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2500 Board Meetings and Open Meetings Act Compliance

2501 Meetings

Board meetings must be conducted in accordance with the Open Meetings Act.

A. Notice

1. The Board must publicly post its regular meeting schedule within 10 calendar days after the Board's first meeting in each calendar or fiscal year. The notice must include the dates, times, and places of the regular meetings. If the regular meeting schedule is changed, the Board must publicly post the revised regular meeting schedule within 3 calendar days after the Board meeting at which the change was made.

2. Special meeting and rescheduled regular meeting notices must be posted at least 18 hours in advance of a special or rescheduled regular meeting.

3. Regular, rescheduled regular, and special meeting notices must be posted at the Board's principal offices. The notice, or a prominent and conspicuous link to the notice, also must be posted on the District website's homepage as required by the Open Meetings Act, if the District's website is updated at least monthly with meeting agendas or minutes.

4. Meeting notices must contain:

   a. the name, address, and telephone number of the Board;

   b. the time, date, and place of the meeting;

   c. a statement where official minutes are stored and available for inspection; and

   d. a disability accessibility notice.

5. Emergency meetings may be held without complying with the above-described notice requirements in the event of a severe and imminent threat to the health, safety, or welfare of the public, and two-thirds of the Board members elected or appointed to and serving on the Board determine that delay would be detrimental to efforts to lessen or respond to the threat. The Board will provide notice of an emergency meeting in compliance with the Open Meetings Act.

6. Public hearing notices must contain a description of the purpose(s) for which the public hearing will be conducted to the extent required by law.

7. The notice for an electronic Board meeting must comply with Policy 2501A.

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B. Quorum

1. A quorum of the Board means a majority of the Board members elected or appointed to and serving on the Board, unless different quorum and voting rules are otherwise provided by law.

2. All deliberations of a quorum of the Board must take place at a meeting that is open to the public, unless closed session deliberations are permitted by law.

3. All decisions made by the Board constituting a quorum of its members must take place at a meeting that is open to the public, except as otherwise provided by the Open Meetings Act.

C. Meeting Types

1. The Board will hold its regular meetings at the dates, times, and locations specified in the District's annual notice published pursuant to the Open Meetings Act. If the notice is amended, then meetings will be held according to the amended notice.

2. Special, rescheduled regular, or emergency meetings may be called by the President, the Superintendent, or two Board members. Notice of such meetings will be provided in accordance with the Open Meetings Act.

3. The Board may, in compliance with the Open Meetings Act, hold work sessions and retreats to provide Board members and administrators with the opportunity to plan, research, and engage in discussion.

4. The Board may meet as a committee of the whole. See Policy 2505(C).

D. Closed Session

1. The Board may meet and deliberate in closed session only for 1 or more purposes authorized by the Open Meetings Act.

2. Depending on the closed session purpose(s), the Open Meetings Act may require a two-thirds roll call vote for the Board to meet in closed session. A vote to enter closed session must be made in open session.

3. Closed session meeting minutes must be kept confidential. Board members must keep matters discussed and documents received confidential unless otherwise authorized by the Board or law. See Section G, below.

4. All discussions in closed session are limited to the purpose(s) identified in the motion calling the closed session.

5. The Board will determine the non-member attendees for a closed session unless attendance is required by Policy or law.

6. No decisions will be made during a closed session.

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E. Meeting Cancellation

The Board is legally required to hold at least 1 public meeting each month. The President or designee may cancel a Board meeting if the President or designee determines that a quorum of the Board will not be present for the meeting, there is no business for the Board to conduct at the meeting, or it would be unreasonable or dangerous for Board members or the public to attend the meeting (e.g., inclement weather). The President or designee will ensure that a District staff member posts notice of the cancellation on the District's website on the same day as the cancellation. If necessary, a cancelled meeting will be rescheduled.

F. Electronic Board Meetings and Remote Participation

Electronic Board meetings may be held, and a Board member may participate in a Board meeting remotely, as authorized by Policy 2501A.

G. Minutes

The Board will keep minutes of each Board meeting in accordance with the following:

1. The Secretary will record and maintain meeting minutes.

2. The Secretary, or a temporary or an acting Secretary in the absence of the Secretary, will sign meeting minutes.

3. Meeting minutes must comply with the Open Meetings Act.

    a. Open session meeting minutes

        i. Minutes for a meeting open to the public will include at least the following information:

            A) the meeting date, time, and location;

            B) the Board members present for or otherwise participating in the meeting;

            C) the Board members absent from the meeting;

            D) Board decisions;

            E) the purpose(s) for which any closed session meeting was held and the specific Open Meetings Act provision(s) that permitted the closed session;

            F) any roll call votes conducted by the Board; and

            G) corrections, if any.

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ii. The Board must make proposed open session meeting minutes available for public inspection within 8 business days after the applicable Board meeting.

iii. The Board must make approved open session meeting minutes available for public inspection within 5 business days after the meeting at which the Board approved the minutes.

b. Closed session meeting minutes

i. Closed session meeting minutes must be prepared and maintained separately from open session meeting minutes.

ii. Closed session meeting minutes will not be made available to, or be disclosed to, the public, except as required by court order.

iii. Closed session meeting minutes may be destroyed by the District 1 year and 1 calendar day after the approval of the minutes of the regular meeting at which the closed session minutes were approved, or any time thereafter.

iv. Closed session meeting minutes must include at least the following information:

A) the meeting date, time, and location;

B) the Board members present for or otherwise participating in the meeting;

C) the Board members absent from the meeting; and

D) the purpose(s) for which the closed session meeting was held and the specific Open Meetings Act provision(s) that permitted the closed session.

c. Open session Board meeting minutes may be published on the District's website.

H. Accommodating Board Members and Other Individuals with Disabilities

Any Board member or other individual with a disability who requires reasonable accommodations to participate in, or attend, a Board meeting must contact the Superintendent's office in advance of the meeting to request an accommodation.

I. Parliamentary Procedure

Board meetings will be conducted consistent with the parliamentary authority provided in Robert's Rules of Order, provided the procedure is consistent with Board Policy and the law.

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J. Recess

A Board meeting may be recessed. A Board meeting that is recessed for more than 36 hours may only be reconvened once the notice requirements for the meeting, as described in this Policy, have been satisfied, including special meeting or rescheduled regular meeting notice requirements, if applicable.

K. Electronic Communications

All electronic communications among Board members, including, but not limited to, emails, instant messages, text messages, and social media posts, must comply with the Open Meetings Act.

A quorum of the Board may not use electronic communication to deliberate on or decide matters of public policy.

A Board member may use electronic communication to communicate with administrators and other District personnel regarding matters such as meeting availability and proposed agenda items.

Legal authority: MCL 15.263, 15.263a, 15.265, 15.267, 15.269; MCL 380.1201

Date adopted: June 25, 2026

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2501A Electronic Board of Education Meetings

The Board may hold electronic meetings, and Board members and the public may participate remotely, only as permitted by this Policy, the Open Meetings Act, and other applicable law.

A. Definition

The definition in this section applies only to this Policy. All other words found in this Policy, unless specifically defined, are given their plain meaning.

"Two-Way Communication" means telephone, video, or other means of conferencing that allows Board members to hear and be heard by both the public and other Board members, and allows the public to hear and be heard by other members of the public and the Board members during public comment. Real-time typed public comments that may be read to or shared with Board members and the public is a sufficient form of two-way communication for purposes of public participation during an electronic Board meeting.

B. Permissible Reasons for Wholly Electronic Board Meetings

The Board may hold a meeting wholly electronically, with every Board member and the public participating remotely, if every Board member simultaneously satisfies one or more of the conditions identified in Section C of this Policy.

C. Permissible Reasons for Individual Board Member Remote Participation

A Board member who is not physically present at an in-person Board meeting due to military duty, a "disability" within the meaning of the ADA, or other reason permitted by Michigan law may be counted toward a quorum, deliberate, and vote. To qualify, members absent due to military duty must follow the procedures listed in Section D, below. Unless otherwise provided, any Board member who is not absent due to a qualifying exception must be physically present at the meeting to participate.

D. Procedures to Accommodate Board Member Remote Participation

The Board institutes the following procedures to ensure that a Board member who is not physically present at an in-person Board meeting may be counted toward a quorum, deliberate, and vote at a Board meeting.

1. The Board and the remote Board member will ensure there is Two-Way Communication during the meeting;

2. The remote Board member must provide notice to the President or designee at least 48 hours before the meeting; and

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3. The Superintendent or designee will ensure that public notice of the remote Board member's physical absence and information on how to contact the remote Board member is provided sufficiently in advance of the Board meeting so that a member of the public may provide input on or ask questions about any business that will come before the Board at the meeting.

E. Procedures to Ensure Public Participation at Electronic Meetings

If the Board convenes a wholly electronic meeting or any Board member participates remotely, the public will also be provided the opportunity to attend the public meeting remotely.

The Board will not require the public to register or otherwise provide their names or other information as a condition of attending a Board meeting, whether in-person or remotely. The Board may require the public to submit information, consistent with public participation rules, to participate in the public comment portion of a meeting.

F. Electronic Board Meeting Notice Requirements

The Superintendent or designee will post notice of an electronic Board meeting at least 18 hours before the meeting. If the Board will be convening in a physical location with one or more Board members attending remotely pursuant to Section C, the notice must include both the physical and virtual locations of the meeting.

If the District has an internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the notice must be included on a portion of the District's website that is fully accessible to the public, either on the District's homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic meetings that is accessible through a prominent and conspicuous link on the District website's homepage. The link must clearly describe its purpose for public notice of non-regularly scheduled or electronic meetings.

The notice must clearly explain:

1. Why the Board is holding an electronic meeting;

2. How the public may participate remotely. If a telephone number, internet address, virtual meeting address, or other information is needed to participate, that information must be specifically provided;

3. How the public may contact Board members to provide input on or ask questions about business that will come before the Board at the meeting;

4. Which Board members will be participating remotely and information about how the public may contact those Board members in advance of the meeting to provide input on or ask questions about any business that will come before the Board at the meeting; and

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5. How persons with disabilities may participate in the meeting.

G. Electronic Board Meeting Agenda Requirements

The Superintendent or designee must post the electronic meeting's agenda to the District's website, if an agenda exists. The agenda must be posted at least two hours before the electronic meeting begins. The Board may amend the agenda at the meeting.

Legal authority: MCL 15.263, 15.263a.

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2501A-F-1 Electronic Board Meeting Checklist

Deciding whether to hold an electronic Board meeting:

☐ For a ***wholly electronic*** Board meeting, every Board member is absent due to military duty, an ADA "disability", or other reason permitted by Michigan law.

☐ For a ***hybrid physical/electronic*** Board meeting, a Board member is participating remotely because

- ☐ The Board member is absent due to military duty.
- ☐ The Board member must participate remotely as a reasonable accommodation for an ADA "disability".
- ☐ The Board member is subject to another reason permitted by Michigan law.

Preparing for an electronic Board meeting:

☐ Ensure the Board, each Board member participating remotely, and the public have access to Two-Way Communication.

☐ Ensure that persons with disabilities will be able to participate in the meeting and notice is given about how to request an accommodation.

☐ At least 18 hours before the electronic Board meeting, post the electronic Board meeting notice. The notice must include:

- ☐ Why the Board is holding an electronic meeting;
- ☐ How the public may participate remotely;
- ☐ How the public may contact Board members to provide input or ask questions about business that will come before the Board; and
- ☐ How persons with disabilities may participate in the meeting.

If the District has an internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the notice must be included on a portion of that website that is fully accessible to the public, either on the District's homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the District website's homepage. The link must clearly describe its purpose for public notice of non-regularly scheduled or electronic public meetings.

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☐ At least 2 hours before the electronic meeting, post the meeting agenda to the District's website, if an agenda exists.

☐ The Superintendent or designee must provide notice to the public of which Board members will be participating remotely and information about how members of the public may contact those Board members in advance of the meeting to provide input or ask questions on any business that will come before the Board.

☐ Although not required by the Open Meetings Act, consider completing an Affidavit of Website Posting of the Public Notice of Electronic Meeting.

During the electronic Board meeting:

☐ Confirm the Board, each Board member participating remotely, and the public have access to Two-Way Communication.

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2501A-F-2 Advance Notice of Remote Participation

Advance Notice of Remote Participation

Directions: *A Board member must provide notice of his or her absence and necessary contact information to the Superintendent or Superintendent's designee sufficiently in advance of the Board meeting, and consistent with the procedures in Policy 2501A, so that the District can provide public notice of the Board member's remote participation and information on how a member of the public may provide input to that Board member on any business that will come before the Board.*

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2501A-F-3 Electronic Board Meeting Notice

Directions [Delete directions and notes in document before posting]: *At least 18 hours before an electronic Board meeting, the Superintendent or designee must prominently post this notice. If the District has an internet presence that includes at least monthly updates of public meeting agendas or minutes, this notice must be included on a portion of its website that is fully accessible to the public, either on the District's homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings, that is accessible through a prominent and conspicuous link on the District's website homepage. The link must clearly describe its purpose for public notice of non-regularly scheduled or electronic public meetings. If the electronic meeting is a special or rescheduled regular meeting, the special meeting posting requirements contained in MCL 15.265 must also be satisfied. For Board meetings at which significant Board action is anticipated (e.g., related to the sale of property, approval of contracts, or adoption of bond or finance documents), consider completing an Affidavit of Website Posting.*

Choose Option A (Wholly Electronic) or Option B (Hybrid) and delete option not chosen:

Option A – Wholly Electronic Meeting

The [District Name] Board of Education will hold a [regular/rescheduled regular/special] Board meeting on [Day of the Week], [Month] [Calendar Day], [Year].

The meeting will be held wholly electronically. The public may attend and participate virtually using this link: [insert telephone number, internet address, virtual meeting address, or other information needed to participate].

The Board of Education is holding a *wholly electronic* Board meeting because all Board members will be physically absent due to military duty, ADA accommodation, or other reason permitted by Michigan law

Members of the public may contact any Board member in advance of the meeting to provide input or ask questions about business that will come before the Board by [insert individual Board member contact information (e.g. email addresses)].

[OPTIONAL: The following Board members will be participating remotely: [insert names]. Information is included above on how to contact these board members in advance of the meeting to provide input or ask questions about any business coming before the Board.

Any person with a disability requiring special accommodations to participate in this meeting should contact the Superintendent's office at [insert contact information] in advance of the meeting.

Option B – Hybrid Meeting

The [District Name] Board of Education will hold a [regular/rescheduled regular/special] Board meeting on [Day of the Week], [Month] [Calendar Day], [Year].

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The meeting will be held both electronically and in person. One or more Board members will be participating in the Board meeting remotely due to:

☐ Military duty.

☐ Reasonable accommodation under the ADA.

☐ Other reason permitted by Michigan law.

The public may attend and participate using this portal: [insert telephone number, internet address, virtual meeting address, or other information needed to participate]. The public may also attend and participate in person, subject to health and safety requirements, if applicable.

Members of the public may contact any Board member in advance of the meeting to provide input or ask questions about business that will come before the Board by [insert individual Board member contact information (e.g. email addresses)].

[OPTIONAL: The following Board members will be participating remotely: [insert names]. Information is included above on how to contact these Board members in advance of the meeting to provide input or ask questions about any business coming before the Board.

Any person with a disability requiring special accommodations to participate in this meeting should contact the Superintendent's office at [insert contact information] in advance of the meeting.

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2501A-F-4 Affidavit of Website Posting of Public Notice of Electronic Board Meeting

Directions [delete after completing]: *If your District has an internet presence, an electronic Board meeting notice must be prominently posted at least 18 hours before the scheduled meeting. For Board meetings at which significant board action is taken (e.g., related to the sale of property, approval of contracts, adoption of bond or finance resolutions) this affidavit may provide evidence in any later challenge that proper notice of the meeting was given pursuant to the OMA. Use of this affidavit, however, is optional.*

State of Michigan)
)ss
County of [_____])

The undersigned, being first duly sworn, deposes and says that he/she did verify that a public notice of a meeting and the related agenda, if one existed, of the Board of Education of [_____], [_____] County, Michigan, to be held electronically on:

Date of Meeting: _____, 20___

Hour of Meeting _____ o'clock, __.m.

was posted on the District's website homepage or on a separate webpage accessible through a prominent and conspicuous link on the District's website homepage prior to the meeting. A true copy of that website notice and the related agenda, if one existed, is attached.

_____
Signature

Subscribed and sworn before me in _____ County,

Michigan, on the _____ day of _____, 20____

_____ (signature)

_____ (printed)

Notary public, State of Michigan, County of _____

My Commission expires on _____

Acting in the County of _____

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2502 Board Meeting Agenda

Meeting agendas will be prepared by the Superintendent or designee in coordination with the President or designee.

The agenda sets forth the proposed business to be addressed and the items to be discussed at the Board meeting.

The agenda must include at least 1 period during which members of the public will be permitted to address the Board.

The agenda and related materials will be distributed to Board members in advance of a Board meeting by U.S. Mail, personal delivery, email, or another delivery method selected by the Board or the District's administration.

The agenda, if any, for an electronic Board meeting will be posted to the District's website as required by Policy 2501A.

The agenda may be amended by the Board at a Board meeting by majority vote of the members serving on the Board.

The Board may use a consent agenda to address routine matters. Any Board member may request that a consent agenda item be removed from the consent agenda for separate consideration.

Legal authority: MCL 15.263, 15.263a; MCL 380.11a, 380.601a

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2503 Voting Requirements

All Board decisions and actions must be made at a public meeting of the Board held in compliance with the Open Meetings Act.

The Board will make decisions and take action through motions and resolutions. A motion or resolution will be voted on by the Board once it has been made by a Board member and seconded/supported by another Board member.

Board members must vote on all motions and resolutions unless abstention is required due to a conflict of interest or otherwise required by law. A Board member's abstention, unless required by law, constitutes a breach of the member's duty as a public official.

Roll call votes will be conducted when required by law or when requested by the President or Secretary. The Board may adopt additional policies designating other matters requiring roll call vote approval.

A Board decision or action must be recorded in the minutes for the Board meeting at which the decision or action was taken.

Legal authority: MCL 15.269; MCL 380.1201; *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

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2504 Public Participation at Board Meetings

Any member of the public may address the Board at a Board meeting, subject to the following rules:

A. Except during a public participation portion of a Board meeting, no member of the public or other person may address the Board during a public meeting without the express permission of the President or other presiding officer.

B. The Board will follow public participation rules that balance the District's interest in an orderly public meeting with an individual's First Amendment rights. A copy of these rules and any additional public participation rules adopted by the Board will be made available at Board meetings. The Board's public participation rules include, but are not limited to, the following:

1. before addressing the Board, a member of the public will state their name;

2. each person's public comments are limited to 3 minutes per public participation period. This time limit may be adjusted by the President or other presiding officer to facilitate public participation at Board meetings;

3. persons who are part of a group or organization or who share similar viewpoints are encouraged to designate a spokesperson to address the Board;

4. public comments of a personal nature are prohibited when: (a) the comments are unrelated to the manner in which a Board member or District employee performs that person's duties, and (b) the comments cause a substantial disruption to the meeting;

5. any public comment not protected by the First Amendment of the U.S. Constitution is prohibited;

6. Board members may ask questions of the speakers but are not required to answer questions or make statements in response to a public comment;

7. written statements and documents presented to the Board by a public participant or group are public records and must be given to the Secretary or designee; and

8. any audio recording, video recording, broadcasting, or telecasting must be performed from the seating area designated for the public or in the area otherwise designated by the President, Superintendent, or designee, and must not disrupt the meeting.

C. Once the President or other presiding officer has determined that each member of the public requesting to do so has had a reasonable opportunity to address the

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Board during a public participation portion of a Board meeting, the President or other presiding officer will announce that the public participation portion of the meeting has ended.

D. If the President or other presiding officer determines that a member of the public has violated 1 or more of the above rules and refuses to come into compliance with those rules, the member of the public will lose the right to speak during public comment at that meeting. A person who persistently engages in disorderly conduct or otherwise breaches the peace at a Board meeting, after notice from the President or other presiding officer, may be removed.

Legal authority: U.S. Const, amend. I; MCL 15.263(1), 15.263(5); MCL 380.1808

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2505 Board Committees

A. General

1. The Board may establish standing, advisory, and ad hoc committees as it deems necessary and advisable.

2. The Board determines a committee's membership, chairperson, purpose, duties, and authority. The Board may delegate authority to the President to determine a committee's membership and chairperson.

3. A committee's membership must include at least 1 Board member.

4. A committee must be composed of fewer Board members than would constitute a quorum of the Board.

5. The Superintendent or designee may serve as an ex officio member of any committee.

B. Committee Meetings

1. Committee meetings will be convened by the committee's chairperson or designee.

2. When applicable, committee meetings must be held in compliance with the Open Meetings Act, Policy 2501, and, if applicable, Policy 2501A. Any committee that is authorized to deliberate, narrow options, eliminate options, or otherwise make decisions on the Board's behalf must conduct its meetings in compliance with the Open Meetings Act, Policy 2501, and, if applicable, Policy 2501A, including notice requirements, recording minutes, and allowing for public participation.

3. Meeting notices as required by the Open Meetings Act, Policy 2501, and, if applicable, Policy 2501A, will be posted for any committee meeting at which more than a quorum of the Board may be present.

4. When required by the Open Meetings Act, a committee will keep minutes of its meetings. In addition, the Board may direct that a committee keep minutes of its meetings, even if not required by the Open Meetings Act.

C. Committee of the Whole Meetings

The Board may meet as a committee of the whole. A committee of the whole meeting must be conducted in compliance with the Open Meetings Act, Policy 2501, and, if applicable, Policy 2501A. The provisions of this Policy do not otherwise apply to committee of the whole meetings.

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Legal authority: MCL 15.261 et seq.; *Schmiedicke v Clare Sch Bd*, 228 Mich App 259 (1998)

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2506 Organizational Meetings

The Board's first regular meeting each calendar and fiscal year will be an organizational meeting.

During the first regular meeting of the calendar year, the Board will:

A. elect Board officers in compliance with Policy 2405. The Superintendent or designee will preside over the organizational meeting until a President is elected;

During the first regular meeting of the fiscal year, the Board will:

A. set the schedule for regular Board meeting dates; and

B. designate the District employee(s) authorized to post Board meeting notices under the Open Meetings Act.

The Board may perform any other act and conduct any other business it deems appropriate during an organizational meeting.

The Board may conduct additional organizational meetings during the calendar or fiscal year.

Legal authority: MCL 380.11(a)(3)

Date adopted: June 25, 2025

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