

bylaw

BOARD OF EDUCATION
LAKE SHORE PUBLIC SCHOOLS

BYLAWS
0000/page 1 of 2

0000	BYLAWS	
<u>0100</u>	<u>Definitions</u>	
<u>0110</u>	<u>Official Description</u>	
0111	Name	
0112	Purpose	
0113	Boundaries	
0115	Address	
<u>0120</u>	<u>Powers and Philosophy</u>	
0121	Authority	
0122	Board Powers	
<u>0130</u>	<u>Functions</u>	
0131	Legislative	
0131.1	Bylaws and Policies	
0132	Executive	
0132.1	Selection of Superintendent	
0132.2	Administrative Guidelines	
0133	Judicial	
<u>0140</u>	<u>Membership</u>	
0141	Number	
0141.1	Student-Body Representatives	
0142	Election/Appointment	
0142.1	Electoral Process	
0142.2	Qualifications	
0142.3	Term	
0142.4	Oath	
0142.5	Vacancies	
0142.7	Orientation	
0143	Authority	
0144	Operations	
0144.1	Compensation	
0144.3	Conflict of Interest	
0144.4	Indemnification	
0145	Sexual Harassment	
<u>0150</u>	<u>Organization</u>	
0151	Organizational Meeting	
0152	Officers	
0154	Motions	
0155	Standing Committees	

0160 **Meetings**

0161	Parliamentary Authority
0162	Quorum
0163	Presiding Officer
0164	Call
0164.1	Regular Meetings
0164.2	Special Meetings
0164.3	Emergency Meetings
0165	Notice
0165.1	Regular Meeting
0165.2	Change of Regular Meeting
0165.3	Special Meeting
0165.4	Emergency Meeting
0165.5	Recess
0166	Agenda
0166.1	Consent Agenda
0167	Conduct
0167.1	Voting
0167.2	Closed Session
0167.3	Public Participation at Board Meetings
0168	Minutes
0168.1	Open Meeting
0168.2	Closed Meeting

0170 **Duties**

0171	Officers
0171.1	President
0171.2	Vice- President
0171.3	Secretary
0171.4	Treasurer
0172	Legal Counsel
0173	Independent Auditor
0174	Reports

DEFINITIONS

The bylaws of the Board of Education of this District incorporate quotations from the laws and administrative code of the State of Michigan. Such quotations may be substantively altered only by appropriate legislative, judicial, or administrative action.

Whenever the following items are used in these bylaws and policies, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Agreement

A collectively negotiated contract with a recognized bargaining unit.

Board

The Board of Education.

Bylaw

Rule of the Board for its own governance.

Certificated Staff Member

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the State.

District

Lake Shore Public Schools

Due Process

Procedural due process requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond.

Procedural due process may require right to counsel and/or confrontation or cross examination of witnesses, depending upon the situation.

Full Board

Authorized number of voting members entitled to govern the District.

May

This word is used when an action by the Board or its designee is permitted but not required.

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BOARD OF EDUCATION
LAKE SHORE PUBLIC SCHOOLS

BYLAWS
0100/page 2 of 3

Meeting

Any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.

Policy

A general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of Education. (See Bylaw 0170)

Principal

The educational leader and head administrator of a District school. In policy and administrative guidelines, implies authority to delegate responsibilities to appropriate members of his/her staff.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

Secretary

The chief clerk of the Board of Education. (See Bylaw 0170)

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Student

A person who is officially enrolled in a school or program of the District.

Superintendent

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

Treasurer

The chief financial officer of the District. (See Bylaw 0170)

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BOARD OF EDUCATION
LAKE SHORE PUBLIC SCHOOLS

BYLAWS
0100/page 3 of 3

Vice President

The Vice-President of the Board of Education. (See Bylaw 0170)

Voting

A vote at a meeting of the Board of Education. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes.

Citations to Michigan Compiled Laws Annotated (M.C.L.A.) are shown as M.C.L.A. followed by the Section Number (e.g. M.C.L.A. 380.114). Citations to the Michigan Administrative Code are prefaced A.C. Rule (e.g.,A.C. Rule R380.221). Citations to the Federal Register are noted as FR and to the Code of Federal Regulations as CFR

OFFICIAL DESCRIPTION

- 0111 **Name**
The Board of Education of this District shall be known officially as the Lake Shore Public Schools Board of Education.
- 0112 **Purpose**
The Board of Education exists for the purpose of providing a system of free, public education for children in grades Pre-Kindergarten through Adult & Community Education.
- 0113 **Boundaries**
Lake Shore Public Schools is comprised of the area in the description on file in the Board of Education office.
- 0115 **Address**
The official address of the Lake Shore Public Schools Board of Education shall be 28850 Harper, St. Clair Shores. Michigan 48081.

POWERS AND PHILOSOPHY

0121

Authority

The supervision of this District shall be conducted by the Board of Education, hereinafter sometimes referred to as the "Board", which is constituted and is governed by the laws of the State of Michigan.

M.C.L.A. 380.1201 et seq.

0122

Board Powers

The District shall operate as a General Powers School District. As such it has all of the rights, powers, and duties expressly stated in statute; may exercise a power implied or incident to any power expressly stated in statute; and, except as provided by law, may exercise a power incidental or appropriate to the performance or any function related to operation of the District in the interests of public elementary and secondary education in the District.

The District is a body corporate and shall be governed by a school board. An act of this Board is not valid unless approved, at a meeting of the Board, by a majority vote of the members lawfully serving on the Board.

The Board may submit a measure, proposition, or question concerning the management of the District or the improvement of the educational process to the electorate in accordance with the procedures described in M.C.L.A. Section 1032.

The Board shall adopt bylaws. These bylaws may establish or change Board procedures, the number of Board officers, titles, and duties of Board officers and any other matter related to effective and efficient functioning of the Board.

M.C.L.A. 380.1032. 380.1131 et seq.

M.C.L.A. 423.201, 202, 206, and 215

Revised 6/17/96

FUNCTIONS

0131 **Legislative**

0131.1 **Bylaws and Policies**

The Board of Education shall adopt bylaws and policies for the organization and operation of this Board and the Intermediate School District. Any policy adopted by the Board will apply to any and all persons employed by the District, as well as all of its programs and operations including St. Clair Shores Adult and Community Education.

Those bylaws and policies which are not dictated by the statutes, or rules of the State Board of Education, or ordered by the Superintendent of Public Instruction, or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board.

Bylaws and policies shall be adopted, amended, repealed, or suspended by a majority vote of the Board.

In order for a policy to be adopted, it shall have been presented for a first reading at a regular meeting of the Board. It must then be deferred for final action (second reading and adoption) at a subsequent regular meeting of the Board. No policy may be adopted unless it has laid on the table for at least one (1) month except; that the Board by a unanimous vote of those present can suspend the rules to give immediate effect when it deems it necessary.

The Board may adopt, amend, or repeal rules of order for its own operation by action of the Board passed by a majority vote of those elected and serving.

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual.

M.C.L.A. 380.1201 et seq., 380.1261, 380.1300

0132 **Executive**

0132.1 **Selection of Superintendent**

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent who shall enforce the statutes of the State of Michigan, rules of the State Board of Education, and the policies of this Board. (M.C.L.A. 380.132)

0132.2

Administrative Guidelines

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the school will be operated. These detailed arrangements shall constitute the administrative guidelines governing the schools which are not inconsistent with statutes or regulations of the State Board or the policies of this Board.

Such administrative guidelines shall be binding on the employees and the students of this District when issued.

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board in a timely fashion.

M.C.L.A. 380.132, 380.238, 380.1300

0133

Judicial

The Board of Education assumes jurisdiction over any dispute or controversy arising within this District and concerning any matter in which authority has been vested in the Board by statute, rule, a contract, or policy of this Board.

M.C.L.A. 380.1201

MEMBERSHIP

- 0141 **Number**
The Board of Education shall consist of seven (7) members.
M.C.L.A 380.111(2), 380.211, 380.316(2), 380.403(a)
- 0141.1 **Student-Body Representatives**
The Board may have two (2) representatives from the high school student-body selected by a process determined by the high school principal.
- Each representative shall be allowed to participate in all Board discussions and attend committee meetings to which they may be assigned or invited. The student-body representative(s) shall not be allowed to vote or participate in closed sessions.
- The student-body representative(s) shall be responsible for communicating Board questions or decisions pertaining to students to the high school student council.
Adopted 10/30/95
- 0142 **Election/Appointment**
- 0142.1 **Electoral Process**
Members of the Board shall be elected annually in November general election in a manner that is consistent with State law.
M.C.L.A. 380.111, 112, 151, 216, 1053
- 0142.2 **Qualifications**
A school elector in the School District is eligible to be a Board member.
M.C.L.A. 380.1101(1)
- 0142.3 **Term**
The term of each Board member shall commence on January 1st and shall continue until a successor is elected and qualified or until a vacancy occurs.
M.C.L.A. 380.1101(2)
- 0142.4 **Oath**
Each newly-elected Board member shall file an acceptance of office as well as an affidavit of eligibility and shall take an oath of office. The oath of office shall be administered by the highest ranking Board officer who continues to serve.
M.C.L.A. 380.1102(2)
Revised 6/17/96

0142.5

Vacancies

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

- A. the death of the incumbent or the incumbent's being found 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 incumbent's ceasing to possess the legal qualifications for holding office
- H. the incumbent moving his/her residence out of the District

A vacancy shall be filled by the remaining members of the Board within twenty (20) days, and, if not, the vacancy shall be filled by the Board of the Intermediate School District. M.C.L.A. 380.1103, 380.1104

Filling a Board Vacancy

The Michigan School Code specifies the events wherein a Board seat is declared immediately vacant (e.g. death, resignation, etc.) without acceptance or approved by the Board. The empty Board seat must be filled within twenty (20) days of the event which caused the vacancy.

If a majority of the Board seats become vacant at the same time, the remaining members shall immediately call a special election to fill the vacancies.

If a Board member submits his/her resignation to become effective at a future date, the remaining Board members may immediately begin the process to fill the vacancy provided that 1) the resigning member does not participate in the selection process, and 2) appointment of the new member is not made until after the effective date of the resignation.

The appointment of a legally qualified person shall be made by a majority vote of the remaining members of the Board at a regular or special Board meeting. The appointee must file an Acceptance of Office form, an Affidavit of Eligibility form with the Board secretary, and take the prescribed oath of office at a public Board meeting. The appointee then holds the position until the next annual School Board election.

The specific procedures to be used in filling a Board vacancy will be outlined in Board Regulation R-BBC.

0142.7

Orientation

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the District, and learn Board procedures. Accordingly, the Board may give to each new Board member for his/her use and possession during the term on the Board the following items:

- A. a copy of the Board policy manual
- B. a copy of each current negotiated agreement
- C. the current budget statement, audit report, and related fiscal materials

The Board will provide and maintain a library of publications and reference materials for the use of Board members.

Each new Board member shall be invited to meet with the Board President, the Superintendent, and other central office administrators to discuss Board functions, policies, and procedures.

0143

Authority

Individual members of the Board do not possess the powers that reside in the Board of Education. The Board speaks through its minutes and not through its individual members. An act of the Board shall not be valid unless approved at an official meeting by at least a majority vote of the members elected to and serving on the Board.

M.C.L.A. 380.1201

Access to District personnel records shall be authorized only by a vote of the Board.

0144

Operations

0144.1

Compensation

Board members shall receive \$1,500 annually as compensation for their services. These services may include, but are not limited to, any activity where the Board member is acting in his/her capacity as a Board member, regular monthly meetings, special meetings, organizational meetings, work sessions and subcommittee meetings, classes/training, or other activities approved by the Board.

M.C.L.A. 380.116, 380.243, 380.331

Expenses of a Board member shall be reimbursed when incurred in the performance of his/her duties or in the performance of functions authorized by the Board and duly vouchered. The following guidelines have been established by the Board of Education to ensure appropriate and proper reimbursement of expenses for Board members.

- A. Expenses will be reimbursed only for activities authorized by the Board before the expense is incurred except as provided in part C. of this bylaw.
- B. Attendance at Board-approved conferences should be at the location closest to the District.
- C. When attending a Board-approved conference or attending/participating in an activity as a designated representative of the Board, any incurred expenses, including fees, parking, mileage, meals, housing, and telephone will be reimbursed by the Board up to the amount verified by receipts or voucher.
- D. Purchase of any printed or other materials relating to Boardmanship will be reimbursed if pre-purchase approval is given by the Board. If such approval is not possible or feasible, a voucher must be submitted to the Board for approval. No post-purchase voucher will be approved if it exceeds \$50.00.
- E. No entertainment expenses or purchases of alcoholic beverages are reimbursable.
- F. A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within thirty (30) days after the expenses have been incurred.

Revised 10/30/95

0144.3

Conflict of Interest

Board members shall perform their official duties in a manner free from conflict of interest. To this end:

- A. no Board member shall use his/her position as a Board member to benefit either himself/herself or any other individual or agency apart from the total interest of the School District;

- B. when a member of the Board determines that the possibility of a personal interest conflict exists, s/he shall, prior to the matter being considered, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board), and thereafter shall abstain from participation in both the discussion of the matter and the vote thereon.

If the pecuniary interest pertains to a proposed contract with the District, the following requirements must be met:

1. The Board member shall disclose the pecuniary interest.
2. The contract must be approved by a 2/3 vote of the full Board.
3. Official minutes to disclose the name of each party involved and nature of their interest in the contract.

0144.4

Indemnification

The Board may hold harmless, indemnify, pay, settle, or compromise a judgment against a Board member to the extent allowed under the law.

M.C.L.A. 691.1408

0145

Sexual Harassment

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to such conduct is made a condition or employment or a basis for an employment decision, or when such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working/learning environment or school.

The sexual harassment of a staff member or student of this District is strictly forbidden. Any student, staff member, or agent of this Board who is found to have sexually harassed a staff member, student, or other employee of this District will be subject to disciplinary action.

Associated administrative procedures shall be developed that establish clear guidelines for students and employees. This includes developing and delivering curriculum defining appropriate and inappropriate behavior, communication of procedures for reporting harassment and inservice for all school employees. Efforts will be made to ensure that all staff members and agents of this Board understand this policy and recognize and work to remedy speech and behavior patterns that may be sexually offensive with or without the intent to offend. The policy shall be posted in appropriate places throughout the District.

ORGANIZATION

- 0151 **Organizational Meetings**
The Board of Education shall organize semi-annually not earlier than July 1st and not later than the second Monday in July at a meeting held for the purpose of conducting fiscal business for the upcoming school year in accordance with the law. The Board will also hold a meeting not later than the second Monday in January of each year to select Board officers for that calendar year. The meeting shall be called to order by the ranking officer of the preceding Board who shall serve as presiding officer until the election of a temporary chairperson, who shall in turn serve until the election of a President.
- 0152 **Officers**
The Board shall elect a President and Vice-President from its members, and a Secretary and Treasurer, who need not be members.
M.C.L.A. 380.231(1)
- 0154 **Motions**
The Board shall, at the organizational meeting:
- A. designate depositories for school funds; M.C.L.A 380.1221
 - B. designate those positions authorized to sign checks, contracts, agreements, and purchase orders:
 - C. designate a day, place, and time for regular meetings which shall be held at least once every month; (8341. M.C.LA 380.115)
 - D. designate an administrator to assume specified responsibilities of the Treasurer and of the Secretary.
- 0155 **Standing Committees**
The Board President shall appoint members to each committee asking, in advance, preferences for appointments. These stated preferences, plus an individual's experience and background, will be used in making committee appointments.
- Subcommittee chairs will also be selected by the Board President to ensure that minutes of each meeting are taken and distributed to the entire Board. Subcommittee memberships shall be for a one (1) year period.
- Each subcommittee will meet, as necessary, as called by the committee chair, the Superintendent, or Board President.

MEETINGS

- 0161 **Parliamentary Authority**
The parliamentary authority governing the Board of Education shall be Robert's Rules of Order, Newly Revised in all cases in which it is not inconsistent with statute, administrative code, or these bylaws.
- 0162 **Quorum**
Four (4) members present at a meeting shall constitute a quorum and no business shall be conducted in the absence of a quorum.
- 0163 **Presiding Officer**
The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding. M.C.L.A. 380.231
- 0164 **Call**
- 0164.1 **Regular Meetings**
The Board shall hold a meeting at least once each month on a date and at a time and place determined annually by a resolution of the Board.
- 0164.2 **Special Meeting**
Special meetings of the Board may be called by the President or by any two (2) members of the Board provided there is compliance with the notice provision of these Bylaws.
- 0164.3 **Emergency Meeting**
In the event of a severe and imminent threat to the health, safety, or welfare of the District, its employees, or students, any member of the Board may call an emergency session provided two-thirds (2/3's) members of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. Actual notice of any emergency meeting shall be attempted, but not required to other Board members.
- The Superintendent and those administrators directed by the Superintendent shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

0165 **Notice**

0165.1 **Regular Meeting**

Within ten (10) days after the organizational Board meeting, the Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, including on the District website, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall contain the name and address of the District and its telephone number. The notice shall also contain the following statement:

"Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this meeting."

Upon the written request of an individual, organization, firm, or corporation, and upon the requesting party's payment of a yearly fee of not more than the estimated reasonable cost for printing and postage of each notice as shall be determined annually by the Board, the District shall send to the requesting party by first class mail a copy of any notice required to be posted by these bylaws. The news media shall be entitled to receive, at their request, copies of such notices free of charge.

0165.2 **Change of Regular Meetings**

Within three (3) days after the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, and place of the rescheduled meeting, as well as the name, address, and telephone number of the District. Said notice shall be posted on the front door of the Administrative Office Building and such other place(s) as the Board may determine, including on the District web site. Said notice shall be posted at least eighteen (18) hours before the rescheduled meeting.
M.C.L.A. 15.264, 15.266

0165.3 **Special Meetings**

Said notice shall state the date, time, and place of such special meeting and the business to be transacted thereat, as well as the name, address, and telephone number of the District. A notice of any special meeting shall be posted at least eighteen (18) hours before said special meeting at the Board office and such other places as the Board may determine, including the District web site. A copy of said notice shall be served upon each member of the Board.

0165.4 **Emergency Meetings**

In the event of a severe and imminent threat to the health, safety, or welfare of the District, its employees, or students, any member of the Board may call an emergency session provided two-thirds (2/3's) of the members of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. No notice of any emergency meeting shall be required.

0165.5

Recess

Any meeting of the Board may be recessed to another time and place. Any meeting which is recessed for more than thirty-six (36) hours shall be reconvened only after a notice stating the date, time, and place of the recessed meeting as well as the name, address, and telephone number of the District has been posted on the front door of the Administrative Office Building and such other place as the Board may determine for at least eighteen (18) hours prior to the time the meeting is to be reconvened.

M.C.L.A. 15.265, 380.1201(3)(4)

0166

Agenda

The Superintendent shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda upon the concurrence of the Board President.

The agenda of the regular monthly meeting or special meetings shall be accompanied by information relating to the District with such recommendations as s/he shall make.

Each agenda shall contain the following statement:

"This meeting is a meeting of the Board of Education in public and is not to be considered a public community meeting."

The agenda for each regular meeting shall be electronically mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than four (4) days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member.

The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be suspended at any meeting by a majority vote of the members present.

0166.1

Consent Agenda

The Board of Education shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

- A. minutes of prior meetings
- B. bills for payment
- C. resolutions that require annual adoption. such as bank signatories, Michigan High School Athletic Association membership. etc.
- D. donations and gifts
- E. designated financial reports or monthly reports

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

0167

Conduct

0167.1

Voting

All Regular and those Special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members elected to and serving on the Board and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded there from.

M.C.L.A. 380.1201

Unless specifically authorized by Michigan conflict of interest laws, any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority.

All actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.

0167.2

Closed Session

The Board may meet in a closed session, one closed to the public, for specified purposes.

Those which require a majority roll-call vote of the Board are:

- 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, staff member, or individual agent, if the named person requests a closed hearing;
- B. to consider the dismissal, suspension, or disciplining of a student only if the student or student's parents request a closed hearing;
- C. for strategy and negotiation sessions connected with the negotiation of a collectively-bargained agreement if either negotiating party requests a closed hearing;

Upon a two-thirds (2/3's) roll-call vote of the Board:

- D. to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained;
- E. to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body;
- F. to review the specific contents of an application for employment or appointment if the candidate requests that the application remain confidential. However, all interviews for employment or appointment of the Superintendent shall be held in an open meeting of the Board;
- G. to consider material such as written opinions of counsel which are exempt from discussion by State or Federal statute.

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose the content of discussions that take place during such sessions. M.C.L.A. 15.267, 15.268

0167.3

Public Participation at Board Meetings

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business or at the discretion of the presiding officer.
- B. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name and address.
- C. No participant may speak more than once on the same topic. Presentations should be brief. A speaker will be limited to five (5) minutes unless granted an extension by the President.
- D. All statements shall be directed to the presiding officer ; no person may address or question Board members individually. Staff members shall not be expected to answer questions from the audience unless called upon by the Board Chair or the Superintendent.
- E. In order to achieve the most effective results, members of the public are encouraged to have their questions or concerns about school or district issues fully addressed through proper personnel and administrative channels before addressing the Board about such issues during public participation.
- F. The Board President or other presiding officer has the authority to terminate the remarks of any individual who does not adhere to these rules, or when, in the opinion of the presiding officer, the individual disrupts the decorum of the meeting.
- G. The portion of the meeting during which the participation of the public is invited may be limited to thirty (30) minutes, however, this may be extended at the discretion of the presiding officer.
- H. Tape or video recordings are permitted, providing the person operating the recorder has notified the Superintendent 48 hours prior to the Board meeting to review placement of the equipment and to agree to abide by the following conditions:

1. No obstructions are created between the Board and the audience.
2. No interviews are conducted in the meeting room while the Board is in session.
3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.
M.C.L.A. 15.263(4)(5)(6), 380.1808

0168

Minutes

0168.1

Open Meeting

The Secretary, or a temporary secretary appointed by the presiding officer, shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the Secretary at the next meeting. The minutes shall include all roll-call votes taken at the meeting. Proposed minutes shall be available for public inspection not later than eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. The minutes shall be available for inspection at the Superintendent's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The official minutes shall be bound together by years and kept in the office of the Board of Education.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next regular meeting.

The minutes shall show action taken and, if appropriate, remarks of Board members, administration, and citizens present.
M.C.L.A. 15.269.380, 123.380, 1201, 380.1201(5)

0168.2

Closed Meeting

The Board shall designate a person to keep separate minutes of each closed meeting of the Board. These minutes shall be retained by the Secretary of the Board, but shall not be available to the public and shall only be disclosed if required by a civil action filed under M.C.L.A. 15.270 et seq. These minutes may be destroyed one (1) year and one (1) day after approval of the minutes of the regular meeting at which the closed session was approved.

M.C.L.A. 15.267, 15.269, 15.270-71, 15.273

DUTIES

0171 **Officers**

0171.1 **President**

The President of the Board of Education shall:

- A. preside at meetings of the Board;
- B. perform other duties appropriate to the office of the President.
M.C.L.A. 380.121

0171.2 **Vice-President**

The Vice-President of the Board of Education shall:

- A. preside at meetings of the Board when the President is not able to attend;
- B. perform other duties appropriate to the office of Vice-President as the Board determines;
- C. in case of a vacancy in the office of President, succeed to the office of President for the balance of the unexpired term.
M.C.L.A. 380.122

0171.3 **Secretary**

The Secretary of the Board of Education shall:

- A. act as clerk at meetings of the Board;
- B. record and sign the minutes of meetings, orders, resolutions, and other proceedings of the Board in proper record books;
- C. be the chief election officer of the District with authority to delegate election duties to a member of the administrative staff;
- D. in conjunction with District administrators, prepare the annual report of the District and other reports required by the State Board;
- E. draw and sign orders upon the District Treasurer for money to be disbursed by the School District and 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;
- F. perform other duties required by law or by the Board.
M.C.L.A 380.123, 380.243

0171.4

Treasurer

The Treasurer of the Board of Education shall:

- A. inspect the funds of the School District;
- B. inspect proper books of account;
- C. inspect an account of interest received from invested school funds, and credit interest received to the appropriate fund accounts;
- D. supervise the payout of 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 and countersigned by the President of the Board;
- E. perform other duties the Board may prescribe in its bylaws relating to the administration of School District funds.
M.C.L.A. 380.123, 380.125, 380.241, 380.243, 380.1221

0172

Legal Counsel

The Board of Education may employ an attorney to represent the School District or Board in actions brought for or against the District and to render other legal services for the welfare of the School District.

M.C.L.A. 380.1253

0173

Independent Auditor

The independent auditor shall:

- A. examine the balance sheet of the District at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;
- B. conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;
- C. render an opinion of the financial statements prepared at the close of the fiscal year;
- D. make such recommendations to the Board of Education concerning its accounting records, procedures, and related activities as may appear necessary or desirable;
- E. perform such other related services as may be requested by the Board.

0174

Reports

The Board of Education shall publish an annual report as required by law. In addition, the Board shall publish other reports it deems necessary to keep the community and governmental authorities adequately informed about the operation of the District.

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