1000—BOARD BYLAWS

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Section 1000 – Board Bylaws

1001 Introduction and Information 1001

The Board shall establish programs and procedures, which shall best produce the educational achievement needed by District students, and do so within the financial limitations of the District. The Board will function as a legislative body in formulating and adopting policy, by selecting an executive officer to implement policy and by evaluating the results. Further, the Board shall carry out its functions openly, while seeking the involvement and contributions of the public, students, and staff in its decision-making processes.

In accordance with these principles, the Board, through its operations, shall seek to achieve the following goals:

1. To function in a non-partisan, broadly representative manner and to emphasize that every Board member should represent the entire District open-mindedly,
2. To concentrate the Board's collective effort on its policy making and planning responsibilities, and to formulate Board policies that best serve the educational interests of each student,
3. To provide the Superintendent with sufficient and adequate guidelines for implementing Board policies,
4. To maintain effective communication with the school community, the staff, and students, and
5. To conduct Board business openly, soliciting and encouraging broad-based involvement in the Board's decision-making processes by public, students, and staff.

Nominating Petition/Filing Fee

The School District Election Coordinator[1] shall receive nominating petitions from persons running for the Board or, in the alternative, personally receive a nonrefundable statutory $100 filing fee paid by the candidate.

[1] The "School District Election Coordinator" is the County, City, or Township Clerk.

Special Elections

The Board may schedule special elections at such time, under law, as it shall designate and for such purposes as determined by the Board.

Advice of Legal Counsel

The Board shall seek the advice of legal counsel concerning the proper procedure for scheduling special school elections.

Approved: May 16, 2011
LEGAL REF: MCL 168.301-303; 168.641

1005 District Authority 1005

The Board recognizes that many of the subject topics found in this policy manual may be subject to negotiations under the Michigan Public Employment Relations Act. It is not the intent of the Board to, in any way, circumvent the negotiations process; but rather to establish direction and general and long-range operational procedures for the care and custody, establishment, maintenance, management and carrying on of the public schools and property of the District as authorized under current law.

Whenever the words "Superintendent," or "Principal" appear in these policies and rules, the words "or designated representative" shall be assumed to follow. The delegation of authority of administrative actions does not relieve the Superintendent or other administrators of the responsibility of the actions of such designated representatives.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1010 District Legal Status 1010

The legal basis for Climax-Scotts Community Schools is vested in the will of the people as expressed in the Michigan Constitution, the statutes pertaining to education, various court interpretations, and the powers implied by the above.

The official name of the school District shall be Climax-Scotts Community Schools, Kalamazoo County, and the District shall operate as a general powers school District.

Approved: May 16, 2011
LEGAL REF: Michigan Constitution, MCL 380.11a

Section 1000 – Board Bylaws

1015 District Mission Statement 1015

We believe the mission of the Climax-Scotts Community Schools is to promote a world-class education by providing a climate where teaching fosters learning and meets the needs of students. We will strive, in partnership with home, community, and business, to educate and motivate students to be productive and contributing members of a global society.

Approved: May 16, 2011

Section 1000 – Board Bylaws

1020 Bylaws 1020

The exercise by the Board of its powers granted by statute, the conduct of its affairs, and the rights and powers of its members, Directors, and officers shall be governed by these bylaws, in accord with the laws of the State of Michigan and the regulations of the Michigan Department of Education.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a (6)

1030 Membership 1030

The Board is composed of seven (7) members serving four (4) year terms, and elected at an election held in accordance with MCL 168.1 *et seq*, or appointed by the Board to fill a vacancy. At least one (1) Board member shall be elected at each regular election.

Term of Office

At each regular school election, members of the Board shall be elected to fill the positions of those whose terms will expire. The term of office of a board member shall begin on January 1 following his/her election, or immediately upon Board appointment. The term of a board member shall end on December 31.

Approved: **January 21, 2013**
LEGAL REF: MCL 168.302; 168.641; 380.11a

1032 Powers and Duties 1032

The Board shall act as a legislative body and shall appraise the work and programs of the District.

The Board shall observe and enforce the rules and regulations of the Michigan Department of Education affecting the operation and maintenance of a general powers school District.

Functions of the Board

The Board considers its most important legal functions fall into the following categories:

1. Legislative or Policy Making - The Board is responsible for the development of bylaws and policy, and for the employment of a Superintendent who shall carry out the Board's policies through the development and implementation of regulations.
2. Educational Planning and Appraisal - The Board is responsible for acquiring and requiring reliable information from responsible sources which shall enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisals of the results of the educational program.
3. Staffing and Appraisal - The Board is responsible for employing a Superintendent of schools and the staff necessary for carrying out the instructional program, for establishing salaries and salary schedules and other terms and conditions of employment, and for establishing personnel policies District-wide in application.

   The Board is responsible for appraising the effectiveness of its staff by providing for their regular evaluation.
4. Financial Resources - The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment, which will enable the District to carry out the educational program. The Board is responsible for exercising control over the finances of the District to assure proper use of and accounting for all District funds.

5. School Facilities - The Board is responsible for determining school-housing needs, for communicating these needs to the community, for purchasing and disposing of properties, and for approving building plans that will support and enhance the educational program.
6. Communication with Public - The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself informed about the wishes of the public.
7. Judicial - The Board is responsible for acting as a "court of appeal" for school staff members, students and the public when issues involve Board policies and their fair implementation.

The Board may exercise the above legal powers and duties only when convened in a legally constituted meeting.

Approved: May 16, 2011
LEGAL REF: Michigan Constitution, Article VIII; MCL 380.10, 380. 11 *et seq*.

1040 District Goals and Objectives 1040

The Board shall annually establish and review a set of goals and objectives to guide the operations of the District. All personnel in the District shall direct their efforts toward achieving the goals and objectives of the Board in order to ensure that students are able to function effectively in their environment, employment, and continuing educational efforts.

The Board shall participate in planning through an annual meeting with the Superintendent and senior staff to review progress on the implementation of priorities, initiatives, and plans, to determine which goals have been achieved, whether any new efforts are needed, and to review major issues that may affect the future of the District. The Board also shall consider and act upon objectives and major activities proposed by the Superintendent to achieve goals.

The Superintendent shall develop necessary procedures, forms, or other measures to implement the goals of this policy using simple, logical, and collegial processes.

The Superintendent shall provide opportunities for interested patrons to become knowledgeable about the District planning process, and to review and to make recommendations concerning specific District plans.

The Superintendent shall give the Board periodic reports each year on the progress and success of various plans, and shall ensure that similar progress reports are available to the news media and to District patrons.

Approved: May 16, 2011

1150 Board Officers 1150

The officers of the Board shall be President, Vice-President and Secretary/Treasurer. The President, Vice-President, and Secretary/Treasurer shall be members of the Board.

President - Duties

The President shall:

- Preside at all meetings of the Board,
- Countersign orders legally drawn by the Secretary/Treasurer for money to be disbursed on behalf of the District,
- Cause an action to be prosecuted in the name of the District on the Secretary/Treasurer's bond in the case of a breach of a condition of the bond,
- Perform other duties appropriate to the duties of the office of President in the management of the District.

Vice-President - Duties

- Preside at Board meetings when the President is unable to attend,
- Perform other duties appropriate to the duties of the office of Vice-President,
- Succeed to the office of President when a vacancy in that office occurs.

Secretary/Treasurer - Duties (At the option of the Board, selected duties may be assigned to District staff.)

- Act as clerk at meetings of the Board,
- Record and sign the minutes of meetings, orders, resolutions, and other proceedings of the Board in proper record books,
- Prepare reports as required by the state Board,
- In cooperation with the Superintendent, prepare information regarding professional development opportunities for Board members,

- Draw and sign orders upon the District Secretary/Treasurer for money to be disbursed by the District. Each order shall be properly numbered and dated, shall specify the sources of the funds called for, the purpose for which, and the fund upon which the order is drawn,
- Serve on the School District Election Coordinating Committee (this duty may be delegated to the Superintendent), and
- Perform other duties required by law and by the Board.
- Have care and custody of all moneys of the District,
- Keep proper books of account,
- Keep an account of interest received from invested school funds, and credit interest received to the appropriate fund accounts,
- Pay out funds for the purposes specified by law, or, in the case of gifts or donations for the purposes for which the money is given or donated, on proper orders signed by the Secretary/Treasurer and countersigned by the Board President,
- Perform other duties the Board may prescribe in its bylaws relating to the administration of District funds,
- Deposit funds of the District with a bank or banking corporation or trust company designated by the Board in the proportion and manner directed by the Board,
- Pay orders of the Secretary/Treasurer when lawfully drawn and countersigned by the President out of the money belonging to the fund upon which the orders are drawn,
- Cause a record book to be kept in which money received and disbursed shall be entered, the sources from which money is received, and the person to whom and the objects for which money is paid,
- Present the Board at the close of the school year a written report containing a statement of money received during the year and of each disbursement made, and
- Perform other duties required by law or by the Board.

Duties of Trustees

- Have care and custody of all school property,
- Oversee the implementation of Board Policies, and
- Serve on ad-hoc, advisory, or standing committees as determined by the Board.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a; 168.4; 380.1201

1152 Election of Officers and Length of Term 1152

Election of Board officers shall occur at the first meeting of the Board held in January.

Election of officers shall be by a majority of the full Board. Where no such majority exists on the first ballot vote, a second vote shall be cast for the two (2) candidates who received the greatest number of ballot votes.

Except for those appointed to fill a vacancy, officers shall serve for and until their respective successors are elected and shall qualify.

Approved: **January 21, 2013**
LEGAL REF: MCL 380.11a; 168.301-315; 168.641-642

1155 Removal of a Board Officer from Office 1155

The Board may remove a member from a Board officer position and shall elect another Board member to the office.

In the event of a motion to remove the President of the Board from office, the President shall be asked, first, by the person making the motion to step aside and allow the Vice-President or other officer to chair the meeting temporarily. If so asked, the President must temporarily vacate the chair or may elect to resign the Presidency voluntarily prior to the motion, discussion, and vote.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1160 New Member Orientation 1160

Newly elected members of the Board shall be invited to attend all meetings of the Board prior to the time they officially take office. Newly elected and newly appointed Board members shall be encouraged to attend workshops for new Board members sponsored by the Michigan Association of School Boards.

Present members of the Board and the Superintendent shall conduct an appropriate orientation program designed to acquaint new Board members with the District, Board policy, duties, responsibilities, and other activities.

Newly elected Board members shall receive copies of all agenda, reports, and other communications normally received by regular Board members except information or material of a confidential nature.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1162 Board Member Development Opportunities (Cf. 1168) 1162

The Board recognizes the need for continuing in-service training and education and encourages the participation of all members at these specific categories of activities as a part of their official duties: conferences, workshops, in-service programs, and conventions, at the local, regional, state, and national levels. A Board member's actual and necessary expenses shall be paid for or reimbursed when the member attends any of these activities, as the budget allows.

In situations where a Board member holds a state or national office in a School Board Association, or has been asked or appointed to serve a School Board Association at the state or national level, the Board shall budget for the additional expenses as agreed to prior to the beginning of each fiscal year.

The Superintendent and Board Secretary/Treasurer shall prepare a calendar of annual conferences, workshops, in-service programs, and conventions which Board members may wish to attend. The Superintendent and Board Secretary/Treasurer shall update the calendar with additional in-service programs for Board members, as the programs become known. The Board shall periodically review the calendar and designate those activities for Board member participation along with limitations as to the number of persons attending specific events.

The Superintendent and Board Secretary/Treasurer are responsible for authorizing requests for attendance of Board members at approved meetings if the requests come within budgeted appropriations and limitations.

The Superintendent and Board Secretary/Treasurer shall consult with the Board President in situations where funds may not be available for a specific activity or when a determination is necessary as to who shall attend a given activity when more requests are received than can be honored. The President and Superintendent may bring recommendations to the Board on such matters for final determination.

Funds for participation at all activities shall be budgeted for on an annual basis.

Expense reimbursement shall be in accord with policy bylaws and procedures on Board reimbursement.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a; 380.1254; 388.1764b

1167 Compensation 1167

The Board authorizes compensation for its members for attendance at any regular, special or subcommittee meeting of the Board, or authorized duty if the duty is related directly to the members' responsibility and is authorized in advance by the Board.

Meeting compensation shall be $30.00, up to a maximum of 12 meetings per year.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1168 Reimbursement for Expenses 1168

Board members shall be reimbursed for actual and necessary expenses incurred because of attendance at Board-approved workshops, seminars, conferences, or conventions, as the budget allows.

To receive reimbursement for an expense listed in this policy, an expense voucher, together with supporting receipts or other evidence of actual expenses, shall be submitted to the District business office for processing. Payment will be made after the Board approves the reimbursement.

Expenses for spouses, family members, or others accompanying Board members as companions, are not reimbursable unless such persons would otherwise be entitled to reimbursement as conference attendees and employees of the District.

There shall be no reimbursement for the purchase of any alcohol, tobacco, or personal products or services.

Approved: May 16, 2011
LEGAL REF: MCL 380.1254; 388.1764b; OAG, 1977-1978, No 5272(1978).

1170 Board Position Vacancies 1170

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

A. The death of the incumbent or the incumbent's being adjudicated insane or being found to be mentally incompetent by the proper court

B. The incumbent's resignation

C. The incumbent's removal from office

D. The incumbent's conviction of a felony

E. The incumbent's election or appointment being declared void by a competent tribunal

F. The incumbent's neglect or failure to file the acceptance of office, to take the oath of office, or to give or renew an official bond required by law

G. The failure of the District to elect a successor at the annual school meeting or election

H. The incumbent's ceasing to possess the legal qualifications for holding office

I. The incumbent's residence being removed from the School District

Board member vacancies shall be filled within 30 days from the effective date of a resignation or other event (except a vacancy occurring by recall election), which causes a vacancy to exist. The vacancy shall be filled with a legally qualified person who is appointed by a majority vote of the remaining members of the Board at a regular or special meeting of the Board. If the vacancy is not filled within thirty (30) days after it occurs, the Board of the Intermediate School District shall fill the vacancy by appointment.

Persons appointed to fill a vacancy shall file acceptance of the office with the Secretary of the Board and shall take the oath of office prescribed by law. The Secretary shall then forward a copy of the acceptance to the school District Election Coordinator.

Resignations are effective without acceptance or approval by the Board.

Process

When a vacancy on the Board occurs, the Board, in filling the vacancy, shall use the following procedures:

(a) The Board President, through public announcements in the news media, shall make known the vacancy has occurred and those persons interested in being considered for appointment should notify the Secretary of the Board, in writing, by the deadline established by the Board,

(b) The Board shall establish the criteria used in making the appointment,

(c) The full Board, or a committee appointed by the Board, shall review and screen applications to determine which candidates should be further considered for appointment. The full Board will do candidate screening in public session unless the candidate requests confidentiality, as provided in state law,

(d) Those candidates screened for further consideration shall be interviewed by the Board in public session, and

(e) The Board, by roll call vote of a majority of those elected, appointed, and serving, shall determine which candidate shall be appointed to fill the vacancy.

Approved: **January 21, 2013**
LEGAL REF: MCL 15.261-15.275 (Michigan Open Meetings Act); 168.309-311; **168.642**; OAG, 1977-1978, No 5262, p 338 (January 31, 1978); OAG, 1983-1984, No 6124, p 36 (February 9, 1983)

1175 Vacancies in Office 1175

In the event of a vacancy in the office of President, the Vice-President shall become President.

In the event of a vacancy in any other Board office, the Board shall fill the vacancy by election at the next regular Board meeting.

The offices of President and Vice-President are to be filled at all times by either regular or temporary appointment. (Cf. 2450, 5030, 8015, and 8018)

Approved: May 16, 2011

1180 Board Advisory Committees 1180

The Board may establish such standing, ad hoc, and advisory committees, as it deems necessary. The type and function of each committee shall be dictated by the needs of the District for the special services of such committee. The President shall appoint all members of all advisory committees. Each committee shall organize itself with assistance from the Superintendent. The Superintendent shall provide appropriate District material to each committee. Board Committees must comply with the relevant portions of the Open Meetings Act.

A line of communication shall exist between each committee, the Superintendent, and the Board.

Each committee shall report to the Superintendent and/or the Board as the Board may require by regulation or by procedure.

The Board may dissolve any committee at any time.

Advisory Committees

Advisory committees established by the Board shall:

- Generally have three members of the Board appointed to the committee,
- Have a task specifically defined by the Board,
- Have designated time-lines for reporting to the Board,
- Have no power or authority to act on behalf of the Board unless specifically authorized by the Board,
- Hold hearings only upon approval of the Board, and
- Limit activities and considerations to policy matters and recommendations.

All reports submitted to the Board shall contain:

- The date,
- Committee name,
- Members present at committee meetings, and
- Results or recommendations.

In appointing members of advisory committees, the President shall consider the recommendation of the Superintendent and other members of the administrative staff, as well as the recommendations of individual Board members.

As soon as an advisory committee has been appointed, the chair of the committee shall call a meeting of the committee for organizing. At said meeting, the chair shall inform the committee of the area of its jurisdiction and the matters the Board wishes the committee to consider in making its recommendations to the Board.

The committee shall meet as frequently as it deems necessary to accomplish the mission assigned to it by the Board. It shall be the responsibility of the chair to report to the Board on the progress and activities of the committee.

At the request of the committee or on the initiative of the Superintendent, the Superintendent shall assign such school personnel to assist the committee in its study as the situation warrants. The Superintendent shall exercise his/her discretion in providing such personnel.

At the request of the committee or at the discretion of the Superintendent, the Superintendent shall make available to the committee such material as the situation warrants and as may be available at reasonable times and at a reasonable cost.

At the request of the committee or upon the initiative of the Board, limited financial assistance may be given to the committee. The Board may request committees to submit budget requests to the Board for approval.

As directed by the Board or upon the initiative of the committee, the committee shall make reports to the Board. The Board shall be furnished with the minutes of each meeting of the committee within ten days following each such meeting. All minutes of said committee will be filed with the Secretary/Treasurer of the Board. Each committee shall submit a report of its activities and accomplishments to the Board at least once every three months.

Whenever, in the opinion of the Board, there is no longer any need for an advisory committee created by the Board, the Board shall dissolve such committee by appropriate Board action. Each member of the committee shall be notified of the Board's action. No committee shall exist longer than one year unless re-appointed by the Board.

Approved: May 16, 2011
LEGAL REF: MCL 15.263; 380.11a; OAG, 1977-1978, No 5183, p 21 (March 8, 1977); OAG, 1977-1978, No 5183-A, p 97 (April 18, 1977); OAG, 1977-1978, No 5286, p 403 (March 31, 1978); *Schmiedicke v Clare School Board*, 228 Mich App 259 (1998)

1185 Board-Superintendent Relations 1185

The Board, in all phases of District operations, will endeavor to work through the Superintendent, who shall direct District employees concerning such operations unless mutually agreed upon between the Board and the Superintendent. The Board shall extend to the Superintendent responsibility for implementing Board policy decisions.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1190 Professional Services 1190

The Board may select and appoint qualified individuals or firms to provide the following professional services for the District such as legal, insurance, architectural, and auditing/accounting.

The following criteria shall be considered by the Board in its selection and appointment: certification and/or licenses, and training and experience, including that of partners and associates.

The Superintendent shall be responsible for gathering appropriate background information and other information as requested by the Board prior to any interviews or decisions by the Board.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1191 Attorney 1191

The Board shall retain a qualified attorney and/or legal firm to handle all legal matters referred by the Board and to receive such compensation as the Board may provide. The duties of the attorney or legal firm shall be as follows:

1. Upon request of the Board President or Superintendent, attend the meetings of the Board and act as counselor,
2. Render a written opinion on a legal question when requested by the Board,
3. Prepare or supervise the preparation of all legal papers and documents executed by the Board officers; or shall approve such papers and documents before execution thereof by the officers,
4. Provide such opinions or other legal information to the Superintendent, which may be necessary for the immediate or long-range conduct of the District,
5. Represent the District as specifically designated by the Board in litigation to which the District may be a party or in which it is interested,
6. Shall represent, upon request, the Board in the purchase or sale of any real estate,
7. Attend to and act on any matters the Board refers to him/her for supervision, adjustment, and/or disposal,
8. Assist and advise the Board in preparing all questions on the ballot for regular or special elections,
9. Periodically provide progress reports to the Board on legal matters referred, and
10. Perform such other services as requested by the Board.

Compensation for duties and services shall be agreed to by the attorney and the Board in the retention agreement that shall set forth the annual retainer and supplemental charges.

Only the President or Superintendent is authorized to contact the attorney on legal matters concerning the District.

1191 Attorney 1191-2

The Board's legal counsel shall not provide personal legal assistance to individual Board members, the Superintendent, or members of the staff unless specifically authorized by the Board.

In any dispute or potential divergence of interests between the Board and Superintendent, the Superintendent shall not utilize the District's counsel to represent his/her interest.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1220 Consultants 1220

The employment of consultants to advise the Board directly (such as, but not limited to, consultants for policy development or Superintendent Search) shall require approval of the Board. Before making any commitment, the Board may require the submission of a written proposal, which can be incorporated into a written contract. The proposal shall detail:

1. The specific objectives to be accomplished by the consultant,
2. The specific tasks to be performed,
3. The procedures to be used in carrying out the tasks,
4. The target dates for completion of the task,
5. The method used to report results to the Board and/or delivery of the "product" to the Board, and
6. The consultant's compensation, if any.

Neither the Superintendent nor any member of the staff is authorized to engage a consultant to advise the Board directly, for pay, without the prior consent of the Board.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1250 Board Remembrances 1250

The Board authorizes the Superintendent to provide suitable remembrances on behalf of the Board or the District in situations or circumstances deemed necessary by either the Board President or the Superintendent. No public funds shall be expended, however, for remembrances.[2] The Superintendent is authorized and directed to seek other sources of revenue for such expenditures such as, but not limited to free-will donations from employees, corporate or business donations, or revenues from specified vending machines within the District.

In the case of death or serious illness involving a Board member or staff member, or student, or a member of such person's immediate family, the Superintendent may provide a suitable remembrance on behalf of the Board or District. Such remembrance shall be in a form suitable to the circumstance and may take the form of, by way of illustration and not limitation: flowers, cards, plaques, etc., with costs to be covered by non-public funds.

A quarterly report will be provided to the Board by the Superintendent indicating all remembrances provided by authority of Board policy.

Approved: May 16, 2011
LEGAL REF: Michigan Department of the Treasury Bulletin, "Determining Lawful Expenditures," October 2002.

[2] Flowers to the sick or departed are not considered a lawful expenditure of public funds.

1260 Board Recognitions 1260

The Board supports the concept of a recognition program for staff, students, community members, Board members, and others who have demonstrated extraordinary service, achievements and accomplishments on behalf of the District. Any costs for such a program shall be paid in accordance with law.[3]

The Superintendent, in consultation with the Board President, shall be responsible for developing a recognition program for the District.

Board Member Recognition

A certificate of service shall be presented to each Board member who completes at least four years of service on behalf of the District.

The Board may give appropriate recognition to those members whose service extends for a period of ten or more years by passing a resolution recognizing the Board member's service or by other appropriate means as determined by the Board.

Staff Recognitions

The Board may provide appropriate recognition for staff members who have completed ten, fifteen, twenty, twenty-five and thirty-five years of service to the District.

Staff Retirements

Retiring staff members shall receive appropriate recognition by the Board.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

[3] Should the Superintendent or Board President have a question as to what may, or may not, be a "legitimate" expenditure for "recognitions," it is urged that they contact MASB Legal Counsel or the District's retained counsel to discuss the issue of what costs are permissible "in accordance with law."

1300 Meetings 1300

Organizational

The Board holds its organizational meeting in July.

Regular

The Board holds at least one regular meeting each month. The regular meeting is held on the third Monday of each month at 7:00 p.m. at the Junior/Senior high school unless otherwise announced and posted. The District will post a notice of the regular meeting schedule at the entrance to the principal office of the Board and/or the principal office of the District within ten days after the organizational meeting.

The schedule of regular meetings or the regular meeting date may be changed by the Board as provided in current law.

Special Meetings

Special meetings of the Board may be called by the President (Chair) of the Board or by two Board members by providing the other Board members a written notice of the date, time, and place of the special meeting.

The notice may be served by delivering the notice to the Board member personally, or by leaving the notice at each member's residence with a person of the household at least 24 hours before the meeting is to take place. The District will also serve the notice by mail addressed to the member, at the member's address on file in the District office, at least 72 hours before the meeting is to take place. Either a Board member or an employee of the District may serve the notice.

Emergency Meetings

The Board may meet in emergency session in the event of severe and imminent threat to the health, safety or welfare of the public, when two-thirds of the members elected to, appointed, and serving on the Board decide that delay would be detrimental to the efforts to lessen or respond to the threat.

Information/Work/Study Sessions

Information/work or study sessions of the Board shall be held as called by the President. Such sessions shall be open to the public and properly posted as Board meetings. No action by the Board shall be taken at such meetings.

Adjourned Meetings

Meetings may be adjourned and reconvened as provided by law.

Approved: May 16, 2011
LEGAL REF: MCL 15.261-275; 168.642; 380.1201, 380.1202

1310 Closed Sessions 1310

The Board may meet in closed session as provided for under current law.[4] The minutes of any closed session shall be kept separate from the minutes of the regular or special meeting and shall not be a matter of public record except as provided for under current law.

Any Board action taken because of a closed session shall be taken in a public meeting and recorded as such.

The Board shall conduct closed sessions only as provided by current law.

Approved: May 16, 2011
LEGAL REF: MCL 15.268

[4] A public body may meet in closed session only for the following purposes: (a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing, (b) To consider the dismissal, suspension, or disciplining of a student if the public body is a part of the school District, intermediate school District, or institution of higher education that the student is attending, and if the student's parent(s)/guardian(s) request a closed hearing, (c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either party requests a closed hearing, (d) To consider the purchase or lease of real property, (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, (f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential, (g) Partisan caucuses of members of the state legislature, (h) To consider material exempt from discussion or disclosure by state or federal statute, (i) For a compliance conference conducted by the department of commerce under section 16231 of the public health code, (j) In the process of searching for and selecting a President of an institution of higher education, *et seq.*

1320 Agenda 1320

The Superintendent shall distribute to each Board member prior to each meeting appropriate material and written matter concerning items on the agenda, which then shall be referred to as the annotated agenda.

The Board agenda shall be compiled by the President, in cooperation with the Superintendent. It shall include a period of time when the public may speak to the Board. Other Board members may request items to be placed on the agenda except at special meetings of the Board.

A request by the public to place an item on the Board agenda must be made to the Superintendent or President at least seven days in advance of the meeting at which it is desired to have the item discussed. The request should include a brief statement of the matter to be brought before the Board along with any background information available that may be provided to the Board in advance of the meeting.

The Superintendent in consultation with the President shall determine whether the matter is an appropriate agenda item for that meeting or a future meeting. The Superintendent shall notify the person making the request whether or not the item will be placed on the agenda. If the item is placed on the agenda, the person making the request shall be allowed a reasonable amount of time to present or discuss the issue.

Items not placed on the agenda upon the request of a member or the public may be added to the agenda by a majority vote of the members elected to, appointed, and serving on the Board if the item is an action item. Generally, it shall be the Board's policy to add items for action only in critical or urgent situations. Discussion items may be added by a majority vote of those members elected to, appointed, and serving on the Board.

The annotated agenda shall be sent to all Board members at least three calendar days prior to any regular Board meeting.

The annotated agenda may include the following information; however, other items and reports may be added as the need arises: the agenda format, including items to be discussed and Board procedure, monthly reports to the Board, financial reports, important correspondence, bids specifications, attendance center reports, requests for hearing, and other such information.

Consent Agenda

The President may place routine matters in a single consent agenda item for action by the Board. Any Board member may request that a consent item be removed and considered separately at any time prior to final vote on the consent agenda.

Approval of the consent agenda shall be by vote according to the Board bylaws on motions and votes.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1320-R Agenda 1320-R

The order of business at a regular meeting of the Board shall be:

A. Call to Order and Pledge of Allegiance

B. Roll Call

C. Public Forum

D. Agenda Modifications

E. Consent Calendar Items

a)

b)

F. Recognitions

G. Administrative Reports

H. Superintendent's Report

a)

b)

c)

I. Items for Action / Discussion

a)

b)

c)

d)

e)

J. Adjournment

1330 Rules of Order 1330

The Board shall be governed by rules of procedure as adopted by the Board. The parliamentary authority governing the Board of Education shall be Robert's Rules of Order, Newly Revised in all cases in which those rules are consistent with statute, administrative code, or these bylaws.

The Board shall be governed by rules of procedure as adopted by the Board. In NO event shall the Board adopt Robert's Rules of Order. The presiding officer at his/her discretion may use, however, Robert's Rules of Order as a "guideline" in the conduct of meetings. The purpose of this parliamentary procedure is to ensure the minority has rights that cannot be changed by the majority.

The President (or Vice-President in the absence of the President) shall preside at all meetings. In the absence of both the President and Vice-President, the members present shall elect a President pro-tempore who will serve only for that meeting or for that part of the meeting in which the President and Vice-President are absent.

Any member of the Board who wishes to make a motion, second a motion or discuss pending business will first secure recognition of the Board President.

The President will present each agenda item for discussion or designate the Superintendent or other staff member who will present the agenda item.

The Board will take all formal actions by ordinary motions unless a formal resolution is required.

A motion must be before the Board in order to discuss an agenda item that has been presented by the Board President for consideration.

The following motions will be in order:

1. To recess,
2. To take action,
3. To amend a motion made to take action, but such amending motion will be disposed of before any other motion to amend the main motion will be in order,

4. To defer action, either finally or to a specific time, date and place,
5. To go into closed session, and
6. To adjourn, either finally or to a specific time, date or place.

Amendment/Suspension of Bylaws and Policies

The Board, by a vote of a majority of its members, may amend the bylaws, or suspend the operation of the bylaws temporarily, but such amendment or suspension shall not relieve the Board from complying with applicable law. Policies shall be adopted, amended, or repealed only by a majority vote of the Board.

Quorum

A majority of the members elected to, appointed, and serving on the Board shall constitute a quorum.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a; 380.1201; OAG, 1981-1982, No 6057, p 622 (April 20, 1982); OAG, 1981-1982, No 6091, p 711 (August 18, 1982)

1350 Voting Method 1350

The Board shall take action by way of motions. No motion may be acted upon until it has been duly supported or seconded by a member of the Board. The vote on all motions shall be by "yes" and "no" and will be taken by a show of hands, voice vote, or a roll call vote as directed by the President. There shall be no "secret" ballots. Each Board member's vote must be made in a public session in order to be counted. No votes of any kind, or polling to attempt to determine potential votes, will be allowed outside of public sessions or in closed sessions of the Board. Following each vote, the President shall announce that the motion passed or failed, and if not a unanimous vote, shall announce the number voting "yes" and the number voting "no."

Each Board member may have the privilege of explaining for the record any vote, be it affirmative or negative at the discretion of the President. In the rare event that a Board member has a right or obligation to abstain from voting, the Board member may have the privilege of explaining the reason for the abstention at the discretion of the President.

Approved: May 16, 2011
LEGAL REF: MCL 388.1769b

1360 Minutes 1360

The Secretary/Treasurer of the Board shall be responsible for keeping the minutes, or see that minutes of every meeting of the Board are kept. A recording Secretary/Treasurer, not a member of the Board, may be appointed by the Board and shall attend all meetings and record all actions of the Board. Such minutes shall be reviewed and signed by the Secretary/Treasurer of the Board. The minutes shall include the date, time, place, members present, members absent, all motions made at open meetings and action taken thereon, the purpose(s) for which closed sessions are called, all votes taken, a reference to reports presented, a record of those speaking at the public comment session and the topic on which they spoke, and items discussed when no action is taken.

Open meeting minutes shall not contain personally identifiable information about students who have been suspended or expelled.

The minutes shall not usually contain comments from Board members.

Copies of proposed minutes of an open meeting shall be provided upon request to members of the public within eight business days of the meeting and copies of approved minutes within five business days of the meeting at which they were approved. Minutes shall be presented for approval at the next meeting of the Board and copies shall be sent to all Board members prior to the next meeting.

Minutes of closed meetings shall not be made public except as specified by current law.

Approved: May 16, 2011
LEGAL REF: MCL 15.269; 380.11a; 380.1201; 380.1202; OAG, 1985-1986, No 6353, p 255 (April 11, 1986)

1370 Public Participation 1370

At each meeting of the Board, the President or the presiding Board officer shall welcome all visitors to the Board meeting.

The Board President shall ask, at the appropriate time as specified on the agenda, those members of the public attending the Board meeting if any of them have something to bring to the attention of the Board. All those wishing to address the Board shall be subject to the following procedural regulations:

a. The public participation portion of the meeting shall be limited to one-half hour normally. An exception will be made so that no one's right to address the Board will be denied.

b. Each person shall be allowed to speak for up to five minutes, except where the number of speakers exceeds the time limit. In those instances, either the Board President may reduce the five-minute limit to a three-minute limit for each speaker or the President will waive the one-half hour time limit and establish a longer period.

c. Each person wishing to address the Board may be asked to identify himself/herself by name and address. If the person is representing an organization or group, the person should indicate whether the comments or presentation represents the official view of the organization or group or are his/her own comments.

d. If a delegation is present to address the Board, the delegation may be asked to select up to five representatives to speak on its behalf, for a total of not more than 15 minutes. This request, however, does not mean that any person wishing to address the Board will be denied that opportunity.

e. Any written statements should be given to the Board Secretary/Treasurer so that copies may be made available to all Board members. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

f. Individuals addressing the Board should take into consideration the rules of common courtesy. The public participation portion of the meeting cannot be used to make personal attacks against a Board member, District employee, or student that are totally unrelated to the administration of the District. If the comments constitute a complaint against a Board member or employee, the Board member or employee has a right to request a closed session of the Board.

A person who states a complaint against a Board member, employee, or student of the District that is related directly to their job performance, duties, or the administration of the District during public comment will, as provided in these bylaws, be permitted to make the initial allegation. Thereafter, the affected Board member, employee, or student may request that further discussion and/or deliberation occur in a closed session pursuant to the Open Meetings Act.

g. Board members may question speakers, but are not obligated to answer questions or make statements or commitments in response to issues raised by the public. In general, such issues will be referred to the Superintendent for investigation, study, and recommendation or designated as future agenda items for Board consideration.

Handling of Complaints (Cf. 9450)

Speakers are encouraged to present complaints about a specific employee, Board member, or student through proper channels established under Board policy before requesting Board consideration.

Approved: May 16, 2011
LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808; *Gault v Battle Creek*, 73 F Supp 2d 811 (WD Mich, 1999); *Lysogorski v Bridgeport Charter Twp*., 662 N.W. 2d 108 (2003)

1375 Mailing of Notices and Documents to the Public 1375

Recognizing that the public has a right to request, in writing, a renewable 6 month subscription to receive copies of any Board documents that are created, issued or disseminated on a regular basis, such as: Notices of scheduled Board meetings, Board Committee meetings (if such meetings are posted by Board policy) agendas, minutes and newsletters, the Board hereby sets the subscription cost of such items at $1.00 per month. Printed or electronic news media are specifically exempted from any subscription fee.

Approved: May 16, 2011
LEGAL REF: MCL 15.233, 15.266

1400 News Coverage 1400

At each meeting of the Board, the Board may provide seating for all members of the news media present and may assist in explaining any action or consideration taken by the Board. The Superintendent may provide copies of the Board agenda to all news media prior to each meeting of the Board upon request or as required by law.

Broadcasting and Taping

All meetings for the conduct of the affairs of and the transaction of business by the Board, including committee and subcommittee meetings shall be open to the public. Broadcasting and taping of the public Board meeting shall be subject to rules adopted by the Board.

The use of cameras, photographic lights, and recording devices at any meeting of said Board shall be subject to the following rules, which are designed to ensure the orderly conduct of the proceedings.

Reporting Board Meetings

The media, members of the public, and staff may be informed of actions and decisions of the Board in the following manner:

The Superintendent may prepare a staff newsletter for distribution to all staff members on the morning following the Board meeting.

Brief summaries of Board actions and decisions shall be published in the parent(s)/guardian(s) newsletter and shall be made available to the media after each meeting.

Cameras

The use of cameras at any open Board meeting shall be permitted only when, in the judgment of the Board, the use or proposed use of any camera will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the camera or the proposed user thereof.

Recording Devices

Use of recording devices at any open Board meeting shall be permitted when, in the judgment of the Board, the use or proposed use of any recording device will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the recording device or the proposed user thereof.

All recording devices together with all appurtenances and paraphernalia, including microphones, shall be kept in the area designated for the media; and recording devices, microphones or other appurtenances shall be allowed on, under or in the immediate vicinity of the Board conference table only with Board permission.

No cameras or recording devices shall be allowed at closed sessions of the Board.

Approved: May 16, 2011
LEGAL REF: MCL 15.261; 15.263; 380.11a

1510 Bylaw and Policy Development System 1510

The Superintendent, as the need arises, shall advise the Board when he/she is of the opinion that a bylaw or policy should be changed or supplemented and present to the Board the reasons therefor.

The Board shall oversee and review its bylaws and policies and shall, as needs dictate, delete, amend and supplement existing bylaws and policies and adopt new bylaws and policies.

Draft Writer

The Superintendent shall draft all recommended policy changes. New bylaws proposals and recommendations for changes shall be drafted by the Superintendent in conjunction with the Board President.

Attorney Involvement

Bylaws, policies, and rules of the Board may be submitted to the Board's attorney to determine the legality of said bylaws and policies and rules before they are submitted to the Board for final approval.

The opinion of the attorney shall be made available to all Board members and Superintendent.

Staff Involvement

In formulating policy recommendations to be made to the Board, the Superintendent may involve members of the staff in the formulation of such policy.

The Superintendent may solicit recommendations from the staff concerning the workability of present policies, needs for change and new policies. The Superintendent, in formulating recommendations to the Board, shall consider the recommendations made to him/her by the staff.

Community Involvement

The Board may involve members of the public in the development of Board policy.

The Board may advise the public, through the news media and other means, that the Board welcomes suggestions and ideas concerning Board policy.

Student Involvement

The Board may involve students in the development of Board policy.

By classroom teacher announcements, notices in student publications and by other means, the Board may invite students to submit ideas and suggestions to the Board concerning the development of Board policy. In adopting or changing Board policy, the Board shall take into consideration those ideas and suggestions submitted by the students.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1550 Bylaw and Policy Adoption 1550

The Board shall adopt new bylaws and policies and delete or modify existing bylaws and policies as the need arises. The Board, for compliance with Board policy, may review all rules and regulations found in handbooks for students, teachers or other employees and supplements.

The Board shall make adoption and/or amendments to bylaws, policies, rules, and regulations of the Board after two readings. However, the bylaws, policies, rules, and regulations of the Board may be amended at any regular, special, or adjourned meeting of the Board by a majority vote of the members elected to, appointed, and serving on the Board.

A recommendation by an individual or group of citizens to adopt or amend any bylaw, policy, or rule may be submitted at any time to the Superintendent or Board President. The Board may consider such requests at the next regular Board meeting. Final action on any such recommendation may take place at the next regular meeting of the Board unless an emergency is declared whereby final action may be taken immediately.

Policy Dissemination

The Superintendent shall be responsible for devising a procedure to ensure that those persons having copies of the Board policy manual receive changes in Board bylaws and policy and the policies that have been amended or deleted are removed from such policy manuals. Every attendance center shall have a current copy of the policy manual either in "hard copy" or in electronic format that shall be kept in the office of the Principal or the Superintendent. At least one "hard copy" of the Board policy manual shall be kept in the central business office. Each Board member shall be furnished a copy of the policy manual in either "hard copy" or electronic format, and the Superintendent may designate which administrators shall be furnished with copies of said policy manual.

The Board may elect to publish the Bylaw and Policy Manual of the District on the Internet through the auspices of the Michigan Association of School Boards as a means of a "paperless" and searchable retrieval system. If published on the Internet via MASB, the Board shall determine whether the manual shall be password protected or open to retrieval and viewing by persons other than District staff and Board members.

The Board Secretary/Treasurer shall keep a ten-year running historical set of Board bylaws and policies that shall reflect all revisions, amendments or other such actions pertaining to every bylaw, policy, and rule.

Policy Review

The Board shall oversee and review its policies and rules as the needs arise.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1570 Review of Administrative Regulations 1570

All rules/regulations or procedures developed pursuant to the Board's policies shall conform to the intent of the policies. The Board shall not normally approve or adopt administrative rules/regulations or procedures except in those instances in which the Superintendent or legal counsel believe such formal adoption shall be necessary or desirable because of potential litigation, public attitudes, or possible student or staff reaction. The Board gives the Superintendent authority to develop and implement all necessary rules/regulations or procedures authorized by Board policy or state statute. All rules/regulations or procedures shall be published in the appropriate staff and student handbooks.

The Superintendent shall keep the Board informed of any rules/regulations or procedures developed to implement Board policy and shall periodically present them to the Board for review. The Board may veto any administrative rule/regulation or procedure when, in the judgment of the Board, they are inconsistent with Board policy or Board intent.

Rules/Regulations or procedures may be issued by the Superintendent directly without adoption of Board policy.

Rules/Regulations or procedures issued to implement Board policy shall be made a part of the policy manual and copies shall be provided to all holders of Board policy manuals. Staff, students and patrons of the District shall be informed of any rules/regulations or procedures affecting them as individuals or as a group.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1575 Administration in Absence of Policy 1575

When action must be taken and no guidelines have been provided for administrative action, the Superintendent shall have the power to act. Such decisions shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Superintendent to notify the Board of such action and to advise the Board for needed policy.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1600 Board Records 1600

The Board shall keep such Board records as shall be necessary for the understanding of their actions. In addition to those records required to be kept by law, the Superintendent shall be responsible for the designing and keeping of such other records as are necessary for the efficient operation of the District.

The Board recognizes the need for its records to be stored as a blend of printed, bound and electronically stored (i.e., audio tape, video tape, micro-fiche, computer disk, computer server, flash drives, etc.) material.[5] The securing, cataloging and storing of all records shall be the responsibility of the Board Secretary/Treasurer, with assistance from the Superintendent.

Approved: May 16, 2011
LEGAL REF: MCL 380.601a; 380.623; 380.862; MDE Bulletin 522 – Records Retention and Disposal Schedule for Michigan Public Schools, revised Sept. 2006

[5] **MDE Bulletin 522 revised Sept. 2006**. Record Maintenance Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc. The retention periods listed on this general schedule do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records [this includes District email records] need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, school districts should work with their information technology staff to develop preservation plans for retaining electronic records with long-term (more than 10 years) retention requirements. Various laws (including the Records Reproduction Act, MCL 24.401-24.406) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws. Public Disclosure Select records series that are listed on this schedule may be exempt from public disclosure, in accordance with the provisions of various state and federal laws. Please consult with your attorney if you need additional information. Suspending Destruction: School districts must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an investigation or litigation has commenced. If relevant records exist in electronic formats (such as e-mail, digital images, word processed documents, databases, backup tapes, etc.), the school district may need to notify its information technology staff. Failure to cease the destruction of relevant records could result in penalties.

1650 Board Memberships 1650

The Board, annually, shall consider memberships in the County School Boards Association and the Michigan Association of School Boards. Through membership in MASB, the Board is an indirect member of the National School Boards Association. The Board and its members shall actively participate in the activities of these organizations insofar as possible.

The Board has authorized membership in the MASB Legal Trust Fund and shall annually consider continued membership in said fund by approving payment of annual dues as determined by the MASB Board of Directors.

When recommended by the Superintendent and approved by the Board, the Board may maintain memberships in other educational associations or organizations through which the District may derive benefits.

Dues and membership fees to local, state and national educational organizations may be budgeted for and provided by the Board. Materials and other benefits of institutional memberships may be distributed and used to the best advantage of the District.

Liaison with School Boards Associations

The Board annually shall appoint one of its members to serve as liaison to the Michigan Association of School Boards. It shall be the responsibility and duty of the liaison member to keep the Board informed of MASB activities and call attention to Board actions that might be appropriate in relationship or support of those activities. A report from the liaison representative may be an agenda item for each regular monthly meeting.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1730 Board Legislative Program 1730

The Board shall keep itself informed of pending legislation and actively communicate its concerns and make its position known to elected representatives at both the state and national level.

The Board will work with its legislative representatives, with the state school Boards association and other concerned groups in developing an annual, as well as long-range, legislative program.

The Board annually shall designate a person - who may or may not be a member of the Board - to serve as its legislative representative. This person shall be authorized to speak on the Board's behalf with respect to legislation being considered by the state legislature, or the United States Congress or their representative committees. In all dealings with individual elected representatives, the legislature, or Congress, the Board's representative will be guided by the official positions taken by the Board.

Legislative Representative

A legislative representative shall serve as the Board's liaison with the state school Boards association. This representative shall attend state school Boards association meetings and convey local views and concerns to that body and participating in the formulation of state legislative programs. The legislative representative shall monitor proposed school legislation and inform the Board of the issues.

Purpose

To establish the procedure by which legislative matters will be handled.

Recommended Legislation

All requests for proposed legislation will be directed to the Board's designated representative. The request will then be reviewed to determine if it is to be included as a part of the District's legislative package.

The Board will finalize the complete legislative package.

When legislative items are introduced that are not related to the adopted goals directly, the Superintendent and designated representative will confer with the Board prior to taking a position on such items. If time does not permit discussion with the Board, the President and/or Vice-President will be contacted. If they are not available, two Board members will be contacted.

Legislative Presentations

Oral and written presentations made in behalf of the District must receive prior approval of the Board.

The following are guidelines for presenters:

All oral presentations should be brief and to-the-point.

A copy of the presentation should be typed.

- One copy to the Superintendent,
- One copy to each Board member, and
- One copy for each committee member.

The Board's designated representative will notify the Superintendent and Board President of the time and place of the hearing when presentations are made.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1750 Board Self-Assessment/Evaluation 1750

The primary purpose for Board self-assessment/evaluation is for the improvement of Board member leadership. In evaluating the Board's functions and roles, the Board may focus attention to the following:

1. The Board shall assess the needs of the District's students, establish priorities, and allocate the personnel and financial resources to meet the student's needs,
2. The Board shall know the standards against which they will evaluate themselves and be involved in the development of those standards,
3. Evaluation shall be at a scheduled time and place with no other items on the agenda,
4. The evaluation should be a composite of the individual Board members' opinions,
5. The evaluation should include a discussion of strengths and weaknesses, and
6. The Board should be free to comment on any area related to its function of directing the District.

The Board and Superintendent may cooperatively develop an evaluation plan that annually evaluates the various aspects of the Board's functions, duties, and roles.

Approved: May 16, 2011
LEGAL REF: MCL 380.11a

1900 Contracts and Board Member Disclosure Obligations 1900

1. Except for contracts specified in Section 5, below, a Board member shall comply with the disclosure provisions of Section 2 of this policy in contracts where:
   a. The Board member is a direct party to any contract between himself/herself and the School District, or
   b. The Board member, directly or indirectly, solicits, negotiates, re-negotiates, represents a party to, or is an indirect party to, any contract with the school District, and
      i. Any firm, meaning a co-partnership or other unincorporated association, or in which he/she is a partner, member, or employee,
      ii. Any private corporation in which he/she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of $25,000.00 if the stock is listed on a stock exchange or of which he/she is a Director, officer, or employee, or
      iii. Any trust of which he/she is a beneficiary or trustee.
2. A Board member shall promptly disclose any pecuniary interest in the contract to the Board of Education, which disclosure shall be a matter of record in its official proceedings. This disclosure shall be made in the following ways:
   a. If the contract is for emergency repairs or services, the Board member must promptly disclose any pecuniary interest in the contract which disclosure shall be made a matter of record in the Board's official proceedings.
   b. If the Board member will benefit from a school District contract directly in an amount less than $250.00 and less than 5% of the public cost of the contract, the Board member must disclose his/her pecuniary interest in the contract by filing a sworn affidavit with the school Board.

c. If the Board member will benefit by $250.00 or more, or 5% or more of the public cost of the contract, his/her pecuniary interest must be disclosed in one of two ways:

i. By notifying, in writing, the President of the Board of his/her interest at least seven (7) calendar days before the meeting at which a decision regarding the contract will be made. If the President of the Board is the individual with the conflict of interest, disclosure must be made to the Secretary/Treasurer of the Board. The disclosure shall be made public in the same manner as in public meeting notice, or

ii. By disclosing his/her interest in the contract at a Board meeting. Under this option, the Board may not vote on the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.

d. If the Board member's pecuniary interest in the contract exceeds $5,000.00, the Board member must disclose his/her interest in the contract at a Board meeting, and the Board may not vote on the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.

3. Except as provided in Section 4 below, the contract must be approved by a vote of not less than 2/3rds of the full membership of the Board of Education in open session without the vote of the Board member making disclosure specified in Section 2. The Board of Education must disclose the following summary information in its official minutes:

a. The name of each party involved in the contract,

b. The terms of the contract, including duration, financial consideration between parties, facilities or services of the school District included in the contract, and the nature and degree of assignment of employee of the school District for fulfillment of the contract, and

c. The nature of the pecuniary interest.

4. If 2/3rds of the members of the Board are not eligible under this policy to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will benefit from the contract directly in an amount less than $250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the official body. The affidavit shall be made part of the public record of the official proceedings.

5. This policy shall not apply to:

   a. Contracts between the school District and another public entity,

   b. Contracts awarded to the lowest qualified bidder, other than a Board member, upon receipt of sealed bids pursuant to a published notice therefore provided such notice does not bar, except as authorized by law, any qualified person, firm, corporation or trust from bidding. Amendments or re-negotiations of a contract or additional payment there under which were not authorized by the contract at the time of award are not excluded from the requirements of Sections 2 through 4 above, and

   c. Contracts for public utility services where the rates therefore are regulated by the state or federal government.

Approved: May 16, 2011
LEGAL REF: MCL 15.321, *et seq*

1950 Board Member Conflicts of Interest, Ethics and Responsibilities 1950

The objectives of this bylaw are to maintain an impartial administration of the business of the school District and to maintain public confidence in the Board of Education.

No member of the Board of Education shall engage in, or be a party to, any of the following activities:

1. Representing his/her opinion as that of the Board of Education or making commitments on behalf of the school District or the Board unless that person has been specifically designated to do so by official Board action. The Board shall make the staff and citizens aware that only the Board, not individual members, has the right to take official action for the District. Board members may be contacted for discussion of District business or for complaints. The Board member may listen but shall not make a commitment on behalf of the Board. The individual Board member does not and cannot, speak for the Board or the Superintendent.
2. Placing him/herself in situations where prejudice, bias, favoritism or personal gain is a motivating force in his/her conduct.
3. Disclosing or releasing confidential information, not otherwise available to members of the public, in advance of the time prescribed for the release; provided however, that this provision shall not prevent a Board of Education member from divulging or releasing confidential information regarding suspected violations of law.
4. Benefiting financially from confidential information obtained due to the member's position on the Board of Education.
5. Using personnel resources, property, or funds of the school District, except in accordance with prescribed constitutional, statutory, and regulatory procedures, and in accordance with good business procedures and not for personal gain or benefit.

6. Soliciting or accepting a gift or loan of money, goods, services or other things of value, which tends to influence the manner in which the Board of Education member performs his/her official duties.
7. Becoming employed by the school District or receiving any compensation for services rendered, except compensation for attending meetings as permitted by law.
8. Endorsing any organizations, institutions, instructional books or materials, political candidates, etc., on behalf of the District or the Board without the express approval of the full Board.

Board Members shall:

1. Attend all scheduled Board meetings insofar as possible and become informed concerning the issues to be discussed at Board meetings,
2. Take no action that will compromise the Board or the District's staff and respect the confidentiality of information that is privileged under applicable law,
3. Make policy only after full discussion of the issues at publicly held Board meetings,
4. Encourage the free expression of opinion by all Board members and seek systematic communications between the Board, students, staff, and all elements of the community,
5. Work with other Board members to establish effective policy and to delegate authority for the administration of the schools to the Superintendent,
6. Communicate to other Board members and the Superintendent public reaction to Board policy and District programs,
7. Become informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national School Boards Associations, and

8. Support the employment of those people best qualified to serve as District staff and insist on a regular, impartial evaluation of all staff.

Board Member Responsibilities

The Board shall transact all business at legally called and noticed meetings.

If a specific complaint needs attention, the Board member shall explain to the complainant the District's chain of command for handling complaints or refer the complaint to the Superintendent. The Board member also shall inform the complainant about the process for bringing items to the Board through the Board's agenda or through the public participation portion of the Board meeting.

Approved: May 16, 2011
LEGAL REF: OAG, 1985-1986, No 6368, p 296 (June 5, 1986); OAG, 1989-1990, No 6642, p 274 (January 2, 1990); OAG, 1991-1992, No 6728, p 172 (August 26, 1992)

1955 Board Member Service as an Unpaid Volunteer 1955

As permitted by state law, a member of the Board may serve as a volunteer coach or as a volunteer supervisor of an extra curricular activity if the following statutory conditions are met:

- The Board member receives no compensation for serving as a volunteer coach or extra curricular activity supervisor.
- The Board member abstains from voting on issues that concern the program or activity that the Board member is serving as a volunteer.
- There must be no qualified applicant available from either the staff or from the outside to fill the position that the Board member will serve as a volunteer.
- The Board member must pass, in the same manner as all other staff of the District, a criminal history/criminal records check from the Michigan Department of State Police and the Federal Bureau of Investigation.

A Board member volunteer coach or supervisor of an extracurricular activity may be appointed to a one-year term annually by majority vote of the board and may be removed from the position by majority vote for any reason. The Board member who is the subject of the appointment or removal action shall not vote on the question.

A Board member volunteer coach or supervisor of an extracurricular activity must abide by all rules and regulations that govern the position when it is held by a paid employee.

This bylaw does not apply to, nor would Board approval or a criminal history/background check be required, for incidental volunteer activities in positions that would not normally be "paid" positions that parents/guardians or community members might perform. These might include, but not be limited to, working at a concession stand for an athletic event, chaperoning a school sponsored dance or other activity, tutoring in a reading or mathematics program, or assisting at events like a school carnival.

Approved: May 16, 2011
LEGAL REF: MCL 15.183