

Series 2000: Bylaws

2200 Board Powers

2201 Board Powers

The Board exercises powers that are expressly conferred upon the Board by Michigan Constitution or statute and that are necessarily implied or incidental to expressly conferred powers. Except as otherwise provided by law, the Board may exercise a power incidental or appropriate to the performance of a function related to the District's operation in the interests of public elementary and secondary education in the District.

A. Expressly Conferred Powers

1. The Board will establish and maintain the grades, schools, programs, and departments it deems necessary, which may include grades Pre-K through 12, and may provide lifelong education, adult education, community education, training, enrichment, and recreation programs.
2. The Board will:
 - a. ensure that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the District participates;
 - b. in cooperation with its constituent districts and in compliance with Revised School Code Sections 1284 and 1284b adopt a common school calendar to apply to the District's constituent districts and to the District's programs;
 - c. adopt a Parent involvement plan; and
 - d. adopt and implement and annually make available to MDE a copy of a 3- to 5-year intermediate school district school improvement plan and continuing school improvement process for the District in compliance with Revised School Code Section 1277.
3. The Board will provide for the safety and welfare of students while at school or a school-sponsored activity or event, and while traveling to or from school or a school-sponsored activity or event, as required by law.
4. The Board may acquire, construct, maintain, repair, renovate, dispose of, or convey school property, facilities, equipment, technology, or furnishings as it deems appropriate, within applicable legal parameters.
5. The Board may hire, contract for, schedule, supervise, or terminate employees, independent contractors, and other persons or entities to carry out the District's powers. The Board may defend and indemnify its employees and Board members to the extent authorized by law.

6. The Board may receive, account for, invest, or expend District money; borrow money and pledge District funds for repayment; and qualify for state school aid and other public or private money from local, regional, state, or federal sources.
7. The Board may conduct, operate, participate in, administer, or serve as fiscal agent or administrative entity, or both, for 1 or more programs involving workforce development, including, but not limited to, job training and development programs, school-to-work initiatives, Work First or programs under the Workforce Innovation and Opportunity Act, 29 U.S.C.Ch. 32, or a successor program.
8. The Board may develop and make available to school districts and public school academies an early intervening model program for grades K-3. The early intervening model program will be designed to instruct classroom teachers and support staff on how to monitor individual pupil learning and how to provide specific support or learning strategies to pupils as early as possible in order to avoid inappropriate referrals to special education. The model program will be based on a program with documented positive results and outcomes and comply with Revised School Code Section 641.
9. Subject to Michigan Election Law, the Board may submit questions to the District's electors at a regular or special school election held in each of the constituent districts. A question will not be submitted to the District's electors unless the question is within the District's electors' lawful authority to decide.
10. The Board may, acting singly or in cooperation with other intermediate school districts, operate educational media centers, as defined by the State Board of Education pursuant to Revised School Code Section 671, to serve public and nonpublic schools in the District's respective area.
11. The Board may, provided that it has an agreement with an appropriate local authority, operate an educational recreation program if the program is approved by the State Board of Education.
12. The Board may establish and, if applicable, levy a millage for an area career and technical education program and operate the program under Revised School Code Sections 681 - 690 if approved by a majority of the District's electors voting on the question. The election will be called and conducted in accordance with the Revised School Code and Michigan Election Law. The establishment of the area career and technical education program may be rescinded by the same process.
13. In compliance with applicable law, the Board will:
 - a. upon request of the board of a constituent district, furnish services on a management, consultant, or supervisory basis to the district.
 - b. upon request of the board of a constituent district, direct, supervise, and conduct cooperative educational programs on behalf of the district.

- c. conduct cooperative programs mutually agreed upon by 2 or more intermediate school boards.
 - d. conduct cooperative programs mutually agreed upon with 1 or more public school academies.
14. The Board may conduct or participate in cooperative programs for information technology systems which may include, but are not limited to, equipment for storage, retrieval, processing, and transmission of voice, data, or video communications; contract with public schools or other educational institutions, government agencies, public broadcasting stations or systems, or information technology service providers in conducting the programs; and acquire and install the equipment, software, and training necessary for the programs in the manner and at the places the Board considers appropriate.
15. Upon request of the board of a constituent school district or public school academy located within the District, the Board may provide, either solely or as part of a consortium of intermediate school districts, comprehensive school improvement support services to the district or public school academy. These services may include, but are not limited to, all of the following:
- a. the development of a core curriculum;
 - b. the evaluation of a core curriculum;
 - c. the preparation of 1 or more school improvement plans;
 - d. the dissemination of information concerning 1 or more school improvement plans;
 - e. the preparation of an annual educational report;
 - f. professional development;
 - g. educational research;
 - h. the compilation of instructional objectives, instructional resources, pupil demographics, and pupil academic achievement;
 - i. assistance in obtaining school accreditation; and
 - j. ensuring that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the school district or District participates.
16. In compliance with applicable law, if the most cost-effective business services are not available to constituent districts, the Board will offer to provide for constituent districts and public school academies located within the District

business services that can be accomplished more cost-effectively by an intermediate school district. Such services may include, but are not limited to, those services identified in Revised School Code Section 627.

17. The Board delegates to the Superintendent the authority to take action in circumstances not authorized by Board action or Policy when required to effectively maintain the District's day-to-day operations. The Superintendent should (a) promptly inform the Board of the action taken and the need for taking expedited action; and (b) report the action to the Board at the Board's first meeting after the Superintendent takes such action.

B. Express Limitations on Powers

1. The Board will not use money received from any source to unlawfully aid or maintain any private, denominational, or other nonpublic, pre-elementary, elementary, or secondary school. The Board may provide transportation, auxiliary services, and nonessential elective classes for students attending nonpublic schools to the extent permitted by law.
2. The Board will use public funds, including state aid allocations, tax revenue, and bond proceeds only for designated purposes.

C. Authority

1. Consistent with Policy 2101, the Board's powers reside within the Board as a whole, not individual Board members. The Board speaks only through its minutes and resolutions.
2. Consistent with Policy 2503, Board action is not valid unless approved by a majority vote in a lawfully convened meeting.

Legal Authority: Const 1963, art 8, §2; MCL 380.5(6), 380.601a, 380.627, 380.641, 380.671, 380.673, 380.681, 380.1277, 380.1280a, 380.1284, 380.1284a, 380.1284b, 380.1804, 380.1807, 380.1816; MCL 388.1766b; MCL 691.1408; Mich Admin Code R 340.281, 340.282 (transportation services to nonpublic school children), 340.291, 340.295 (auxiliary services for nonpublic school children); *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

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