa funding.
- D. MICIP:** Mrs. Nieman informed the board of the current focus of calendars and creating a behavior matrix across all grade levels.

VIII. Action Items

A. Consent Agenda

At the recommendation of Mr. Yorke, a motion was made by Olmstead, supported by Sheldon to approve the consent agenda dated December 15, 2025 as presented.

Roll call: 4 yes, 0 no, 3 absent; motion carried

B. Thrun Resolution D: Opt-In Subject to Recission

At the recommendation of Mr. Yorke, a motion was made by Spaw, supported by Shellenbarger to approve Thrun's Resolution D: Opt-In Subject to Rescission to allow an opt-in for 31aa funding by the stated deadline, while litigation continues; it also provides a stipulation that districts may later rescind the opt-in decision.

Roll call: 4 yes, 0 no, 3 absent; motion carried

C. NEOLA Policy Update Vol.40, No.1 - First Reading

At the recommendation of Mr. Yorke, a motion was made by Sheldon, supported by Shellenbarger to consider as first reading the policy updates of Vol.40, No.1, including 2210, 2266, 2412, 4162, 5517.01, 7540.02, 8300, 8305, and the rescission of 7541.

Roll call: 4 yes, 0 no, 3 absent; motion carried

D. Approval of Budget Amendment

At the recommendation of Mr. Yorke, a motion was made by Spaw, supported by Olmstead to approve the amendments to the General Fund budget, as presented.

Roll call: 4 yes, 0 no, 3 absent; motion carried

E. Hire Bus Driver

At the recommendation of Mr. Yorke, a motion was made by Shellenbarger, supported by Spaw to approve the hire of Christopher Behm as a Bus Driver according to the 2025-26 contract rates, pending satisfactory training completion and background check.

Roll call: 4 yes, 0 no, 3 absent; motion carried

F. Hire Teacher

At the recommendation of Mr. Yorke, a motion was made by Sheldon, supported by Olmstead to approve the hire of Josh Barriger as a secondary teacher at a BA-Step 1, according to the HFT Salary Schedule. Discussion

Roll call: 4 yes, 0 no, 3 absent; motion carried

- IX. Board Comments:** Spaw, Shellenbarger, Sheldon, & Olmstead wished everyone a Merry Christmas and commented on how nice the band/music programs were; Mrs. Nowlin does a very nice job. Spaw particularly voiced his appreciation of the band's performance in the community parade.

X. Adjournment

With no further business to come before the board, a motion was made by Shellenbarger, supported by Spaw, that the meeting be adjourned.

Roll call: 4 yes, 0 no, 3 absent; motion carried

Meeting Adjourned at 6:54 pm



Cindy Sheldon, Secretary

**Hale Area Schools
Consent Agenda
December 15, 2025**

A. Approval of Minutes

- November 17, 2025 Regular Meeting Minutes

B. Approval of Bills

- | | |
|--------------------|--------------|
| • General Fund | \$431,138.72 |
| • Food Service | \$ 32,455.96 |
| • Athletics | \$ 2,071.25 |
| • Student Activity | \$ 2,110.04 |

***Resolution D:
Opt-In Subject to
Rescission***

Hale Area Schools, Michigan (the "District")

A regular meeting of the board of education of the District (the "Board") was held in the Hale Area Schools library, within the boundaries of the District, on the 18th day of December, 2025, at 6 o'clock in the p.m. (the "Meeting")

The Meeting was called to order by Jeremy Spaw, President.

Present: Members Spaw, Sheldon, Shellenbarger, Olmstead

Absent: Members Cryderman, Lynch, Reilly

The following preamble and resolution were offered by Member Spaw and supported by Member Shellenbarger to approve Thrun's Resolution D: Opt-In Subject to Rescission to allow an opt-in for 31aa funding by the stated deadline, while litigation continues; it also provides a stipulation that districts may later rescind the opt-in decision.

WHEREAS:

1. Public Act 15 of 2025 amends State School Aid Act Section 31aa, MCL 388.1631aa, to allocate funding for fiscal year 2025/2026 to support school safety and student mental health initiatives, as well as to provide certain competitive grant funding ("31aa Funding"); and

2. To receive 31aa Funding, the District must agree to receive the funding in the form and manner established by the Michigan Department of Education ("MDE") and either formally opt in or seek a competitive grant; and

3. As a condition of receiving either type of 31aa Funding, the District must agree in advance that, in the event of a "mass casualty event," as defined in MCL 388.1631aa: (1) the District will be subject to and comply with a comprehensive investigation following such an event, and (2) the District will waive any privilege that may otherwise protect related information from disclosure; and

4. Litigation challenging the legality and enforceability of the privilege-waiver requirement is currently pending; and

5. The opt-in deadline for 31aa Funding is currently December 4, 2025, at 11:59 p.m., and it may be subject to further extension (the "Opt-In Deadline"); and

6. The litigation parties have stipulated that a district may later rescind its opt in by providing notice to MDE no later than December 30, 2025, at 11:59 p.m., as may be subject to further extension (the "Rescission Deadline"), in the form and manner established by MDE; and

7. The Board has been fully advised of the legal and practical implications of the privilege-waiver requirement, including its potential effect on attorney-client privilege and other applicable privileges; and

8. The Board desires to preserve the District's eligibility for 31aa Funding while avoiding any present waiver of privilege and while allowing time for the courts to determine the legality and enforceability of the privilege-waiver requirement.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board hereby authorizes the Superintendent of Schools, or designee, to submit the District's opt-in form to MDE on or before the Opt-In Deadline, solely for the purpose of preserving the District's eligibility for 31aa Funding, and only on a conditional basis, as provided in this Resolution. Submission of the opt-in form shall not constitute a present waiver of the attorney-client privilege or any other privilege.

2. The District's conditional opt in shall be automatically rescinded without further action of the Board, unless, on or before the Rescission Deadline: (a) the Legislature removes, substantively amends, or otherwise eliminates the privilege-waiver requirement such that acceptance of 31aa Funding would not require waiver of attorney-client privilege or any other applicable privilege; or (b) a court of competent jurisdiction rules that the privilege-waiver requirement is unlawful, unenforceable, or otherwise not applicable to the District. If neither (a) nor (b) occurs by the Rescission Deadline, the Superintendent of Schools, or designee, shall notify MDE, in the form and manner required by MDE and no later than the Rescission Deadline, that the District's opt in is rescinded.

3. If the privilege-waiver requirement remains in effect and enforceable as of the Rescission Deadline, the Superintendent of Schools, or designee, shall have no authority or obligation to accept 31aa Funding.

4. Nothing in this Resolution shall be construed as a waiver of attorney-client privilege or any other applicable privilege.

5. The District's participation in the opt-in or rescission process shall not be construed as a waiver of the Board's or District's right to challenge the legality or enforceability of any condition imposed by MCL 388.1631aa or related administrative guidance.

6. If, after the Rescission Deadline, the privilege-waiver requirement is removed, amended, or invalidated, the Board may take further action as it deems appropriate to pursue 31aa Funding consistent with applicable law.

7. This Resolution does not apply to any "mass casualty event" occurring prior to the Opt-In Deadline.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same are hereby rescinded.

Ayes: Members Olmstead, Shellenbarger, Sheldon, & Spaw

Nays: Members 0

Resolution declared adopted.

Cindy Sheldon

Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Hale Area Schools, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at the Meeting, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the Meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, Public Acts of Michigan, 1976, as amended).

Cindy Sheldon

Secretary, Board of Education

MDF/keh

THRUN
LAW FIRM, P.C.