



*Special  
Board Meeting  
Board Room*

*December 18, 2023  
5:30 p.m.*



Fruitport Community Schools  
**SPECIAL BOARD MEETING**  
Monday, December 18, 2023 – 5:30 p.m.

**Location:**

Fruitport Community Schools Central Office  
Board of Education Meeting Room  
3255 E. Pontaluna Rd.  
Fruitport, MI 49415

**AGENDA**

- I. CALL to ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. REMARKS FROM THE PUBLIC\***
- V. GENERAL BOARD BUSINESS**
  - A. Regular Board Meeting Minutes of December 11, 2023
  - B. Student Disciplinary Hearing
  - C. Other
- VI. ADJOURNMENT**

\*Time is provided for members of the audience to address the Board of Education regarding any topic including items on the agenda. The board is providing one opportunity for the public to comment during the meeting. Members of the audience may wish to bring issues to the Board of Education for board consideration. Time limits may be placed if a large number of individuals would like to address the board.

**BOARD ACTION REQUEST FORM**

**Meeting Date:** December 18, 2023

To: Board of Education

Attachments #1

From: Jason Kennedy

**Subject to be Discussed and Policy Reference:**

- Regular Meeting Minutes – December 11, 2023

**Background Information:**

See attached meeting minutes.

**Financial Impact:**

**Recommended Action:**

Approval of the Regular Meeting Minutes of December 11, 2023, as presented.

**Action Taken:**

**Vote:** \_\_\_ Buckner      \_\_\_ Burgess      \_\_\_ Cole      \_\_\_ Franklin      \_\_\_ Hazekamp  
         \_\_\_ Kelly      \_\_\_ Meeuwenberg

**Series 5000: Students, Curriculum, and Academic Matters**

**5200 Student Conduct and Discipline**

**5206-F-12 Board Resolution: Other Offenses**

**FRUITPORT COMMUNITY SCHOOLS  
BOARD RESOLUTION FOR STUDENT DISCIPLINE**

A special meeting of the Board of Education (the "Board") was held in the Board of Education Room at 3255 E. Pontaluna Rd., Fruitport, MI 49444, within the boundaries of the District, on the 18<sup>th</sup> day of December, 2023, at 5:30 o'clock in the p.m. (the "Meeting").

The Meeting was called to order by Dave Hazekamp, President

Present: Members

Absent: Members

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

**WHEREAS:**

1. The administration has recommended that, pursuant to Revised School Code Section 1310(1), a student whose identity is known to the Board (the "Student") be expelled for sexual harassment of another student.
2. School administrators notified the Student's parent/guardian of the specific charge underlying the disciplinary recommendation, as well as the date, time, and place of the disciplinary hearing.
3. Pursuant to the request of the Student's parent/guardian, and as authorized by Michigan Open Meetings Act Section 8(1)(b), MCL 15.268(1)(b), the disciplinary hearing was conducted in a closed session meeting of the Board.
4. The hearing afforded the Student and the Student's representatives an opportunity to respond to the charge and to present pertinent evidence for the Board's consideration.
5. The Board has carefully considered all of the evidence produced in this student discipline hearing.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. A preponderance of the evidence established that the Student committed sexual harassment against another student on school property in violation of the Student Code of Conduct.
2. Based on careful consideration of all of the following factors, the Board determines that expulsion is warranted:

## **5206-F-9 Board Resolution: Physical Assault against Student**

- The Student's age;
  - The Student's disciplinary history;
  - Whether the Student has a disability;
  - The seriousness of the behavior;
  - Whether the behavior posed a safety risk;
  - Whether restorative practices are a better option; and
  - Whether lesser interventions would address the behavior.
3. The Student is permanently expelled from the District.
  4. During the time of the expulsion, the Student may not be on school grounds or attend any functions at the District without prior written approval from an appropriate administrator.
  5. The Student may petition the Board for reinstatement no sooner than 150 school days from the date of expulsion. Before reinstatement, the Student must do all of the following:
    - demonstrate successful participation in an appropriate counseling program approved by the Middle School Principal that includes both group and individual counseling;
    - submit to the Middle School Principal competent and credible evidence from an appropriately licensed and credentialed professional that the Student does not pose a risk of harm to the Student or to others;
    - establish that the Student has not engaged in conduct during the period of expulsion that may be viewed by the Board as detrimental to the Student's continued education at the District;
    - complete to the satisfaction of the Board all recommendations contained in any psychological or counseling report;
    - demonstrate to the satisfaction of the Board that the Student received educational instruction and cooperatively participated in an educational program during the period of expulsion;
  6. Consistent with Revised School Code Sections 11a and 1311(1), the Board finds that the interests of the District are served by this resolution.
  7. Consistent with the Board's actions taken this date, administration shall promptly meet with the Student's parent/guardian to determine if there are appropriate educational services to which the Student may be entitled under state and federal law.
  8. Administrators are directed and authorized to implement all terms of this resolution and are delegated all necessary authority to do so.

**5206-F-9 Board Resolution: Physical Assault against Student**

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

Ayes: Members

Nays: Members

Resolution declared adopted.

The undersigned, duly qualified and acting Secretary to the Board of Education of Fruitport Community Schools, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said 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).

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Susan Franklin, Board Secretary



Fruitport Community Schools  
**REGULAR BOARD MEETING MINUTES**  
Monday, December 11, 2023 – 7:00 p.m.

**Meeting Location:**

Fruitport Community Schools Central Office  
Board of Education Meeting Room  
3255 E. Pontaluna Rd.  
Fruitport, MI 49415

- I. **CALL TO ORDER:** The Regular meeting of the Board of Education was called to order at 7:00 p.m. by Board President, Dave Hazekamp. The Pledge of Allegiance was recited to open the meeting.
- II. **ROLL CALL:** Present – Elroy Buckner, Tim Burgess, Kris Cole, Susan Franklin, Dave Hazekamp, Steve Kelly, and JB Meeuwenberg.
- III. **APPROVAL OF AGENDA**

Item 23-169. MOTION by Buckner, SECOND by Cole to approve the agenda, with the addition of the following amendment, as presented.

**Add:**

**XIII. STUDENT AFFAIRS COMMITTEE REPORTS & RECOMMENDATIONS**

4. Overnight Trip Request - Middle School Robotics Team - State Championship

MOTION CARRIED: 7-0.

IV. **PRESENTATIONS:**

○ **Above and Beyond Recognition**

1. **Tanya Fehler:** Tanya was recognized for the Above and Beyond award and was presented with a certificate and Above and Beyond pin. The Board of Education was presented with the following information:

*“Tanya keeps the feel good culture of the high school alive and kicking. She does an amazing job in decorating our office areas for each season, as well as with the showcase that is across from the Guidance Office. These areas always look amazing because of her above and beyond effort. She does all of this decorating after hours and on the weekends. Tanya is also an integral person when decorating for each and every dance and hallway competition. Tanya’s work is top notch and so appreciated.*

*A huge SHOUT-OUT should be given to Tanya for the work that she does! The Board of Education should be made aware of this outstanding work that Tanya puts forth to make the culture and climate of our high school building a place that students and staff enjoy being. Please consider Tanya Fehler for the Above and Beyond Award and this special recognition.”*

- 2. Brad Vallie:** Brad was recognized for the Above and Beyond award and was presented with a certificate and Above and Beyond pin. The Board of Education was presented with the following information:

*“As a result of my son becoming involved in the Bass Fishing Club at his school, I witnessed the tremendous impact that Brad Vallie has on kids and our school. Brad and his family single handedly run a summer bass fishing tournament series that regularly draws 30-40 teams from schools throughout West Michigan. The tournaments continue to grow. There is a small registration fee that covers liability insurance for the Club, with the remaining money going back into prizes each week for the anglers. Brad and his volunteer team do a fantastic, professional job in running these tournaments, and he represents Fruitport in a most outstanding way. Not just in West Michigan, but throughout the Midwestern and Southern United States. Fruitport has students that are going on to college to compete at the next level, and are even earning large scholarships to do so. There is so much more that goes on than “just fishing,” and it is hard to capture his impact in words.*

*In addition to being the coach and advisor for the Bass Fishing Team, Brad also serves as an announcer for football and basketball, and recently volunteered to announce powder puff football for the school. Further, he also served as the announcer at this year’s 5<sup>th</sup> Quarter Party for the Fruitport Education Foundation.*

*A huge SHOUT-OUT should be given to Brad! The Board of Education should be made aware of his outstanding work to support the entire school community. Please consider Brad Vallie for the Above and Beyond Award.”*

## V. COMMUNICATIONS:

### ○ Annual MAISD Audit Management Decision Letter:

The District received communication from the Muskegon Area Intermediate School District regarding the Annual MAISD Audit Management Decision in accordance with the Office of Management and Budget's Uniform Guidance 2. The letter commended Mark Mesbergen and the business management team of the District for a clean, unmodified opinion on its audit, with zero (0) findings, and zero (0) reportable conditions or recommendations. No management decision is required, and there are no disallowed costs, financial adjustments, or other actions required of the District.

## VI. SUPERINTENDENT/ADMINISTRATIVE REPORTS:

### ○ OK Conference Realignment Proposal

The Superintendent discussed a communication received from the OK Conference. A copy of the OK Conference Realignment Proposal #2 was provided to the Board. The communication from the OK Conference Commissioner stated that the realignment proposal #2 passed by a 35 - 6 vote, with the football only proposal #2 passing by a 29 - 10 vote. Both proposals met the required two-thirds ( $\frac{2}{3}$ ) approval needed from the athletic directors' advisory vote to move forward with the process. The OK Conference Executive Board has now recommended that both proposals be sent for a ballot vote. Member schools are required to complete, sign, and submit an official ballot to the OK Conference Office by 12:00 p.m. on Monday, December 18, 2023. The ballots will be counted that same day via Google Meet during the Executive Council meeting at 12:30 p.m. The District will vote yes on both of the realignment proposals.

### ○ Review of the West Michigan Conference Application

The Superintendent reviewed a copy of the completed draft application to the West Michigan Conference for membership consideration with the Board. The District will proof and finalize the draft application for submission to the West Michigan Conference by December 31, 2023.

## VII. REMARKS FROM THE PUBLIC: None

## VIII. CONSENT AGENDA

Item 23-170. MOTION by Kelly, SECOND by Cole to approve the Consent Agenda as listed below:

1. Approval of Bill Listing in the amount of \$542,368.17

2. Acceptance of Monthly Financial, Bond, and Capital Projects Report
3. Acceptance of Student Activity Summary Report
4. Acceptance of Credit Card and Utilities Report
5. Approval of Transfers and ACH Transactions Report
6. Approval of Personnel Report (includes confirmation of new hires, resignations, retirees, and transfers)
7. Approval of Special Meeting Minutes - November 20, 2023
8. Approval of Regular Meeting Minutes - November 20, 2023

MOTION CARRIED: 7-0.

**IX. GENERAL BOARD BUSINESS:** None

**X. BUSINESS AND FINANCE COMMITTEE REPORTS & RECOMMENDATIONS**

**1. Report of committee meeting held on December 1, 2023**

Elroy Buckner reported on a Business and Finance Committee meeting held on December 1, 2023 at 12:00 p.m. Elroy Buckner, Kris Cole, Dave Hazekamp, Mark Mesbergen, and Jason Kennedy were present. The Committee discussed a contract from TowerPinkster to provide services on the property at 259 N. 3rd Avenue, Fruitport, MI 49415, and it also discussed the HVAC competitive bidding RFP results to improve HVAC controls at the middle school and Shettler Elementary as a part of the 2021 Capital Projects Fund. The Committee also discussed the OK Conference realignment proposal and future athletic conference options for the District. The meeting was adjourned at 12:25 p.m.

**2. Acceptance of Bid for HVAC Building Controls**

The District put an RFP out to update/replace the old HVAC controls at the Middle School and Shettler Elementary. There was only one bidder, but this is the same bidder that completed all of the controls work at the High School during that project. The bid from Control Resources was \$384,740 for the Middle School and \$159,860 for Shettler Elementary. The projected budget for this project was \$550,000.

Item 23-171. MOTION by Buckner, SECOND by Cole to approve the bid from Control Resource for \$544,600 to replace HVAC controls at the Middle School and Shettler Elementary, as discussed.

MOTION CARRIED: 7-0.

**3. TowerPinkster Contract - 259 N. 3rd Avenue, Fruitport, MI 49415**

With the purchase of the property at 259 N. 3<sup>rd</sup> Avenue, the District started preliminary discussions as to what the building's design would look like for a future administration building. During those talks, the District and its architectural firm, TowerPinkster, talked about having a separate contract as the thought was to have them design the building, but then Fruitport's team handles the oversight of the building. Therefore, the attached contract will allow TowerPinkster to bill us at actual hours worked which is different from the other contract we have with them (percentage of the budget). They will bill us every month and the business office will track those invoices.

Item 23-172. MOTION by Buckner, SECOND by Cole to approve the contract with TowerPinkster, as discussed.

MOTION CARRIED: 7-0.

## **XI. PERSONNEL COMMITTEE REPORTS & RECOMMENDATIONS:**

### **1. Report of committee meeting held on December 4, 2023**

Steve Kelly reported on a Personnel Committee meeting held on December 4, 2023 at 5:00 p.m. Dave Hazekamp, Steve Kelly, JB Meeuwenberg, and Jason Kennedy were present. The Committee discussed the Personnel Report for December 2023. The Committee also reviewed items appearing on the agendas for each of the other Board Committee meetings in December. Topics included: a Thrun Law Professional Staff Policy Update, an OK Conference update, an update on the TowerPinkster contract and the 3rd Avenue property, and an update on the HVAC controls RFP and bid process. The meeting was adjourned at 5:30 p.m.

## **XII. STUDENT AFFAIRS COMMITTEE REPORTS & RECOMMENDATIONS**

### **1. Report of committee meeting held on December 4, 2023**

Susan Franklin reported on a Student Affairs Committee meeting held on December 4, 2023 at 5:32 p.m. Tim Burgess, Susan Franklin, Dave Hazekamp, and Jason Kennedy were present. The Committee reviewed a first reading of the Thrun Law Firm Personnel Policy Updates to bring current policies into compliance with new legislative changes to the Michigan Public Employment Relations Act (PERA), the State School Aid Act, the Revised School Code, and the Teachers' Tenure Act. The Committee reviewed a realignment proposal (#2) from the OK Conference, and it discussed the completion of the District's application to the West Michigan Conference. An updated draft of the strategic

plan was reviewed with the Committee prior to moving forward with the development of a final draft and plan approval, and items appearing on the agendas for each of the other Board Committee meetings in December were reviewed. The meeting was adjourned at 6:09 p.m.

**2. Thrun Law Firm Professional Staff Board Policy Updates - First reading; No action taken**

The policies below are being updated by Thrun Law Firm to bring them into compliance with new legislative changes to the Michigan Public Employment Relations Act (PERA), the State School Aid Act, the Revised School Code, and the Teachers' Tenure Act. The Board discussed and reviewed the first reading of the following policies:

- a. 4108 - Union Activity and Representation
- b. 4207 - Third Party Contracting
- c. 4402 - Placement
- d. 4403 - Performance Evaluation
- e. 4404 - Performance Based Compensation
- f. 4405 - Reduction in Force and Recall
- g. 4407 - Discipline
- h. 4408 - Termination
- i. 4409 - Non-Renewal
- j. 4503 - Performance Evaluation
- k. 4504 - Performance Based Compensation

**3. Overnight Trip Request - Michigan Youth in Government**

Item 23-173. MOTION by Franklin, SECOND by Burgess to approve the overnight trip request from Deeann Skov for high school students to stay overnight in Lansing on February 8-11, 2024 to participate in a mock legislature at the State Capital, as discussed.

MOTION CARRIED: 7-0.

**4. Overnight Trip Request - Middle School Robotics Team - State Championship**

Item 23-174. MOTION by Franklin, SECOND by Burgess to approve the overnight trip request from middle school robotics coach, Kris Cole, for middle school robotics students to stay overnight in Brighton, MI, and to go to the First Tech Challenge State Championship at Parker Middle School in Howell, MI on December 15-17, 2023, as discussed.

MOTION CARRIED: 7-0.

**XIII. BOARD MEMBER REPORTS AND DISCUSSIONS:**

Kris Cole shared that the middle school robotics team (Green Team) never lost a match during the Big Rapids qualifying tournament this past weekend. The team won the Inspire Award, the highest award at the competition, and the team also won the tournament. Both the Inspire Award and winning the qualifying tournament have qualified the team for participation in the First Tech Challenge State Championship at Parker Middle School in Howell, MI on December 15-17, 2023. The Green Team currently ranks 2nd in the world for their end game performance. The Blue Team finished in 7th place at the tournament, and was selected to compete on the 4th alliance team.

Susan Franklin wished everyone a happy holiday season.

It was also discussed that a policy be developed and reviewed with the Student Affairs Committee at an upcoming meeting to allow the Committee to approve overnight trip requests. This will be added to an upcoming Student Affairs Committee meeting agenda.

**XIV. AGENDA ITEMS for FUTURE MEETINGS & SCHEDULING OF ANY SPECIAL MEETINGS**

1. The Board of Education will meet on December 18, 2023 at 5:30 p.m. for a special meeting to conduct a student disciplinary hearing.
2. The Board of Education will meet on December 18, 2023 at 6:00 p.m. for a special meeting to conduct a student disciplinary hearing.
3. The Business and Finance Committee will meet on January 8, 2023 at 6:00 p.m.
4. The Personnel Committee will meet on January 8, 2023 at 5:00 p.m.
5. The Student Affairs Committee will meet on January 8, 2023 at 5:30 p.m.
6. The Board of Education will meet on January 15, 2023 at 7:00 p.m.

**XV. REMARKS FROM THE PUBLIC:** John Winkas shared with the Board that the basketball hoops for the new auxiliary gym are expected to be installed this week, completing the projects for the middle school auxiliary gym project.

**XVI. ADJOURNMENT**

Item 23-175. MOTION by Buckner, SECOND by Franklin to adjourn.

MOTION CARRIED: 7-0.

The meeting adjourned at 7:39 p.m.

Respectfully submitted,

Susan Franklin, Board Secretary

Danielle VanderMeulen, Recording Secretary

**BOARD ACTION REQUEST FORM**

**Meeting Date:** December 11, 2023

To: Board of Education

Attachments #2

From: Jason Kennedy

**Subject to be Discussed and Policy Reference:** Student Disciplinary Hearing – Student: 7197109203

**Background Information:** See attached information

**Financial Impact:**

**Recommended Action:**

Approval of the recommendation to permanently expel student 7197109203 from Fruitport Community Schools. The student shall be expelled for a minimum of 180 school days, but may apply for reinstatement to the Board of Education after 150 school days. The student shall meet all conditions of reinstatement at the time of application for reinstatement. The student will remain permanently expelled from Fruitport Community Schools until such time as the Board of Education reinstates the student.

**Action Taken:**

**Vote:** \_\_\_ Buckner      \_\_\_ Burgess      \_\_\_ Cole      \_\_\_ Franklin      \_\_\_ Hazekamp  
         \_\_\_ Kelly      \_\_\_ Meeuwenberg



**Fruitport Community Schools**  
**Superintendent's Office**  
3255 E. Pontaluna Road  
Fruitport, MI 49415  
Phone: (231) 865-4100  
[www.fruitportschools.net](http://www.fruitportschools.net)

December 12, 2023

Shawn Byrnes  
8 Dahlia Dr.  
Nunica, MI 49448

Re: Board of Education Student Disciplinary Hearing Referral

Dear Shawn:

Based on a thorough investigation, the District's administration has concluded that your child, Zander Byrnes, engaged in conduct that is in violation of Board of Education policy and the Student Code of Conduct, which prohibits students from engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure, and sexual assault. As a result, administration has referred this matter to the District's Board of Education, and has recommended that Zander Byrnes be permanently expelled from Fruitport Community Schools. The Board of Education will consider whether to suspend or expel Zander, or to impose a less severe penalty after first considering the Mandatory 7 Factors, and providing due process to Zander.

Following a hearing, which will be held on December 18, 2023 at 5:30 p.m. in the Board of Education Meeting Room at 3255 E. Pontaluna Rd. Fruitport, MI 49415, the Board will make the final decision whether to expel Zander. At the hearing, you and your child, Zander, may submit evidence and present testimony to challenge the administration's findings or disciplinary recommendation.

You have the right pursuant to both Policy 2501 and the Open Meetings Act Section 8(1)(b) to have the Board hold the hearing in private (i.e., in a closed session of the Board), but as also required by law and Policy, the Board must act on the matter publicly (i.e., in open session). If you want the Board to hold the hearing in private, the District will not disclose any personally identifiable information in open session when it acts. Please notify me as soon as possible whether you would like the Board to proceed in open or closed session. A copy of the hearing procedures and a letter to request a closed session are attached.

Until the Board issues its final decision, Zander will be suspended from school, may not attend classes or other school functions, may not be present on school property, and may not participate in extracurricular activities. If you have any questions, please contact me.

Sincerely,

Jason J. Kennedy  
Superintendent

## Series 5000: Students, Curriculum, and Academic Matters

### 5200 Student Conduct and Discipline

#### *5206-F-19 Due Process - Hearing Rights and Procedures*

##### **Right to a Hearing**

Before a student is suspended from school for more than 10 school days or is expelled from school, the student has a right to a hearing. The Superintendent conducts hearings for students who have committed an offense that may result in suspension of less than 60 school days. A removal from school for 60 or more school days is an expulsion. The Board conducts hearings for students who have committed an offense that may result in expulsion.

##### **What is a Hearing?**

If, after investigating student misconduct, a school administrator determines that a student engaged in misconduct that should result in either a suspension of more than 10 school days or an expulsion, the administrator will refer the matter to either the Superintendent or the Board. Either the Superintendent or the Board will conduct a due process hearing to determine: (1) whether the alleged misconduct occurred, and (2) if so, the appropriate consequence.

The student and his or her parent/guardian will be notified in writing at least 3 calendar days before the hearing. The notice will include: (1) a description of the alleged misconduct; (2) the potential disciplinary consequences that may be imposed; (3) the date, time, and location of the hearing; and (4) an invitation to the student and his or her parent/guardian to attend and participate in the hearing.

During the hearing, school administrators will describe the alleged misconduct and explain the facts related to the misconduct. The student and his or her parent/guardian may present evidence and witnesses to demonstrate that the student did not engage in the alleged misconduct or that suspension or expulsion is not the appropriate consequence. The student and his or her parent/guardian may also present evidence of any mitigating factors that the Superintendent or the Board should consider. The student and his or her parent/guardian may be represented by an attorney or another adult advocate at their cost.

Although the student and his or her parents/guardians are entitled to due process, a student discipline hearing is not a “trial.” The student and his or her parent/guardian do not have the right to compel attendance of witnesses or to “cross examine” witnesses. Typical rules of evidence are not followed. A student’s refusal to answer a question or failure to attend a hearing may be considered by the Superintendent or the Board.

##### *Superintendent Hearing*

If, following an investigation, a student is recommended for suspension for more than 10 school days but fewer than 60 school days, the Superintendent will conduct the

## **5206-F-19 Due Process - Hearing Rights and Procedures**

hearing. At least 3 calendar days before the hearing, the Superintendent will provide the student and his or her parent/guardian the written notice described above.

The Superintendent will not suspend the student unless, after the completion of the hearing, the Superintendent is convinced, based on a preponderance of the evidence, that the student committed a violation of the Student Code of Conduct and that, after considering all legally required factors, suspension is the appropriate consequence. The Superintendent will provide written notice of the decision to the student and parent/guardian.

### *Board Hearing*

If, following an investigation, a student is recommended for expulsion, the Board will conduct the hearing. Only the Board may expel a student.

At least 3 calendar days before the Board hearing, the Superintendent or designee will provide the student and his or her parent/guardian the written notice described above.

The hearing will take place at a regular or special Board meeting. The student and his or her parent/guardian may request that deliberations be held in closed session pursuant to Michigan Open Meetings Act section 8(b). The student and his or her parent/guardian must notify the Superintendent before the hearing to request that the deliberations occur in closed session.

The Board will not expel the student unless, after the completion of the hearing, a majority of the Board members are convinced, based on a preponderance of the evidence, that the student committed a violation of the Student Code of Conduct or an offense requiring suspension or expulsion under the Revised School Code and that, after considering all legally required factors, suspension or expulsion is the appropriate consequence. The Superintendent or designee will provide written notification of the Board's decision to the student and his or her parent/guardian. The Board's decision is final.

### **Students with Disabilities**

Suspension or expulsion of a student with a disability is subject to the rights and procedures guaranteed by state and federal law. Except as otherwise authorized by law, a student with a disability may not be suspended for more than 10 consecutive school days or expelled for conduct that is a manifestation of the student's disability.

December 12, 2023

Re: Request for Closed Session Student Discipline Hearing

Dear Fruitport Board of Education:

I, \_\_\_\_\_, do hereby request that the student discipline hearing that has been scheduled for my child on December 18, 2023 before the Board of Education be held as a closed session student discipline hearing pursuant to Michigan Open Meetings Act Section 8(b).

Sincerely,

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## ZB SWIS Report

Stingle, Trista <tstingle@fruitportschools.net>

Tue, Dec 12, 2023 at 10:59 AM

To: Jason Kennedy <jkennedy@fruitportschools.net>, Monte Kelly <mkelly@fruitportschools.net>

Zander Byrnes SWIS Report is attached. A snapshot of current MP2 grades and MP1 grades is below.

Course	Q1	Q2
PHYSICAL EDUCATION 2 Johnson, Randy - Rm: GYM	D- 61	F 58
8TH SOCIAL STUDIES A Berens, Janna - Rm: 123	F 28	F 6
8 Science A Eacker, Taylor - Rm: 130	F 24	F 38
8TH MATH A Brown, Ryan - Rm: 126	F 3	F 0
HEALTH Goodrich, Katelyn - Rm: 203	F 51	[i]
8TH LANGUAGE ARTS A  Yanke, Carrie - Rm: 124	F 41	F 7

**2023-24** Zander has been assigned to our Family Support Specialist. He was invited to participate in a social group and attends regularly when he is at school. Reading intervention during the school day. Student was offered after school assistance for academic support, he did not take advantage.

**2022-23** Zander was assigned a high school mentor. He was invited and participated in a social group and attended regularly when present at school. Invited/Attended (irregularly) after school Jlu-Jitsu program. Mentorship with varsity football coach, which included student manager at Ironmen football games. Student was offered after school assistance for academic support, he did not take advantage.

**2021-22** Invited/Attended (irregularly) after school Jlu-Jitsu program. Student was offered after school assistance for academic support, he did not take advantage.

Stronger Together,



**Trista Stingle**  
Assistant Principal, Fruitport Middle School

Office Phone: (231) 865-4026 ext. 3007  
Email: [tstingle@fruitportschools.net](mailto:tstingle@fruitportschools.net)  
Website: <http://www.fruitportschools.net/>

*"Vulnerability is the birthplace of innovation, creativity and change." -Brene Brown*



Student Dashboard

**CONFIDENTIAL**

Zander Byrnes

Referrals Per Year			
School Year	Administrator-managed (Major)	Staff-managed (minor)	Total
2023-24	15	0	15
2022-23	49	17	66
2021-22	60	13	73

Suspension / Expulsion				
School Year	In-School Suspension		Out-of-School Suspension	
	Events	Days	Events	Days
2023-24	0	0	4	30
2022-23	2	1.5	3	8
2021-22	2	1.5	3	11

Summary	
District ID:	61803507
SWIS ID:	19523255
Gender:	Male
Grade:	8
Ethnicity:	White
Has 504 Plan:	No
On IEP:	No
Disabilities:	--
Administrator-managed (Major) Referrals:	124
Administrator-managed (Major) Referrals This Year:	15
Staff-managed (minor) Referrals:	30
Staff-managed (minor) Referrals This Year:	0
Last Referral:	12/8/23
CICO:	No

Student Referrals								
Date / Time	Referral Type	Staff	Location	Behavior	Motivation	Others Involved	Action Taken	Seclusion / Restraint
12/8/23, 8:15 AM	Administrator-managed (Major)	Randy Johnson	Class	Harass	Ob p attn	Peers	Conf	No
<b>Notes:</b> Zander Pants another student during the 5 min jog. AP conferenced with S, contacted parent, and informed SRO and P. S recommended to hearing in front of the board of education.								
12/7/23, 11:30 AM	Administrator-managed (Major)	Trista Stingle	Hall	Harass	Ob p attn	Peers	Conf	No
<b>Notes:</b> ZB tapping and slapping another Ss privates and nipples. S told him to stop multiple times over the course of 3-4 weeks and ZB continued. ZB said he was joking around and they were friends. The other S said they were not friends. S and parents said they did not want to press charges unless this happened again. AP conferenced w S, SRO filing report, talked w P, issued OSS, completed recommendation to board of education.								
12/6/23, 10:15 AM	Administrator-managed (Major)	Janna Berens	Class	Defiance	Ob item	Peers	Conf	No
<b>Notes:</b> ZB had his cell phone out in class so I sent him to the office to drop it off. He returned without a signed pass and said that he had thrown it in the trash. I called the office and they said that Zander came down to the office but told them he was there to get a water bottle. He had not turned in his cell phone. I sent him back a second time and he finally turned it in. Conf'd w S, logged phone taken 2nd time, assigned to SRR to work.								
12/5/23, 12:15 PM	Administrator-managed (Major)	Ryan Brown	Class	Disruption	Ob p attn	Peers	Conf	No
<b>Notes:</b> Talking way too much. Distraction to others. AP conf'd w S, assigned lunch detention.								
12/4/23, 2:15 PM	Administrator-managed	Carrie Yanke	Class	Disruption	Escape task	Peers	Alternative	No

(Major)								
<b>Notes:</b> Zander was being loud and disruptive. AP conf'd w S, assigned alt. placement.								
11/29/23, 11:30 AM	Administrator- managed (Major)	Taylor Eacker	Class	Disruption	Ob p attn	Peers	Conf	No
<b>Notes:</b> Zander sprayed his water bottle all over the floor and poured water on another students head. It took many redirections to get him to clean it up, and lied about pouring it on the student. AP conf, assigned lunch detention.								
11/28/23, 11:15 AM	Administrator- managed (Major)	Ryan Brown	Class	Disruption	Ob p attn	Peers	Detent	No
<b>Notes:</b> Z was shouting across the classroom. AP conference.								
11/27/23, 9:30 AM	Administrator- managed (Major)	Janna Berens	Class	Skip	Ob p attn	Peers	Loss priv	No
<b>Notes:</b> ZB asked to use the bathroom. He was gone for a very long time and was found to have been walking around with another student and went as far as the art room. Because he was gone so long I had people check both boys bathrooms near my class and he was not in either. He told me that is where he was when he came back until I confronted him with knowing where he actually had been. I told him he would no longer be allowed bathroom passes in my class.								
11/20/23, 11:30 AM	Administrator- managed (Major)	Ryan Brown	Class	Disruption	Escape task	None	Conf	No
<b>Notes:</b> Excessive talking. Continued talking after being given a quiz and asked multiple times to stop. JS- ZB did not report to SRR. Went straight to lunch and did not return to class, SRR or the office afterwards for the 2nd half of 4th hour. AP issued 2 lunch detentions.								
11/17/23, 2:15 PM	Administrator- managed (Major)	Carrie Yanke	Class	Disruption	Escape task	None	Time-out	No