Series 2000: Bylaws

2400 Board Membership and Duties

2401 Board Member Elections

Board members are elected by the District's electors at the District's regular election, which is held on the first Tuesday after the first Monday in November of even-numbered years.

At least 1 Board member must be elected at each regular election.

The Michigan Election Law governs the District's election procedures.

The District's elections are conducted by the District's election coordinator, as that term is defined by the Michigan Election Law.

Legal authority: MCL 168.301, 168.641, 168.642c; MCL 380.1206

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Series 2000: Bylaws

2400 Board Membership and Duties

2402 Acceptance of Office and Oath of Office

A. Elected Board Members

1. Before entering the office of Board member, a Board member-elect must:

   a. take the oath of office as provided by the Michigan Constitution; and

   b. file an acceptance of office with the Secretary within 10 business days after receiving the Certificate of Election from the District's election coordinator.

2. If a Board member-elect neglects or fails to file an acceptance of office with the Secretary within 10 business days after receiving the Certificate of Election from the District's election coordinator, then the Board office will immediately become vacant.

B. Appointed Board Members

1. Before entering the office of Board member, an appointee must:

   a. take the oath of office as provided by the Michigan Constitution; and

   b. file an acceptance of office with the Secretary within 10 business days after the date of appointment.

2. If an appointee neglects or fails to file an acceptance of office with the Secretary within 10 business days after the date of appointment, then the Board office will immediately become vacant.

C. The oath of office must be administered by a judge, justice, court clerk, or notary public. A Board member or a public official may administer a ceremonial oath of office.

Legal authority: MCL 168.309, 168.310

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2400 Board Membership and Duties

2403 Board Member Terms of Office

The Board of Education consists of 7 elected or appointed offices.

Board members are elected for terms of 6 years.

A Board member elected to a full term office has a term of office that begins on January 1 immediately after the regular election.

A Board member elected to a partial term office resulting from a vacancy has a term of office that begins immediately after the election has been certified, and the Board member-elect has qualified for office by filing an acceptance of office with the Secretary and has taken the oath of office.

An appointed Board member's term of office is addressed in Policy 2404.

Legal authority: MCL 168.302, 168.311; MCL 380.11a

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2400 Board Membership and Duties

2404 Board Member Vacancies and Appointments

A. A Board office becomes vacant immediately upon any of the following events:

1. a Board member's death;
2. a Board member being adjudicated insane or being found to be a legally incapacitated individual by a court of competent jurisdiction;
3. a Board member's resignation;
4. a Board member's removal from office;
5. a Board member's conviction for a felony;
6. a Board member's election or appointment being declared void by a competent tribunal;
7. a Board member's neglect or failure to timely file the acceptance of office, to take the oath of office, or to give or renew an official bond as required by law;
8. a Board member ceasing to possess the legal qualifications for holding office;
9. a Board member moving residence from the District; or
10. a Board member being recalled.

B. Appointments

1. In the event of a vacancy (except a vacancy resulting from a Board member recall), the remaining Board members must fill the vacant Board office by appointment within 30 calendar days after the vacancy occurs, unless a majority of the Board offices are then vacant. If a majority of the Board offices are vacant at the time of a vacancy, or if the remaining Board members fail to fill a vacant Board office by appointment within 30 calendar days after the vacancy occurs, then the ISD board will be authorized to fill the vacant Board office by appointment.
2. The Board may, in its discretion, undertake 1 or more of the following procedures when seeking to fill a vacant Board office:
    a. publicize the vacancy, and the Board's intention to appoint a person to fill the vacant Board office through word-of-mouth, news media, notices posted at school buildings and other locations, postings on the District's website and social media, and other means of communicating with the public;

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b. accept résumés, applications, letters of interest, or other submissions from persons seeking to be appointed to fill the vacant Board office; and

c. interview applicants for the vacant Board office.

i. All interviews must be conducted during open session of a public Board meeting.

ii. The Board may meet in closed session for the limited purpose of reviewing and considering an application for appointment, if any, if the applicant requests that the application remain confidential.

3. Within 3 calendar days after the Board makes an appointment to fill a vacant Board office, the Secretary must provide written notice to the District's election coordinator of the name, address, and Board office of both the Board member who vacated office and the person appointed to fill the vacant Board office.

4. Appointed Board Member's Term of Office

a. An appointed Board member's term of office begins immediately after appointment, once the appointee has filed an acceptance of office with the Secretary and taken the oath of office.

b. An appointed Board member's term of office expires:

i. immediately after the District's regular election at which a successor in office is elected and the successor has qualified for office, if the appointed Board member was appointed to a Board office that was vacated more than 7 calendar days before the nominating petition filing deadline for a District regular election that was not the District's regular election at which a successor in office would have been elected had the Board office not been vacated; or

ii. in all other cases, December 31 immediately after the District's next regular election.

Legal authority: MCL 15.268; MCL 168.310, 168.311

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2400 Board Membership and Duties

2405 Board Officers

Board officers will consist of a President, Vice President, Treasurer, and Secretary. Board officers must be Board members.

A. Election of Board Officers

1. The Board must elect a President, Vice President, Secretary and Treasurer.

2. Board officer elections will take place at an organizational meeting of the Board.

3. A candidate for a Board officer position must receive a majority vote of the Board members then serving on the Board.

    a. If no person receives a majority vote in an initial vote, the candidates for a second vote will consist of:

        i. the 2 persons who received the most votes; or

        ii. if more than 2 persons are tied for the most votes received, all persons tied for most votes received; or

        iii. if 1 person received the most votes and there is a tie for second place, the person who received the most votes and the persons tied for the second place.

    b. The process for narrowing candidates will be repeated in subsequent voting rounds.

4. Elected Board officers will serve in that capacity until the following year's organizational meeting at which board officers are elected, unless a Board member resigns from the officer position or a Board majority votes to remove that Board member from the officer position.

B. Intentionally Left Blank.

C. Removal of Board Officers

The Board, by a majority vote of the members then serving, may remove a Board officer from the officer position, with or without cause.

D. Board Officer Vacancies

1. If the office of President becomes vacant, the Vice President will succeed to the office of President for the balance of that office's term.

2. If the office of Vice President, Secretary, or Treasurer becomes vacant, the Board must promptly elect a Board member to fill that vacancy.

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3. The person elected or appointed to a vacant Board office will serve in that office for the balance of that office's term.

E. Assistants to the Secretary and Treasurer

1. The Board may appoint an assistant to the Secretary and an assistant to the Treasurer who are not required to be Board members.

2. The Board may remove an assistant to the Secretary or an assistant to the Treasurer by majority vote. After a removal, the Board may appoint a person to fill the vacant position.

Legal authority: MCL 380.11a

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2400 Board Membership and Duties

2406 Board Officers' Duties

To ensure proper District oversight, a Board officer must fulfill the requirements of the respective office. The following Board officer duties may be modified or removed, in whole or in part, by Board action.

A. President

1. Preside over all Board meetings and act as a decision-maker on procedural issues.

2. Coordinate with the Superintendent or designee to prepare Board meeting agendas.

3. Serve as the Board's spokesperson unless another person is designated by the Board.

4. Sign contracts, correspondence, and other documents on behalf of the District as authorized by the Board or required by law.

5. Accept complaints and coordinate investigations into allegations of misconduct against other Board members or the Superintendent, including placing the Superintendent on non-disciplinary, paid administrative leave during the pendency of an investigation.

6. Contact legal counsel on the Board's behalf or authorize individual Board members to contact legal counsel.

7. Perform other duties as prescribed by law, Policy, or Board action.

B. Vice President

1. In the President's absence, or in the event that the President is precluded from performing the President's duties due to illness or other reason, the Vice President is authorized to preside over Board meetings and perform the President's duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting President, and that acting President will be authorized to preside over Board meetings and perform the President's duties to the extent allowed by law.

2. Perform other duties as prescribed by law, Policy, or Board action.

C. Secretary

1. Ensure that an accurate record of Board meetings is maintained and published in compliance with law.

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2. Sign Board meeting minutes, orders, resolutions, and records memorializing Board proceedings.

3. Draw and sign orders upon the Treasurer for money to be disbursed by the Board.

4. Perform other duties as prescribed by law, Policy, or Board action.

5. In the Secretary's absence, or in the event that the Secretary is precluded from performing the Secretary's duty to sign Board meeting minutes due to illness or other reason, the President must appoint a temporary Secretary, who will be authorized to sign approved Board meeting minutes. For all other Secretary duties, in the Secretary's absence, the Vice President is authorized to perform the Secretary's duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting Secretary, and that acting Secretary will be authorized to perform the Secretary's duties to the extent allowed by law.

6. The Secretary may delegate Secretary duties to an assistant to the Secretary to the extent allowed by law.

D. Treasurer

1. Serve as the custodian and maintain accounting for District monies, credits, and property.

2. Sign checks and other Board-authorized documents.

3. Perform other duties as prescribed by law, Policy, or Board action.

4. In the Treasurer's absence, or in the event that the Treasurer is precluded from performing the Treasurer's duties due to illness or other reason, the Vice President is authorized to perform the Treasurer's duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting Treasurer, and that acting Treasurer will be authorized to perform the Treasurer's duties to the extent allowed by law.

5. In the absence of both the President and the Vice President, or when both the President and Vice President are precluded from performing their respective duties due to illness or other reason, the Treasurer is authorized to preside over Board meetings and perform the President's and the Vice President's respective duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting President, and that acting President will be authorized to perform the President's duties to the extent allowed by law. The Board may also appoint a Board member to serve as acting Vice President, and that acting Vice President will be authorized to perform the Vice President's duties to the extent allowed by law.

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6. The Treasurer may delegate Treasurer duties to the person acting as the District's business official or to an assistant to Treasurer, to the extent allowed by law.

E. Succession

1. Board office holders will promptly transfer authority to their respective successor in office, including access to District accounts, investments, files, and public records.

2. Board office holders will promptly deliver District property, including logs, ledgers, money, reports, files, books, equipment, and public records, to the Board officer's respective successor in office.

3. The transfer of District property will promptly occur at a location and time agreed upon by the Board officer and the Board officer's successor in office or at a location and time otherwise determined by the Board.

Legal authority: MCL 380.901, 380.947, 380.1201, 380.1213, 380.1221, 380.1223, 380.1231, 380.1362, 380.1371, 380.1372, 380.1535a, 380.1539b, 380.1577, 380.1613; MCL 600.6094

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