

1000—BOARD BYLAWS

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- 1300 Meetings
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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 Coordinator¹ 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.

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1001 Introduction and Information

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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.

Qualifications

To be a candidate for the Board, a person must be a resident and a qualified elector of the District.

While the above is the only legal requirement for Board membership, the Mason County Central Board points to the following as desirable qualifications for those seeking to be members of the Board:

1. Have an active, sincere, and unselfish desire to serve the District as a whole,
2. Be non-partisan in dealing with District matters,
3. Have personal integrity, intelligence, and an appreciation of the value of good education,
4. Be willing to devote the necessary time to their duties as members and to their homework in preparation for Board meetings, and
5. Have the ability to work with others, the courage to express and defend their own convictions, and the willingness to set personality and personal lives aside in the discussions and decision-making.

Approved: February 22, 2010
LEGAL REF: MCL 168.301-303; 168.641

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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 word “Superintendent” or “Principal” appears 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 of the responsibility of the actions of such designated representatives.

Approved: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1010 District Legal Status

1010

The legal basis for the Mason County Central School District, Scottville, Michigan 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 the Mason County Central School District and the District shall operate as a general powers school District within Mason, Lake, and Oceana counties.

Approved: February 22, 2010

LEGAL REF: Michigan Constitution, MCL 380.11a

Section 1000 – Board Bylaws

1015 District Mission Statement

1015

Mason County Central School District exists to serve students and to provide opportunities for the growth and development of all students. The mission of our schools is to do everything possible to help our students of all ages learn and grow into informed and responsible citizens who learn how to learn throughout their lives.

We believe:

- All students, when given time and support, can learn.
- Higher expectations produce higher achievement.
- Students must become critical thinkers, logical reasoners, and informed problem solvers.
- Honesty, compassion, tolerance, justice, respect, courtesy, and a desire for knowledge should be taught and modeled in our school.
- Every school employee affects the learning of our students; the adult model is a strong influence on all forms of a child's development.
- Resources should be aligned to develop the desired skills, behavior, and knowledge expected for all students.
- We must provide a safe, comfortable, positive environment in which students and adults can work.
- Optimism about people, education, and the future serves all of us best.
- The learning process is a partnership between staff, students and parents/guardians.
- Cooperative and supportive relationships are keys to school improvement.

Approved: February 22, 2010

Mason County Central School District

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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: February 22, 2010
LEGAL REF: MCL 380.11a (6)

Section 1000 – Board Bylaws

1030 Membership

1030

The Board is composed of seven members serving four-year terms, and elected at an election held annually on the first Tuesday after the first Monday in May in accordance with MCL 168.1 *et seq*, or appointed by the Board to fill a vacancy.

Term of Office

The term of office of a Board member shall begin on July 1 following his/her election, or immediately upon Board appointment. The term of a Board member shall end on June 30 of the year his/her term expires

Approved: February 22, 2010
LEGAL REF: MCL 168.302; 168.641; 380.11a

Section 1000 – Board Bylaws

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.

The Board is responsible to the patrons and endeavors to administer the needs of education in the District adequately according to their will. In order to function as efficiently as possible, control shall be centralized so that there may be accountability and coordination of effort and decisions.

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.

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1032 Powers and Duties

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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: February 22, 2010

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

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1035 Board Membership - Student Representation

1035

The Board may elect, by majority vote of the Board, to have one or more high school student(s) serve in an advisory capacity to the Board in order to facilitate effective communication and to help promote sound education. Should the Board elect to have a student or students serve, the representative(s) would serve in accordance with the following guidelines:

1. The representative(s) shall be chosen by the students of the high school in a manner developed cooperatively by the building Principal and the student council,
2. The student representative(s) shall be chosen in the spring and will serve for a one-year term beginning on July 1, and
3. The student representative(s) shall have the right to sit with the Board at all regular and special meetings, but not closed sessions or sessions that exclude the public unless specifically authorized by the Board. He/She (They) shall not be permitted to vote or introduce or support motions, but may otherwise participate in the discussions as any other Board member.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1040 District Goals and Objectives

1040

The Board shall annually establish and review a set of long-range 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 long-range planning through an annual meeting with the Superintendent and senior staff to review progress on the implementation of priorities, initiatives, and long-range 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 long-range 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 long-range planning process, and to review and to make recommendations concerning specific District long-range 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: February 22, 2010

Section 1000 – Board Bylaws

1150 Board Officers

1150

The officers of the Board shall be President, Vice-President, Secretary, and Treasurer, and such Assistant Secretaries and Assistant Treasurers as the Board determines. All officers shall be members of the Board. Assistant Secretaries or Assistant Treasurers need not be Board members.

President - Duties

The President shall:

- Preside at all meetings of the Board,
- Countersign orders legally drawn by the Secretary upon the 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 Treasurer's bond in the case of a breach of a condition of the bond,
- To see that the Superintendent's contract is properly executed and signed,
- 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 - 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 of Education,
- In cooperation with the Superintendent, prepare information regarding professional development opportunities for Board members,

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1150 Board Officers

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- Draw and sign orders upon the District 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),
- Within 10 days after notification by the Election Coordinator of election or appointment to the School Board, see that each member signs an “Acceptance of Office” and forward a copy to the Election Coordinator according to law, and
- Perform other duties required by law and by the Board.

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

- 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 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 when lawfully drawn and countersigned by the President out of the money belonging to the fund upon which the orders are drawn,

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1150 Board Officers

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- 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: February 22, 2010
LEGAL REF: MCL 380.11a; 168.4; 380.1201

Section 1000 – Board Bylaws

1152 Election of Officers and Length of Term

1152

Election of Board officers shall occur at the annual organizational meeting of the Board held during the first meeting in July following the Board election in accordance with Michigan law.

The length of term for the Board officer positions shall be one year from the Board's organizational meeting to the following Board organizational meeting.

In the event the Board President is unable to chair the Board's organizational meeting, the Vice-President shall sit in place of the President until a new President is elected.

In the event a ranking Board officer is unable to chair the Board's organizational meeting, the Board shall elect a chairperson pro tem to chair the organizational meeting until a President is elected.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a; 168.641

Section 1000 – Board Bylaws

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.

Justification for removal from office may include, but not be limited to, the following:

1. Failure to attend meetings,
2. Neglect to perform the functions of the office as specified in the school code or as determined by the Board,
3. Assuming authority not prescribed by law or delegated by the Board,
4. Breaching the confidence of the Board by disclosing confidential information regarding discussions at closed meetings and other such matters, and
5. Failure to abide by the code of ethical behavior for Board members as adopted by the Board.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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: February 22, 2010

LEGAL REF: MCL 380.11a

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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.

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 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 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 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 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.

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1162 Board Member Development Opportunities (Cf. 1168) 1162-2

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

Board Certification

The Board encourages each Board member to earn the Certified Board Member Award (CBA) through the Michigan Association of School Boards Board Member Award Program during the first two years in office.

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

Approved: February 22, 2010

LEGAL REF: MCL 380.11a; 380.1254; 388.1764b

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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 not exceed \$1.00.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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.

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 only after the Board approves the reimbursement.

Expenses for spouses, family members, or non-Board members accompanying Board members are not reimbursable; neither is the reimbursement of lost wages of a Board member.

Approved: February 22, 2010

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

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1170 Board Position Vacancies

1170

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.

Persons appointed to fill a vacancy shall file acceptance of the office, including an affidavit of eligibility, with the School District Election Coordinator,² and shall take the oath of office prescribed by law. The appointee shall hold office until the next annual school election.

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 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

² The “School District Election Coordinator” is the County, City, or Township Clerk.

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1170 Board Position Vacancies

1170-2

- (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: February 22, 2010

LEGAL REF: MCL 15.261-15.275 (Michigan Open Meetings Act); 168.310-11; OAG, 1977-1978, No 5262, p 338 (January 31, 1978); OAG, 1983-1984, No 6124, p 36 (February 9, 1983)

Section 1000 – Board Bylaws

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.

Approved: February 22, 2010

Section 1000 – Board Bylaws

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.

There shall be no standing or temporary committees except as otherwise provided for in these policies. The Board may establish the following committees at the organization meeting:

- A. Building and Grounds,
- B. Negotiations and Personnel,
- C. Finance,
- D. Governance.

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

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1180 Board Advisory Committees

1180-2

- 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.

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1180 Board Advisory Committees

1180-3

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 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.

Meeting Structure

The following is a recommended order of business which should be followed by each Board appointed or authorized committee: (1) call to order; (2) call the roll (sometimes omitted); (3) present the minutes of the previous meeting (most often sent in advance); (4) state the purpose for holding the meeting; (5) state briefly the program for the meeting; (6) discuss and resolve agenda items as they appear; (7) consider new business; and (8) adjourn the meeting.

Approved: February 22, 2010

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)

Section 1000 – Board Bylaws

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: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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: February 22, 2010

Section 1000 – Board Bylaws

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.

Section 1000 – Board Bylaws

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: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1220 Consultants

1220

The employment of consultants to directly advise the Board (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: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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.³ 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 book for the school library will be purchased in lieu of flowers at the time of bereavement of school employees and/or their relatives.

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

Approved: February 22, 2010

LEGAL REF: Michigan Department of the Treasury Bulletin, "Determining Lawful Expenditures," October 2002. To view the entire bulletin, please access the following website: http://www.michigan.gov/treasury/0,1607,7-121-1751_2194-7603--,00.html

³ Flowers to the sick or departed are not considered a lawful expenditure of public funds.

Section 1000 – Board Bylaws

1260 Board Recognitions

1260

The Board shall periodically recognize outstanding and dedicated service of a student, Board member, and/or citizen by passing a resolution commending said individual for his/her performance in behalf of the District. Suggestions for such commendation may come from Board members, administrators, staff, or citizens. Whether or not such recognition is given shall be the decision of the Board.

Any costs for such a program shall be paid in accordance with law.⁴

Approved: February 22, 2010

LEGAL REF: MCL 380.11a

⁴ 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.”

Section 1000 – Board Bylaws

1300 Meetings

1300

Organizational

The organizational meeting of the Board shall be held in July. At the July organizational meeting, the Board shall appoint a member of the Board to serve as the Board's representative to the Mason-Lake Intermediate School District for the purposes of budget review and determination of the Intermediate School District's maximum budget.

Regular

The Board shall hold at least one regular meeting each month. The schedule for regular monthly meetings shall be adopted at the organizational meeting of the Board by a majority of members elected to, appointed, and serving on the Board. A notice of the schedule of regular meetings shall be posted in the Principal office of the Board, 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 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.

Section 1000 – Board Bylaws

1300 Meetings

1300-2

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: February 22, 2010

LEGAL REF: MCL 15.261-275; 168.642; 380.1201, 380.1202

Section 1000 – Board Bylaws

1310 Closed Sessions

1310

The Board may meet in closed session as provided for under current law.⁵ 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.

Sample Motion

I move that the Board go into closed session for discussion of _____
_____ (a statutorily approved reason).

Approved: February 22, 2010
LEGAL REF: MCL 15.268

⁵ 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; and (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.*

Section 1000 – Board Bylaws

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 and 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 consensus 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.

Section 1000 – Board Bylaws

1320 Agenda

1320-2

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; Board procedure; monthly reports to the Board; financial reports; important correspondence; bids specifications; requests for hearing and other such information.

Items requested by other Board members must be placed on the agenda. Such requests must be in the hands of the Superintendent or President at least one week prior to the regular or special meeting. The Board President and Superintendent shall determine whether the matter is appropriate for that meeting or if it should be placed on a future agenda.

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: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1320-R Agenda

1320-R

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

- I. CALL TO ORDER: President
- II. ROLL CALL: President
- III. CONSENT APPROVAL OF AGENDA
- IV. *CALENDAR APPROVAL
- V. DELEGATIONS, COMMUNICATIONS AND EXPRESSIONS FROM THE PUBLIC (30 minutes maximum; see attached citizen's participation sheet)
- VI. INFORMATIONAL REPORTS
- VII. ADMINISTRATIVE REPORTS
- VIII. BOARD REPORTS (2nd meeting of the month)
- IX. *ACTION ITEMS
- X. ADDITIONAL EXPRESSIONS FROM THE PUBLIC (20 minutes maximum: see attached citizen's participation sheet).
- XI. *EXECUTIVE SESSION
- XII. OTHER
- XIII. *ADJOURNMENT

The above order of business may be changed by majority vote of the Board at any Board meeting.

The Order of Business at an organization meeting shall be:

The organizational meeting shall be chaired by the prior year's President if he/she is still a member of the Board. If the prior year's President is not a member or is absent from the meeting, the following shall be the order of the succession:

1. Prior year's Vice-President
2. Prior year's Secretary
3. Prior year's Treasurer

1320-R Agenda

1320-R-2

Section 1000 – Board Bylaws

4. In the absence of all prior year's officers, the Board member with the greatest seniority in years of service

The agenda for the organizational meeting shall include the following:

1. Call to order
2. Roll call
3. Election of officers
 - a. President (who then presides)
 - b. Vice-President
 - c. Treasurer
 - d. Secretary
4. Setting of place, time and dates of regular meetings of the Board
5. Resolutions designating depositories for various funds
6. Resolutions designating authorized signature for various accounts and funds
7. Resolution designating authority to sign payroll checks
8. Resolution designating authorized signatures for safety deposit boxes
9. Designations of liaison with Michigan Association of School Boards
10. Appointment of school District attorney
11. Such other items of annual business as the President may wish to add to the agenda
12. Adjournment

All voting at the organizational meeting, including that for officers of the Board, shall be done by open roll call vote.

Section 1000 – Board Bylaws

1330 Rules of Order

1330

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 represent 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.

Section 1000 – Board Bylaws

1330 Rules of Order

1330-2

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: February 22, 2010

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)

Section 1000 – Board Bylaws

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,” or will be taken by a show of hands or a roll call vote. 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: February 22, 2010
LEGAL REF: MCL 388.1769b

Section 1000 – Board Bylaws

1360 Minutes

1360

The Secretary or temporary Secretary of the Board shall be responsible for keeping the minutes or to see that minutes of every meeting of the Board are kept. A recording Secretary, 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 of the Board or acting Secretary. 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. 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 said meeting.

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

Approved: February 22, 2010

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

Section 1000 – Board Bylaws

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, 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. An exception can 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 Board may waive the one-half hour time limit and establish a longer period.
- c. Each person wishing to address the Board shall 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.
- d. If a delegation is present to address the Board, the delegation may select up to five representatives to speak on its behalf, for a total of not more than 15 minutes.
- e. All written statements should be given to the Board Secretary 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.

Section 1000 – Board Bylaws

1370 Public Participation

1370-2

If the comments constitute a complaint against a Board member or employee, the Board member or employee has a right to request a closed hearing.

- 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: February 22, 2010

LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808; *Lysogorski v Bridgeport Charter Twp.*, 662 N.W. 2d 108 (2003)

Section 1000 – Board Bylaws

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 may determine the subscription cost at the time of request. Such costs shall not exceed the reasonable cost of printing and postage. Printed or electronic news media are specifically exempted from any subscription fee.

Approved: February 22, 2010
LEGAL REF: MCL 15.233, 15.266

Section 1000 – Board Bylaws

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 rules established by the Board, which are designed to ensure the orderly conduct of the proceedings.

Reporting Board Meetings

The Superintendent shall institute and maintain an effective procedure for prompt dissemination of information regarding Board action after the Board meetings.

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

1. Copies of the agenda and unapproved minutes will be sent in advance to members of the working press who request them. All media representatives within the county shall be invited to attend Board meetings. Additionally, all reports approved by the Board shall be considered matters of official record and shall be made available to the press. However, reports-in-progress on which the Board has taken no final action shall be released only upon the Board's authority as "tentative reports."
2. In order that the Board may transact its business with dispatch, questions from the press will not be entertained while meetings are in progress.

Section 1000 – Board Bylaws

1400 News Coverage

1400-2

3. When individual Board members receive requests from news media representatives for information about Board meetings, they shall refer the information seekers to the Board President who shall be the representative for the Board except as he/she specifically delegates this responsibility to others.
4. In the event that representatives of the news media are unable to attend a meeting, they shall be provided, upon request, a summary of important Board actions.

Cameras

The use of cameras at any said 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 said 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. The Board prefers that any recording devices be in plain view.

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: February 22, 2010
LEGAL REF: MCL 15.261; 15.263; 380.11a

Section 1000 – Board Bylaws

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 therefore.

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 or 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 the 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

To the extent possible, the Board may involve members of the public in the development of Board policy.

Section 1000 – Board Bylaws

1510 Bylaw and Policy Development System

1510-2

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

To the extent possible, 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: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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 administrative rules and regulations found in handbooks for students, teachers or other employees and supplements.

The Board shall make adoption and/or amendments to bylaws and policies of the Board after two readings. However, the bylaws and policies 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 or stakeholders to adopt or amend any bylaw or policy may be submitted at any time to the Superintendent or Board President. The Board may consider such requests at the next regular Board meeting. Action, if taken, on any such recommendation may take place within the next two regularly scheduled meetings 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 school building 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.

The Board Secretary 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.

Section 1000 – Board Bylaws

1550 Bylaw and Policy Adoption

1550-2

Policy Review

The Board shall oversee and review its bylaws and policies as the need arises.

Approved: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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 directly by the Superintendent 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: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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 recorded (i.e., audio tape, video tape, microfiche, computer disk) material. The securing, cataloging and storing of all records shall be the responsibility of the Secretary, with assistance from the Superintendent.

Annual Reports

The Superintendent shall furnish the Board with such annual reports as the Board may require by regulation or as requested by the Board.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a; 380.1202, 380.1204a

Section 1000 – Board Bylaws

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 shall be budgeted for and provided by the Board. Materials and other benefits of institutional memberships shall 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 if so desired by the Board.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

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, the National 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, 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 directly related to the adopted goals, the Superintendent and designated representative will confer with the Board prior

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1730 Board Legislative Program

1730-2

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: February 22, 2010
LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1750 Board Self-Assessment/Evaluation

1750

The primary purpose for Board self-assessment/evaluation is for the improvement of Board member leadership.

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: February 22, 2010

LEGAL REF: MCL 380.11a

Section 1000 – Board Bylaws

1800 Public School Academies

1800

The Board believes that public school academies can serve a useful function in the education of students. In an effort to foster diversity of educational opportunity without sacrificing quality of education or unnecessary duplication, the Board may enter into a contract with, and charter a public school academy(s), under the guidelines set forth in the contractual agreement and guidelines established by the Superintendent.

Review

The Superintendent has the authority to conduct a periodic review of the operations and finances of an academy and submit a report to the Board.

Contract Limitations

No contracts between the Board and a public school academy shall exceed three years. Contracts may be renewed for an additional time only by mutual written agreement between the Board and the academy.

Audits

The Superintendent has the authority to designate the certified public accountant that shall conduct a financial audit of the academy.

The Superintendent shall recommend approval, modification, amendment, or rejection of all applications for public school academies to the Board.

Approved: February 22, 2010
LEGAL REF: MCL 380.11a; 380.501 *et seq.*

Section 1000 – Board Bylaws

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 of 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 directly benefit from a school District contract 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.

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- 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 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 in 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

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1900 Contracts and Board Member Disclosure Obligations

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- 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 directly benefit from the contract 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: February 22, 2010
LEGAL REF: MCL 15.321, *et seq*

Section 1000 – Board Bylaws

1950 Board Member Conflicts of Interest, Ethics and Responsibilities

1950

The Mason County Central Board of Education, through this resolution, verifies and affirms:

THAT in a society in which sovereignty resides in the people, it is the function of government to administer to their common welfare; and that equal opportunity for justice, freedom of worship, of speech, of assembly, and of the press are inherent rights of the individual.

THAT an effectively operated public education program on the elementary, secondary, and higher education levels contributes to society.

THAT education is a state function; that school Districts are organized for the purpose of maintaining public schools; that their creation is authorized by constitutional provisions and by the general statues which confer upon them all their powers, prescribe all their duties, and impose all limitations to which they are subject.

THAT pursuant to the preceding paragraph the policies adopted by the Board of education and the administrative rules/regulations and procedures relating thereto, as developed by school officials, should recognize the specific rights, duties and responsibilities of each agency, office or individual to take appropriate action in terms of these policies, rules/regulations and procedures. The Board of education should delegate the administrative functions of the school to its executive officer - the Superintendent of schools - and through the Superintendent to other administrative officers, instructional and non-instructional personnel.

THAT decisions affecting the complex problems of organizing, of administering, of developing the curriculum, and of securing financial support for the schools should be in terms of "what is best for the child, society and the nation" to the end that each child shall receive the best possible education in relation to his/her abilities, interests and potentialities.

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1950 Board Member Conflicts of Interest, Ethics and Responsibilities

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THAT the development of effective public education demands that the rights, duties and responsibilities of the Board of Education and the Superintendent shall be recognized and that appropriate relationships shall be established and observed as presented herewith:

The objectives of this bylaw and resolution 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.

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1950 Board Member Conflicts of Interest, Ethics and Responsibilities

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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;

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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;
8. Support the employment of those persons 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.

Employment of Former Board Members

No former Board of Education Member shall become employed by the School District until that individual has been out of office for at least one (1) full year from the date of official separation from office.

Approved: February 22, 2010

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)