

***Northville Public Schools***  
***Northville, Michigan***

***Board Bylaws***

***2010-2011***

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**Bylaws**  
*of*  
**Northville Public Schools'**  
**Board of Education**

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**ARTICLE I - GENERAL PROVISIONS**

**Section 1: Legal Status**

The official name of the school district shall be Northville Public Schools and the school district shall be organized and conducted as a general powers school district as provided in The School Code, Act 451, P.A. 1976 as amended.

**Section 2: Purpose of Bylaws**

The purpose of these bylaws is to set forth the internal rules which govern the operations and business of the Board of Education (hereinafter referred to as the "Board").

**Section 3: Functions of the Board**

The business of the school district shall be governed by the Board which has both direct and oversight responsibilities for the operations of the schools and the education of students. The Board's responsibilities shall include, among other things, duties in the areas of policy making, curriculum, educational planning and appraisal, employee staffing and evaluation, fiscal management and planning, school operations and functions, public communications and judicial.

**ARTICLE II - BOARD MEMBERS**

**Section 1: Election of Board Members**

The Board shall consist of seven (7) members elected at regular annual school elections by the qualified voters of the school district. The annual school election shall be held on the first Tuesday following the first Monday in November.

**Section 2: Term of Office**

Members of the Board shall be elected to serve a term of four (4) years on a rotation basis. The term shall commence on January 1 following the annual school election and shall continue until a successor is elected and qualified.

**Section 3: Board Position Vacancies**

Board member vacancies shall be filled within twenty (20) days from the effective date of a resignation or other event (except a vacancy occurring by a 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 secretary of the

Board, and shall take the oath of office prescribed by law. The appointee shall hold office until the next regular school election. If a majority of the positions are vacant at the same time, the remaining members shall immediately call a special election to fill the vacancies. Resignations are effective without acceptance or approval by the Board.

**Section 4: Acceptance of Office and Oath**

The Board secretary shall notify each member elected of his/her election within five (5) calendar days after the election. Prior to assuming membership on the Board and within ten (10) calendar days of notification of election, each newly elected Board member shall file an acceptance of office, accompanied by an affidavit of eligibility, and shall take the oath of office. Notaries public, judges, clerks of courts, or members of the legislature shall administer the oath of office. Upon the request of the newly elected Board member, the oath may be re-administered, for ceremonial purposes, by the Board president or other officer.

**Section 5: Board Officers**

The officers of the Board shall consist of a president, vice president, secretary, and treasurer. The president, vice president, secretary, and treasurer shall be Board members. The term of office shall be for one (1) year.

**Section 6: Election of Board Officers**

At the Board of Education Meeting's second meeting in November, the Board President asks each Board Member if there are any offices he/she would wish to accept.

During the third week in November, the President and Vice President will share the list of offices with the full board. Elections will take place at the first meeting in January.

**Section 7: Removal of a Board Officer**

The Board may remove a member from a Board officer position, and, upon removal, shall fill the vacancy.

**Section 8: Duties of Officers**

a) Duties of the President

To preside at all meetings of the Board and to act as a decision maker on parliamentary procedure;

To work cooperatively with the superintendent in planning agendas for board meetings;

To sign correspondence as authorized by the Board or required by law;

To establish all Board committees and appoint the members unless the committees and appointments have been made by the Board;

To appoint a temporary secretary, in the absence of the secretary. The temporary secretary shall sign the minutes of the public meeting;<sup>1</sup>

To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of president.

b) Duties of the Vice President

To preside at Board meetings when the president is not in attendance;<sup>2</sup>

To temporarily succeed to the office of president, when a vacancy in that office occurs, until a successor is appointed by the Board;

To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of vice president.

c) Duties of the Secretary

To act as the chief election officer of the district unless this duty has been delegated by the secretary to members of the district staff;

To notify each Board member elected of his/her election within five (5) days of the election;

To act as the clerk at meetings of the Board;

To sign the minutes of meetings, orders, resolutions and other proceedings of the Board in proper record books;

To prepare reports as required by the state board;

To draw and sign orders upon the district's treasury for money to be disbursed by the district;

To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of secretary.

d) Duties of the Treasurer

To perform such duties as may be authorized by the Board, or required by law or appropriate to the duties of the office of treasurer, unless these duties have been delegated by the treasurer to members of the district staff;

To draw and sign orders upon the district's treasury for money to be disbursed by the district.

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<sup>1</sup> See MCLA 380.1201(5)

<sup>2</sup> See MCLA 380.1201

**Section 9: Board Member Compensation and Reimbursement of Expenses**

Board members shall not receive compensation. Reimbursement of expenses shall be in accordance with Board policy.

**Section 10: New Board Member Orientation**

The Board of Education shall offer an orientation which is available to newly elected members of the Board, to be held within a month of the election, on a date set by the President of the Board.

**Section 11: Study Committees**

The Board may establish study committees to consider issues of policy, instruction, finance, personnel and administrative services. The Board may establish other committees as needed. Membership shall be by appointment of the Board President. These committees may recommend action to the full Board.

**ARTICLE III - BOARD MEETINGS**

**Section 1: Organizational Meeting**

The Board shall hold an organizational meeting at its first meeting in July. At this organizational meeting, the Board shall:

- a) Adopt a regular monthly meeting schedule setting forth the dates, times, and places of the meetings;
- b) May include additional action items, such as Board Bylaws, Student Code of Conduct, District Policies, or other appropriate items.

**Section 2: Regular Meetings**

The Board shall hold at least two (2) regular meetings each month with the exception of December and July. A notice of the regular meeting shall be posted at the entrance to the principal office of the Board and other locations determined appropriate by the Board within ten (10) days of its organizational meeting. If there is a change in the schedule of regular meetings of the Board, there shall be posted within three (3) days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.

**Section 3: Special Meetings**

Special meetings of the Board may be called by the president of the Board, or by two (2) Board members by providing the other Board members a written notice of the date, time, and place of the special meeting. Notice to Board members of such special meetings shall be served by delivering the notice to the Board members personally, or by leaving the notice at each member's residence with a person of the household, or by facsimile or e-mail at least twenty-four (24) hours before the meeting is to take place.

The notice may also be serviced by mail addressed to the member at the member's address on file in the district office, at least seventy-two (72) hours before the

meeting is to take place. Service and notice may be, made or performed, by a Board member or by an employee of the district.

#### ***Section 4: 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 five (5) of its members elected to and serving on the Board decide on a roll-call vote that delay would be detrimental to the efforts to lessen or respond to the threat. If the Board determines that there is such severe and imminent threat, the Board may meet in an emergency session without complying with the notice requirements to Board members and the public.

#### ***Section 5: Public Notice***

A meeting of the Board, for which a quorum is present for the purpose of deliberating toward or making a decision on public policy, shall not be held unless public notice is given as follows: Public notice of meetings shall be posted in a conspicuous place in the principal office of the Board and such other places considered appropriate by the Board. Each notice shall contain the name of the Board, the address of the Board, the telephone number of the Board, the time of the meeting, the date of the meeting, the location of the meeting, and a statement indicating where the official minutes of the school Board meetings are stored and available for inspection. A public notice of a rescheduled regular or special meeting shall be posted stating the date, time, and place of the meeting at least eighteen (18) hours before the meeting. If a meeting of the Board has been recessed for more than thirty-six (36) hours, the meeting shall not be reconvened, unless public notice is given at least eighteen (18) hours before the reconvening of the meeting.

#### ***Section 6: Closed Sessions***

The Board may meet in closed session for the following purposes, provided that a roll-call vote of at least four (4) of the seven (7) members elected or appointed and serving shall be required to call a closed session.

- 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 Board member (elected or appointed), employee, staff member, or individual agent when this person requests a closed hearing.
- b) To consider the dismissal, suspension, or disciplining of a student when the student or the student's parent or guardian requests a closed hearing.
- c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

The Board may meet in closed session for the following additional purposes, provided that a roll-call vote of five (5) of the seven (7) members elected or appointed and serving shall be required.

- a) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- b) 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 Board.
- c) To review the specific contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to these bylaws.
- d) To consider material exempt from discussion or disclosure from state or federal statute (e.g., the written legal opinion of counsel).

The roll-call vote and the purpose or purposes of calling the closed session shall be entered into the minutes of the meeting at which the vote is made.

### ***Section 7: Minutes of Board Meetings***

#### a) Open Meetings

The Board shall keep minutes of each open meeting at which a Board quorum is present for the purpose of deliberating toward or rendering a decision on public policy. The minutes shall reflect at least all of the following: The date of the meeting; the time of the meeting; the place of the meeting; Board members present at the meeting; Board members absent from the meeting; all roll-call votes taken at the meeting; every decision made by the Board at the meeting; and the purpose or purposes for which a closed session is held.

Minutes of all open meetings shall be public records open to public inspection and shall be available at the Superintendent's office.

Proposed minutes of an open meeting shall be available for public inspection not more than eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be made available for public inspection not later than five (5) business days after the meeting at which the minutes are approved by the Board. Corrected minutes shall be made available no later than the next subsequent meeting after the correction. All corrections in minutes shall be made not later than the next meeting after the meeting to which the minutes refer.

Minutes shall be presented for Board approval in an open meeting and copies shall be sent to all Board members prior to that meeting.

#### b) Closed Sessions

A separate set of minutes shall be taken by a person designated by the Board at each closed session. The minutes shall be provided to all Board members

confidentially. The minutes shall be retained by the superintendent, shall not be available to the public, and may be disclosed only as required by court order. Minutes of closed sessions shall be retained for one year and one day after approval of the minutes of the meeting at which the closed session was authorized. Minutes of closed sessions may be destroyed after the expiration of the retention period. The minutes of the closed session shall reflect at least all of the following: the date of the meeting; the time of the meeting; the place of the meeting; Board members present; Board members absent; and the purpose or purposes of the closed session.

***Section 8: Meetings Open to Public***

All meetings of the Board in which a quorum is present for the purpose of deliberating toward or rendering a decision on public policy shall be open to the public and shall be held in a place available to the general public.

***Section 9: Public Attendance at Open Board Meetings***

A person shall not be required, as a condition of attendance at an open meeting of the Board, to register or otherwise provide his/her name or other information or otherwise fulfill a condition of attendance.

A person shall not be excluded from an open meeting of the Board except for a breach of peace actually committed at the meeting.

The right of attendance includes the right to tape record, to videotape, to broadcast live on radio and to telecast live on television, open meetings of the Board for which a quorum is present for the purpose of deliberating toward or rendering a decision on public policy. A person may exercise this right only in a manner which is not disruptive to the Board proceedings or generally annoying or harassing to Board members.

***Section 10: Public Participation at Open Board Meetings***

A person shall be permitted to address an open meeting of the Board, for which a quorum is present for the purpose of deliberating toward or rendering a decision on public policy, under the rules established and recorded in Board policy. These rules shall be available for public inspection at each open meeting.

***Section 11: Time Limit for Board Meetings***

Board Meetings still in session at 11:00 p.m. may be adjourned by the President or a majority of the members present. Unfinished agenda items will be tabled to the next meeting.

**ARTICLE IV - BOARD VOTING REQUIREMENTS**

***Section 1: Quorum and Voting Requirements***

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

A majority of the members elected or appointed and serving upon the Board is required to approve a motion unless approval by two-thirds (2/3rds) of the Board's members is required by these bylaws or by law.

An act of the Board shall not be valid unless made in a public meeting held in compliance with the Open Meetings Act and a proper record is made of the vote.

### ***Section 2: Voting Method***

The Board shall take action by way of motions. No motions shall be acted upon until it has been duly supported or seconded by a member of the Board. The vote on all motions shall be by "yes" and "no" and will be taken by either voice vote or roll-call vote. Board of Education members must be present to vote. A roll-call vote shall be taken when required by these bylaws or by law. 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 in the public meeting any vote, be it affirmative or negative, at the discretion of the president.

### ***Section 3: Notice to Board Members***

A meeting in which all Board members are present, with or without proper notice to the members of the Board, for which proper notice has been given the public in accordance with the Open meetings Act, shall be considered a legal meeting for the transaction of business.

### ***Section 4: Agenda***

The superintendent shall distribute to each Board member prior to each meeting appropriate material and written matter concerning items on the agenda. The agenda shall contain the order of business. The Board agenda shall be compiled by the superintendent in cooperation with the Board President and Vice President 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. The Board, by majority vote, must adopt, or may amend the agenda.

A request by the public to place an item on the Board agenda must be made to the superintendent or president at least seven (7) days in advance of the meeting in 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 which 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 for a future meeting. The superintendent shall notify the person making the request whether 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.

The agenda shall be sent to all Board members at least three (3) calendar days prior to any regular Board meeting. The agenda may include the following information, however, other items and reports may be added as the need arises: the agenda format, including items to be discussed and Board procedure; monthly reports to the

Board; financial reports, including monthly listing of bills ready for payment; important correspondence; bid specifications; attendance reports; requests for hearing; and other such information.

## **ARTICLE V - RULES OF ORDER**

The president (or vice president in the absence of the president) shall be the presiding officer at all meetings. In the absence of both the president and the vice president, the secretary, followed by the treasurer, will serve only for that meeting or for that part of the meeting in which the president and vice president are absent.

Board Meetings shall be conducted using established parliamentary procedure. Neither Robert's Rules of Order nor the Standard Code of Parliamentary Procedure shall govern Board meetings. The presiding officer of the Board shall act as the decision maker in parliamentary procedure, subject to reversal by a vote of the majority of the Board.

## **ARTICLE VI - AMENDMENT/SUSPENSION OF BYLAWS**

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

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