

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education, a public body, and
M. Sue Kelly, an individual and its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)
Javon R. David (P78214)
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Attorneys for Plaintiff the Traverse City Record-Eagle

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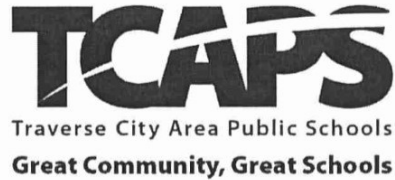
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EXHIBIT 1



Book	Policy Manual
Section	1000 Administration
Title	EVALUATION OF THE SUPERINTENDENT
Code	po1240
Status	Active
Adopted	February 10, 2014
Last Revised	July 11, 2016

1240 - EVALUATION OF THE SUPERINTENDENT

The Board of Education believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership. To carry out this responsibility, the Board will evaluate the Superintendent utilizing a rigorous, transparent, and fair performance evaluation system that does all of the following:

- A. Evaluates the Superintendent's job performance at least annually in a year-end (no later than December 31st) evaluation, while providing timely and constructive feedback.

A Superintendent rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the District's discretion.

- B. Establishes clear approaches to measuring student growth and provides the Superintendent with relevant data on student growth.
- C. Evaluates the Superintendent's job performance as highly effective, effective, minimally effective or ineffective, using multiple rating categories that take into account student growth and assessment data. For the 2015 - 2016, 2016 - 2017 and 2017 - 2018 school years twenty-five percent (25%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018 - 2019 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data.

For the Superintendent, the pertinent data is that of the entire District.

- D. Uses the evaluations, at a minimum, to inform decisions regarding all of the following:
 - 1. The effectiveness of the Superintendent, so that s/he is given ample opportunities for improvement.
 - 2. Retention, and development of the Superintendent including providing relevant coaching, instruction support, or professional development.

3. Removing an ineffective Superintendent after s/he has had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.
 4. Whether to grant full certification to the Superintendent using rigorous standards and streamlined, transparent, and fair procedures.
- E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following for the entire District:
1. The Superintendent's training and proficiency in conducting teacher performance evaluations if s/he does so or his/her designee's proficiency and training if the Superintendent designates such duties.
 2. The progress made by the school or District in meeting the goals established in the school/District improvement plan.
 3. Student attendance.
 4. Student, parent and teacher feedback and other information considered pertinent by the Board.
- F. For the purposes of conducting annual year-end evaluations under the performance evaluation system, by the beginning of the 2016-2017 school year, the District shall adopt and implement one (1) or more of the evaluation tools for teachers, or administrators, if available, that are included on the list established and maintained by the Michigan Department of Education ("MDE"). However, if the District has one (1) or more local evaluation tools for administrators or modifications of an evaluation tool on the list, and the District complies with G., below, the District may conduct annual year-end evaluations for administrators using one (1) or more local evaluation tools or modifications.
- G. Beginning with the 2016-2017 school year, the District shall post on its public website all of the following information about the measures it uses for its performance evaluation system for school administrators:
1. The research base for the evaluation framework, instrument, and process or, if the District adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.
 2. The identity and qualifications of the author or authors or, if the District adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.
 3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the District adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.
 4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.
 5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
 6. A description of the plan for providing evaluators and observers with training.
- H. Beginning with the 2016 - 2017 school year:
1. The District shall provide training to the Superintendent on the measures used by the District in its performance evaluation system and on how each of the measures is used. This training may be provided by a district or by a consortium consisting of two (2) or more districts, the intermediate school district or a public school academy.

2. The District shall ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide the training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

The Board's evaluation shall also include an assessment of the progress toward the educational goals of the District and working relationship between the Board and the Superintendent.

The evaluation system shall ensure that if the Superintendent is rated as minimally effective or ineffective, the person(s) conducting the evaluation shall develop and require the Superintendent to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the Superintendent on his/her next annual year-end evaluation. A Superintendent rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the District.

The evaluation program shall aim at the early identification of specific areas in which the Superintendent needs help so that appropriate assistance may be provided or arranged for. The Board shall not release the Superintendent from the responsibility to improve. If the Superintendent, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of the Superintendent as stipulated in the revised School Code, the employment contract and as directed by the Michigan Department of Education. The Superintendent shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

This policy shall not deprive the Superintendent any rights provided by State law or any contractual rights consistent with State law.

As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to judge the advisability of retention of the Superintendent and be prepared better to:

- A. determine the Superintendent's salary;
- B. identify strengths and weaknesses in the operation of the District and determine means by which weaknesses can be reduced and strengths are maintained;
- C. establish specific objectives, the achievement of which will advance the District toward its goals.

Revised 6/8/15

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EXHIBIT 2



Book	Policy Manual
Section	1000 Administration
Title	NON-REEMPLOYMENT OF THE SUPERINTENDENT
Code	po1241
Status	Active
Legal	M.C.L. 380.1229
Adopted	October 25, 1999
Last Revised	February 10, 2014

1241 - NON-REEMPLOYMENT OF THE SUPERINTENDENT

The Board of Education has an obligation to the citizens of this District to employ the professional leadership best trained and equipped to meet the educational needs of their children. It shall meet that obligation by retaining only a highly-qualified person as Superintendent for this District.

If the services of the Superintendent are found to be unsatisfactory to the Board, s/he shall be notified by the President.

If his/her services continue to be unsatisfactory, the Superintendent shall be notified in writing by the President, as approved by the Board.

The Board may non-renew the Superintendent's contract, with or without cause and with or without prior notice, provided it votes on non-renewal and provides written notice of the non-renewal at least ninety (90) days prior to expiration date of the contract. Failure to take timely action or give timely notice will result in renewal of the contract for an additional year.

The Board may choose whether to extend the contract for an additional year during the term of the contract, in accordance with the terms of the contract.

The contract of the Superintendent may be terminated during its term for cause. The Superintendent shall be entitled to notice of the reasons and a reasonable opportunity to address the Board prior to any vote on termination of the contract.

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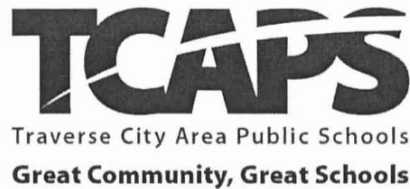
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EXHIBIT 3



Book	Policy Manual
Section	8000 Operations
Title	PERSONNEL FILES
Code	po8320
Status	Active
Legal	M.C.L.A. 423.501 et seq
Adopted	October 25, 1999
Last Revised	February 1, 2001

8320 - **PERSONNEL FILES**

It is necessary for the orderly operation of the School District to prepare a personal information system for the retention of appropriate papers bearing upon an employee's duties and responsibilities to the District and the District's responsibilities to the employee.

The Board of Education requires that sufficient records exist to ensure an employee's qualifications for the job held, compliance with Federal, State, and local benefit programs, conformance with District rules, and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Michigan.

The Board delegates the maintenance of an employee personal information system to the Superintendent.

A single central file shall be maintained, and subsidiary records shall be maintained for ease in data gathering only.

Only that information which pertains to the professional role of the employee and submitted by duly authorized school administrative personnel and the Board may be entered in the official record file. Employees shall provide necessary information for their personnel files. If providing the requested information is optional, employees shall be informed of their right to decline to supply the information.

A copy of each such entry shall be given to the employee upon request.

Personnel records shall not be available to Board members as individuals but shall be available to school administrators as may be required in the performance of their job.

Personnel wishing to review their own records shall:

- A. request access in writing;
- B. review the record in the presence of the administrator designated to maintain said records or designee;
- C. make no alterations or additions to the record nor remove any material therefrom;
- D. sign a log attached to the file indicating date and person reviewing.

Personnel wishing to appeal material in their record as to its accuracy, completeness, relevance, or timeliness shall make a request in writing to the administrator delegated to maintain the records and specify therein:

- A. name and date;
- B. material to be appealed;
- C. reason for appeal.

The Superintendent or designee shall hear the appeal and make a determination within ninety (90) days of the appeal in accordance with law.

If the appeal does not resolve the disagreement, the employee may submit a written statement, not exceeding five (5) sheets of 8 1/2 inch by 11 inch (8 1/2" x 11") paper, explaining the employee's position. This written statement shall be kept in the employee's file.

The Superintendent shall prepare administrative guidelines defining which personnel records are to be maintained and the procedures for their maintenance and review.

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EXHIBIT 4

TRAVERSE CITY AREA PUBLIC SCHOOLS SUPERINTENDENT CONTRACT

THIS CONTRACT is entered into as of this 10th day of June, 2019, between the Board of Education of the School District of Traverse City Area Public Schools of Grand Traverse, Leelanau, and Benzie Counties, Michigan, hereinafter called "Board" and "District", respectively, and Ms. Ann Cardon as Superintendent of Schools, hereinafter called "Superintendent."

A. **TERM.** The Board agrees to hire the Superintendent for a term commencing on August 1, 2019 and terminating on June 30, 2022 subject to the terms and conditions of this contract.

B. **QUALIFICATIONS.** Superintendent represents that she possesses, holds and will maintain all certificates, credentials and qualifications required by law, including the provisions of Sections 1246 and 1536 of the Revised School Code, the regulations of the Michigan Department of Education, and those required by the law and/or by the State Board of Education. If at any time the Superintendent fails to maintain all certificates, credentials, continuing education requirements and/or qualifications assigned as required herein, this Contract shall automatically terminate and the Board shall have no further obligation hereunder.

C. **PROFESSIONAL RESPONSIBILITIES OF SUPERINTENDENT.** The Superintendent shall perform the usual and necessary duties and tasks of the chief executive officer of a school district in a competent and professional manner, subject to the satisfaction, direction, and control of the Board of Education of the District, which shall be the sole judge of performance. Without limiting the generality of the preceding, such duties and tasks shall include and be subject to the following:

1. **Duties.** The Superintendent shall have charge of the administration of the schools under the direction of the Board of Education and shall administer the District according to applicable law and regulations, Board policy and the requirements, directives, regulations and guidelines of the Board of Education. She shall be the chief executive officer of the District and shall, in general, perform all duties incident to the office of superintendent of schools and such other duties as may be prescribed by the Board.

2. **Services.** This Contract is intended by the parties to be a full-time contract. The Superintendent shall devote her full time, energies and attention to the functions of superintendent at all times during the term of this Contract. Superintendent shall remain available to meet the responsibilities of the superintendent of schools on such occasions as are necessary.

3. **Relationship to the Board.** The Board and Superintendent mutually desire to work cooperatively with the objective of advancing the interests of the District through providing effective and successful District leadership. To that end, the Board shall promptly refer all criticisms, complaints, and suggestions called to its attention to the Superintendent for study and recommendation unless the Board determines that the welfare of the District, its students or its staff requires action inconsistent with this provision. The Superintendent shall have the obligation, unless excused, to attend all board meetings and serve as an ex-officio member of all board committees. Should a concern arise regarding the Superintendent's relationship with the Board, the parties may agree to utilize a mutually selected outside facilitator. In that event, the cost of the facilitation shall be paid by the Board.

4. **Outside Activities.** The Superintendent shall devote the necessary time, attention, and energy to the business of the District. Participation in outside professional activities by the Superintendent shall be subject to approval by the Board in its discretion where the time requirement for such activities is anticipated to be substantial (e.g., conferences, which require the Superintendent's absence from the District for two or more regular business days). In the event the Board, in its sole discretion, determines that any such outside activities interfere with the Superintendent's satisfactory performance or the time necessary for satisfactory performance of her duties, it may require the Superintendent to cease some or all of such activities. Superintendent shall use personal or vacation time to conduct professional activities for which she receives fees for services or she shall provide the fees to the District.

The Superintendent may undertake consultative work or lecturing when such activities will not impinge upon the time and effort required to be exerted by the Superintendent in the discharge of responsibilities under this Contract unless the Board gives prior consent to such activities. When such consultative activities are approved by the Board, the Superintendent shall use vacation leave to perform such activities and may retain any honorarium paid. In no case will the district be responsible for any expense related to the performance of consultative activities.

5. **Incorporation of Laws.** Notwithstanding and not as a modification of any other specification or reference herein, this Contract is subject to and includes all applicable laws of the federal and state governments and all duly adopted policies, rules, and regulations of the District as are in effect or become in effect during the term of this Contract; and the Board specifically reserves the right to change such policies, rules, and regulations at any time.

6. **Residence.** The Superintendent is encouraged to establish and maintain her primary residence within the boundaries of the District during the term of this Contract. A one-time moving expense reimbursement will be provided not to exceed Four Thousand dollars (\$4,000). Itemized moving expense receipts must be submitted for reimbursement within ninety (90) days of the execution of this contract.

D. **COMPENSATION.** The District shall pay the Superintendent as remuneration for her services the annual base salary of \$184,000 prorated and effective August 1, 2019 for the 2019/20 year, the annual base salary of \$187,000 for 2020/2021, and the annual base salary of \$190,000 for 2021/2022. As part of her salary remuneration for services under this contract, the Board agrees to provide the Superintendent a tax-sheltered annuity equivalent of .25% monthly of her annual base salary for 2019/2020, .50% for 2020/2021, and .50% monthly for 2021/2022. The Superintendent will select the tax-sheltered annuity from the district's recognized list of plans qualifying under Section 403(b) of the Internal Revenue Code. In addition, performance pay of Two Thousand Dollars (\$2,000) annually shall be provided for an effective evaluation rating or Three Thousand (\$3,000) annually shall be provided for a highly effective evaluation rating.

The Board, at the request of the Superintendent and in accordance with law, will withhold and transfer an amount of salary annually, semi-annually or monthly, said amount to be determined by the Superintendent, permitting the Superintendent to participate, if she so desires, in a tax-deferred annuity program.

E. **FRINGE BENEFITS.** Upon proper application and acceptance for enrollment by the appropriate insurance underwriter, policyholder and/or third party administrator, the Board shall make premium payments on behalf of Superintendent and her eligible dependents for enrollment in the following insurance programs:

1. The Superintendent will be covered at Board expense under the Board's then current standard group long-term disability (60% of monthly earnings, 90 day waiting period), and term life insurance policy with a death benefit thereunder equal to two times the Superintendent's then current base salary. If the Superintendent elects, in writing, to not receive the group long-term disability protection or the term life insurance, she will be provided cash in lieu of the monthly premiums for the insurance coverage she declines.

2. The Superintendent and her dependent family will be covered at the same rate as the non-affiliated administrators' current group health, dental, and vision insurance policies.

The Superintendent may select cash in lieu of the monthly premiums afforded her under the above-listed health and/or dental and/or vision insurance coverage. The monthly amount available will be as limited by the Board and will be added to the Superintendent's gross income with the Superintendent accordingly responsible for signing a "Salary Reduction Agreement" to cover same. With the cash the Superintendent may select a tax-sheltered annuity or mutual fund from the district's recognized list of plans qualifying under Section 403(b) of the Internal Revenue Code. In order to participate in this program, the Superintendent must show proof of health and/or dental and/or vision insurance under another plan.

3. The Superintendent shall be entitled to twenty-five (25) vacation days, with pay, per contract year. A maximum of five (5) unused vacation days may accrue and be carried over into the next succeeding fiscal year.

4. The Superintendent shall be allowed twelve (12) sick days per contract year which may be banked or accumulated from year to year, up to a maximum of one-hundred-eighty (180) allotted and unused days at the start of any contract year. Any time off due to illness in excess of the allotted and accumulated sick days then in effect shall not be compensated, except as may otherwise be provided pursuant to the terms of the above disability policy or except as the Board, at its discretion, may otherwise decide.

5. The Superintendent may take up to two (2) personal days, with pay, per contract year to conduct personal business. Any such days unused and remaining at the end of each contract year shall convert to sick leave.

6. The Superintendent shall submit to such medical examinations, supply such information and execute such documents as may be required by any underwriter, policyholder or third party administrator providing insurance programs specified under this Contract. Additionally, upon request of the Board, Superintendent shall authorize the release of medical information necessary to determine if Superintendent is capable of performing the essential job functions required by her assignment, with or without reasonable job accommodation(s). Any physical or mental examination or disclosure of such information required of Superintendent by the Board shall be job related and consistent with business necessity. Any medical or psychological examination under this section shall be at Board expense. Any information obtained from medical or psychological examinations or inquiries shall be considered and treated as confidential.

7. The Superintendent will be paid a car allowance at an annual rate of \$6,200 for 2019/2020, 2020/2021, and 2021/2022 (to be paid on a monthly basis) to compensate the Superintendent for obtaining and maintaining a suitable business automobile of her choice. All automobile travel required of the Superintendent within the district is intended to be deemed fully compensated by said car allowance. All costs of maintenance, insurance, tires, gas, oil, and the like relating to the automobile will be the responsibility of the Superintendent.

8. The Board shall reimburse the Superintendent for reasonable traveling outside the District (at the standard District rate) and business expenses incurred by her in the performance of her duties hereunder on the basis of detailed expense accounts rendered by her to the Board in accordance with the Board's regular accounting requirements and policies regarding reimbursement of expenses. The Board will provide the Superintendent with a credit card to facilitate the tracking and payment of such expenses, which shall be used solely for ordinary and necessary business expenses, and for no other purposes. Also, the Superintendent may incur reasonable expenses for

professional association dues and fees, and costs for professional conferences and meetings on national, state, and local levels. The Board of Education will be notified prior to out-of-state travel.

9. Bereavement absence without loss of salary shall be allowed up to eight (8) days upon the death of spouse, child, parent, parent-in-law, brother, sister, grandparent, grandchild, brother-in-law, sister-in-law, or dependent.

Absence may be approved for the death of other individuals as approved by the Board President and/or Secretary.

10. Ten (10) days of time off with pay will be included in the Superintendent's work year for holidays in which district offices are closed [Fourth of July (1), Labor Day (1), Thanksgiving break (2), December break (2), New Year's (2), Good Friday (1), and Memorial Day (1)].

11. To assist the Superintendent with career development, continuing education is offered which pays tuition at a rate of 50% upon proof of successful completion of executive leadership development programs.

12. The Board shall maintain travel accident insurance for all approved school district trips in the sum of \$100,000 for accidental death.

13. Retirement pay will be granted to the Superintendent at the rate of thirty percent (30%) of the Superintendent's base pay on the effective date of the termination of this contract for any of the reasons in section G including, but not limited to dismissal, if the Superintendent satisfies all of the following conditions:

- a. As of the effective date of contract termination, she has completed a minimum of ten (10) years of employment with the District; and
- b. As of the effective date of contract termination, she has not less than seventy-five (75) remaining unused accumulated sick leave days; and
- c. She submits verification not later than the effective date of contract termination that within twelve (12) months of the contract termination she will be eligible to receive unreduced pension benefits under the Public School Employees Retirement Act, in conformance with the rules and procedures of the Michigan Public School Employees Retirement System; and
- d. In the event that this contract is terminated under Section G 1., 2. or 3., she submits a letter of resignation to the Board of Education not less than sixty (60) days prior to the effective date of her resignation. The Board may waive this requirement.

Payment will be remitted through the Superintendent's choice of her 403b or 401a account, subject to any applicable contribution limitations. In the event that the amount of the retirement benefit exceeds the contribution limitation, the excess shall either be contributed in the next year or the parties will make other mutually acceptable arrangements for satisfaction of this obligation.

In the event of the Superintendent's death between the time that she has satisfied all of the above conditions and the remittance of the retirement pay benefit, the amount owing will instead be paid to a beneficiary designated by the Superintendent, in writing, and on file in the Human Resources Office. If no such beneficiary designation is on file, the amount will be paid in accordance with MCL 408.480 or its successor provision.

F. **EVALUATION AND RENEWAL.** The Board will evaluate the Superintendent's performance at least annually and in writing, using an evaluation instrument with multiple rating categories, that takes into account data on student growth as a significant factor and established performance goals, and that is mutually agreeable, provided that the Board will establish the evaluation instrument and criteria in the absence of agreement.

The Board shall review this contract with the Superintendent on or before June 30, and take official action determining whether or not to extend the contract and to notify the Superintendent of its action in writing. The Superintendent shall provide a reminder to the Board President by March 1 regarding this provision.

G. **TERMINATION.** This contract may be terminated by any of the following methods:

1. Mutual agreement of the parties.
2. Voluntary retirement of the Superintendent with a minimum of ninety (90) days' notice.
3. Voluntary resignation of the Superintendent with a minimum of ninety (90) days' notice.
4. Incapacity of the Superintendent, in accordance with Board Policy.
5. The Superintendent shall be subject to discharge only for reasons that are not arbitrary and capricious. If the Board proposes to discharge the Superintendent, it shall provide the Superintendent with a written notice of the basis for the discharge. The Board shall also permit the Superintendent to have a hearing before the Board. If the Superintendent chooses to be accompanied by legal counsel at the hearing, all fees related to the Superintendent's legal counsel shall be the sole responsibility of the Superintendent.

The foregoing standards for termination of this Contract during its term shall not be applicable to non-renewal of this Contract at the expiration of its term, which decision is discretionary with the Board.

In the event that the Board undertakes to dismiss Superintendent during the term of this Contract, she shall be entitled to written notice of charges and an opportunity for a hearing before the Board. In the event of termination of employment during the term of this Contract, this Contract shall automatically terminate and the Board shall have no further obligation hereunder.

6. The death of the Superintendent.

7. Normal expiration of the term or any extended term of this contract in accordance with its provisions, which shall not be construed as a discharge. The foregoing standards for termination of this Contract during its term shall not be applicable to non-renewal of this contract at the expiration of its term, which decision is discretionary with the Board.

H. **PROFESSIONAL LIABILITY.** The Board agrees to pay the premium amount for errors and omissions insurance coverage for Superintendent while engaged in the performance of a governmental function and while the Superintendent is acting within the scope of her authority. The policy limits for this coverage shall be not less than \$1,000,000. The terms of the errors and omissions insurance policy shall be controlling respecting defense and indemnity of Superintendent. The sole obligation undertaken by the Board shall be limited to the payment of premium amounts for the above errors and omissions coverage. In the event that such insurance coverage cannot be purchased in the above amounts and/or at a reasonable premium rate, the Board shall have the right to discontinue said coverage and shall so notify Superintendent. In that event, the Board agrees to a case-by-case basis to consider providing legal defense and/or indemnification to Superintendent as is authorized under MCL 691.1408 and MCL 380.11a(3)(d).

I. **TENURE.** It is expressly understood that the Superintendent shall not be deemed to be granted continuing tenure as an administrator in the School District of Traverse City Area Public Schools, and the conferral of tenure in this position is hereby expressly withheld.

J. **BINDING EFFECT.** This contract shall inure to the benefit of and be binding upon the heirs, personal representatives, successors, and assigns of the respective parties hereto, except that the Superintendent may not assign his obligations hereunder. This contract may be changed only in writing, signed by both parties. The invalidity of any paragraph, provision or part hereof shall not affect the validity of any other paragraph, provision or part.

K. **MICHIGAN.** This contract shall be interpreted and enforced in accordance with the laws of the State of Michigan. In the event of litigation arising under or in connection herewith, each

party consents to the exclusive jurisdiction of the courts of the State of Michigan, with venue in Traverse City, Michigan.

L. **ENTIRE AGREEMENT.** This Contract sets forth the entire agreement between the parties concerning employment of the Superintendent and as of 6-10-19 supersedes all prior agreements and understandings between the parties, whether written or verbal, concerning these matters. Except as otherwise stated herein, changes to this Contract, whether by way of addition, deletion or both, are not binding unless in writing and signed by both parties. In signing this Contract, Superintendent does not rely upon any representation or inducement other than those set forth herein. It is agreed that no individual Board member has any authority to enter into any new or different Contract of Employment with Superintendent other than as set forth herein.

IN WITNESS WHEREOF, the parties have executed this contract as of the day and year first above written.

Signed in the Presence of:

BOARD OF EDUCATION
Traverse City Area Public Schools

Stacey Hazak

By:

Sue Kelly
Sue Kelly

Its: President

Date:

6/10/19

Stacey Hazak

By:

Pamela Forton
Pamela Forton

Its: Secretary

Date:

6/10/19

SUPERINTENDENT OF SCHOOLS

Stacey Hazak

By:

Ann Cardon
Ann Cardon

Date:

6-5-19

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 5

Re: Complaint

email: "cardonan@tcaps.net Ann Cardon"
To: email: "kellysu2@tcaps.net"

Wednesday, October 9, 2019 at 7:21:58 AM Eastern Daylight Time

Thanks — see you later today.

Ann M. Cardon

On Oct 9, 2019, at 7:20 AM, Sue Kelly <kellysu2@tcaps.net> wrote:

She has an electronic copy. I'll give her a call at 8:00 to give her a heads up.
Sue

On Wed, Oct 9, 2019 at 7:19 AM Ann Cardon <cardonan@tcaps.net> wrote:
Hi Sue,

I would like to give my attorney a copy of the complaint against me. Does Nancy have a copy? That way he could just contact her.

Thanks,

Ann

Ann M. Cardon

--

Sue Kelly, President
Board of Education
Traverse City Area Public Schools

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

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248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 6

Minutes - Traverse City Area Public Schools

Meeting of the Board of Education

Monday, October 7, 2019 @ 6:00 PM

Tompkins Boardman Administration Center, Conference Room C – 2nd Floor
412 Webster Street, Traverse City, MI 49686



Approved on October 28, 2019.

A meeting of the Board of Education of the Traverse City Area Public Schools, Counties of Grand Traverse, Leelanau and Benzie, Michigan, was held at the Tompkins Boardman Administration Center, 412 Webster Street, Traverse City, Michigan, on Monday, October 7, 2019. Board President Kelly called the meeting to order at 6:00 p.m.

BOARD MEMBERS PRESENT: Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
BOARD MEMBERS ABSENT: Anderson
ADMINISTRATORS PRESENT: Berck, Cardon, Guitar, McCall, Thomas-Hill

Board President Kelly welcomed those in attendance.

PLEDGE OF ALLEGIANCE

Board Secretary Forton led the Board and those in attendance in the Pledge of Allegiance.

REVIEW/APPROVAL OF AGENDA

The Board reviewed the agenda and Board President Kelly entertained a motion for approval.

MOVED BY LEONHARDT SUPPORTED BY ELLERY TO approve the agenda as presented.

The following vote was held:

YES: Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

PUBLIC COMMENT

Board President Kelly solicited Public Comment and none was volunteered.

RECOGNITION

Traverse City West Senior High School students performed a song from Fiddler On The Roof, under the direction of Erich Wangeman.

BOARD COMMITTEE REPORTS / DISCUSSION

Board members provided a brief summary of meetings held, and discuss miscellaneous topics.

Board Communications Committee (October 4) → Report Out by Klegman
Board Curriculum Committee (September 19) → Report Out by Ellery
Board Human Resources and Policy Committee (September 25) → Report Out by Ellery
Board Finance & Operations Committee (October 2) → Report Out by Forton
District Advisory Network (multiple dates) → Report Out by Kelly

Board Office Hours @ Horizon Books 6:00pm – 7:00pm:

- **September 26, 2019** → Report Out Kelly
- **October 24, 2019 - Attending:** Leonhardt

SUPERINTENDENT'S REPORT

Legislative Update

Superintendent Cardon was pleased to report the State's budget included a 2X formula distribution which is beneficial to TCAPS as a base funded district.

Associate Superintendent Christine Thomas-Hill shared the draft amendment to the 2019/2020 budget that was presented at the October 2nd Board Finance and Operations Committee meeting. A formal amendment will come to the full board in January or February of 2020. The draft previously presented to the committee included the \$240 per pupil increase that was recently approved in the state budget, however the projected student count changed 9,690 to 9,773 after the preliminary Count Day numbers were calculated. A balanced budget is being projected with the anticipated distribution of approximately \$600,000 from the ISD. Once Count Day numbers have been finalized, it is likely that a couple hundred thousand dollars will be added to fund balance.

District Highlights

Central High School Robotics Presents Super Science Saturday—October 19th

On Saturday, October 19, 2019, Traverse City Central High School's Raptors 1711 robotics team will host Super Science Saturday from 10:00 a.m. to 2:00 p.m. in the school's cafeteria (1150 Milliken Dr.). Enjoy activities such as slime making, marshmallow cannons, elephant toothpaste, hour of code and experiments by the Michigan Tech Mind Trekkers. The event will also feature conversations with Astronaut Col. Greg Johnson live via Skype. Super Science Saturday is free and open to the public. Donations to support CHS robotics will be accepted.

Traverse City Central High School Presents West Side Story—November 8th-17th

This November, experience the classic hit musical West Side Story presented by Traverse City Central High School. West Side Story is an unforgettable story of heartbreak, passion, and resilience of the human spirit. It has become one of the most celebrated musicals in theatrical history. Led by veteran Artistic Director, Erin Peck and Musical Director, Tamara Williams, the strong ensemble cast captures the power and emotion of this incredible show. West Side Story will be on stage November 8, 9, 10, and November 15, 16, 17. Tickets are available starting October 7th at MyNorthtickets.com.

Student Transition Empowerment Program (STEP) Program

STEP Coordinator Abby Jordon provided the board with a program overview. Some highlights include:

- Free program offered by TCAPS to ensure federal rights and services as defined by the federal McKinney-Vento Homeless Assistant Act
- STEP provides educational related interventions for students ages 3-20 who are experiencing unstable housing
- TCAPS identifies and ensures the educational supports of more than 500 students in any given school year
- STEP is funded by TCAPS, grants, and community donors

CONSENT

The purpose of the Consent Calendar is to expedite business by grouping items together to be dealt with by one board member motion without discussion. Any member of the board may ask that any item on the consent calendar be removed there from and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected.

a. Personnel Recommendations

The Board considered the following personnel recommendation:

NEW HIRE (Approval):

<u>Name</u>	<u>Assignment</u>	<u>Effective Date</u>
Kyle A. Smith	Special Education Teacher East Middle School (1.0 FTE)	October 17, 2019

b. Board Policy Language

The Board considered the following:

- Policy 5420 – Reporting Student Progress (REVISED)
- Policy 5421 – Grading (REVISED)
- Policy 5514 – Student Use of Bicycles (REVISED)
- Guideline 5420A – Reporting Student Progress (REVISED)
- Guideline 5514A – Use of Motor Vehicles and Student Use of Bicycles (REVISED)

c. **Professional Development**

The Board considered the following:

- Long Lake Elementary Principal, Kate Burwinkel to travel to Washington DC November 8-10, 2019 to attend ASCD Conference on Educational Leadership: Resilient Schools in Action.

d. **Minutes**

The Board considered the Regular and Closed Session minutes from their meeting held September 23, 2019.

MOVED BY ELLERY SUPPORTED BY FORTON TO approve the Consent Calendar as presented and without discussion.

The following vote was held:

YES: Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

CLOSED SESSION

The Board went into Closed Session for the purpose of discussing a complaint brought against a staff member who has requested a closed hearing as allowed by the Open Meetings Act, P.A. 267 of 1976, Section 8(a).

MOVED BY FORTON, SUPPORTED BY ELLERY to go into Closed Session for the purpose of discussing a complaint brought against a staff member who has requested a closed hearing as allowed by the Open Meetings Act, P.A. 267 of 1976, Section 8(a).

The following Roll Call vote was taken:

YES: Forton, Ellery, Klegman, Leonhardt, Moon Mohr, Kelly
NO: None

MOTION CARRIED.

The Board went into Closed Session at 7:07 pm.

The Board returned to Open Session at 8:17 pm.

BOARD PRESIDENT CLOSING REMARKS

Board President Kelly confirmed with board members that they reviewed her email that provided board members with an overview of the Behind the Scenes at the Capital event that was provided by the Michigan Association of School Boards (MASB).

ADJOURNMENT

MOVED BY KLEGMAN, SUPPORTED BY LEONHARDT to adjourn the meeting at 8:18 pm.

The following vote was held:

YES: Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

Respectfully submitted,

Julie Gorter

Julie Gorter
Acting Board Recording Secretary

Next Meeting
October 28, 2019
Special Board Retreat – 4:00 pm
Board Study Session – 5:30 p.m.
Tompkins Boardman Administration Center
412 Webster Street, Traverse City, MI 49686

BOARD MEMBERS: Matt Anderson, Doris Ellery, Pamela Forton, Sue Kelly, Jane Klegman, Jeff Leonhardt, Erica Moon Mohr

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EXHIBIT 7

10/4/19 6:25:30 PM EDT

Just checking to make sure you guys got the INFocus — I sent it from my phone and it was a little clunky.

10/4/19 6:26:30 PM EDT

Sue Kelly (+12312189800)

I am heading to the football game right now but will check as soon as I can....always good to see it. Thanks for checking

10/8/19 9:25:24 AM EDT

Hi — can you give me a call when you have a minute.

10/8/19 3:38:18 PM EDT

Sue Kelly (+12312189800)

Hi Ann,
Are you available for a quick update?

10/8/19 4:29:41 PM EDT

Was in a PM meeting but open now

10/9/19 1:39:46 PM EDT

I called Erica and asked her to respect my decision and let this happen. She said she would.

10/9/19 1:40:11 PM EDT

I also reiterated that what was discussed in closed session needed to remain confidential.

10/9/19 1:43:46 PM EDT

Sue Kelly (+12312189800)

Thank you

10/10/19 9:05:19 AM EDT

Sue Kelly (+12312189800)

I have a suggestion that you may feel good about and wanted to run it by you. Please give me a call when it is convenient

10/10/19 9:17:16 AM EDT

Sue Kelly (+12312189800)

I wanted to share with you that due to personal issues, with the Board's approval, I've requested some time off. I'd ask that you please respect my privacy at this time.

During my absence I ask that you continue to represent TCAPS with the integrity and professionalism that you are known for. Please continue to work with the executive team and direct any questions that you may receive to the appropriate executive team member.

10/10/19 11:45:34 AM EDT

Sue Kelly (+12312189800)

We have received a long letter from EMM outlining her whole opinion like we discussed yesterday. Disclosing much of the closed session and the Record Eagle has submitted a FOIA for this.

10/10/19 4:22:41 PM EDT

His firm is tracking him down.

10/10/19 4:27:08 PM EDT

Sue Kelly (+12312189800)

Thanks.

10/10/19 4:40:41 PM EDT

I just spoke with Tom and he is in the office

10/10/19 4:41:02 PM EDT

Sue Kelly (+12312189800)

Thanks. I'll let Nancy know.

10/11/19 10:40:24 AM EDT

I want you to know that I am getting calls from the press and I am not responding to any of them. Seems the rumor mill is pretty ramped up. I am at the conference today as well

10/11/19 10:48:38 AM EDT

Sue Kelly (+12312189800)

Yeah....EMM has backed a strong coalition. Thankful that we have a board meeting scheduled for this afternoon to discuss options...hopefully attorneys will be able to wrap this up.

10/11/19 10:54:54 AM EDT

Me too Sue.

10/11/19 1:01:17 PM EDT

Sue Kelly (+12312189800)

Cindy shared that she talked with you regarding a mutual statement at the conclusion of the Board meeting. We will not say anything unless you agree to it too. What do you think of this as a first draft? "We entered into our work together in good faith with high aspirations. However, it's clear that due to philosophical differences we are mutually agreeing to separate. We ask that the community, staff and friends please respect this decision. It is made with the greatest consideration of TCAPS students and our future opportunities."

10/11/19 1:08:23 PM EDT

I will send it to my attorney. I would like to have the last statement include my future as well. Something like that — not sure how to word it.

10/11/19 1:19:06 PM EDT

Sue Kelly (+12312189800)

Sure, the intent was meaning you specifically without saying "her". It can be interpreted either way but Mutually would be best.

10/11/19 1:31:33 PM EDT

Hi — I just spoke with Tom and we aren't comfortable making a statement at this time. When we have a signed agreement with board approval. After we reach a mutual agreement we can craft a message.

10/11/19 1:32:12 PM EDT

Sue Kelly (+12312189800)

Ok. Will he be available to discuss options this afternoon?

10/11/19 1:32:29 PM EDT

Yes — he said Nancy can call at anytime.

Read 10/11/19

10/11/19 1:32:48 PM EDT

Sue Kelly (+12312189800)

Ok. We'll stay on this. Thanks

iMessage
10/10/19 9:18:13 AM EDT

I wanted to share with you that due to personal issues, with the Board's approval, I've requested some time off. I'd ask that you please respect my privacy at this time. During my absence I ask that you continue to represent TCAPS with the integrity and professionalism that you are known for. Please continue to work with the executive team and direct any questions that you may receive to the appropriate executive team member.

Delivered

AT&T

3:57 PM

62%



6 People >

Text Message
Thursday 8:04 PM

Sue Kelly

Executive team has reached out to all bargaining heads and have received much support. Here is one example as reported by Jame McCall "Call from Jessie, "we have come a long way in the last two years and we don't want to go back. You can count on us to be united with the district". We have too much work to do.

I thanked her and said I knew their professionalism could



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Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 8

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Call detail - wireless number detail

Date from: 8/1/19 Date to: 10/18/19

Call detail - local calls

Date	Time	In/Out number	Rate	Usage type	Origination	Destination	International call type	Duration	Airtime charges	Long distance/Other charges	Total call detail
8/1/2019	1:53 PM	2319444554	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	1	0	0	0
8/1/2019	2:31 PM	2317355898	Peak	M2MAllow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
8/1/2019	2:32 PM	2317355898	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	5	0	0	0
8/1/2019	5:50 PM	2313575822	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/2/2019	11:27 AM	2312189800	Peak	PlanAllow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
8/5/2019	1:15 PM	2319444554	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	1	0	0	0
8/5/2019	1:17 PM	2319331778	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	2	0	0	0
8/6/2019	11:53 AM	5179278729	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	17	0	0	0
8/6/2019	12:21 PM	2312189800	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	9	0	0	0
8/7/2019	12:41 PM	2319444554	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	2	0	0	0
8/9/2019	9:37 AM	2319443596	Peak	M2MAllow	Gaylord	MI Traverse	MI N/A	1	0	0	0
8/13/2019	11:38 AM	2312189800	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	4	0	0	0
8/13/2019	3:56 PM	2319222383	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	2	0	0	0
8/13/2019	3:58 PM	2316496943	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	2	0	0	0
8/13/2019	4:00 PM	2316496943	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	8	0	0	0
8/13/2019	5:37 PM	2193797179	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	1	0	0	0
8/14/2019	2:18 PM	2317355898	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/15/2019	5:20 PM	8003455413	Peak	PlanAllow	Traverse C	MI Toll-Free	CL N/A	1	0	0	0
8/15/2019	5:21 PM	8002916372	Peak	PlanAllow	Traverse C	MI Toll-Free	CL N/A	2	0	0	0
8/15/2019	5:23 PM	8882916372	Peak	PlanAllow	Traverse C	MI Toll-Free	CL N/A	1	0	0	0
8/16/2019	11:18 AM	2319955155	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/17/2019	11:27 AM	2313426404	Off-Peak	N&W	Traverse C	MI Incoming	CL N/A	1	0	0	0
8/19/2019	11:53 AM	2312189800	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	6	0	0	0
8/20/2019	6:18 PM	5174494480	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	11	0	0	0
8/21/2019	3:16 PM	2317091773	Peak	M2MAllow	Traverse C	MI Vm Deposit	CL N/A	2	0	0	0
8/21/2019	3:18 PM	2319224440	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	2	0	0	0
8/22/2019	11:31 AM	2315900304	Peak	M2MAllow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
8/22/2019	11:32 AM	2315900304	Peak	M2MAllow;CallWait	Traverse C	MI Incoming	CL N/A	3	0	0	0
8/22/2019	11:44 AM	2315900304	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/22/2019	4:34 PM	2313575822	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	3	0	0	0
8/22/2019	5:55 PM	2312189800	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	5	0	0	0
8/26/2019	12:04 PM	2313426404	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	2	0	0	0
8/26/2019	1:47 PM	2319444554	Peak	M2MAllow	Traverse C	MI Traverse	MI N/A	2	0	0	0
8/27/2019	11:00 AM	2319331725	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	3	0	0	0
8/27/2019	11:35 AM	2319331725	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/27/2019	11:41 AM	2319331725	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	5	0	0	0
8/27/2019	1:19 PM	2319331725	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/27/2019	1:20 PM	2319331725	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
8/27/2019	1:22 PM	2319331725	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	1	0	0	0
8/29/2019	3:22 PM	2316323580	Peak	PlanAllow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
8/30/2019	8:58 AM	2316323580	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	8	0	0	0
8/30/2019	10:59 AM	2319331725	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	1	0	0	0
9/3/2019	2:15 PM	2313426404	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	4	0	0	0
9/3/2019	3:10 PM	2319222902	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	2	0	0	0
9/3/2019	3:45 PM	2319222902	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	6	0	0	0
9/4/2019	3:17 PM	2313426404	Peak	M2MAllow	Interloche	MI Incoming	CL N/A	1	0	0	0
9/4/2019	3:55 PM	2316330895	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	7	0	0	0
9/5/2019	1:49 PM	2316323580	Peak	PlanAllow	Traverse C	MI Traverse	MI N/A	3	0	0	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Call detail - wireless number detail

Date from: 8/1/19 Date to: 10/18/19

Call detail - local calls

Date	Time	In/Out number	Rate	Usage type	Origination	Destination	International call type	Duration	Airtime charges	Long distance/Other charges	Total call detail
9/6/2019	11:16 AM	2193797179	Peak	Planallow	Traverse C	La Porte	IN	5	0	0	0
9/6/2019	11:25 AM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/6/2019	11:36 AM	2319444554	Peak	M2Mallow	Traverse C	Incoming	CL	2	0	0	0
9/12/2019	8:39 AM	2193797179	Peak	Planallow	Traverse C	Vin Deposit	CL	1	0	0	0
9/12/2019	12:18 PM	2193797179	Peak	Planallow	Traverse C	La Porte	IN	5	0	0	0
9/12/2019	1:54 PM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/12/2019	4:17 PM	2316323580	Peak	Planallow	Traverse C	Vin Deposit	CL	2	0	0	0
9/12/2019	4:18 PM	2312189800	Peak	Planallow	Traverse C	Vin Deposit	CL	2	0	0	0
9/13/2019	10:15 AM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	3	0	0	0
9/13/2019	1:52 PM	2316323580	Peak	Planallow	Traverse C	Traverse C	MI	4	0	0	0
9/13/2019	4:02 PM	2312189800	Peak	Planallow	Traverse C	Traverse C	MI	3	0	0	0
9/16/2019	12:29 PM	2193797179	Peak	Planallow	Interloche	Vin Deposit	CL	1	0	0	0
9/16/2019	1:13 PM	2193797179	Peak	Planallow	Interloche	Vin Deposit	CL	2	0	0	0
9/17/2019	8:35 AM	2312189800	Peak	Planallow	Traverse C	Traverse C	MI	5	0	0	0
9/17/2019	12:59 PM	2319444554	Peak	M2Mallow	Traverse C	Incoming	CL	3	0	0	0
9/18/2019	9:07 AM	2312189800	Peak	Planallow	Traverse C	Traverse C	MI	2	0	0	0
9/18/2019	11:46 AM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	2	0	0	0
9/19/2019	7:10 AM	231375822	Peak	M2Mallow	Traverse C	Traverse C	MI	3	0	0	0
9/19/2019	12:07 PM	2319444554	Peak	M2Mallow	Williambu	Traverse C	MI	2	0	0	0
9/19/2019	12:09 PM	231375822	Peak	M2Mallow	Williambu	Traverse C	MI	2	0	0	0
9/20/2019	11:59 AM	2312189800	Peak	Planallow	Traverse C	Incoming	CL	3	0	0	0
9/20/2019	12:44 PM	2319444554	Peak	M2Mallow	Traverse C	Incoming	CL	1	0	0	0
9/22/2019	7:32 PM	2312189800	Off-Peak	N&W	Traverse C	Traverse C	MI	3	0	0	0
9/23/2019	10:20 AM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	2	0	0	0
9/23/2019	10:21 AM	2313426404	Peak	M2Mallow	Traverse C	Traverse C	MI	2	0	0	0
9/23/2019	10:22 AM	2314985558	Peak	Planallow	Traverse C	Vin Deposit	CL	1	0	0	0
9/23/2019	10:42 AM	2314985558	Peak	Planallow	Traverse C	Incoming	CL	3	0	0	0
9/23/2019	11:31 AM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/23/2019	12:41 PM	2316323580	Peak	M2Mallow	Traverse C	Traverse C	MI	5	0	0	0
9/23/2019	4:35 PM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/24/2019	1:03 PM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/24/2019	2:00 PM	2319444554	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/25/2019	9:41 AM	2316323580	Peak	Planallow	Traverse C	Vin Deposit	CL	2	0	0	0
9/25/2019	11:59 AM	2313500395	Peak	Planallow	Traverse C	Traverse C	MI	7	0	0	0
9/26/2019	6:01 PM	2312189800	Peak	Planallow	Traverse C	Incoming	CL	1	0	0	0
9/26/2019	7:17 AM	2312189800	Peak	Planallow	Traverse C	Traverse C	MI	2	0	0	0
9/27/2019	11:52 AM	2319331488	Peak	Planallow	Traverse C	Incoming	CL	1	0	0	0
9/27/2019	2:07 PM	2319331488	Peak	Planallow	Traverse C	Incoming	CL	1	0	0	0
9/30/2019	9:52 AM	2313426404	Peak	M2Mallow	Traverse C	Traverse C	MI	2	0	0	0
9/30/2019	11:20 AM	2313426404	Peak	M2Mallow	Traverse C	Incoming	CL	2	0	0	0
9/30/2019	11:27 AM	2313426404	Peak	M2Mallow	Traverse C	Incoming	CL	2	0	0	0
9/30/2019	11:29 AM	2312189800	Peak	M2Mallow	Traverse C	Traverse C	MI	3	0	0	0
9/30/2019	1:15 PM	6164023045	Peak	M2Mallow	Traverse C	Grandhaven	MI	1	0	0	0
9/30/2019	3:40 PM	2313426404	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/30/2019	4:18 PM	2313575822	Peak	M2Mallow	Traverse C	Traverse C	MI	1	0	0	0
9/30/2019	4:20 PM	2313575822	Peak	M2Mallow	Traverse C	Incoming	CL	12	0	0	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS
Report Name: Call detail - wireless number detail

Date from: 8/1/19 Date to: 10/18/19

Call detail - local calls

Date	Time	In/Out number	Rate	Usage type	Origination	Destination	International call type	Duration	Airtime charges	Long distance/Other charges	Total call detail
9/30/2019	4:43 PM	2312189600	Peak	Planallow	Traverse C	Traverse C	MI N/A	2	0	0	0
10/1/2019	8:06 AM	6164023045	Peak	M2Mallow/CallWait	Traverse C	MI Incoming	CL N/A	1	0	0	0
10/1/2019	8:06 AM	2193797179	Peak	Planallow	Traverse C	MI Incoming	CL N/A	1	0	0	0
10/1/2019	8:07 AM	6164023045	Peak	M2Mallow	Traverse C	MI Grandhaven	MI N/A	1	0	0	0
10/1/2019	8:12 AM	6164023045	Peak	M2Mallow	Traverse C	MI Incoming	CL N/A	6	0	0	0
10/1/2019	8:50 AM	2313575822	Peak	M2Mallow	Traverse C	MI Incoming	MI N/A	5	0	0	0
10/1/2019	10:24 AM	2193797179	Peak	Planallow	Grandville	MI Incoming	CL N/A	11	0	0	0
10/1/2019	11:07 AM	2317355888	Peak	M2Mallow	South Haven	MI Vm Deposit	CL N/A	2	0	0	0
10/1/2019	11:09 AM	231944454	Peak	M2Mallow	Covert	MI Traverse C	MI N/A	2	0	0	0
10/1/2019	3:24 PM	2313575822	Peak	M2Mallow	Benton Har	MI Traverse C	MI N/A	11	0	0	0
10/1/2019	4:20 PM	2193797179	Peak	Planallow	Stevensville	MI Incoming	CL N/A	1	0	0	0
10/1/2019	4:51 PM	2193797179	Peak	Planallow	Coloma	MI Incoming	CL N/A	1	0	0	0
10/1/2019	9:23 AM	2312189600	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	3	0	0	0
10/2/2019	4:06 PM	2319331778	Peak	Planallow	Traverse C	MI Incoming	CL N/A	3	0	0	0
10/2/2019	5:17 PM	2317355888	Peak	M2Mallow	Marion	MI Traverse C	MI N/A	2	0	0	0
10/2/2019	12:51 PM	2319331725	Peak	Planallow	Landing	MI Traverse C	MI N/A	1	0	0	0
10/3/2019	5:13 PM	2312189600	Peak	M2Mallow	Grawn	MI Incoming	CL N/A	3	0	0	0
10/3/2019	5:16 PM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	11	0	0	0
10/3/2019	5:30 PM	2312189600	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	2	0	0	0
10/3/2019	5:32 PM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	3	0	0	0
10/4/2019	11:38 AM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	2	0	0	0
10/4/2019	3:38 PM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	5	0	0	0
10/7/2019	6:50 AM	2193797179	Peak	Planallow	Traverse C	MI La Porte	IN N/A	2	0	0	0
10/7/2019	11:44 AM	2312189600	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	1	0	0	0
10/7/2019	11:45 AM	2312189600	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	2	0	0	0
10/8/2019	2:08 PM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	2	0	0	0
10/8/2019	9:26 AM	2312189600	Peak	Planallow	Traverse C	MI Incoming	CL N/A	3	0	0	0
10/8/2019	4:43 PM	2314995558	Peak	Planallow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
10/8/2019	4:48 PM	2314995558	Peak	Planallow	Traverse C	MI Incoming	CL N/A	17	0	0	0
10/9/2019	1:02 PM	2314995558	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	11	0	0	0
10/9/2019	4:13 PM	2317355888	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	2	0	0	0
10/9/2019	7:20 PM	2312189600	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	5	0	0	0
10/9/2019	7:29 PM	2312189600	Peak	Planallow	Traverse C	MI Traverse C	MI N/A	4	0	0	0
10/9/2019	7:42 PM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	6	0	0	0
10/10/2019	9:08 AM	2313575822	Peak	M2Mallow	Thompsonville	MI Traverse C	MI N/A	5	0	0	0
10/10/2019	9:13 AM	2312189600	Peak	Planallow	Thompsonville	MI Traverse C	MI N/A	3	0	0	0
10/10/2019	11:46 AM	2312189600	Peak	Planallow	Thompsonville	MI Traverse C	MI N/A	19	0	0	0
10/10/2019	12:22 PM	2313575822	Peak	M2Mallow	Thompsonville	MI Traverse C	MI N/A	6	0	0	0
10/10/2019	12:23 PM	2313575822	Peak	M2Mallow	Thompsonville	MI Incoming	CL N/A	2	0	0	0
10/10/2019	3:32 PM	2312189600	Peak	Planallow	Thompsonville	MI Incoming	CL N/A	4	0	0	0
10/11/2019	9:03 AM	2316332301	Peak	Planallow	Thompsonville	MI Traverse C	MI N/A	4	0	0	0
10/11/2019	12:17 PM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	19	0	0	0
10/12/2019	5:33 PM	2314995558	Off-Peak	N&W	Traverse C	MI Traverse C	MI N/A	4	0	0	0
10/13/2019	11:27 AM	2312186667	Off-Peak	N&W	Traverse C	MI Incoming	CL N/A	3	0	0	0
10/13/2019	7:37 PM	2314995558	Off-Peak	N&W	Traverse C	MI Incoming	CL N/A	46	0	0	0
10/13/2019	8:23 PM	2312189600	Off-Peak	N&W	Traverse C	MI Traverse C	MI N/A	10	0	0	0
10/14/2019	11:56 AM	2313575822	Peak	M2Mallow	Traverse C	MI Traverse C	MI N/A	1	0	0	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Call detail - wireless number detail

Date from: 8/1/19 Date to: 10/18/19

Call detail - local calls

Date	Time	In/Out number	Rate	Usage type	Origination	Destination	International call type	Duration	Airtime charges	Long distance/Other charges	Total call detail
10/14/2019	3:08 PM	2317355898	Peak	M2MAllow	Traverse C	MI Traversecy	MI N/A	1	0	0	0
10/14/2019	3:12 PM	2317355898	Peak	M2MAllow	Traverse C	MI Traversecy	MI N/A	5	0	0	0
10/14/2019	3:22 PM	2319444554	Peak	M2MAllow	Traverse C	MI Traversecy	MI N/A	3	0	0	0
10/14/2019	10:24 PM	2193797179	Off-Peak	N&W	Traverse C	MI Incoming	CL N/A	1	0	0	0
10/15/2019	8:38 AM	2312189800	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	2	0	0	0
10/15/2019	8:40 AM	2312189800	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	1	0	0	0
10/16/2019	7:48 AM	2313575822	Peak	M2MAllow	Traverse C	MI Incoming	CL N/A	2	0	0	0
10/16/2019	4:53 PM	2314955558	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	3	0	0	0
10/16/2019	6:03 PM	2316323580	Peak	PlanAllow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
10/16/2019	6:40 PM	2316323580	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	3	0	0	0
10/16/2019	8:46 PM	2316323580	Peak	PlanAllow	Traverse C	MI Vm Deposit	CL N/A	1	0	0	0
10/16/2019	8:49 PM	2312189800	Peak	PlanAllow	Traverse C	MI Traversecy	MI N/A	5	0	0	0
10/16/2019	8:53 PM	2316323580	Peak	PlanAllow,CallWait	Traverse C	MI Incoming	CL N/A	3	0	0	0
10/16/2019	8:57 PM	2312189800	Peak	PlanAllow	Traverse C	MI Traversecy	MI N/A	3	0	0	0
10/16/2019	9:00 PM	2312189800	Peak	N&W;PlanAllow,Span	Traverse C	MI Traversecy	MI N/A	5	0	0	0
10/17/2019	8:38 AM	2312189800	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	4	0	0	0
10/17/2019	9:53 AM	2316323580	Peak	PlanAllow	Traverse C	MI Incoming	CL N/A	3	0	0	0
Total								578	0	0	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 8/1/19 Date to: 8/23/19

Billed messaging details

Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 8:27	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 8:40	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 14:06	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 19:15	231-933-5690	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 19:22	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 20:33	231-944-4554	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/2/2019 20:47	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/12/2019 6:37	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/12/2019 8:25	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/12/2019 18:52	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/13/2019 7:14	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/13/2019 7:15	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/13/2019 7:22	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/16/2019 12:11	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/16/2019 13:09	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 7:58	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 7:59	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 9:41	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 10:06	231-342-4941	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 18:41	231-342-4941	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 18:41	231-342-4941	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 18:41	231-342-4941	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 18:41	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/19/2019 18:43	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 7:21	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 8:47	231-342-4941	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 13:32	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 14:19	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 14:19	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 14:22	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 14:23	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/20/2019 14:57	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/21/2019 9:57	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/21/2019 10:18	231-218-9800	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/21/2019 10:20	231-649-6943	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 15:45	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 15:49	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 15:58	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 16:51	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0

Company Name: TRAVERSE CITY AREA PUBUC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 8/1/19 Date to: 8/23/19

Billed messaging details

Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 16:51	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 16:52	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	8/23/2019	8/22/2019 20:08	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 8/24/19 Date to: 9/23/19

Billed messaging details

Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 19:52	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 19:53	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 19:58	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 19:59	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:02	231-590-0304	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:02	231-590-0304	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:04	231-590-0304	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:05	231-590-0304	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:06	231-590-0304	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:07	231-590-0304	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:09	231-590-0304	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/25/2019 21:14	231-590-0304	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:15	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:18	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:21	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:27	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:27	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:27	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:36	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 11:43	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 12:26	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 12:38	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 15:06	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/26/2019 15:07	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 10:50	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 11:55	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 13:15	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 13:22	231-944-3596	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 14:06	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 15:10	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/27/2019 15:10	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 9:46	219-325-7395	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:47	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:47	37607	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:47	37607	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:50	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:52	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:52	37607	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:52	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:53	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:54	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:55	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 8/24/19 Date to: 9/23/19

Billed messaging details

Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:56	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:58	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:59	999-999-9999	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 10:59	37607	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 12:11	231-649-6943	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/28/2019 12:15	231-649-6943	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	8/30/2019 10:57	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 7:01	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 7:45	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 7:46	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 7:50	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 8:29	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 8:38	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 9:02	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 9:03	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 9:04	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 9:05	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 10:47	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 10:48	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 10:48	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 14:14	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 17:13	231-342-4941	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/3/2019 18:30	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/4/2019 7:28	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/4/2019 18:43	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/4/2019 18:44	231-944-3596	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/5/2019 11:12	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/5/2019 11:12	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/5/2019 11:12	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 10:31	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 10:32	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 10:45	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:24	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:33	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:34	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:35	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:35	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:36	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 11:38	219-325-7395	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 13:21	616-402-3045	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 18:32	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 19:45	231-342-4941	Incoming	DOMESTIC	Text Messaging	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 8/24/19 Date to: 9/23/19

Billed messaging details
Wireless number

Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 20:51	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 21:20	231-944-3596	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/6/2019 21:20	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/9/2019 12:37	219-325-7395	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/9/2019 21:24	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/9/2019 21:25	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/10/2019 7:21	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/10/2019 7:39	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/10/2019 7:39	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 9:48	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 9:57	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 9:59	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 17:21	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 20:45	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 20:45	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 20:46	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/11/2019 20:46	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/12/2019 8:30	219-325-7395	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/13/2019 10:53	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/13/2019 17:03	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/13/2019 17:03	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 9:56	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 9:58	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 10:43	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 10:44	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 11:21	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 11:31	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 13:02	231-342-4941	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/16/2019 13:47	231-342-4941	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/18/2019 9:14	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/18/2019 9:14	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/18/2019 11:57	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 8:27	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 8:33	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 8:46	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 10:42	231-944-4554	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 10:47	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 11:01	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 16:22	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 16:34	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/19/2019 16:47	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 8:16	231-944-4554	Incoming	PIX DOMESTIC	Picture/Video	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 8/24/19 Date to: 9/23/19

Billed messaging details

Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 8:17	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 8:17	231-944-4554	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 8:25	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 8:44	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 9:23	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 9:24	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/20/2019 9:33	231-944-4554	Outgoing	PIX DOMESTIC	Picture/Video	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/23/2019 10:05	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/23/2019 11:29	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/23/2019 11:29	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
231-631-0998	ANN CARDON	No Cost Center	9/23/2019	9/23/2019 12:40	231-944-4554	Incoming	DOMESTIC	Text Messaging	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 9/24/19 Date to: 10/18/19

Billed messaging details

Account number	Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 12:58	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 17:03	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 20:36	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 20:39	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 20:40	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 21:09	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/24/2019 22:12	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 11:46	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 11:48	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 11:50	231-944-4554	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 11:53	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 12:32	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 12:36	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 12:36	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 12:43	231-649-6943	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 13:11	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/25/2019 13:14	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 7:08	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 7:44	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 7:46	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 7:46	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 7:49	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:00	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:00	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:01	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:09	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:10	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:13	231-342-6404	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:13	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:16	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:16	231-735-5898	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 8:37	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 13:15	231-218-9800	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 15:47	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/26/2019 15:56	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/27/2019 7:19	231-944-3596	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/27/2019 7:24	231-944-3596	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/27/2019 9:02	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/30/2019 11:20	231-342-6404	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/30/2019 11:22	231-938-1377	Outgoing	DOMESTIC	Text Messaging	0

Company Name: TRAVERSE CITY AREA PUBLIC SCHOOLS
User name: Ann Cardon
Structure name: Default
Position: MI DEAL: TRAVERSE CITY AREA PUBLIC SCHOOLS

Report Name: Billed messaging details

Date from: 9/24/19 Date to: 10/18/19

Billed messaging details

Account number	Wireless number	User name	Cost center	Billing cycle date	Message date/time	To/from wireless number	Direction	Message usage type	Message type	Cost
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/30/2019 11:32	231-938-1377	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/30/2019 18:21	616-402-3045	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/30/2019 18:22	616-402-3045	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	9/30/2019 18:25	616-402-3045	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/2/2019 15:16	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/2/2019 16:49	231-357-5822	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/2/2019 19:07	231-342-6404	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/2/2019 19:10	231-933-1488	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 7:41	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 7:42	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 8:06	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 8:06	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:02	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:18	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:18	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:19	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:19	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:20	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/3/2019 11:20	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/4/2019 8:20	616-402-3045	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/4/2019 8:21	616-402-3045	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/4/2019 8:22	616-402-3045	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/4/2019 8:23	616-402-3045	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/7/2019 11:56	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/7/2019 12:18	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/7/2019 12:20	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
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742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/13/2019 15:50	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/13/2019 15:50	231-944-4554	Outgoing	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/13/2019 15:51	231-944-4554	Incoming	DOMESTIC	Text Messaging	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/14/2019 7:48	231-944-3596	Incoming	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:36	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:45	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:45	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:45	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:45	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:46	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0
742259480-00001	231-631-0998	ANN CARDON	No Cost Center	10/23/2019	10/15/2019 8:48	999-999-9999	Outgoing	PIX DOMESTIC	Picture/Video	0

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 9

From: Brendan Quealy [mailto:bquealy@record-eagle.com]

Sent: Thursday, October 10, 2019 11:56 AM

To: 'guitarch@tcaps.net'

Subject: FOIA Request — Traverse City Record-Eagle

To Whom It May Concern:

Pursuant to the Michigan Freedom of Information Act, I hereby request the following records:

- A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon

As the FOIA requires, please release all reasonably segregable nonexempt portions of documents and other records and please cite specific statutory justification for each exemption deemed necessary.

In order to help to determine my status to assess fees, you should know that I am a representative of the news media affiliated with the Traverse City (Mich.) Record-Eagle, and this request is made as part of news gathering activity and not for commercial use.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 5 business days, as the statute requires.

Brendan Quealy

Traverse City Record-Eagle

Office: 231-933-1488

Cell: 708-623-9555

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
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Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 10



Brendan Quealy <bquealy@gmail.com>

FW: Record-Eagle FOIA #1 Response

1 message

Brendan Quealy <bquealy@record-eagle.com>
To: bquealy@gmail.com

Mon, Dec 23, 2019 at 4:59 PM

From: Christine Guitar [mailto:guitarch@tcaps.net]
Sent: Friday, October 18, 2019 4:49 PM
To: Brendan Quealy
Subject: Record-Eagle FOIA #1 Response

Dear Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 10, 2019, made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 11, 2019. You requested the following records:

- *"All written communications (including but not limited to emails, cell phone text messages, written letters and memos) sent or received during the period of Aug. 1, 2019-Oct. 10, 2019, by any Traverse City Area Public Schools Board of Education members or any member of the TCAPS executive team regarding Ann Cardon's job performance, Cardon's standing with the board, Cardon's employment with the district and complaints filed by or against Cardon"*
- *Ann Cardon's personnel record, including any complaints*
- *Jame McCall's personnel record, including any complaints"*

Based on our October 16th phone conversation you refined the scope of the personnel records request for Ann Cardon and Jame McCall to the following:

- *"Ann Cardon's complete personnel record, including any complaints*
- *Jame McCall's personnel record, limited to evaluations, discipline and any complaints"*

In an October 18th email, you further amended your request regarding Jame McCall's personnel records to include:

- *"Copies of Jame McCall's contracts."*

TCAPS is exercising its right under Section 5(2) of the FOIA to a ten (10) business-day extension to respond to the request. This will enable us to search for the information requested, as well as to determine exempt from non-exempt information and to redact exempt information, if any. Your request will be responded to on or before November 1, 2019.

In accordance with the *District's Freedom of Information Act Procedures and Guidelines*, if payment is required, requested information will not be released until the payment is received. A fee estimate will be provided to you should any charges be determined based on your request. If you no longer wish to receive this information, wish to modify your request, or if you have any questions regarding this matter, please let me know immediately.

Best,

Christine Guitar
Executive Director of Communications
Traverse City Area Public Schools
Great Community, Great Schools
Telephone: 231-933-1795
Cell Phone: 231-735-5898
Email: guitarch@tcaps.net

Have news? Send information, photos, etc. to pr@tcaps.net

 **FOIA Extension Letter.pdf**
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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
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Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 11



Brendan Quealy <bquealy@gmail.com>

FW: Record-Eagle FOIA #2 Response

1 message

Brendan Quealy <bquealy@record-eagle.com>
To: bquealy@gmail.com

Mon, Dec 23, 2019 at 4:59 PM

From: Christine Guitar [mailto:guitarch@tcaps.net]
Sent: Friday, October 18, 2019 4:52 PM
To: Brendan Quealy
Subject: Record-Eagle FOIA #2 Response

Dear Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 10, 2019, made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 11, 2019.

You requested "*all written communications (including but not limited to emails, cell phone text messages on private and district devices) between Traverse City Area Public Schools Superintendent Ann Cardon and TCAPS Board of Education President Sue Kelly from Sept. 10, 2019-Oct. 10, 2019.*"

TCAPS is exercising its right under Section 5(2) of the FOIA to a ten (10) business-day extension to respond to the request. This will enable us to search for the information requested, as well as to determine exempt from non-exempt information and to redact exempt information, if any. Your request will be responded to on or before November 1, 2019.

In accordance with the *District's Freedom of Information Act Procedures and Guidelines*, if payment is required, requested information will not be released until the payment is received. A fee estimate will be provided to you should any charges be determined based on your request.

If you no longer wish to receive this information, wish to modify your request, or if you have any questions regarding this matter, please let me know immediately.

Best,

Christine Guitar

Executive Director of Communications

Traverse City Area Public Schools

Great Community, Great Schools

Telephone: 231-933-1795

Cell Phone: 231-735-5898

Email: guitarch@tcaps.net

12/27/2019

Gmail - FW: Record-Eagle FOIA #2 Resp

Have news? Send information, photos, etc. to pr@tcaps.net



FOIA Extension Letter.pdf

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12

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

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Traverse City Area Public Schools Board
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Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 12

Update on FOIA requests

email: "kellysu2@tcaps.net Sue Kelly"

Thursday, October 10, 2019 at 12:44:41 PM Eastern Daylight Time

To: email: "ellerydo@tcaps.net Doris Ellery" , email: "andersonma@tcapsstudent.net Matthew Anderson" , email: "FortonPa@tcaps.net Pamela Forton" , email: "leonhardje@tcaps.net Jeff Leonhardt" , email: "klegmanja@tcaps.net Jane Klegman" , email: "mohrer@tcaps.net Erica Moon Mohr"
Cc: email: "cardonan@tcaps.net Ann Cardon"

Board Members,
As update for you all.

We have received a number of FOIA requests from the Record Eagle today for information regarding Ann Cardon's job performance and related items. We are working with our attorney to determine what, if anything, will be legally allowable to release.

I would like to remind all that the discussion in closed session was at Ann's request and cannot be discussed outside the closed session. Please do not reply to this or any messages regarding this matter and refer all inquiries to me.

Sue Kelly, President
Board of Education
Traverse City Area Public Schools

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

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Case No. 20-
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Traverse City Area Public Schools Board
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Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

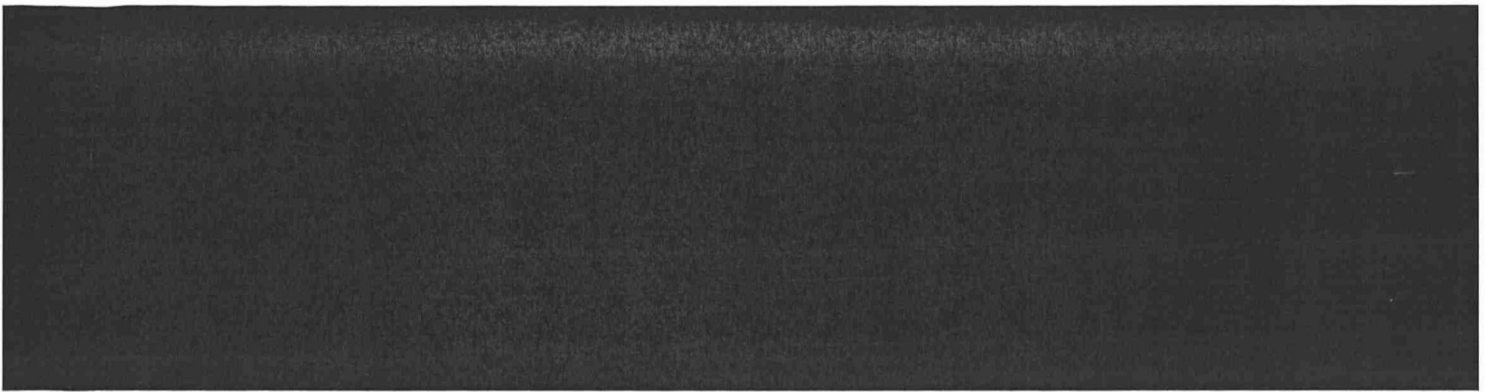
41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 13



From: shelley@omleader.com [mailto:shelley@omleader.com]
Sent: Friday, October 11, 2019 9:55 AM
To: bquealy@record-eagle.com
Subject: FW: TCAA comment

Brendan,
Here is the official statement from TCAA regarding this afternoon.

You guys couldn't even announce that there was going to be a meeting today?? The Ticker did. Especially since it's a non-televised 3 pm meeting.

In case you can share our response (assuming our superintendent is outed) with any and all people possible:

The TCAA is surprised and disappointed to hear about this sudden transition in leadership for our district. We would like to thank Mrs. Ann Cardon for the time and effort she put forth. Her focus and attention to teaching and learning has been positive, inspirational, and appreciated. Disruptions like this have a huge impact on an organization that serves nearly 10,000 students. We know that the teachers, counselors, office assistants, instructional support staff, food service staff, custodians, bus drivers, technicians and principals in our TCAPS school buildings remain focused on providing the highest quality care and support for our students each and every day.

TCAA Leadership & Members

STATE OF MICHIGAN

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Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 14



Brendan Quealy <bquealy@gmail.com>

FW: Record-Eagle FOIA #4 Response

1 message

Brendan Quealy <bquealy@record-eagle.com>
To: bquealy@gmail.com

Mon, Dec 23, 2019 at 4:57 PM

From: Christine Guitar [mailto:guitarch@tcaps.net]
Sent: Monday, October 21, 2019 3:41 PM
To: Brendan Quealy
Subject: Record-Eagle FOIA #4 Response

Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 11, 2019, made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 15, 2019. You requested the following:

- "A copy of Ann Cardon's resignation letter.
- A copy of the separation agreement between Traverse City Area Public Schools and Ann Cardon."

TCAPS is exercising its right under Section 5(2) of the FOIA to a ten (10) business-day extension to respond to the request. This will enable us to search for the information requested, as well as to determine exempt from non-exempt information and to redact exempt information, if any. Your request will be responded to on or before November 4, 2019.

In accordance with the *District's Freedom of Information Act Procedures and Guidelines*, if payment is required, requested information will not be released until the payment is received. A fee estimate will be provided to you should any charges be determined based on your request.

If you no longer wish to receive this information, wish to modify your request, or if you have any questions regarding this matter, please let me know immediately.

Best,

Christine Guitar

Executive Director of Communications

Traverse City Area Public Schools

Great Community, Great Schools

Telephone: 231-933-1795

Cell Phone: 231-735-5898

Email: guitarch@tcaps.net

12/27/2019

Gmail - FW: Record-Eagle FOIA #4 Resp

Have news? Send information, photos, etc. to pr@tcaps.net



FOIA Extension Letter.pdf

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

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Traverse City Area Public Schools Board
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BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 15

Minutes - Traverse City Area Public Schools

Special Meeting of the Board of Education

Friday, October 11, 2019 @ 3:00 PM

Tompkins Boardman Administration Center, Conference Room C – 2nd Floor
412 Webster Street, Traverse City, MI 49686



Approved on October 28, 2019.

A meeting of the Board of Education of the Traverse City Area Public Schools, Counties of Grand Traverse, Leelanau and Benzie, Michigan, was held at the Tompkins Boardman Administration Center, 412 Webster Street, Traverse City, Michigan, on Friday, October 11, 2019. Board President Kelly called the meeting to order at 3:01 p.m.

BOARD MEMBERS PRESENT:	Anderson, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
BOARD MEMBERS ABSENT:	Ellery
ADMINISTRATORS PRESENT:	Berck, Guitar, McCall, Thomas-Hill
ADMINISTRATORS ABSENT:	Cardon
ATTORNEY PRESENT:	Jeff Butler – Clark Hill, PLC.

Board President Kelly welcomed those in attendance.

PLEDGE OF ALLEGIANCE

Board Secretary Forton led the Board and those in attendance in the Pledge of Allegiance.

Board President Kelly, Treasurer Anderson, and Trustee Moon Mohr read individual statements to those in attendance.

REVIEW/APPROVAL OF AGENDA

The Board reviewed the agenda and Board President Kelly entertained a motion for approval.

MOVED BY LEONHARDT SUPPORTED BY FORTON TO approve the agenda as presented.

The following vote was held:

YES: Anderson, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

PUBLIC COMMENT

Board President Kelly solicited Public Comment and the following was volunteered:

- Grant Parsons, 6936 Mission Ridge, Traverse City – Closed Session
- Terra Walters, 5792 Ridgewater, Traverse City – Superintendent Cardon
- Bryce Hundley, 338 W. 11th Street, Traverse City – District Concern
- Michelle Keith, Traverse City – Public Comment
- Deyar Jamil, 892 Lodge Pine Lane, Traverse City – District Policy
- Pat Brumbaugh, 4984 Church Road, Traverse City – Superintendent Cardon
- Warren Call, 617 Seventh Street, Traverse City – Superintendent Cardon
- Jane Hayes, 720 Cherokee, Traverse City – Special Meeting
- Paul Baldwin, 9162 Helen White Drive, Traverse City – Board of Education Concerns
- Thom Grigal, 325 Heartland Drive, Traverse City – Special Meeting
- Anne Stanton, 124 N. Madison, Traverse City – Superintendent Cardon
- Doug Stanton, 124 N. Madison, Traverse City – General Interest
- Cathy OConnor, 3159 Ogodaki Trail, Traverse City – Closed Session
- Fern Spence, 658 Old Incochee Farm Trail, Traverse City – Closed Session
- Larissa Vander Zee, 3067 Lake Meadows Circle, Traverse City – Superintendent Cardon
- Barb Corbett, 6060 Peggy Lane, Traverse City – Special Meeting
- Beth Holmes-Bozung, 330 E. Bay Blvd. S, Traverse City - Transparency
- Lynne Moon, NA – District Concern

- Cori Chekhovskiy, 3800 Cedar Lake Road, Traverse City – Superintendent Cardon
- Rebecca Rogan, 109 Fairlane Drive, Traverse City - NA
- Chris Hintz, 8784 Stratford Road, Interlochen – Leadership Changes
- Pamela Harris Kaiser, 1309 Old Long Lake Road, Traverse City – Superintendent Cardon
- Amy Shamroe, 511 Depot View, Traverse City – School Board Chair
- Ron Fitch, 5227 Hazelnut Ct., Traverse City – District Concerns
- Corey Phelps, 8977 Sunset West, Traverse City – Transparency
- Kelly Roscher, 323 W. 11th Street, Traverse City – NA
- Katy Bertodatto, 603 W. 7th Street, Traverse City – Vision
- Andrew Parvel, 303 Homestead Lane, Traverse City – District Concern
- HT Snowday, 40 S. Long Lake Road, Traverse City - Board Process
- John Nelson, 4022 Incochee, Traverse City – Board of Education
- Marcia Bartlett, 5208 Arlington Lane, Traverse City – Board issues
- Tak Ready, 4956 Pinespar Trail, Traverse City – Board Process

CLOSED SESSION

The Board went into Closed Session for the purposes of receiving Privileged Attorney Client Communication as allowed by the Open Meetings Act, P.A. 267 of 1976, Section 8(h).

MOVED BY MOON MOHR TO continue meeting in Open Session.

MOTION FAILED

MOVED BY FORTON, SUPPORTED BY LEONHARDT TO go into Closed Session for the purpose of receiving Privileged Attorney Client Communication as allowed by the Open Meetings Act, P.A. 267 of 1976, Section 8(h).

The following Roll Call vote was taken:

YES: Anderson, Forton, Kelly, Klegman, Leonhardt
NO: Moon Mohr

MOTION CARRIED.

The Board went into Closed Session at 4:46 pm.
The Board returned to Open Session at 6:19 pm.

BOARD PRESIDENT CLOSING REMARKS

Board President Kelly reminded the audience that closed session dialogue is confidential and cannot legally be discussed publicly.

ADJOURNMENT

MOVED BY LEONHARDT SUPPORTED BY FORTON to adjourn the meeting at 6:21 pm.

The following vote was held:

YES: Anderson, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

Respectfully submitted,

Julie Gorter

Acting Board Recording Secretary

Next Meeting
October 28, 2019
Special Board Retreat – 4:00 pm
Board Study Session – 5:30 p.m.
Tompkins Boardman Administration Center
412 Webster Street, Traverse City, MI 49686

BOARD MEMBERS: Matt Anderson, Doris Ellery, Pamela Forton, Sue Kelly, Jane Klegman, Jeff Leonhardt, Erica Moon Mohr

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 16

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

INVOICE

Invoice # 914802

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

September 25, 2019
Client: 23327
Matter: 340110

=====

RE: Special Education General

FOR SERVICES RENDERED through August 31, 2019

Total Services:

\$547.50

STATEMENT TOTAL

BE31700

\$547.50

PAYABLE UPON RECEIPT IN U.S. DOLLARS

J McCall
10/14/19

Clark Hill

CLARK HILL P.L.C.

City Area Public Schools
Education General
er 25, 2019
E # 914802

2

DETAILED DESCRIPTION OF SERVICES

06/05/19	JJB	Email from R. Tubbs regarding [REDACTED] not pursuing Mediation.	.10	24.50
06/10/19	JJB	Email from T. Pomaville regarding document upload into Catamaran and scheduling of Friday interviews.	.10	24.50
06/14/19	JJB	Email from N. Rotarius requesting social work logs and progress reports.	.10	24.50
06/24/19	JJB	Email from N. Rotarius with questions regarding IEP in Case #19-0108; email from J. McCall regarding responses to N. Rotarius' questions.	.20	49.00
08/21/19	JJB	Receive and review limited guardianship paperwork and email from T. Pomaville regarding scope of guardianship.	.40	100.00
08/27/19	JJB	Receive and review email from J. McCall and letter from Grand Traverse County Prosecutor regarding CSC and Student at TCAPS; email to attorney for Student (LQBIV); email to J. McCall regarding discipline hearing; receive and review email and Final State Complaint Decision regarding Student; review Corrective Action Plan; email to and from T. Pomaville regarding Complaint Decision; telephone call with T. Pomaville regarding Complaint Decision and Parent of EI Student revocation of IDEA rights and Section 504.	1.30	325.00

\$547.50

TIMEKEEPER SUMMARY

JJB	Jeffrey J. Butler	.0.50 hours at	\$245.00 =	\$122.50
JJB	Jeffrey J. Butler	1.70 hours at	\$250.00 =	\$425.00

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

INVOICE

Invoice # 914779

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

September 25, 2019
Client: 23327
Matter: 326254

RE: MDOCR # 484178 - [REDACTED]

FOR SERVICES RENDERED through August 31, 2019

Total Services:

\$147.00

STATEMENT TOTAL

\$147.00

BE31700

PAYABLE UPON RECEIPT IN U.S. DOLLARS

McCall
10/14/19
Conover

CLARK HILL P.L.C.

e City Area Public Schools
484178 -
mber 25, 2019
ICE # 914779
e 2

DETAILED DESCRIPTION OF SERVICES

03/13/19	JJB	Email to T. Smith regarding attached electronic copy of Exhibits.	.30	73.50
04/08/19	JJB	Email from P. Moore attaching ALJ St. John's Decision and Order.	.10	24.50
04/09/19	JJB	2 Emails to and from T. Pomaville attaching copy of ALJ St. John's Decision and Order and pointing out Judge ruled that District's evaluations were appropriate and denied request for public funding of independent evaluation.	.20	49.00

\$147.00

TIMEKEEPER SUMMARY

JJB	Jeffrey J. Butler	0.60 hours at \$245.00 =	\$147.00
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CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

INVOICE

Invoice # 915533

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

September 28, 2019
Client: 23327
Matter: 344458

=====

RE: General Counsel Legal Services

FOR SERVICES RENDERED through August 31, 2019

Total Services: \$47.00

STATEMENT TOTAL \$47.00



BE31700

Clark Hill

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
General Counsel Legal Services
September 28, 2019
INVOICE # 915533
Page 2

DETAILED DESCRIPTION OF SERVICES

04/10/19 JJB Attorney analysis regarding MDE Statement and Guidance on LGBTQ Students; correspondence with J. McCall and P. Soma regarding parent's proposed class presentation violates MI sex education laws.	.20	47.00
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Jmc

\$47.00

TIMEKEEPER SUMMARY

JJB	Jeffrey J. Butler	0.20 hours at \$235.00 =	\$47.00
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CLARK HILL

P.L.C.

ATTORNEYS AT LAW

151 S. Old Woodward Avenue, Suite 200
Birmingham, Michigan 48009
Telephone (248) 642-9692
Fed.ID # 38-0425840

INVOICE

Invoice # 915534

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

September 28, 2019
Client: 23327
Matter: 345108

=====

RE: Employment and HR Issues

FOR SERVICES RENDERED through August 31, 2019

Total Services: \$5,405.00

INVOICE TOTAL \$5,405.00

TOTAL AMOUNT DUE \$5,405.00
=====

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Employment and HR Issues
September 28, 2019
INVOICE # 915534
Page 2

DETAILED DESCRIPTION OF SERVICES

07/09/19 NLM	.50	Telephone conversation regarding disruptive parent; review of supporting documentation; provided advice.	CB
08/15/19 NLM	3.50	Prepared for EEOC and Tile IX training.	CB
08/20/19 NLM	2.50	Continued creating training PowerPoint; updated EEOC statistics.	CB
08/26/19 NLM	7.00	EEOC training and travel.	CB
08/27/19 NLM	9.50	EEOC Training and travel.	CB

\$5,405.00

TIMEKEEPER SUMMARY

NLM	Nancy L. Mullett	23.00 hours at \$235.00 =	\$5,405.00
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Cononastilio

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

INVOICE

Invoice # 921135

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

October 12, 2019
Client: 23327
Matter: 344458.

=====

RE: General Counsel Legal Services

FOR SERVICES RENDERED through September 30, 2019

Total Services: \$686.00

STATEMENT TOTAL \$686.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
General Counsel Legal Services
October 12, 2019
INVOICE # 921135
Page 2

DETAILED DESCRIPTION OF SERVICES

09/16/19 JLG Telephone conferences with C. Guitar regarding potential FOIA request for video of students not enrolled in district; legal research regarding same.	.70	171.50	CMG
09/17/19 JLG Email to C. Guitar regarding FERPA issue.	.40	98.00	CMG
09/18/19 JLG Two telephone conferences with C. Guitar regarding FERPA issue.	.40	98.00	CMG
09/26/19 JLG Review email from C. Berck regarding guidance on Board volunteer work for District; legal research regarding same; draft email regarding same.	1.30	318.50	CB

\$686.00

TIMEKEEPER SUMMARY

JLG	John L. Gierak	2.80 hours at \$245.00 =	\$686.00
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Clark Hill

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

151 S. Old Woodward Avenue, Suite 200
Birmingham, Michigan 48009
Telephone (248) 642-9692
Fed.ID # 38-0425840

INVOICE

Invoice # 921136

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

October 12, 2019
Client: 23327
Matter: 345108

=====

RE: Employment and HR Issues

FOR SERVICES RENDERED through September 30, 2019

Total Services:

\$705.00 CB

INVOICE TOTAL

\$705.00 CB

09/28/19

915534

\$5405.00

Past Due Balance:

~~\$5,405.00~~
~~\$5,110.00~~
=====

TOTAL AMOUNT DUE

\$705.00

Conover Hill

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Employment and HR Issues
October 12, 2019
INVOICE # 921136
Page 2

DETAILED DESCRIPTION OF SERVICES

09/17/19 NLM	2.00	Research child protection laws.
09/30/19 NLM	1.00	Conference call with parent; follow up with C. Berck.

CB
\$705.00

TIMEKEEPER SUMMARY

NLM	Nancy L. Mullett	3.00 hours at \$235.00 =	CB \$705.00
-----	------------------	--------------------------	----------------

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

INVOICE

Invoice # 921135

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

October 12, 2019
Client: 23327
Matter: 344458.

=====

RE: General Counsel Legal Services

FOR SERVICES RENDERED through September 30, 2019

Total Services:	\$686.00
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STATEMENT TOTAL	\$686.00
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PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
General Counsel Legal Services
October 12, 2019
INVOICE # 921135
Page 2

DETAILED DESCRIPTION OF SERVICES

09/16/19 JLG Telephone conferences with C. Guitar regarding potential FOIA request for video of students not enrolled in district; legal research regarding same.	.70	171.50 CMG
09/17/19 JLG Email to C. Guitar regarding FERPA issue.	.40	98.00 CMG
09/18/19 JLG Two telephone conferences with C. Guitar regarding FERPA issue.	.40	98.00 CMG
09/26/19 JLG Review email from C. Berck regarding guidance on Board volunteer work for District; legal research regarding same; draft email regarding same.	1.30	318.50 CB
		\$686.00

TIMEKEEPER SUMMARY

JLG	John L. Gierak	2.80 hours at \$245.00 =	\$686.00
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Clark Hill

CLARK HILL

P.L.C.

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Birmingham, Michigan 48009
Telephone (248) 642-9692
Fed.ID # 38-0425840

INVOICE

Invoice # 921136

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

October 12, 2019
Client: 23327
Matter: 345108

=====

RE: Employment and HR Issues

FOR SERVICES RENDERED through September 30, 2019

Total Services:

\$705.00 CB

INVOICE TOTAL

\$705.00 CB

09/28/19

915534

\$5405.00

Past Due Balance:

TOTAL AMOUNT DUE

~~\$5,405.00~~
~~\$5,410.00~~
=====

\$705.00

Conover Hill

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Employment and HR Issues
October 12, 2019
INVOICE # 921136
Page 2

DETAILED DESCRIPTION OF SERVICES

09/17/19 NLM	2.00	Research child protection laws.
09/30/19 NLM	1.00	Conference call with parent; follow up with C. Berck.

CB
\$705.00

TIMEKEEPER SUMMARY

NLM	Nancy L. Mullett	3.00 hours at \$235.00 =	CB \$705.00
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CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

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INVOICE

Invoice # 921824

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

October 15, 2019
Client: 23327
Matter: 340110

=====

RE: Special Education General

FOR SERVICES RENDERED through September 30, 2019

Total Services: \$350.00

STATEMENT TOTAL \$350.00

BE31700

Conrad

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Special Education General
October 15, 2019
INVOICE # 921824
Page 2

DETAILED DESCRIPTION OF SERVICES

08/27/19	JJB Email from T. Pomaville regarding attached MDE Complaint Decision and Plan For Corrective Action in Case Number 19-0108.	.10	25.00
08/28/19	JJB Email to S. Worden regarding Disciplinary Hearing.	.10	25.00
09/04/19	JJB Email from C. Berck requesting Title IX follow-up.	.10	25.00
09/05/19	JJB 3 Emails to and from C. Berck regarding Title IX follow-up.	.30	75.00
09/06/19	JJB Email from K. Walter regarding 5-22-2018 Investigation Report.	.10	25.00
09/09/19	JJB Email to J. McCall regarding Title IX Reports.	.10	25.00
09/16/19	JJB Email from T. Pomaville regarding attached Request For State Complaint Investigation; email from T. Pomaville attaching student records.	.20	50.00
09/18/19	JJB Email from T. Pomaville regarding submitting Complaint.	.10	25.00
09/24/19	JJB 2 Emails to and from T. Pomaville regarding attached Draft of District's Position Statement in State Complaint No. 19-0174; 2 Emails from C. Tuttle regarding filing of District's Position Statement with MDE; email from C. Tuttle sending finalized District's Position Statement to T. Pomaville.	.30	75.00

\$350.00

TIMEKEEPER SUMMARY

JJB	Jeffrey J. Butler	1.40 hours at	\$250.00 =	\$350.00
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CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

7965

INVOICE

Invoice # 931443

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

November 14, 2019
Client: 23327
Matter: 340110

=====

RE: Special Education General

FOR SERVICES RENDERED through October 31, 2019

Total Services: \$6,576.00

STATEMENT TOTAL

\$6,576.00

BE31700

Committed



PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Special Education General
November 14, 2019
INVOICE # 931443
Page 2

DETAILED DESCRIPTION OF SERVICES

10/03/19	JMB	Call with J. McCall et al. regarding discipline incident; review student records in preparation for MDR and discipline hearing; review District policies; call with Opposing Counsel in advance of disciplinary hearings.	5.60	1288.00	Jmc
10/04/19	JJB	Email from K. Collier regarding district interviews for Complaint No. 19-0174.	.10	25.00	Jmc
10/04/19	JMB	Travel to and from Traverse City; meeting with Staff; represent Client at MDRs and Hearing.	10.00	2300.00	Jmc
10/07/19	NLM	Review documents for discipline hearings; travel to and from TCAPS; attend discipline hearings.	10.00	2350.00	Jmc
10/07/19	JJB	Email from T. Pomaville regarding attached Due Process Complaint; Email from T. Pomaville regarding attached student records.	.20	50.00	Jmc
10/08/19	JJB	2 Emails from K. Collier regarding case issues, and staff interviews for Complaint No. 19-0174; 2 Emails from J. Sluiter regarding defense of attached Due Process complaint; Email from T. Pomaville regarding staff interviews for State Complaint 19-0174.	.30	75.00	Jmc
10/09/19	JJB	Email from J. McCall forwarding email sent to parent regarding Due Process hearing request.	.10	25.00	Jmc
10/11/19	JJB	2 Emails regarding filing Appearance; Email from K. Collier regarding attached Teacher Questionnaire for State Complaint #19-0174.	.30	75.00	Jmc
10/11/19	JMB	Review pleadings in MR obo GJR due process hearing.	.40	92.00	Jmc
10/12/19	JJB	2 Emails from and to J. Sluiter regarding Due Process Complaint.	.20	50.00	Jmc

CLARK HILL P.L.C.

Traverse City Area Public Schools
Special Education General
November 14, 2019
INVOICE # 931443
Page 3

10/14/19	JJB	Email from J. McCall forwarding email from parent requesting withdrawal of due process hearing request; 2 Emails from and to S. Reynolds regarding Petitioner's withdrawal of hearing request.	<i>Jmc</i> .30	75.00
10/14/19	JMB	Correspondence with MOAHR regardig status of case.	<i>Jmc</i> .20	46.00
10/15/19	JJB	Email from J. Sluiter regarding withdrawal of due process complaint.	<i>Jmc</i> .10	25.00
10/16/19	JJB	Email from T. Pomaville attaching MDE Memorandum regarding immunizations.	<i>Jmc</i> .10	25.00
10/17/19	JJB	Email from S. Kelly forwarding email from E. Moon Mohr regarding document retention; Email from K. Collier regarding Teacher interviews in Complaint No. 19-0174.	<i>Jmc</i> .20	50.00
10/21/19	JJB	Email from C. Tuttle regarding attached Order Allowing Withdrawal and Dismissing Case in Case No. 19-0007.	<i>Jmc</i> .10	25.00

\$6,576.00

TIMEKEEPER SUMMARY

NLM	Nancy L. Mullett	10.00 hours at	\$235.00 =	\$2,350.00
JJB	Jeffrey J. Butler	2.00 hours at	\$250.00 =	\$500.00
JMB	Jordan M. Bullinger	16.20 hours at	\$230.00 =	\$3,726.00

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

INVOICE

Invoice # 933681

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

November 25, 2019
Client: 23327
Matter: 317109

=====

RE: Retainer

FOR SERVICES RENDERED through October 31, 2019

Total Services:

\$69.00

STATEMENT TOTAL

\$69.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Retainer
November 25, 2019
INVOICE # 933681
Page 2

DETAILED DESCRIPTION OF SERVICES

10/09/19 VLC Email to J. Butler regarding letter pertaining to expedited due process hearing. *Jm^c* .30 69.00

\$69.00

TIMEKEEPER SUMMARY

VLC Vickie L. Coe 0.30 hours at \$230.00 = *Jm^c* \$69.00

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

RECEIVED DEC 19 2019

INVOICE

Invoice # 941589

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

December 13, 2019
Client: 23327
Matter: 340110

=====

RE: Special Education General

FOR SERVICES RENDERED through November 30, 2019

Total Services: \$671.50

STATEMENT TOTAL \$671.50

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Special Education General
December 13, 2019
INVOICE # 941589
Page 2

DETAILED DESCRIPTION OF SERVICES

06/13/19	JJB Email correspondence with T. Pomaville and J. McCall regarding; email to N. Rotarius attaching Complaint Response.	.30	73.50
06/17/19	JJB Emails from H. Strickland, B. Guiney, and N. Rotarius regarding attached SA's IEP Progress Report and Services Log sent to N. Rotarius.	.20	49.00
06/25/19	JJB Email correspondence with J. McCall regarding Records Submission to investigator, and attached SA IEP Amendment Notes.	.20	49.00
07/10/19	JJB Email correspondence with N. Rotarius regarding finalization of report in Complaint 19-0108.	.20	50.00
07/12/19	JJB Email correspondence with B. Guiney regarding IEP, and proposed email response to N. Rotarius in State Complaint 19-0108; email correspondence with N. Rotarius regarding date parent signed IEP.	.20	50.00
08/23/19	JJB Email correspondence with S. Worden regarding Disciplinary Hearing for QB; email correspondence with J. McCall regarding same.	.20	50.00
08/27/19	JJB Emailed Voice Mail Message from S. Worden regarding 8-29-2019 Hearing.	.10	25.00
10/10/19	JJB Email correspondence with T. Pomaville regarding attached MOAHR Orders in Case No. 19-0007; email correspondence with C. Tuttle regarding same, and filing of Appearance; email correspondence with J. McCall regarding parent's withdrawal of complaint; email from S. Kelly forwarding email from E. Moon Mohr regarding Superintendent.	.30	75.00
11/05/19	JJB Review email regarding Complaint Decision And Plan For Corrective Action in Case No. 19-0174.	.10	25.00
11/07/19	JJB Email from E. Moon Mohr regarding legal counsel.	.10	25.00

CLARK HILL P.L.C.

Traverse City Area Public Schools
Special Education General
December 13, 2019
INVOICE # 941589
Page 3

11/12/19	JJB	Email to N. Mullett regarding attached letter from E. Moon Mohr.	.10	25.00
11/13/19	JJB	Telephone call x 2 with J. McCall regarding 1st grade student from Lakeview Public Schools and discipline and evaluation.	.40	100.00
11/19/19	JJB	Email correspondence with C. Guitar and R. Fiebing regarding FOIA Request, and attached FOIA Response Letter.	.30	75.00
				\$671.50

TIMEKEEPER SUMMARY

JJB	Jeffrey J. Butler	0.70 hours at	\$245.00 =	\$171.50
JJB	Jeffrey J. Butler	2.00 hours at	\$250.00 =	\$500.00

CLARK HILL

P.L.C.

ATTORNEYS AT LAW

151 S. Old Woodward Avenue, Suite 200
Birmingham, Michigan 48009
Telephone (248) 642-9692
Fed.ID # 38-0425840

RECEIVED DEC 18 2019

INVOICE

Invoice # 941843

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

December 14, 2019
Client: 23327
Matter: 345108

=====

RE: Employment and HR Issues

FOR SERVICES RENDERED through November 30, 2019

Total Services: \$587.50

INVOICE TOTAL \$587.50

11/20/19 932768 \$423.00

Past Due Balance: \$423.00

TOTAL AMOUNT DUE \$1,010.50
=====

PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
Employment and HR Issues
December 14, 2019
INVOICE # 941843
Page 2

DETAILED DESCRIPTION OF SERVICES

11/12/19 NLM	1.00	Review student complaint and CAC guidelines in preparation for conference call.
11/13/19 NLM	1.00	Conference call with C. Berck and County prosecutor to discuss student interviews.
11/20/19 NLM	.50	Telephone call from C. Berck to discuss teacher matter; telephone call from and to C. guitar to review FOIA response.

\$587.50

TIMEKEEPER SUMMARY

NLM	Nancy L. Mullett	2.50 hours at \$235.00 =	\$587.50
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CLARK HILL

P.L.C.

ATTORNEYS AT LAW

212 East Grand River Avenue
Lansing, Michigan 48906-4328
Telephone (517) 318-3100
Fed.ID # 38-0425840

RECEIVED DEC 19 2019

INVOICE

Invoice # 941842

Traverse City Area Public Schools
Attn: Ann Cardon, Superintendent
412 Webster Street
Traverse City, MI 49686

December 14, 2019
Client: 23327
Matter: 344458

=====

RE: General Counsel Legal Services

FOR SERVICES RENDERED through November 30, 2019

Total Services:	\$8,859.50
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STATEMENT TOTAL	\$8,859.50
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PAYABLE UPON RECEIPT IN U.S. DOLLARS

CLARK HILL P.L.C.

Traverse City Area Public Schools
General Counsel Legal Services
December 14, 2019
INVOICE # 941842
Page 2

DETAILED DESCRIPTION OF SERVICES

10/15/19	JJB	Telephone call with concerned citizen regarding Superintendent; communication with N. Mullett regarding contact from citizen.	.20	47.00
11/01/19	NLM	Responded to FOIA questions, telephone call from S. Kelly.	1.90	446.50
11/04/19	NLM	Email and telephone conversation with C. Guitar and S. Kelly to discuss FOIA appeal; review FOIA request and denial; verified denial basis and options for appeal response.	1.00	235.00
11/05/19	NLM	Review new FOIA request and District response; conference call with C. Guitar; email correspondence with J. Pavelka to discuss insurance question; will verify coverage for criminal complaint.	1.20	282.00
11/06/19	NLM	Telephone call and email from S. Kelly to discuss media questions and to discuss Board bylaws; email to J. Pavelka.	.40	94.00
11/07/19	NLM	Review and comment on letter from Board member; several emails to and from S. Kelly; telephone calls from C. Guitar regarding continued FOIA requests.	2.50	587.50
11/11/19	NLM	Review recall petitions; follow up with S. Kelly; meeting with C. Berck to discuss outstanding complaints and develop investigation plan; meeting with C. Guitar to finalize FOIA appeal timeline; brief check in with Superintendent Pavelka; travel to and from district.	10.30	2420.50
11/12/19	NLM	Worked on FOIA appeals; conversation with C. Guitar requesting additional information.	3.00	705.00
11/18/19	JLG	Review email and documents from C. Guitar regarding FOIA requests; telephone conference with R. Fiebing regarding same.	.90	211.50

CLARK HILL P.L.C.

Traverse City Area Public Schools
General Counsel Legal Services
December 14, 2019
INVOICE # 941842
Page 3

11/19/19	JLG	Attorney analysis regarding pending FOIA appeals and additional requests.	.50	117.50
11/19/19	NLM	Several communications regarding FOIA appeals; motion language and appeal procedure; research case law for denial of appeal; final drafts of four appeals.	3.40	799.00
11/20/19	JLG	Attorney analysis regarding FOIA appeal issue; telephone with C. Guitar regarding same.	.30	70.50
11/21/19	NLM	Several calls from and to C. Guitar to try and complete edits of FOIA appeal.	2.50	587.50
11/22/19	NLM	Review final draft of FOIA appeals; review agenda language; email correspondence regarding voting procedure for appeals.	.60	141.00
11/25/19	NLM	Meeting with C. Berck; meeting with Superintendent; attend Board meeting; travel to and from district.	9.00	2115.00
				\$8,859.50

TIMEKEEPER SUMMARY

JLG	John L. Gierak	1.70 hours at	\$235.00 =	\$399.50
NLM	Nancy L. Mullett	35.80 hours at	\$235.00 =	\$8,413.00
JJB	Jeffrey J. Butler	0.20 hours at	\$235.00 =	\$47.00

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 17

Community support

email: "kellysu2@tcaps.net Sue Kelly"

Sunday, October 13, 2019 at 11:12:29 AM Eastern Daylight Time

To: email: "leonhardje@tcaps.net Jeff Leonhardt", email: "andersonma@tcapsstudent.net Matthew Anderson", email: "FortonPa@tcaps.net Pamela Forton", email: "klegmanja@tcaps.net Jane Klegman", email: "ellerydo@tcaps.net Doris Ellery"

Board Members

I am getting a lot of texts and calls from supporters and you know the responses I have been leading with. Right now there is only one voice out there and we need to get the conversation back on center, on the District's mission. I will be on WTCM tomorrow morning around 7:30, Vic McCarty.... these are the talking points I will focus on.

Over the last few years, the district has:

- Committed to installing the Blueprint, the district's roadmap to build strong systems to support high quality teaching and learning.

- Developed aligned curriculum and invested in much needed updates to curriculum materials based upon student needs

- Balanced the budget and achieved fund balance target (currently 8.7%), restructured our budgeting process to be driven by classroom/student needs rather than just lump disbursements based on past factors.

- Our collective direction has allowed us to make major achievements, like making the list of best high schools, offering pathways to college for non-traditional students, and having one of the most robust and impressive music and performing arts programs around.

- We are proud of the many accomplishments of our students, our schools, and our district. We want to maintain this momentum and positive direction.

- We take our role as Board members very seriously and always seek to conduct ourselves with our mission and direction at the forefront of our minds, with honesty and integrity, and within the bounds of the law.

- At Times, Boards face difficult moments, have

to make difficult decisions, or have to manage through political antics and agendas.

- With a mission as important as ours, maintaining our true north is what we will continue to do, members of the BOE are fully committed and vested in their mission as they are elected officials representing the Traverse City community

We need supporters out in the community talking

about what this truly is: a political maneuver by EMM. Ann is likely of little to no ultimate importance to EMM, instead, the possibility of unseating me, Pam, Jane or Jeff, plus the seat vacated by Doris (P. Henkel has already applied) would give her (and her sponsors) the majority they have been seeking since November. The bottom line is that EMM broke the law, told the story that suited her to get the community riled up (knowing we can't respond without violating the law), and is going for the Board majority her team lost.

Sue Kelly, President
Board of Education
Traverse City Area Public Schools

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

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Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 18

Minutes - Traverse City Area Public Schools

Special Meeting of the Board of Education

Thursday, October 17, 2019 @ 4:00 pm

Tompkins Boardman Administration Center, Curriculum Rooms – 2nd floor
412 Webster Street, Traverse City, MI 49686



Amended and approved on October 28, 2019.

A meeting of the Board of Education of the Traverse City Area Public Schools, Counties of Grand Traverse, Leelanau and Benzie, Michigan, was held at the Tompkins Boardman Administration Center, 412 Webster Street, Traverse City, Michigan, on Thursday, October 17, 2019. Board President Kelly called the meeting to order at 4:00 p.m.

BOARD MEMBERS PRESENT:	Anderson, Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
BOARD MEMBERS ABSENT:	None
ADMINISTRATORS PRESENT:	McCall, Guitar
ATTORNEY PRESENT:	John Gierak – Clark Hill, PLC.

Board President Kelly welcomed those in attendance.

PLEDGE OF ALLEGIANCE

Board President Kelly led the Board and those in attendance in the Pledge of Allegiance.

Board President Kelly read a statement to the public addressing the board's obligation to uphold the law.

REVIEW/APPROVAL OF AGENDA

The Board reviewed the agenda and Board President Kelly entertained a motion for approval.

MOVED BY LEONHARDT SUPPORTED BY ELLERY TO approve the agenda as presented.

The following vote was held:

YES: Anderson, Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

PUBLIC COMMENT

Board President Kelly solicited Public Comment and the following was volunteered:

- Allyson McBride-Culver, 9510 Pennington Drive, Interlochen – Open Meetings Act concerns
- Paul Baldwin, NA
- Barb Willing, NA – Open Meetings Act Violation
- Kelly Clark, 9421 Center Road, Traverse City – Transparency
- Michele Worden, 6877 Galvin Road, Traverse City – Board Governance/Financial Transparency
- Cynthia Dougal, 324 W. Thirteenth Street, Traverse City – TCAPS Board/ Open Meetings Act Violation
- Kristie Bach, 9820 E. Avondale, Traverse City – Process
- Grant Parsons, 6936 Mission Ridge, Traverse City – Open Meetings Act/Transparency
- Rebecca Walters (read by Amy Moore), 1620 East Lane, Traverse City – Superintendent
- Pat Brumbaugh, 4984 Church Road, Traverse City – Superintendent
- Jayne Mohr, 3972 Incochee Road, Traverse City – Concerns and Aspirations
- Bryan Decker, 3521 Orchard View, Traverse City – Blueprint
- Connie Boylan, 6121 Peggy Lane, Traverse City – Superintendent
- Flournoy Humphreys, 4984 Church Road, Traverse City – Superintendent
- Kelly Roscher, 323 W. 11th Street, Traverse City – Thank you/board resignations

DISCUSSION/MOTION

Authorization of Mutual Agreement

MOVED BY LEONHARDT, SUPPORTED BY ANDERSON to authorize the Board President to sign a mutual agreement with the superintendent on behalf of the TCAPS Board of Education.

Board President Kelly read a statement and Ann Cardon's letter of resignation was read aloud.

The following Roll Call vote was held:

YES: Anderson, Ellery, Forton, Kelly, Klegman, Leonhardt

NO: Moon Mohr

MOTION CARRIED. (Amended: Board President did not announce motion carried after vote of 6:1)

Selection of Interim Superintendent

MOVED BY FORTON, SUPPORTED BY LEONHARDT to name Jim Pavelka as Interim Superintendent.

The following Roll Call vote was held:

YES: Anderson, Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr

NO: None

MOTION CARRIED.

ADJOURNMENT

MOVED BY LEONHARDT, SUPPORTED BY FORTON to adjourn the meeting at 4:50 pm.

The following vote was held:

YES: Anderson, Ellery, Forton, Kelly, Klegman, Leonhardt, Moon Mohr

NO: None

MEETING ADJOURNED.

Next Board Meeting

October 28, 2019

Special Board Retreat – 4:00 pm

Board Study Session – 5:30 p.m.

Tompkins Boardman Administration Center

412 Webster Street, Traverse City, MI

BOARD MEMBERS: Matt Anderson, Doris Ellery, Pamela Forton, Sue Kelly, Jane Klegman, Jeff Leonhardt, Erica Moon Mohr

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

COMPLAINT: EXHIBIT 19

Pursuant to instruction from the County of Grand Traverse's Judicial Clerk, Plaintiff shall submit a hardcopy of the subject Complaint, including a disk containing video footage referenced as *Exhibit 19*, to the Court. Plaintiff shall serve a copy of same upon Defendants.

20

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

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Robin Luce Herrmann (P46880)

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41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 20



Brendan Quealy <bquealy@gmail.com>

FW: Record-Eagle FOIA #4 Response

1 message

Brendan Quealy <bquealy@record-eagle.com>
To: bquealy@gmail.com

Mon, Dec 23, 2019 at 4:57 PM

From: Christine Guitar [mailto:guitarch@tcaps.net]
Sent: Monday, October 21, 2019 3:41 PM
To: Brendan Quealy
Subject: Record-Eagle FOIA #4 Response

Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 11, 2019, made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 15, 2019. You requested the following:

- "A copy of Ann Cardon's resignation letter.
- A copy of the separation agreement between Traverse City Area Public Schools and Ann Cardon."

TCAPS is exercising its right under Section 5(2) of the FOIA to a ten (10) business-day extension to respond to the request. This will enable us to search for the information requested, as well as to determine exempt from non-exempt information and to redact exempt information, if any. Your request will be responded to on or before November 4, 2019.

In accordance with the *District's Freedom of Information Act Procedures and Guidelines*, if payment is required, requested information will not be released until the payment is received. A fee estimate will be provided to you should any charges be determined based on your request.

If you no longer wish to receive this information, wish to modify your request, or if you have any questions regarding this matter, please let me know immediately.

Best,

Christine Guitar

Executive Director of Communications

Traverse City Area Public Schools

Great Community, Great Schools

Telephone: 231-933-1795

Cell Phone: 231-735-5898

Email: guitarch@tcaps.net

12/27/2019

Gmail - FW: Record-Eagle FOIA #4 Resp

Have news? Send information, photos, etc. to pr@tcaps.net



FOIA Extension Letter.pdf

297K

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

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vs.

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Traverse City Area Public Schools Board
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Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 21

From: Brendan Quealy [mailto:bquealy@record-eagle.com]

Sent: Monday, October 21, 2019 3:54 PM

To: 'guitarch@tcaps.net'

Subject: RE: FW: FOIA Request - Traverse City Record-Eagle

Thank you.

From: Christine Guitar [mailto:guitarch@tcaps.net]

Sent: Monday, October 21, 2019 3:34 PM

To: Brendan Quealy

Subject: Re: FW: FOIA Request - Traverse City Record-Eagle

Thanks for resending, Brendan.

As I'm sure you know, TCAPS has a history of consistently responding to all FOIA requests in a timely manner and in accordance with the law.

Section 5(3) of the FOIA states that failure to respond to a request pursuant to subsection 5(2) constitutes a public body's final determination to deny the request only if the failure was willful and intentional.

We conducted a search and have located the original request which appears to have been sent directly to an archive folder without ever having been read or processed. According to Section 5(1)

of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. However, if a written request is sent by electronic mail and delivered to the public body's spam or junk-mail folder, the request is not received until one (1) day after the public body first becomes aware of the written request. Accordingly, your request was, for purposes of the FOIA, received on October 22, 2019. We will begin processing your request.

Best,

Christine Guitar

Executive Director of Communications

Traverse City Area Public Schools

Great Community, Great Schools

Telephone: 231-933-1795

Cell Phone: 231-735-5898

Email: guitarch@tcaps.net

Have news? Send information, photos, etc. to pr@tcaps.net

On Mon, Oct 21, 2019 at 1:22 PM Brendan Quealy <bquealy@record-eagle.com> wrote:

Hi Christine,

This was the only FOIA I sent on Oct. 10 that I did not receive a response for.

Thanks.

Brendan Quealy

Traverse City Record-Eagle

Office: 231-933-1488

Cell: 708-623-9555

From: Brendan Quealy [mailto:bquealy@record-eagle.com]

Sent: Thursday, October 10, 2019 11:56 AM

To: 'guitarch@tcaps.net'

Subject: FOIA Request — Traverse City Record-Eagle

To Whom It May Concern:

Pursuant to the Michigan Freedom of Information Act, I hereby request the following records:

- A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon

As the FOIA requires, please release all reasonably segregable nonexempt portions of documents and other records and please cite specific statutory justification for each exemption deemed necessary.

In order to help to determine my status to assess fees, you should know that I am a representative of the news media affiliated with the Traverse City (Mich.) Record-Eagle, and this request is made as part of news gathering activity and not for commercial use.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 5 business days, as the statute requires.

Brendan Quealy

Traverse City Record-Eagle

Office: 231-933-1488

Cell: 708-623-9555

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

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Traverse City Area Public Schools Board
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Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 22

AGENDA - Traverse City Area Public Schools

Meeting of the Board of Education

Monday, October 28, 2019 @ 5:30 PM

Tompkins Boardman Administration Center, Conference Room C – 2nd Floor
412 Webster Street, Traverse City, MI 49686



Approved at the November 11, 2019.

A meeting of the Board of Education of the Traverse City Area Public Schools, Counties of Grand Traverse, Leelanau and Benzie, Michigan, was held at the Tompkins Boardman Administration Center, 412 Webster Street, Traverse City, Michigan, on Monday, October 28, 2019. Board President Kelly called the meeting to order at 5:33 p.m.

BOARD MEMBERS PRESENT: Forton, Kelly, Klegman, Leonhardt, Moon Mohr
BOARD MEMBERS ABSENT: Anderson, Ellery
ADMINISTRATORS PRESENT: Berck, Guitar, McCall, Pavelka, Thomas-Hill

Board President Kelly welcomed those in attendance.

PLEDGE OF ALLEGIANCE

Board Trustee Klegman led the Board and those in attendance in the Pledge of Allegiance.

Board President Kelly introduced and welcomed Interim Superintendent Pavelka back to TCAPS. Mr. Pavelka thanked the board and community for the support he has received.

REVIEW/APPROVAL OF AGENDA

The Board reviewed the agenda and Board President Kelly entertained a motion for approval.

MOVED BY FORTON SUPPORTED BY LEONHARDT TO approve the agenda as presented.

The following vote was held:

YES: Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

PUBLIC COMMENT

Board President Kelly solicited Public Comment and the following was volunteered:

- Ian Ashton, 4558 Audubon, Traverse City, MI – BOE Appointments
- Kelly Roscher, 323 W. 11th Street, Traverse City, MI – School Board Candidates
- Rhonda Busch, 1223 Londolyn Ter. W., Traverse City, MI – Resignation
- Tom Mair, 612 5th Street, Traverse City, MI – City Commission Candidate
- Paul Baldwin, 9162 Helen White Drive, Lake Ann, MI – Resignation

RECOGNITION

Traverse City Central High School students performed a song from West Side Story, under the direction of Tamara Williams.

STUDY SESSION

Audit of Financial Report

Associate Superintendent Thomas-Hill introduced Steve Piesko (CPA, Director/Principal – Audit) from Maner Costerisan. Mr. Piesko gave an overview of the audit document, highlighting several items:

- First, he explained the auditing process and the involvement of staff and board members.
- TCAPS has earned a clean opinion, unmodified, the best opinion the district can receive
- TCAPS is the 18th largest district in Michigan in terms of student population, out of 825 districts in the state. In addition,
 - Total General Fund Revenue – TCAPS ranks 433
 - Average Teacher Salary – TCAPS ranks 113
 - General Administration – TCAPS ranks 800

These are indicators that more funds are being spent in the classroom than anywhere else.

- Last six years show increases in taxable values, last year's increasing almost 5%. A continued increase is important for maintaining 3.1 millage and issuing new bonds.
- The general fund balance increased to 8.9% at year end, up from 8.4% from the prior year.
- After extensive auditing to funds used from the bond for capital projects, no issues were found.
- Under GASB for the 2019/2020 school year there is a change on how to record fiduciary activities. TCAPS is well prepared for the change.
- Consistent with the past, TCAPS has a 1.4% positive variance due to conservative budgeting.

SUPERINTENDENT'S REPORT

District Highlights

Traverse City Central High School Presents West Side Story—November 8th-17th

This November, experience the classic hit musical West Side Story presented by Traverse City Central High School. West Side Story is an unforgettable story of heartbreak, passion, and resilience of the human spirit. It has become one of the most celebrated musicals in theatrical history. Led by veteran Artistic Director, Erin Peck and Musical Director, Tamara Williams, the strong ensemble cast captures the power and emotion of this incredible show. West Side Story will be on stage November 8, 9, 10, and November 15, 16, 17. Tickets are available starting October 7th at www.mynorthtickets.com.

Traverse City West Senior High School presents Fiddler on the Roof - November 15 - 24.

Winner of nine Tony Awards, Fiddler on the Roof has touched audiences worldwide with its humor, warmth and honesty. Set in the little village of Anatevka, the story centers on Tevye, a poor milkman, and his five daughters. With the help of a colorful and tight-knit Jewish community, Tevye tries to protect his daughters and instill them with traditional values in the face of changing social mores and the growing anti-Semitism of Czarist Russia. Rich in historical and ethnic detail, Fiddler on the Roof's universal theme of tradition cuts across barriers of race, class, nationality and religion, leaving audiences crying tears of laughter, joy and sadness. With iconic and beloved songs such as "Sunrise, Sunset," "Tradition," "If I Were a Rich Man," and "Matchmaker," Fiddler on the Roof is the perfect mix for all ages with audience-pleasing humor and heart. Tickets for November 15-17 and November 22-24 can be found at www.mynorthtickets.com.

SPORTS HIGHLIGHTS

October 30, 2019 at 6:00 pm – West Varsity Boys Soccer Semi-State playoffs vs. Novi at Holt
 November 1, 2019 at 7:00 pm – Central Varsity Football playoff against Midland Dow at Thirlby
 November 2, 2019 at 7:00 pm - West Varsity Football playoff against Hudsonville at Thirlby
 November 2, 2019 – Central Boys and Girls Varsity Cross Country going to states
 November 4, 2019 – Central Volleyball playoffs vs. Alpena in Petoskey

Calendar Reminders

November 1, 2019 Half day for all TCAPS students
 November 5, 2019 No school for all TCAPS students, Election Day

CONSENT

The purpose of the Consent Calendar is to expedite business by grouping items together to be dealt with by one board member motion without discussion. Any member of the board may ask that any item on the consent calendar be removed there from and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected.

a. Field Trip

The board considered the following:

- Traverse City West Middle School and Traverse City East Middle School Japanese Sister City Exchange (six students and three staff members) traveling to Koka, Shiga, Japan to participate in a cultural exchange, February 27, 2020 – March 6, 2020.

b. Minutes

The Board approved the regular and closed meeting minutes from their meetings held October 7 and October 11, 2019.

MOVED BY KLEGMAN SUPPORTED BY FORTON TO approve the Consent Calendar as amended and without discussion.

The following vote was held:

YES: Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

DISCUSSION/MOTION

a. Ratification of TCAPS Interim Superintendent Contract

The Board will consider ratification of a contract for the Interim Superintendent.

MOVED BY FORTON SUPPORTED BY LEONHARDT to approve the contract of employment between Traverse City Area Public Schools and James M. Pavelka as Interim Superintendent as outlined.

The following Roll Call vote was held:

YES: Forton, Kelly, Klegman, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

b. Selection of Interim Board Member

Board President Kelly provided the audience with an overview of the process for interviewing the candidates. She indicated that the interviews were being recorded but not televised. The recorded interviews will be available and posted on the district website.

The Board heard statements from and asked questions of the following candidates:

- Kathy von Houwelingen
- Josey Ballenger
- Benjamin McGuire
- Scott Morey
- Douglas Morgenstern
- Donna Olendorf
- HT Snowday
- Bill O. Smith
- Patricia Henkel

The board thanked the candidates for their willingness to serve as a board member and they discussed the candidate's qualifications and responses.

MOVED BY MOON MOHR to select Josey Ballenger as interim board member.

MOTION FAILED (not seconded)

MOVED BY LEONHARDT, SECONDED BY FORTON to selected Benjamin McGuire as interim board member to fulfill Doris Ellery's term through December 31, 2020.

The following Roll Call vote was held:

YES: Forton, Kelly, Leonhardt
NO: Klegman, Moon Mohr

MOTION CARRIED.

Benjamin McGuire read his Oath of Office with a Notary Public present and took his seat at the board table for the remainder of the meeting.

*The board was informed on October 29, 2019 that this was an invalid vote, as it did not represent the majority of the full board. See minutes from October 30, 2019 for affirmation of vote.

ELECTION OF OFFICERS

OFFICE OF VICE PRESIDENT:

President Kelly declared nominations in order for the **OFFICE OF VICE PRESIDENT** of the Board of Education.

MOVED BY KLEGMAN SUPPORTED BY FORTON to nominate LEONHARDT for the Office of Vice President.

No other nominations were made

A Roll Call Vote was taken for: LEONHARDT FOR VICE PRESIDENT.

YES: Forton, Kelly, Klegman, McGuire, Moon Mohr
NO: None.

MOTION CARRIED.

LEONHARDT was declared Vice President for the remainder of the 2019 calendar year by way of unanimous consent.

*Due to previously stated invalid vote, Trustee McGuire's vote did not count toward election of Board Vice-President.

DISCUSSION/MOTION

a. Correction of Board Meeting Minutes from October 17, 2019 Special Meeting

As requested by Trustee Moon Mohr, the October 17, 2019 Regular Board Meeting minutes were pulled from consent to be discussed. Ms. Moon Mohr indicated that Board President Kelly did not indicate motion passed during the vote for Authorization of Mutual Agreement.

President Kelly instructed the recording secretary to correct the minutes to indicate the motion carried.

MOVED BY FORTON SUPPORTED BY LEONHARDT to approve the October 17, 2019 Special Board Meeting minutes as corrected.

The following Roll Call Vote was held:

YES: Forton, Kelly, Klegman, Leonhardt, McGuire, Moon Mohr
NO: None.

MOTION CARRIED.

*Due to previously stated invalid vote, Trustee McGuire's vote did not count toward approval of minutes from October 17, 2019.

ADJOURNMENT

MOVED BY KLEGMAN SUPPORTED BY LEONHARDT to adjourn the meeting at 8:18 pm.

The following vote was held:

YES: Forton, Kelly, Klegman, Leonhardt, McGuire, Moon Mohr
NO: None

MOTION CARRIED.

*Due to previously stated invalid vote, Trustee McGuire's vote did not count toward adjournment.

***Next Board Meeting
November 11, 2019 (6:00 p.m.)
Tompkins Boardman Administration Center
412 Webster Street, Traverse City, MI***

BOARD MEMBERS: Matt Anderson, Doris Ellery, Pamela Forton, Sue Kelly, Jane Klegman, Jeff Leonhardt, Erica Moon Mohr

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 23

October 29, 2019



Brendan Quealy
Traverse City Record Eagle
Bquealy@record-eagle.com

Christine Guitar
Executive Director of Communications

Dear Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 10, 2019 (received by the district on October 21, 2019), made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 22, 2019.

You requested "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon."

Your request identifies documentation that was specifically and exclusively prepared for use in a closed session of the Board. Such notes/documentation are exempt from disclosure under Section 13(1)(d) of the FOIA and Section 7(2) of the Open Meetings Act. Accordingly, your request must be denied.

You have the right to appeal the denial of records by one of the following:

1. Submit to the "head of the public body" (via Board President Sue Kelly) a written appeal that specifically states the word "appeal" and identifies the reason(s) for reversal of the disclosure denial; or
2. Commence an action in the Circuit Court to compel the public body's disclosure of the public records. A full explanation of your right to seek either an appeal or judicial review is set forth in the attached Section 10 of the FOIA (MCL 15.240). In the event you are not satisfied with this response, we are advising you of your rights pursuant to MCL 15.240. Within 180 days of this public body's final determination to deny your request, you may seek judicial review of this denial in the circuit court to compel this public body's disclosure of the public records. MCL 15.240(1)(b), (3). If, after judicial rule, the circuit court determines that the public record is not exempt from disclosure, the court will order the public body to cease withholding or to produce the record, and you can be awarded reasonable attorney fees, costs and disbursements. MCL 14.240(4), (6). If the court determines that the public body has arbitrarily and capriciously violated the FOIA by refusal or delay in disclosing or providing public records, the court may order punitive damages up to \$500 in addition to actual or compensatory damages from the public body. MCL 15.240(7).

In accordance with the District's *Freedom of Information Act Procedures and Guidelines*, there is no fee associated with your request. Please let me know if you have any questions or need additional information regarding this matter.

Sincerely,



Christine Guitar
Executive Director of Communications

CG/rf
Attachments

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

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Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 24

October 29, 2019



Brendan Quealy
Traverse City Record-Eagle
bquealy@record-eagle.com

Christine Guitar
Executive Director of Communications

Dear Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 10, 2019, made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 11, 2019. You requested the following records:

- *"All written communications (including but not limited to emails, cell phone text messages, written letters and memos) sent or received during the period of Aug. 1, 2019-Oct. 10, 2019, by any Traverse City Area Public Schools Board of Education members or any member of the TCAPS executive team regarding Ann Cardon's job performance, Cardon's standing with the board, Cardon's employment with the district and complaints filed by or against Cardon*
- *Ann Cardon's personnel record, including any complaints*
- *Jame McCall's personnel record, including any complaints"*

Based on our October 16th phone conversation you refined the scope of the personnel records request for Ann Cardon and Jame McCall to the following:

- *"Ann Cardon's complete personnel record, including any complaints*
- *Jame McCall's personnel record, limited to evaluations, discipline and any complaints"*

In an October 18th email, you further amended your request regarding Jame McCall's personnel records to include:

- *"Copies of Jame McCall's contracts."*

Your request is granted in part and denied in part. Your request for discipline records and complaints regarding Jame McCall and complaints regarding Ann Cardon is denied, pursuant to Section 5(5)(b) of the FOIA, because to the best of my knowledge, information, and belief, no public records exist as of

October 29, 2019, under the name(s) set forth in your request, nor under another name reasonable know to the district. You have the right to appeal the denial of records by one of the following:

1. Submit to the "head of the public body" (via Board President Erik Falconer) a written appeal that specifically states the word "appeal" and identifies the reason(s) for reversal of the disclosure denial; or
2. Commence an action in the Circuit Court to compel the public body's disclosure of the public records. A full explanation of your right to seek either an appeal or judicial review is set forth in the attached Section 10 of the FOIA (MCL 15.240). In the event you are not satisfied with this response, we are advising you of your rights pursuant to MCL 15.240. Within 180 days of this public body's final determination to deny your request, you may seek judicial review of this denial in the circuit court to compel this public body's disclosure of the public records. MCL 15.240(1)(b), (3). If, after judicial rule, the circuit court determines that the public record is not exempt from disclosure, the court will order the public body to cease withholding or to produce the record, and you can be awarded reasonable attorney fees, costs and disbursements. MCL 14.240(4), (6). If the court determines that the public body has arbitrarily and capriciously violated the FOIA by refusal or delay in disclosing or providing public records, the court may order punitive damages up to \$500 in addition to actual or compensatory damages from the public body. MCL 15.240(7).

In the interest of completing this expeditiously, the fee has been waived this one time in accordance with the district's Freedom of Information Act Procedures and Guidelines. Please let me know if you have any questions or need additional information.

Sincerely,



Christine Guitar
Executive Director of Communications

CG/rf
Attachments

25

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 25



Brendan Quealy <bquealy@gmail.com>

FW: R-E #2 FOIA Response

1 message

Brendan Quealy <bquealy@record-eagle.com>
To: bquealy@gmail.com

Mon, Dec 23, 2019 at 4:57 PM

From: Christine Guitar [mailto:guitarch@tcaps.net]
Sent: Friday, November 01, 2019 1:40 PM
To: Brendan Quealy
Subject: R-E #2 FOIA Response

Mr. Quealy:

Traverse City Area Public Schools is in receipt of your information request dated October 10, 2019, made under the Freedom of Information Act (FOIA). Under Section 5(1) of the FOIA, a written information request made by electronic mail is not considered to be received by a public body until one (1) business day after the electronic transmission is made. Accordingly, your request was, for purposes of the FOIA, received on October 11, 2019. TCAPS exercised its right under Section 5(2) of the FOIA to a ten (10) business-day extension to respond to the request.

You requested *"all written communications (including but not limited to emails, cell phone text messages on private and district devices) between Traverse City Area Public Schools Superintendent Ann Cardon and TCAPS Board of Education President Sue Kelly from Sept. 10, 2019-Oct. 10, 2019."*

Your request is granted in part and denied in part. Redactions were made to protect information that is exempt from disclosure under Section 13(1)(a) and 13(1)(g) of the FOIA. Redactions included personal emails and attorney-client privileged information.

You have the right to appeal the denial of records by one of the following:

1. Submit to the "head of the public body" (via Board President Sue Kelly) a written appeal that specifically states the word "appeal" and identifies the reason(s) for reversal of the disclosure denial; or
2. Commence an action in the Circuit Court to compel the public body's disclosure of the public records. A full explanation of your right to seek either an appeal or judicial review is set forth in the attached Section 10 of the FOIA (MCL 15.240). In the event you are not satisfied with this response, we are advising you of your rights pursuant to MCL 15.240. Within 180 days of this public body's final determination to deny your request, you may seek judicial review of this denial in the circuit court to compel this public body's disclosure of the public records. MCL 15.240(1)(b), (3). If, after judicial rule, the circuit court determines that the public record is not exempt from disclosure, the court will order the public body to cease withholding or to produce the record, and you can be awarded reasonable attorney fees, costs and disbursements. MCL 14.240(4), (6). If the court determines that the public body has arbitrarily and capriciously violated the FOIA by refusal or delay in disclosing or providing public records, the court may order punitive damages up to \$500 in addition to actual or compensatory damages from the public body. MCL 15.240(7).

12/27/2019

Gmail - FW: R-E #2 FOIA Response

In the interest of completing this expeditiously, the fee has been waived this one time in accordance with the District's *Freedom of Information Act Procedures and Guidelines*. Please let me know if you have any questions or need additional information regarding this matter.

Sincerely,

Christine Guitar

Executive Director of Communications

Traverse City Area Public Schools

Great Community, Great Schools

Telephone: 231-933-1795

Cell Phone: 231-735-5898

Email: guitarch@tcaps.net

Have news? Send information, photos, etc. to pr@tcaps.net

2 attachments



Record Eagle #2 FOIA Response Letter.pdf

131K



Record-Eagle #2 FOIA Response.pdf

1935K

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
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CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

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Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 26

From: Brendan Quealy [mailto:bquealy@record-eagle.com]

Sent: Wednesday, November 06, 2019 3:15 PM

To: 'Nate Payne'

Subject: FOIA Denial Appeals

FOIA Denial Appeal Cardon Complaint Letter

Ms. Guitar,

This is an appeal under the Freedom of Information Act.

On Oct. 29, 2019, the Record-Eagle received a response to our request seeking "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon."

We wish to appeal the district's denial of that request.

The document was withheld citing Section 13(1)(d) of the FOIA — records or information specifically described and exempted from disclosure by statute — and Section 7(2) of the Open Meetings Act — a separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11, or 13.

The document must be disclosed under the FOIA because no statute was cited to exempt the document from disclosure, as required by FOIA. The document must also be disclosed because Section 7(2) of the OMA pertains specifically to the minutes of a closed session and does not pertain to documents provided to all board members and others present in the closed session.

We request that you release the withheld documents with haste. The public interest in their release outweighs any interest in withholding them. The document in question would contribute substantially to the public's understanding of the relationship between the TCAPS board of education and the then-current and now-former Traverse City Area Public Schools Superintendent Ann Cardon.

If you need to discuss this request, I can be reached at 231-933-1488 Thank you for your consideration of this appeal.

Sincerely,

Brendan Quealy

Traverse City Record-Eagle

120 W. Front Street, Traverse City, MI, 49684

FOIA Denial Appeal Communications and Complaints

Ms. Guitar,

This is an appeal under the Freedom of Information Act.

On Oct. 29, 2019, the Traverse City Record-Eagle received a response to a FOIA request seeking "All written communications (including but not limited to emails, cell phone text messages, written letters and memos) sent or received during the period of Aug. 1, 2019-Oct. 10, 2019, by any Traverse City Area Public Schools Board of Education members or any member of the TCAPS executive team regarding Ann Cardon's job performance, Cardon's standing with the board, Cardon's employment with the district and complaints filed by or against Cardon"; "Ann Cardon's complete personnel record, including any complaints"; Jame McCall's personnel record, limited to evaluations, discipline and any complaints"; and "Copies of Jame McCall's contracts."

Our request was granted in part and denied in part. We wish to appeal the denial of portions of that request.

Certain parts of the written communications were redacted without reason. We request that the redacted information be provided under FOIA.

The request for complaints regarding Ann Cardon was denied, pursuant to Section 5(5)(b) of the FOIA, citing that to the best of your knowledge, information, and belief, "no public records exist as of November 1, 2019, under the name(s) set forth in your request, nor under another name reasonable known to the district." However, in a separate request for "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon," the Record-Eagle was told that document could not be provided because of FOIA and Open Meetings Act exemptions.

The conflicting responses lead us to believe such a document exists and that a "letter ... regarding a complaint" against Cardon constitutes another name reasonably known to the district.

We request you release the withheld documents notwithstanding their exempt status. The public interest in their release outweighs the public interest in withholding them because this is regarding the performance of the then-current and now-former Traverse City Area Public Schools Superintendent Ann Cardon.

If you need to discuss this request, I can be reached at 231-933-1488 Thank you for your consideration of this appeal.

Sincerely,

Brendan Quealy

Traverse City Record-Eagle

120 W. Front Street, Traverse City, MI, 49684

FOIA Denial Appeal Communications Between Cardon and Kelly

Ms. Guitar,

This is an appeal under the Freedom of Information Act.

On Nov. 1, 2019, the Record-Eagle received a response to its request for "all written communications (including but not limited to emails, cell phone text messages on private and district devices) between Traverse City Area Public Schools Superintendent Ann Cardon and TCAPS Board of Education President Sue Kelly from Sept. 10, 2019-Oct. 10, 2019."

The newspaper's request was granted in part and denied in part. We wish to appeal the decision to withhold those communications.

The district contends redactions were made to protect information that is exempt from disclosure under Section 13(1)(a) and 13(1)(g) of the FOIA. Redactions included "personal emails and attorney-client privileged information." However, some of the redacted communications between Cardon and Kelly did not include communication with an attorney.

Taylor v Blue Cross & Blue Shield, 205 Mich App 644, 517 NW2d 864 (1994) cites the privilege attaches only to communications a client makes to the attorney acting

as a legal advisor and for the purpose of obtaining legal advice. Kubiak v Hurr, 143 Mich App 465, 372 NW2d 341 (1985) cites the privilege only applies to confidential communications that a client makes to an attorney acting as a legal adviser and for the purpose of obtaining legal advice. Parker v Associates Disc Corp, 44 Mich App 302, 205 NW2d 300 (1973) cites the purpose of the privilege is only to facilitate communications between the client and legal counsel.

We request that you overturn the decision to redact the withheld communications. There is substantial public interest to compel the release the redacted materials because they would shed important light on activities surrounding the eventual resignation of Cardon.

If you need to discuss this request, I can be reached at 231-933-1488 Thank you for your consideration of this appeal.

Sincerely,

Brendan Quealy

Traverse City Record-Eagle

120 W. Front Street, Traverse City, MI, 49684

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 27

MINUTES - Traverse City Area Public Schools

Meeting of the Board of Education

Monday, November 25, 2019 @ 6:00 PM

Tompkins Boardman Administration Center, Conference Room C – 2nd Floor
412 Webster Street, Traverse City, MI 49686



Approved December 9, 2019.

A meeting of the Board of Education of the Traverse City Area Public Schools, Counties of Grand Traverse, Leelanau and Benzie, Michigan, was held at the Tompkins Boardman Administration Center, 412 Webster Street, Traverse City, Michigan, on Monday, November 25, 2019. Board President Kelly called the meeting to order at 6:00 p.m.

BOARD MEMBERS PRESENT:	Anderson, Forton, Kelly, McGuire, Leonhardt, Moon Mohr (remote)
BOARD MEMBERS ABSENT:	Klegman
ADMINISTRATORS PRESENT:	Berck, Guitar, McCall, Pavelka, Thomas-Hill
OTHERS PRESENT:	District Attorney Nancy Mullett, Clark Hill

Board President Kelly welcomed those in attendance.

*Note: Board Trustee Moon Mohr participated remotely and all votes were conducted via Roll Call.

PLEDGE OF ALLEGIANCE

Board Vice President Leonhardt led the Board and those in attendance in the Pledge of Allegiance.

REVIEW/APPROVAL OF AGENDA

The Board reviewed the agenda and Board President Kelly entertained a motion for approval.

MOVED BY FORTON SUPPORTED BY LEONHARDT TO approve the agenda as presented.

The following Roll Call vote was held:

YES:	Anderson, Forton, Kelly, McGuire, Leonhardt, Moon Mohr
NO:	None

MOTION CARRIED.

PUBLIC COMMENT

Board President Kelly solicited Public Comment and the following was volunteered:

- Rhonda Busch, 1223 Londolyn Ter. W., Traverse City – Community Support
- Ryan Schrock, 8589 Center Road, Traverse City – Thanksgiving/Gratitude/Blueprint Success
- Justin VanRheenen, NA – Overall Governance
- Allyson McBride-Culver, NA – Thankfulness
- Michelle Worden, 6877 Galvin Road, Traverse City - Governance

RECOGNITION

Montessori Students

Interim Superintendent Pavelka introduced TCAPS Montessori Principal Van Loo and Montessori students Lola Hirsch, Malina Space, Henry Stachnik and Jake Vogel who made a presentation to the board about the Montessori philosophy and what makes a Montessori education unique. The presentation can be viewed on the board's page of the district website.

SUPERINTENDENT'S REPORT

District Highlights

Friends of TCAPS

Jason and Jennifer Tank presented a \$1,000 check to the district on behalf of Friends of TCAPS. The total donated by this grassroots organization to date is nearly \$12,000. Interim Superintendent Pavelka accepted the check on behalf of TCAPS and thanked the organization and community for their generosity. Those interested in donating can do so on the Friends of TCAPS website at friendsoftcaps.org.

Central High School Junior Achievement

The 2019 TC Central marketing class has opened their Primetime Hoodies store, a Junior Achievement Company. Ready to market and sell their newly created brand of Great Lakes influenced sweatshirts, the "Five Lakes" themed sweatshirts will be sold throughout the Grand Traverse Region, through pop-up shops, door-to-door sales, website, and a multi-media marketing campaign. The class, led by teacher Becky Harvey, partnered with Flow For Water™, an area non-profit organization that fights for the cleaning of the Great Lakes. One dollar of every sweatshirt sold will go to their foundation. Primetime Hoodies President, senior Drew Swanson, said that he is "honored to be partnered with such a well-known and humane organization...it makes our little company feel like a top tier company." Color choices are white, charcoal and navy blue and come in sizes small to XL for \$28.95 and XXL for \$30.95. Deliveries will be made before Christmas! For more information call 231-933-6553.

Generations Ahead Teen Parent Support Program Needs Your Help

You can support Generations Ahead for the entire month of November at Empireblu Vintage Furnishings on 8th Street. During store hours, you can drop off any of the following items to help young parents in need: diapers, wipes, gas and gift cards for clients, safety items like plug covers, and baby toiletries. Store hours are Monday – Saturday 10 a.m. to 6 p.m. and Sundays 12 a.m. to 3 p.m.

Titan Robotics Scores Big at Local VEX Robotics Tournament

Congratulations to the Traverse City West Senior High School VEX Teams. Three TC West Robotics VEX teams competed in the Grand Traverse Area Catholic Schools VRC Tower Takeover Tournament on Saturday, November 16, 2019. All three teams did well with 3767X and 3767Y reaching the finals and 3767X falling in the semi-finals by a single point. Team 3767X won the tournament Design Award for their robot design and documentation. The Design Award is presented to a team that demonstrates an organized and professional approach to the design process, project management, time management and team organization.

CONSENT

The purpose of the Consent Calendar is to expedite business by grouping items together to be dealt with by one board member motion without discussion. Any member of the board may ask that any item on the consent calendar be removed there from and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected.

a. Minutes

The Board approved the minutes from their meeting held November 11, 2019.

MOVED BY LEONARDT SUPPORTED BY FORTON TO approve the Consent Calendar as presented and without discussion.

The following Roll Call vote was held:

YES: Anderson, Forton, Kelly, McGuire, Leonhardt, Moon Mohr

NO: None

MOTION CARRIED.

STUDY SESSION

Montessori Update

Associate Superintendent Thomas-Hill provided the board with an updated overview of the Montessori construction timeline and next steps. Some highlights included:

- The City of Traverse City has agreed to a compromise which would partially vacate Griffin Street to vehicle traffic, however, pedestrian and bike traffic would still be permitted. This causes safety and security concerns because the students would have to cross a sidewalk or street to get to the parking lot and playgrounds.
- Due to restrictions of the Pine Street and 14th Street locations, Montessori staff have asked to see renderings on the current building location and Franke Road.

The presentation can be viewed on the board's page of the district website.

DISCUSSION/MOTION

a. Freedom of Information Act Appeal, Traverse City Ticker Appeal No. 1

The Board considered the Traverse City Ticker's Freedom of Information Act appeal dated November 3, 2019.

MOVED BY LEONHARDT SUPPORTED BY ANDERSON that the Board of Education deny the Traverse City Ticker FOIA appeal No. 1 dated November 3, 2019 and designate the Board President to sign the Freedom of Information Act appeal response letter on behalf of the district, as provided by district council.

Board President Kelly explained the Ticker appeal was for materials that are part of the minutes from a closed session. Trustee Moon Mohr expressed her disagreement with the motion. District Attorney Nancy Mullet addressed Trustee Moon Mohr's concerns and provided her legal opinion to support the motion put forth.

The following Roll Call vote was held:

YES: Anderson, Forton, Kelly, McGuire, Leonhardt,
NO: Moon Mohr

MOTION CARRIED.

b. **Freedom of Information Act Appeal, Traverse City Record Eagle Appeal No. 1**

The Board considered the Traverse City Record Eagle Freedom of Information Act appeal dated November 6, 2019.

MOVED BY ANDERSON SUPPORTED BY FORTON that the Board of Education deny the Traverse City Record Eagle FOIA Appeal No. 1 dated November 6, 2019 and designate the Board President to sign the Freedom of Information Act appeal response letter on behalf of the district, as provided by district council.

Board President Kelly explained the first Record Eagle appeal is similar to the Ticker appeal, requesting materials that are part of the minutes from a closed session. Trustee Moon Mohr expressed her concern that the complaint is not in a personnel file and therefore not available to the public.

The following Roll Call vote was held:

YES: Anderson, Forton, Kelly, McGuire, Leonhardt
NO: Moon Mohr

MOTION CARRIED.

c. **Freedom of Information Act Appeal, Traverse City Record Eagle Appeal No. 2**

The Board considered the Traverse City Record Eagle Freedom of Information Act appeal dated November 6, 2019.

MOVED BY ANDERSON SUPPORTED BY FORTON that the Board of Education grant in part the Traverse City Record Eagle FOIA Appeal No. 2 dated November 6, 2019 and designate the Board President to sign the Freedom of Information Act appeal response letter on behalf of the district, as provided by district council.

Board President Kelly explained the second Record Eagle appeal requesting redacted communication will be granted in part. Board Treasurer Anderson indicated the Board is in a position with this appeal to release previously redacted information that is not protected by law. Trustee McGuire stated it is the obligation of the board to respect the confidentiality that is outlined in board governance.

The following Roll Call vote was held:

YES: Anderson, Forton, Kelly, McGuire, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

d. **Freedom of Information Act Appeal, Traverse City Record Eagle Appeal No. 3**

The Board considered the Traverse City Record Eagle Freedom of Information Act appeal dated November 6, 2019.

MOVED BY FORTON SUPPORTED BY LEONHARDT that the Board of Education grant the Traverse City Record Eagle FOIA Appeal No. 3 dated November 6, 2019 and designate the Board President to sign the Freedom of Information Act appeal response letter on behalf of the district, as provided by district council.

Board President Kelly explained the third Record Eagle appeal being granted requests all communications between Sue Kelly and Ann Cardon during a specified period of time be provided without redaction, except personal email addresses.

The following Roll Call vote was held:

YES: Anderson, Forton, Kelly, McGuire, Leonhardt, Moon Mohr
NO: None

MOTION CARRIED.

BOARD PRESIDENT CLOSING REMARKS

Standards of Practice

Board members reviewed their Standards of Practice No. 2 and used the MASB Board Governance Standards of Practice Guide to evaluate and discuss the board's performance relative to communicating high expectations for student learning with clear goals and plans for meeting those expectations. The board discussed how the Blueprint has assisted with providing teachers and administrators with data that can be used on a daily basis to help with teaching and learning, including needs within the Intense Student Support Network (ISSN).

Board President Kelly deferred to Associate Superintendent McCall to provide an update on the installation timeline for the Blueprint. Ms. McCall provided updates on the Leadership Network, Talent Management, Instructional Infrastructure, Intense Student Support Network (ISSN), Teacher Collaborative Routines and Instructional Leadership Routines. She thanked building leaders and the board for staying the course and recognizing that it takes time to get these systems installed and begin to see the results of the work being done.

ADJOURNMENT

MOVED BY LEONHART SUPPORTED BY FORTON TO adjourn the meeting at 7:17 pm.

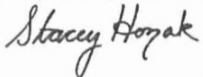
The following Roll Call vote was held:

YES: Anderson, Forton, Kelly, McGuire, Leonhardt, Moon Mohr

NO: None

MOTION CARRIED.

Respectfully submitted,



Stacey Hozak
Board Recording Secretary

***Next Board Meeting
Monday, December 9, 2019 (6:00 p.m.)
Tompkins Boardman Administration Building –
Conf. Room C – 2nd Floor
412 Webster Street, Traverse City, MI 49686***

BOARD MEMBERS: Matt Anderson, Pamela Forton, Sue Kelly, Jane Klegman, Jeff Leonhardt, Ben McGuire, Erica Moon Mohr

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 28

November 25, 2019

Mr. Brendan Quealy
Traverse City Record Eagle
120 Front Street
Traverse City, MI 49684

Re: FOIA Appeal Record Eagle No. 2 (RE FOIA Rqt. No. 1)

Dear Mr. Quealy:

On October 10, 2019, you filed a Freedom of Information Act request with Traverse City Area Public Schools requesting in part "All written communications (including but not limited to emails, cell phone text messages, written letters and memos) sent or received during the period of August 1, 2019-October 10, 2019, by any Traverse City Area Public Schools Board of Education member or any member of the TCAPS executive team regarding Ann Cardon's job performance, Cardon's standing with the Board, Cardon's employment with the district and complaints filed by or against Cardon." On October 29, 2019, your response was denied, in part, as evidenced by the redaction of portions of provided communications.

On November 6, 2019, you appealed the partial denial and again requested the disclosure of all redacted information as noted above. The TCAPS Board of Education received your appeal at its November 11, 2019, regularly scheduled meeting.

Specifically you appeal the following:

1. The denial of your request regarding "written communications redacted without reason." You request that the redacted information be provided under FOIA

2. The denial of your request for a complaint regarding Ann Cardon whether contained in her personnel file or a copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon. At the outset it is reaffirmed that no complaint is contained in Ann Cardon's personnel file.

On November 25, 2019, the Board of Education authorized me to sign the FOIA appeal partially reversing the denial. By way of further explanation, the information that remains redacted includes portions of an email Board Trustee Erica Moon Mohr sent to members of the District's Board of Education on October 10, 2019, which she subsequently read aloud at a public Board meeting later that day. The reacted portions are not subject to disclosure under Section 13(1)(d) of the FOIA and Section 7(2) of the Open Meetings Act (OMA). (MCL 15.267(2)).

Board of Education

M. Sue Kelly
President

Jeffrey A. Leonhardt
Vice President

Pamela G. Forton
Secretary

Matthew R. Anderson
Treasurer

Jane E. Klegman
Trustee

Benjamin L. McGuire
Trustee

Erica L. Moon Mohr
Trustee

James M. Pavelka
Interim Superintendent

Stacey Hozak
Recording Secretary

As a separate matter, the denial of your request for "a copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon" is also upheld. Section 13(1)(d) of the FOIA provides that a public body 'may exempt from disclosure records or information specifically described and exempted from disclosure by statute. The relevant statute in this case, MCL 15.267(2) of the OMA, governing closed-session meetings of a public body, provides:

"...A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action...."

Moreover, MCL 15.272 states, in relevant part: "(1) A public official who intentionally violates this act is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00." In your request, the documents sought to be disclosed are part of the minutes of the closed session. *Titus v Shelby Charter Township*, 226 Mich App. 611(1997).

Finally, any personal email addresses have remained redacted as allowed under Section 13(1)(a) of the FOIA.

Since your appeal has been denied in part, it is my responsibility to inform you that you may seek judicial review under FOIA Section 10, MCL 15.240 by filing a civil action in the appropriate circuit court. A party who prevails in such an action may be awarded its reasonable costs, attorney fees and disbursement. Additionally, the court may award punitive damages in the amount of \$1000.00 if it determines the District arbitrarily or capriciously violated FOIA. A copy of Section 10 is enclosed.

Sincerely,



Sue Kelly
Board President

FREEDOM OF INFORMATION ACT (EXCERPT)

Act 442 of 1976

15.240 Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10. (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977;—Am. 1978, Act 329, Imd. Eff. July 11, 1978;—Am. 1996, Act 553, Eff. Mar. 31, 1997;—Am. 2014, Act 563, Eff. July 1, 2015.

Popular name: Act 442

Popular name: FOIA

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 29

November 25, 2019

Mr. Brendan Quealy
Traverse City Record Eagle
120 Front Street
Traverse City, MI 49684

Re: FOIA Appeal Record Eagle No. 3 (RE FOIA Rqt. No. 2)

Dear Mr. Quealy:

On October 10, 2019, you filed a Freedom of Information Act request with Traverse City Public Schools requesting in part "All written communications (including but not limited to emails, cell phone text messages on private and district devices) between Traverse City Area Public Schools Superintendent Ann Cardon and TCAPS Board of Education President Sue Kelly from Sept. 10, 2019-Oct.10, 2019." On November 1, 2019, your response was denied, in part, as evidenced by the redaction of portions of provided communications.

On November 6, 2019, you appealed the partial denial and again requested the disclosure of all redacted information related to attorney-client privilege. The TCAPS Board of Education received your appeal at its November 11, 2019, regularly scheduled meeting.

On November 25, 2019, the Board of Education authorized me to sign the FOIA appeal granting your request, in keeping with the District's commitment to transparency and disclosure when so allowed under law. A complete copy of the communications sought are provided with revised redactions is enclosed. Personal emails redacted under Section 13(1)(a) of the FOIA will remain redacted.

Sincerely,



Sue Kelly
Board President

Board of Education

M. Sue Kelly
President

Jeffrey A. Leonhardt
Vice President

Pamela G. Forton
Secretary

Matthew R. Anderson
Treasurer

Jane E. Klegman
Trustee

Benjamin L. McGuire
Trustee

Erica L. Moon Mohr
Trustee

James M. Pavelka
Interim Superintendent

Stacey Hozak
Recording Secretary

FREEDOM OF INFORMATION ACT (EXCERPT)

Act 442 of 1976

15.240 Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10. (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977;—Am. 1978, Act 329, Imd. Eff. July 11, 1978;—Am. 1996, Act 553, Eff. Mar. 31, 1997;—Am. 2014, Act 563, Eff. July 1, 2015.

Popular name: Act 442

Popular name: FOIA

30

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

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41000 Woodward Avenue

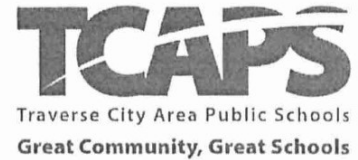
Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 30

November 25, 2019



Mr. Brendan Quealy
Traverse City Record Eagle
120 Front Street
Traverse City, MI 49684

Board of Education

M. Sue Kelly
President

Jeffrey A. Leonhardt
Vice President

Pamela G. Forton
Secretary

Matthew R. Anderson
Treasurer

Jane E. Klegman
Trustee

Benjamin L. McGuire
Trustee

Erica L. Moon Mohr
Trustee

James M. Pavelka
Interim Superintendent

Stacey Hozak
Recording Secretary

Re: FOIA Appeal Record Eagle No. 1 (RE FOIA Rqt. No. 8)

Dear Mr. Quealy:

On October 10, 2019, you filed a Freedom of Information Act request with Traverse City Public Schools requesting in part "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on October 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon." On October 29, 2019, your response was denied under section 13(1)(d) of the Freedom of Information Act, records or information specifically described and exempted from disclosure by statute, citing to Section 7(2) of the Michigan Open Meetings Act. (MCL 15.267(2)).

On November 6, 2019, you appealed the denial and again requested the disclosure of the information as noted above. The TCAPS Board of Education received your appeal at its November 11, 2019, regularly scheduled meeting.

On November 25, 2019, the Board of Education authorized me to sign the FOIA appeal upholding the denial of your request. Section 13(1)(d) of the Act provides that a public body may exempt from disclosure records or information specifically described and exempted from disclosure by statute. The relevant statute in this case, MCL 15.267(2) of the OMA, governing closed-session meetings of a public body, provides:

"...A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action...."

Moreover, MCL 15.272 states, in relevant part: "(1) A public official who intentionally violates this act is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00." In your request, the documents sought to be disclosed are part of the minutes of the closed session. *Titus v Shelby Charter Township*, 226 Mich App. 611(1997).

Since your appeal has been denied, it is my responsibility to inform you that you may seek judicial review under FOIA Section 10, MCL 15.240 by filing a civil action in the appropriate circuit court. A party who prevails in such an action may be awarded its reasonable costs, attorney fees and disbursement. Additionally, the court may award punitive damages in the amount of \$1000.00 if it determines the District arbitrarily or capriciously violated FOIA. A copy of Section 10 is enclosed.

Sincerely,

Sue Kelly
Board President

FREEDOM OF INFORMATION ACT (EXCERPT)
Act 442 of 1976

15.240 Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10. (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977;—Am. 1978, Act 329, Imd. Eff. July 11, 1978;—Am. 1996, Act 553, Eff. Mar. 31, 1997;—Am. 2014, Act 563, Eff. July 1, 2015.

Popular name: Act 442

Popular name: FOIA

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

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HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 31

BUTZEL LONG

ATTORNEYS AND COUNSELORS

a professional corporation

Robin Luce Herrmann
248.593.3044
Luce-Herrmann@butzel.com

Stoneridge West
41000 Woodward Ave
Bloomfield Hills, Michigan 48304
T: (248) 258-1616 F: (248) 258-1439
www.butzel.com

December 3, 2019

VIA U.S. MAIL

Ms. Sue Kelly
Traverse City Area Public Schools
412 Webster Street
Traverse City, MI 49686

Re: FOIA Appeal Record Eagle No. 1 (Re FOIA Request No. 8)

This Firm represents the *Traverse City Record-Eagle*. The *Record-Eagle* submitted a FOIA request on October 10, 2019 seeking "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon."

In its initial response on October 29, TCAPS refused to provide the requested letter stating that: "your request identifies documentation that was specifically and exclusively prepared for use in a closed session of the Board. Such notes/documentation are exempt from disclosure under Section 13(1)(d) of the FOIA and Section 7(2) of the Open Meetings Act. Accordingly, your request must be denied." TCAPS' response does not identify which closed session of the Board it is referring to. Below, I will refer to this as the "Documentation Refusal".

The *Record-Eagle* appealed this decision on November 6, which you state was received on November 11 - the next TCAPS Board of Education Meeting. TCAPS responded on November 25. TCAPS again denied the request, but changed position and asserted that the requested letter "are part of the minutes of the closed session. *Titus v Shelby Carter Township*, 226 Mich App 611 (1997)." Here again, TCAPS' response does not identify which closed session of the Board it is referring to. Below, I will refer to this as the "Closed Minutes Refusal".

We respectfully disagree with TCAPS' proffered exemptions from disclosure and ask that TCAPS reconsider its decision in an effort to avoid litigation. In this regard, and as a general proposition, we note that the vast majority of the exemptions under FOIA are discretionary – meaning that while a public body *may* exempt material, it is **not required** to do so. It is also impermissible for a public body to contract away its FOIA obligations; meaning that a public body cannot enter into an agreement that would prevent public records from being obtained under FOIA.

Ann Arbor Bloomfield Hills Detroit Lansing New York Washington D.C.
Alliance Offices Beijing Shanghai Mexico City Monterrey Member Lex Mundi www.butzel.com

Ms. Sue Kelly
Traverse City Area Public Schools
December 3, 2019

The law is also clear that exemptions are narrowly construed. And the general rule for good public transparency is “when in doubt – provide the requested information”. It is certainly of benefit to TCAPS’ parents, students, and the public generally to be open and transparent about its workings, particularly with respect to the immensely important position of school Superintendent. In addition to this general framework, we have significant concerns about the particular exemptions invoked here.

First, as to TCAPS “Documentation Refusal”, there is no exemption in FOIA or OMA for documents prepared for a closed session. Indeed, such an idea is counter both to the frameworks of FOIA and OMA, as well as the law construing those statutes. As an example, we are sure that TCAPS on occasion receives FOIA requests for personnel records for its employees. We are also sure that TCAPS would provide such materials if requested (subject to any appropriate redactions) – this occurs all the time under FOIA. Let’s suppose that Employee Doe is scheduled to have her periodic personnel evaluation conducted by the TCAPS Board of Education during a closed session at Ms. Doe’s request; and the Board of Education asked that a copy of certain specified materials from the personnel file be provided in preparation for that evaluation. Surely, the TCAPS Board of Education would not take the position that the personnel file was thereafter exempt from disclosure under FOIA because some of those documents were specifically gathered for use at a closed session? We are confident that no court would countenance a public body shielding from public disclosure any and all public records simply because they were used in a closed session.

The same is true with respect to TCAPS’ “Closed Minutes Refusal”. The Court of Appeals in *Titus* concluded that the closed meeting minutes there included transcribed testimony of witnesses during a closed session of a public body as well as the dialogue between board members. *Titus v Shelby Charter Twp*, 226 Mich App 611 (1997). The document requested here is not a transcription of testimony or dialogue between board members like that in *Titus*. Here again, we are confident that no court would countenance a public body shielding from public disclosure any and all public records by claiming to make them part of the minutes of a closed session. Put another way, the idea that TCAPS’ Board of Education can simply designate anything it desires to be a part of closed meeting minutes and thus shield those documents from public access flies in the face of the relevant statutes and relevant case law.

For these reasons, we ask that TCAPS do the right thing, comply with FOIA and produce the requested letter immediately.

We are compelled to also point out that, in addition to the assertion of exemptions which we believe to be inapplicable, there has been a very troubling trend with respect to TCAPS’ actions with respect to the issues surrounding Superintendent Cardon.

For example, there have been inexplicable delays in responding to FOIA requests. The *Record-Eagle*’s initial request for the above letter was dated October 10, but TCAPS did not deem

BUTZEL LONG

Ms. Sue Kelly
Traverse City Area Public Schools
December 3, 2019

it “received” until October 22.¹ Then, TCAPS took another 7 days to deny the request in a very simple response, on October 29. Similarly, in response to The *Record-Eagle*’s appeal, TCAPS took a full 10 business days to respond to the appeal – until November 25. TCAPS admits that the appeal was received at its November 11 meeting – why was it not discussed at that meeting? And once again, the response was very simple in nature. There could be no delay need to search for, examine, redact and provide the requested information, because it was withheld. The pattern of delays is troubling.

As another example, TCAPS decided to omit interviews of candidates to fill a vacant trustee seat from the district’s live TV feed.

As another example, it appears that TCAPS asserted attorney client privilege to exempt communications between Ms. Kelly and Ms. Cardon, neither of whom are lawyers. The scope of the privilege is narrow. It attaches only to confidential communications between the client and the client’s attorney that are made for the purpose of obtaining or giving legal advice. *Estate of Nash v City of Grand Haven*, 321 Mich App 587, 593 (2017). It appears that this improper exemption was rectified at the Board’s November 25 meeting, but in the meantime, a substantial delay occurred.

FOIA prohibits a public body from delaying the disclosure of public records, as well as acting arbitrarily or capriciously. MCL 15.240(7). In addition, FOIA provides that if a public body “willfully and intentionally fail[s] to comply with this act or otherwise acted in bad faith, the court shall order the public body to pay, in addition to any other award or sanction, a civil fine of not less than \$2,500.00 or more than \$7,500.00 for each occurrence. MCL 15.240b. I especially want to emphasize this latter provision (MCL 15.240b), because it is not noted in your November 25, FOIA appeal response.

Again, we ask that TCAPS do the right thing, comply with FOIA and produce the requested letter immediately.

¹ It is my understanding that this FOIA request, which was emailed, was found in a spam file on October 21, and TCAPS deemed the request received the next day, Oct. 22. At minimum, it is surprising that TCAPS’ FOIA officer does not check spam files daily for FOIA requests and that here it took 7 *business days* to be discovered.

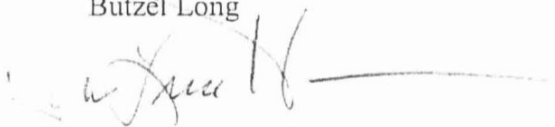
BUTZEL LONG

Ms. Sue Kelly
Traverse City Area Public Schools
December 3, 2019

The *Traverse City Record-Eagle* reserves all of its rights under the Freedom of Information Act if TCAPS declines to produce the requested records or provide a detailed explanation for its claim of privilege. We look forward to your response.

Very truly yours,

Butzel Long

A handwritten signature in dark ink, appearing to read "Robin Luce Herrmann", with a long horizontal line extending to the right.

Robin Luce Herrmann

RLH:kvg

cc: Jeffrey Leonhardt
Pamela Forton
Matthew Anderson
Jane Klegman
Erica Moon Mohr
Benjamin McGuire
James Pavelka
Stacey Hozak
Nate Payne, Record Eagle

BUTZEL LONG

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GRAND TRAVERSE

The Traverse City Record-Eagle,

Plaintiff,

vs.

Case No. 20-
HON.

CZ

Traverse City Area Public Schools Board
of Education; and M. Sue Kelly its President,

Defendants.

BUTZEL LONG, a professional corporation

Robin Luce Herrmann (P46880)

Javon R. David (P78214)

41000 Woodward Avenue

Bloomfield Hills, MI

248.258.1616 Fax: 248.258.1439

Attorneys for Plaintiff the Traverse City Record-Eagle

EXHIBIT 32

BUTZEL LONG

ATTORNEYS AND COUNSELORS

a professional corporation

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December 17, 2019

VIA E-MAIL AND U.S. MAIL
Kellysu2@tcaps.net

Ms. Sue Kelly
Traverse City Area Public Schools
412 Webster Street
Traverse City, MI 49686

Re: FOIA Appeal Record Eagle No. 1 (Re FOIA Request No. 8)

Ms. Kelly:

As you know, this Firm represents the *Traverse City Record-Eagle*.

On December 3, 2019 I wrote to you an appeal letter regarding The *Record-Eagle's* October 10, 2019 FOIA request seeking "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon."

I have been informed that TCAPS has taken several different positions with respect to my December 3 appeal letter. The interim superintendent stated that TCAPS' attorney was going to respond to the appeal letter. I have heard nothing from TCAPS or its counsel. I have also been informed that you have stated that neither you nor TCAPS' counsel understood that my letter was an appeal and that TCAPS' counsel would be contacting me regarding the "apparent miscommunication". Importantly, and again, I have heard nothing from TCAPS at all – much less an inquiry as to whether my letter was an appeal, despite the fact that the appeal letter was received by TCAPS board members on December 5 or 6. In other words, 11 days have gone by without any follow up whatsoever by TCAPS.

My December 3 letter specifically stated in the re: line: "FOIA Appeal Record Eagle No. 1 (Re FOIA Request No. 8)". MCL 15.240 provides that an appeal need only state the word "appeal" as my December 3, 2019 letter explicitly did. Therefore it should be in process as an appeal.

Although the appeal letter was received at the latest as of TCAPS's December 9, 2019 board meeting, it was not discussed at that Board meeting, nor was it discussed at last night's (December 16) board meeting. ***A response to that appeal is due no later than December 23, 2019.*** No extension of that period would apply, because the statutorily required "unusual circumstances"

Ann Arbor Bloomfield Hills Detroit Lansing New York Washington D.C.
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Ms. Sue Kelly
Traverse City Area Public Schools
December 17, 2019

do not apply here.¹ Moreover, to the degree that TCAPS thinks that it can delay responding to The *Record-Eagle's* request due to school being closed December 23-January 3 that is not the case. See, as an example, OAG # 7172, in which the Michigan Attorney General found that:

the five business days within which a public body must respond to a request for a public record under section 5 of the Freedom of Information Act, MCL 15.235, means five consecutive weekdays, other than Saturdays, Sundays, or legal holidays, and not five consecutive days on which the particular public body receiving the request is open for public business.

To the degree that TCAPS: (1) inexplicably takes the position that my December 3 appeal letter was not an appeal; (2) that December 23 is not the statutorily mandated date for a response to that appeal letter; and/or (3) that TCAPS may further delay responding to the appeal letter because school is not in session, they are simply further examples of TCAPS' gamesmanship, deliberate delays and disregard of its FOIA obligations, which we are certain a court would not countenance. If there was any doubt at all about whether this was an appeal, the proper, professional response would have been to contact me to clarify. The fact that TCAPS did not do so speaks volumes.

I attach for your reference my December 3, 2019 appeal letter, incorporated by reference herein. That December 3 appeal correspondence should be treated as an appeal and responded to by no later than December 23, 2019.

If TCAPS intends to stand on its untenable position that the December 3, 2019 appeal letter is not, in fact, an appeal, *it should inform the undersigned of that fact in writing so that there are no misunderstandings and so the Court will understand TCAPS position. In that case – TCAPS should consider today's letter to be an appeal* of TCAPS denial of The *Record-Eagle's* October 10, 2019 FOIA request seeking "A copy of the letter distributed to Traverse City Area Public Schools Board of Education members on Oct. 7, 2019, regarding a complaint against TCAPS Superintendent Ann Cardon" for all the reasons set forth in my December 3, 2019 appeal letter, which is attached and incorporated by reference. Should TCAPS take the position that only the instant letter is an appeal and continue improperly withholding the requested public document, it will only serve to strengthen The *Record-Eagle's* position before the Court that TCAPS is deliberately delaying in fulfilling its obligations and constitute another occurrence for which TCAPS can be penalized under FOIA.

Again, we ask that TCAPS do the right thing, comply with FOIA and produce the requested letter immediately.

¹ See MCL 15.240(2) and MCL 15.232(g). Here there are no voluminous records (only one record is at issue) and there is no need to collect public records from multiple field offices/establishments.

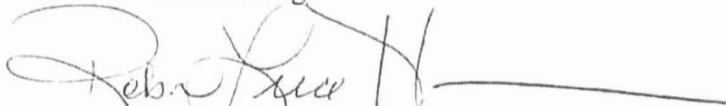
BUTZEL LONG

Ms. Sue Kelly
Traverse City Area Public Schools
December 17, 2019

The *Traverse City Record-Eagle* reserves all of its rights under the Freedom of Information Act if TCAPS declines to produce the requested records. We look forward to your response.

Very truly yours,

Butzel Long



Robin Luce Herrmann

RLH:kvg

cc: Nate Payne, Record Eagle

BUTZEL LONG