PONTIAC GOVERNANCE INITIATIVE

Restoring Public Governance to Pontiac Schools

BOARD GOVERNANCE, ACCOUNTABILITY & EMERGENCY VERIFICATION REFORM

Administration operates. Board members inquire and verify. The Board deliberates and acts. Administration implements. The Board verifies results.

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Proposed governance framework for the School District of the City of Pontiac
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Executive Summary

This proposal establishes a proactive governance and accountability framework for a public school board. Its purpose is to give the Board, and each individual trustee within lawful limits, meaningful tools to ask questions, obtain appropriate information, verify implementation, identify patterns, escalate emergencies, and ensure that corrective action is actually completed.

The proposal is deliberately designed not to create seven individual superintendents. Administration remains responsible for day-to-day operations. Individual trustees may inquire, observe, request verification, and activate established oversight procedures. Formal governmental action remains with the Board as a public body whenever law requires collective action.

The framework is especially intended for high-risk matters involving student safety, special education and disability rights, bullying or retaliation, financial controls, transportation, facilities, records preservation, cybersecurity, employee concerns, and repeated failures to implement Board policy.

This is a proposed policy and bylaw reform package, not legal advice and not a declaration of existing individual-trustee powers. Before adoption, Board counsel should reconcile each provision with the Michigan Revised School Code, Michigan Open Meetings Act, FERPA, IDEA, Section 504, Title IX, collective bargaining agreements, employee due-process requirements, existing District policy, and any controlling court or agency guidance.

Core Governance Model

LISTEN -> DOCUMENT -> PROTECT -> VERIFY -> DE-ESCALATE -> RESOLVE

ESCALATE WHEN NECESSARY -> BOARD DELIBERATION/ACTION -> IMPLEMENT

CORRECT -> VERIFY AGAIN -> CLOSE -> MONITOR FOR PATTERNS

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PART I - FOUNDATIONAL GOVERNANCE PRINCIPLES

1. Purpose

The Board of Education shall maintain an independent governance and oversight system enabling it to identify, review, verify, and ensure appropriate resolution of significant matters affecting students, employees, District operations, finances, safety, legal compliance, and implementation of Board policy.

The Board shall not be limited solely to information voluntarily selected for presentation by District administration when the Board is performing a lawful governance responsibility. Information access remains subject to law, privilege, confidentiality, cybersecurity, and adopted procedures.

2. Separation of Governance and Administration

The Superintendent and administration manage day-to-day District operations pursuant to law, contract, Board policy, and lawful Board direction. The Board governs through policy, oversight, evaluation, budgetary authority, lawful directives, and collective action.

> **Inquiry is not command. Verification is not administration. Oversight is not individual executive authority.**

3. Collective Board Authority

Nothing in this framework authorizes an individual trustee, including the Board President, to independently exercise powers vested by law in the Board as a public body. Formal Board decisions, directives, expenditures, employment actions, policy changes, and other matters requiring Board approval shall occur through lawful Board action.

4. Independent Judgment of Trustees

Each trustee shall be able to become sufficiently informed to exercise independent judgment when deliberating and voting. A trustee may ask good-faith questions, seek appropriate documentation, identify inconsistencies, raise concerns, and request verification through established procedures without being required to adopt an administrative conclusion before reviewing the supporting basis.

PART II - INDIVIDUAL TRUSTEE INQUIRY, INFORMATION AND OBSERVATION

5. Individual Trustee Right of Inquiry

- Raise questions concerning District operations, compliance, student services, finances, safety, administration, or implementation of Board policy.
- Request factual information reasonably related to official governance responsibilities.
- Request supporting documentation needed to understand or verify information presented to the Board.
- Ask whether applicable law, Board policy, administrative procedure, IEP-related procedure, safety requirement, financial control, or other District requirement was followed.
- Report a concern received from a student, parent, employee, community member, contractor, or other source.
- Request that a qualifying concern be entered into the Board Oversight & Resolution System.
- Request follow-up showing whether an identified concern was actually addressed.
- Request that an unresolved or potentially systemic issue be considered through lawful Board agenda and meeting procedures.

6. Information Access

The District shall establish a secure and consistent process for trustee information requests. Requests should be answered promptly or accompanied by a written explanation identifying the legal, confidentiality, privilege, security, burden, or other basis for limiting or denying access.

Where direct electronic access is appropriate, access shall be role-based, authenticated, logged, auditable, limited to legitimate official purposes, and subject to periodic review. The policy does not create unrestricted trustee access to all student, personnel, medical, attorney-client, security, investigative, or other protected records.

7. Verify-the-Source Standard

A legitimate Board inquiry shall not be considered resolved solely because an administrator provided a verbal conclusion. When reasonable verification is requested, administration should identify the appropriate evidence, record, report, data source, policy, procedure, or other basis supporting the representation, unless disclosure is legally restricted.

Do not merely tell the Board. Show the Board how the conclusion can be verified.

8. School, Classroom, Program and Facility Observation

Trustees may conduct lawful observations consistent with adopted Board procedures designed to protect student privacy, instructional continuity, safety, and orderly operations. Observation authority is for governance learning and verification, not for directing employees, evaluating individual teachers outside established processes, interrupting instruction, or accessing confidential student information without a lawful purpose.

The District should maintain a reasonable process for announced and, where legally and operationally appropriate, limited unannounced governance observations. Board counsel should review any final language governing individual access to buildings, classrooms, restricted areas, records, and security systems.

PART III - EMERGENCY SITUATION & EMERGENCY VERIFICATION CLAUSE

9. Definition of Emergency or Urgent Oversight Situation

An Emergency or Urgent Oversight Situation exists when credible information creates a reasonable concern that delay in verification, preservation, referral, or lawful response could materially increase risk. Qualifying circumstances may include:

- Immediate or substantial risk to the health, safety, or welfare of a student, employee, visitor, or other person.
- A credible concern that a student with a disability may be denied required services, accommodations, supports, placement procedures, procedural protections, or other rights.
- Abuse, neglect, discrimination, harassment, bullying, retaliation, sexual misconduct, or other serious misconduct.
- A potentially significant violation of Board policy, state law, federal law, or a binding District obligation.
- Reasonable risk of destruction, concealment, alteration, or loss of relevant records or evidence.
- A substantial financial, procurement, cybersecurity, transportation, facilities, operational, or reputational threat.
- A significant matter in which ordinary administrative channels have failed to provide a timely response and continued delay creates material risk.
- Other extraordinary circumstances requiring prompt Board-level awareness or verification.

Ordinary disagreement with an administrator, employee, parent, student, Superintendent, or trustee does not by itself constitute an emergency.

10. Activation by Any Trustee

Any trustee may initiate the Emergency Verification Protocol when the trustee reasonably believes a qualifying circumstance exists. Activation is not a finding of wrongdoing and does not authorize the initiating trustee to determine the final outcome.

Activation shall cause the concern to be timestamped and documented; relevant information to be preserved as appropriate; designated officials to be notified; an initial severity level to be assigned; and a response/verification path to begin.

11. Immediate Emergency Questions

- What happened?
- Is anyone presently at risk?
- What do available records establish?
- What law, policy, plan, or procedure applies?
- What has administration already done?
- What immediate lawful step can stabilize or de-escalate the situation?
- Does the matter require counsel, an outside agency, a special meeting, independent review, or full-Board action?

12. Board President Emergency Coordination

The Board President may coordinate communications, ensure appropriate officials are engaged, consult the Superintendent and authorized Board counsel, facilitate notice to trustees consistent with confidentiality requirements, and initiate procedures for a special or emergency meeting when warranted. These coordination responsibilities do not diminish another trustee's right to raise an inquiry or activate the protocol and do not create unilateral executive authority.

13. Emergency Records Preservation

When a qualifying matter presents a reasonable risk that material evidence could be lost, the appropriate District official shall promptly consider preservation measures, including litigation-hold or records-retention procedures when counsel determines they are warranted. Individual trustees do not independently seize records or direct forensic activity.

PART IV - SPECIAL EDUCATION / IEP VERIFICATION AND PARENT RESOLUTION

14. Special Education Verification Trigger

When a parent, guardian, student, employee, or trustee raises a credible concern involving an IEP, Section 504 plan, placement, services, accommodations, behavioral supports, safety plan, evaluation, parent participation, or procedural protection, the District shall have an expedited verification pathway appropriate to the severity of the allegation.

15. Scope of Verification

- Whether a current IEP, Section 504 plan, or other applicable plan exists.
- What services, accommodations, supports, goals, or procedures the applicable plan requires.
- What placement or setting was determined through the applicable process.
- Whether required services and supports were actually delivered.
- Whether required meetings, notices, evaluations, and parent-participation procedures occurred.
- Whether an immediate health, safety, behavioral, or access concern exists.

- Whether administrative action can promptly resolve the issue.
- Whether mediation, complaint procedures, due process, independent evaluation, legal review, or another procedural safeguard may be relevant.

16. Limits on Trustee Role in Individual Student Decisions

A trustee may activate verification and may receive information legally appropriate and reasonably necessary for governance. A trustee shall not personally rewrite an IEP, determine eligibility, select a student's placement, direct service providers, or substitute the trustee's judgment for the legally required IEP/placement process.

17. Parent Participation and Resolution

The District shall treat meaningful parent participation as a core safeguard. The response process should identify the responsible official, immediate safety actions, the information being verified, the applicable process, expected next communication, and available escalation options.

Protect -> Listen -> Verify -> De-escalate -> Respond -> Follow Up

PART V - COMPLAINTS, DE-ESCALATION AND NON-RETALIATION

18. Multiple Reporting Channels

The District should maintain accessible channels for students, parents, employees, and community members to report concerns. Serious complaints about administration should not be routed indefinitely back to the same person or chain of command that is materially implicated in the allegation.

19. De-escalation Standard

The first objective in an urgent complaint is safety and lawful resolution, not institutional defensiveness. Officials should separate facts from allegations, acknowledge what is known and unknown, identify the person responsible for next action, establish a communication deadline, and avoid promising outcomes before verification.

20. Non-Retaliation

No District employee or administrator shall retaliate against a student, parent, employee, community member, or trustee for making a good-faith report, requesting verification, participating in an investigation, or raising a legitimate governance concern. This protection does not shield knowingly false reports, unlawful conduct, or misuse of confidential information.

PART VI - INVESTIGATIONS, AUDITS AND CORRECTIVE ACTION

21. Administrative Review

When a credible concern may involve an administrative failure, the Board may, through lawful action where required, request a written administrative response, supporting records, an internal review, a corrective-action plan, or additional reporting.

22. Independent Review

Where the ordinary chain of command has a material conflict of interest, has failed to address a substantial concern, or is itself the subject of the allegation, the Board may consider independent legal counsel, auditors, investigators, consultants, special-education experts, financial specialists, or other qualified professionals consistent with law, contract, privilege, and procurement requirements.

No person materially implicated in an allegation should be the sole decision-maker regarding whether the allegation warrants further review.

23. Corrective Action and Closure

> **PROBLEM -> RESPONSIBLE OFFICIAL -> REQUIRED ACTION -> DEADLINE -> EVIDENCE -> VERIFICATION -> CLOSURE**

A Board-tracked matter should not be closed merely because it was referred to administration. Closure should identify what action occurred and what evidence supports completion. The level of Board visibility should be proportionate to the governance significance of the matter.

PART VII - FINANCIAL, PROCUREMENT, FACILITIES, TRANSPORTATION AND SECURITY OVERSIGHT

24. Financial and Procurement Verification

The Board should receive sufficient financial information to evaluate budget performance, major purchases, vendor concentration, contract compliance, grant obligations, internal controls, material variances, audit findings, and corrective actions. Trustees may request appropriate supporting information through established procedures; individual trustees do not independently approve purchases or bind the District.

25. Facilities and Transportation

The Board should maintain oversight indicators for building safety, deferred maintenance, transportation reliability, fleet condition, major repair costs, recurring failures, vendor performance, and corrective-action deadlines. Repeated operational problems should trigger pattern review rather than being treated as unrelated incidents.

26. Security and Cybersecurity

Board oversight should include appropriate reporting on physical security, emergency preparedness, access controls, cybersecurity incidents, recovery planning, and material vulnerabilities. Sensitive operational details shall be protected from unnecessary public disclosure.

PART VIII - SUPERINTENDENT ACCOUNTABILITY AND BOARD DIRECTIVES

27. Superintendent Accountability

The Superintendent is accountable to the Board as provided by law, contract, and Board policy. Evaluation should incorporate measurable performance, compliance, implementation of Board directives, financial stewardship, student outcomes, organizational health, and timely correction of material deficiencies.

28. Board Directive Register

The District should maintain a register of formal Board directives identifying the action, responsible official, target date, current status, evidence of completion, and any Board-approved modification. This prevents lawful Board decisions from disappearing after the meeting at which they were adopted.

29. Failure to Implement

Material failure to implement a lawful Board directive should be reported to the Board with an explanation, corrective plan, and revised timeline. Employment consequences, if any, must follow applicable law, contract, due process, and Board action.

PART IX - OPEN AGENDA, MEETINGS, TRANSPARENCY AND PUBLIC REPORTING

30. Open Agenda Pathway

The Board should adopt a transparent procedure through which trustees may request agenda consideration of governance matters. The procedure should prevent unilateral suppression of legitimate Board business while preserving lawful agenda management, notice requirements, and meeting efficiency.

31. Open Meetings Compliance

Individual fact gathering and information requests shall not be used to conduct private deliberations among a quorum. Matters requiring Board deliberation or decision shall be handled through meetings conducted in accordance with the Michigan Open Meetings Act, including applicable notice and closed-session requirements.

32. Public Accountability Reporting

The Board should receive public-facing aggregate reports on material governance indicators where disclosure is lawful. Student-identifying information, protected personnel information, privileged communications, security-sensitive information, and other confidential material shall not be included in public dashboards or reports.

33. Remote Participation and Attendance

Any policy concerning remote participation, electronic attendance, voting, or emergency meeting participation must conform to the Michigan Open Meetings Act as then in effect. This proposal does not independently create a right to participate remotely where state law does not permit it.

PART X - BOARD OVERSIGHT & RESOLUTION SYSTEM / DASHBOARD

34. System Purpose

The Board Oversight & Resolution System is the operational layer supporting this policy. It should provide trustees with structured, auditable methods to initiate verification, monitor Board-level concerns, identify patterns, and verify closure without turning trustees into day-to-day administrators.

35. Core Modules

- Emergency / Student Safety
- Special Education / IEP / Section 504
- Bullying / Harassment / Retaliation
- Parent / Student Concern
- Employee Concern
- Financial / Procurement
- Facilities / Transportation
- Cybersecurity / Security

- Policy Compliance
- Board Directive Tracking
- Audit / Corrective Action
- Systemic Pattern Alerts

36. Initiate Verification Function

Every trustee account should include an Initiate Verification function. Submission creates a case number, preserves the original allegation and attachments, records the initiating trustee, assigns a category and severity, identifies the responsible verification official, establishes response targets, and creates an audit trail.

37. Example Case View

Case	EV-2026-0041
Category	Special Education / Student Welfare
Severity	Urgent
Status	Verifying
Assigned	Authorized Special Education Administration
Safety Assessment	Completed / Pending / Not Applicable
Parent Contact	Completed / Pending
Records Verification	In Progress
Corrective Action	Pending / Not Required / Required
Board Escalation	Not Required / Review Requested / Board Action Required

38. Pattern and Early-Warning Alerts

The system should identify repeated concerns by building, department, category, vendor, policy area, or unresolved status. Thresholds should be established by policy and periodically reviewed. A pattern alert is a signal for governance review, not proof of wrongdoing.

39. Audit Log

The system should record who viewed, changed, uploaded, assigned, escalated, or closed a case; the date/time; the reason for access where appropriate; and the evidence supporting closure. Logs should be protected from alteration and retained according to District records policy.

PART XI - IMPLEMENTATION STANDARDS AND ACCESS CONTROLS

40. Role-Based Access

Access should follow least-privilege principles. Trustees may receive governance-level status and evidence while operational staff receive case-management access. Student-specific or personnel-specific information should be exposed only when necessary for the user's lawful function.

41. Privacy-by-Design

- De-identify or aggregate information when identity is unnecessary.
- Use multifactor authentication for sensitive systems.
- Log access to confidential records.
- Prohibit local downloads of protected records except when authorized.
- Use retention and deletion schedules consistent with law and policy.

- Provide annual confidentiality and cybersecurity training for trustees and authorized users.

42. Service Levels

Response targets should be based on severity and should distinguish acknowledgment, initial safety assessment, verification, corrective action, and final closure. Targets are management standards, not substitutes for any statutory deadline.

43. No Bypass of Mandatory Reporting or External Authorities

The Board verification process shall never delay mandated reporting, emergency services, law-enforcement referral, child-protection reporting, Title IX obligations, special-education procedural timelines, or any other legally required external process.

PART XII - LEGAL GUARDRAILS AND COUNSEL REVIEW

44. FERPA and Student Records

FERPA recognizes board members/trustees as possible school officials, but access to personally identifiable education records still depends on the District's FERPA criteria and a legitimate educational interest. This framework therefore requires role-based access, necessity, and logging rather than blanket access.

45. IDEA and Special Education

IDEA gives parents rights to examine records, participate in meetings concerning identification, evaluation, educational placement and FAPE, and use procedural safeguards and dispute-resolution mechanisms. Board verification must preserve those processes and cannot substitute a trustee for the IEP team or legally required placement decision-making group.

46. Michigan Open Meetings Act

Trustee information gathering must not become serial or electronic deliberation by a quorum outside a lawful meeting. Any final policy should be reviewed for current Michigan OMA requirements, including special meetings, closed sessions, minutes, notice, and remote participation.

47. Employment, Labor and Due Process

Personnel investigations, discipline, evaluation, bargaining-unit matters, and employment records require careful handling. Individual trustees should not conduct informal personnel discipline or bypass established supervisory and due-process procedures.

48. Attorney-Client Privilege

Board counsel procedures should identify who may request legal advice, how privileged advice is distributed, and how privilege is preserved. This framework does not give each trustee an unlimited independent spending authority for legal services.

49. Severability and Construction

If any provision is inconsistent with controlling law, the controlling law governs and the remaining provisions should be interpreted to preserve the greatest lawful degree of Board oversight, verification, transparency, and accountability.

APPENDIX A - EMERGENCY VERIFICATION WORKFLOW

1. RECEIVE - Trustee or authorized official receives credible information.

2. DOCUMENT - Create case; preserve original allegation, source, attachments, and time received.

3. TRIAGE - Determine whether immediate safety, mandatory reporting, emergency services, or outside authority is required.

4. PROTECT - Take lawful operational safety action through authorized personnel.

5. VERIFY - Identify applicable policy/law/plan and obtain appropriate supporting information.

6. DE-ESCALATE - Establish responsible contact, explain process, communicate known facts and next steps.

7. RESOLVE - Administration implements lawful operational solution where within delegated authority.

8. ESCALATE - Refer to Superintendent, counsel, independent reviewer, or Board when required.

9. CORRECT - Create corrective-action plan if a deficiency is established.

10. VERIFY AGAIN - Review evidence that required action occurred.

11. CLOSE - Document basis for closure.

12. MONITOR - Feed de-identified data into pattern detection and governance reporting.

APPENDIX B - CASE CATEGORIES, SEVERITY LEVELS AND RESPONSE TARGETS

Level	Illustrative Standard	Initial Target	Examples
Critical	Imminent threat or legally time-sensitive emergency	Immediate / as required by law	Violence threat; medical emergency; suspected abuse; active cyber incident
Urgent	Material risk if delayed	Same day	Serious IEP implementation/safety concern; retaliation; records-preservation risk
Priority	Significant governance concern without immediate danger	1-3 business days	Repeated parent complaints; procurement concern; unresolved policy failure
Routine	Normal governance inquiry	Reasonable administrative timeframe	Data request; policy implementation question; trend inquiry

These are proposed internal targets only. Statutory, regulatory, contractual, emergency, Title IX, IDEA, child-protection, law-enforcement, or other controlling deadlines supersede them.

APPENDIX C - BOARD/COUNSEL ADOPTION CHECKLIST

☐ Map each proposed section to current Pontiac Board policy and identify conflicts or duplications.

☐ Confirm which information rights may be exercised by an individual trustee versus only by Board authorization.

☐ Define the Superintendent's response obligations and reasonable limits on burdensome requests.

☐ Define FERPA 'legitimate educational interest' for trustees and configure access accordingly.

☐ Review IDEA, Section 504, Title IX, and Michigan special-education procedures.

☐ Review OMA implications for email, group messaging, dashboards, special meetings, closed sessions, and remote participation.

☐ Review FOIA/public-record implications for dashboard records, trustee notes, case logs, and communications.

☐ Review labor agreements, employee due process, whistleblower protections, and investigation procedures.

☐ Define Board-counsel engagement and privilege procedures.

☐ Define mandated-reporting and emergency-services escalation that cannot wait for Board review.

☐ Approve records-retention, cybersecurity, access logging, breach response, and annual training requirements.

☐ Pilot the system before full launch; audit access and response times after 90 and 180 days.

☐ Adopt measurable annual governance metrics and publish lawful aggregate results.

APPENDIX D - LEGAL AUTHORITY REFERENCE NOTES

Michigan Revised School Code
Board powers, duties, public-school governance and Superintendent/Board structure should be reconciled against the current Michigan Compiled Laws before adoption.
https://www.legislature.mi.gov/

Michigan Open Meetings Act, 1976 PA 267
Board deliberation and decisions must comply with current OMA requirements. Individual fact gathering must not be used to evade open-meeting obligations.
https://www.legislature.mi.gov/

U.S. Department of Education - FERPA: Who is a school official?
Federal guidance expressly lists a board member/trustee as an example of a school official, while disclosure still depends on the school's criteria and legitimate educational interest.
https://studentprivacy.ed.gov/faq/who-school-official-under-ferpa

IDEA 20 U.S.C. § 1415
Parents are guaranteed procedural safeguards concerning FAPE, including access to records, participation, complaints and due-process protections.
https://sites.ed.gov/idea/statute-chapter-33/subchapter-ii/1415

IDEA 34 C.F.R. § 300.501
Parents must have an opportunity to examine relevant education records and participate in meetings concerning identification, evaluation, placement and FAPE; parents are members of placement decision groups.
https://sites.ed.gov/idea/regs/b/e/300.501

IDEA 34 C.F.R. § 300.504
Procedural safeguards notice includes prior written notice, consent, access to records, complaints, mediation and due-process protections.
https://sites.ed.gov/idea/regs/b/e/300.504

FINAL GOVERNANCE STATEMENT

A strong Board does not wait for a crisis to become a scandal before asking questions. It listens early, protects people, verifies facts, respects lawful roles, corrects deficiencies, and confirms that the correction actually occurred.

STUDENTS FIRST. FAMILIES FIRST. PONTIAC FIRST.

DRAFT FOR POLICY DEVELOPMENT AND BOARD COUNSEL REVIEW