

0000 BYLAWS TABLE OF CONTENTS

0110	OFFICIAL DESCRIPTION	3
0111	NAME	3
0112	PURPOSE	3
0113	CLASSIFICATION	3
0114	ADDRESS	3
0120	POWERS AND PHILOSOPHY	4
0121	BOARD AUTHORITY	4
0122	BOARD POWERS	4
0123	PHILOSOPHY OF THE BOARD	5
0131	LEGISLATIVE	6
0131.1	ADOPTING BYLAWS AND POLICIES	6
0131.2	TECHNICAL CORRECTIONS	6
0132	EXECUTIVE	7
0132.1	SELECTION OF SUPERINTENDENT	7
0132.2	SELECTION OF CHIEF FINANCIAL OFFICER	7
0132.3	ADMINISTRATIVE GUIDELINES	7
0140	MEMBERSHIP	8
0141	NUMBER	8
0142	ELECTION/APPOINTMENT	8
0142.1	ELECTORAL PROCESS	8
0142.2	QUALIFICATIONS	8
0142.3	TERM	8
0142.4	OATH	8
0142.5	VACANCIES	9
0142.6	FILLING A BOARD VACANCY	9
0142.7	RECALL	10
0142.8	ORIENTATION	10
0143	AUTHORITY OF BOARD MEMBERS	10
0143.1	PUBLIC EXPRESSION OF BOARD MEMBERS	10
0144	OPERATIONS	11
0144.1	BOARD STIPEND	11
0144.2	CODE OF CONDUCT AND ETHICS	12
0144.3	CONFLICT OF INTEREST	13
0144.4	INDEMNIFICATION	14
0145	ANTI-DISCRIMINATION	14
0150	ORGANIZATION	15

0151	ANNUAL BOARD ORGANIZATIONAL MEETING	15
0151.1	ANNUAL BOARD MOTIONS	15
0152	OFFICERS	15
0153	COMMITTEES	16
0153.1	SELECTION AND OPERATION OF STANDING COMMITTEES	16
0153.2	SELECTION AND OPERATION OF AD HOC COMMITTEES	17
0160	MEETINGS	18
0161	PARLIAMENTARY AUTHORITY	18
0162	QUORUM	18
0163	PRESIDING OFFICER	18
0164	MEETING CALL AND NOTICE	18
0164.1	REGULAR MEETINGS	18
0164.2	CHANGE OF REGULAR MEETINGS	18
0164.3	SPECIAL MEETINGS	19
0164.4	EMERGENCY MEETINGS	19
0164.5	RECESS	19
0165	AGENDA	19
0166	CONDUCT	20
0166.1	VOTING	20
0166.2	CLOSED SESSION	21
0166.3	PUBLIC PARTICIPATION AT BOARD MEETINGS	21
0166.4	ADMINISTRATIVE PARTICIPATION	22
0167	MINUTES	22
0167.1	MINUTES OF OPEN MEETINGS	22
0167.2	MINUTES OF CLOSED MEETINGS	22
0170	DUTIES	23
0171	OFFICERS	23
0171.1	PRESIDENT	23
0171.2	VICE-PRESIDENT	23
0171.3	SECRETARY	23
0171.4	TREASURER	23
0172	LEGAL COUNSEL	24
0173	ASSOCIATION MEMBERSHIPS	24
0173.1	SCHOOL BOARD CONFERENCES, CONVENTIONS, AND WORKSHOPS	24

0110 OFFICIAL DESCRIPTION

- 0111 Name**
The Board of Education of this district shall be known officially as the Detroit Public Schools Community District Board of Education.
- 0112 Purpose**
The Detroit Public Schools Community District Board of Education (the “Board”) exists for the primary purpose of providing public education services to children residing within the geographic boundaries of the City of Detroit.
- 0113 Classification**
The Detroit Public Schools Community District (the “District”) has all of the powers of a general powers school district and has all additional powers grants by law to community districts or the school board of a community district.
- 0114 Address**
The official address of the Detroit Public Schools Community District Board of Education shall be 3011 West Grand Boulevard, Fisher Building, 12th Floor, Detroit, MI, 48202.

0120 POWERS AND PHILOSOPHY

0121

Board Authority

The supervision of this District shall be conducted by the Board of Education, hereinafter sometimes referred to as the "Board", which is constituted and is governed by the laws of the State of Michigan. In addition, the District is subject to financial oversight by a Financial Review Commission to the extent provided under the Michigan Financial Review Commission Act.

In the event that statutes are changed, or if State or Federal law is in conflict with Board Policies or Bylaws, State or Federal statutes will take precedence.

0122

Board Powers

The Board is fundamentally a policy-making or legislative body rather than an administrative body. It is the responsibility of the Board to see that schools are operated properly, and not to administer them directly.

The Board has all of the rights, powers, and duties expressly stated by statute; may exercise a power implied or incident to a power expressly stated by statute; and except as otherwise provided by law, may exercise a power incidental or appropriate to the performance of a function related to operation of a public school and the provision of public education services in the interests of public elementary and secondary education in the District, which include, but is not limited to:

- A. Educating students in grades K-12, which may include operation of preschool, lifelong education, adult education, community education, training, enrichment, and recreation programs for other persons. Thus, the District may do either or both of the following: 1) educate students by directly operating 1 or more public schools on its own; and/or 2) cause public education services to be provided for students of the District through an agreement, contract, or other cooperative agreement with another public entity, including, but not limited to, another school district or an intermediate school district.
- B. Providing for the safety and welfare of students while at school or a school sponsored activity or while en route to or from school or a school sponsored activity;
- C. Except as otherwise provided by law, acquiring, constructing, maintaining, repairing, renovating, disposing of, or conveying school property, facilities, equipment, technology, or furnishings;
- D. Contracting for, scheduling, supervising, or terminating the Superintendent of schools, independent contractors, administrators, employees, and others, including, but not limited to, another school district or an intermediate school district, to carry District powers.

- E. Receiving, accounting for, investing, or expending public school money; borrowing money and pledging public school funds for repayment; and qualifying for state school aid and other public or private money from local, regional, state, or federal sources;
- F. Enter into agreements, contracts, or other cooperative arrangements with other entities, public or private, including, but not limited to, another school district or an intermediate school district or join organizations as part of performing the functions of the District; and
- G. Adopt bylaws that may establish or change board procedures, the number of Board officers, titles and duties of Board officers, and any other matter related to effective and efficient functioning of the Board.

0123

Philosophy of the Board

A Board of Education is a legal entity for providing a system of public education within a geographic area of the State of Michigan. The system was created by, and is governed by, State statutes. Members of a Board are chosen by citizens to represent them and the State in the governance of the local schools.

The Board has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of residents. While the Board has an obligation to determine and assess citizen desires, it is understood that when the voters elect delegates to represent them in the conduct of specified educational programs, they, at the same time, are endowed with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

- A. Maintain two-way communications with citizens of the District. The Board shall keep them informed of the progress and problems of the School District, and the citizens shall be urged to bring their aspirations and concerns about the District to the attention of this body.
- B. Establish policies and make decisions on the basis of declared educational philosophy and goals.

0130 FUNCTIONS

0131 Legislative

0131.1 Adopting Bylaws and Policies

The Board of Education shall adopt bylaws and policies for the organization and operation of this Board. Such policies are to include those needed to meet the education standards established by the laws of the State of Michigan.

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the State Superintendent of Public Instruction or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected, except that the Board may, upon a vote and where compelling reasons exist, cause to adopt, amend, or suspend bylaw or policy contained herein, provided the amendment, adoption, or suspension does not conflict with law. Any resolution adopting, amending, or suspending a bylaw or policy under this provision shall expire automatically at the next public meeting of the Board unless the Board moves to adopt the resolution in final form.

Bylaws and policies shall be adopted, amended, repealed, or suspended by a majority vote of the Board.

The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by a majority of those Board members present and voting. The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board.

All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

0131.2 Technical Corrections

Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include statutory references, scrivener's errors, renumbering that does not change the order of the sections or subsections, grammatical corrections or additions including punctuation or typographical errors, as well as alterations and omissions not affecting the construction or meaning of any sections, subsections, chapters, titles or policies as a whole. Technical corrections may also include the updating of the named individuals in these policies where the original

named individual no longer works for the District or no longer works in the applicable position.

The Superintendent is authorized to review and make technical corrections to policies that have already been adopted through normal rulemaking procedures. The Superintendent shall inform the Board of any such changes at the next regular Board meeting and the Board may adopt such technical corrections by resolution, without going through the normal policy adoption procedures.

0132 Executive

0132.1 Selection of Superintendent

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent who shall enforce the statutes of the State of Michigan, rules of the State Board of Education, and the policies of this Board. The District may not terminate the employment of the superintendent of schools, unless that action is approved by the FRC.

0132.2 Selection of Chief Financial Officer

The District is subject to financial oversight by a Financial Review Commission (FRC). If a FRC is in place, the appointment of a Chief Financial Officer for the District is subject to the approval of the FRC. Before the Chief Financial Officer's appointment is final, the Board shall submit the proposed appointment in writing to the FRC for its approval. If the proposed appointment is not approved by the FRC within forty-five (45) days after it is submitted in writing to the FRC, the appointment is denied.

The District may not terminate the Chief Financial Officer of the District, unless that action is approved by the FRC.

0132.3 Administrative Guidelines

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the school will be operated. These detailed arrangements shall constitute the administrative guidelines governing the schools which are not inconsistent with statutes or regulations of the State Board of Education or the policies of this Board.

- A. Such administrative guidelines shall be binding on the employees and the students of this District when issued.
- B. The Superintendent or designee shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

0140 MEMBERSHIP

0141 Number

The Board of Education shall consist of seven (7) members.

0142 Election/Appointment

0142.1 Electoral Process

Members of the Board shall be elected on a District-wide basis at the November regular election date, in a manner that is consistent with State law.

0142.2 Qualifications

An individual is eligible for selection as a Board member if the individual is a citizen of the United States and is a qualified and registered elector of the District by the filing deadline.

0142.3 Term

Members elected to the initial DPSCD Board (the “Initial Board”) shall be elected at the first November regular election date as established under section 641 of the Michigan election law, MCL 168.641, that occurs at least 90 days after July 1, 2016.

The two members of this Initial Board receiving the highest vote totals in that election among the 7 members elected shall be elected for a term of 6 years, the 3 members of the Initial Board receiving the next highest vote totals in that election among the 7 members elected shall be elected for a term of 4 years, and the 2 members of the Initial Board receiving the lowest vote totals in that election among the 7 members elected shall be elected for a term of 2 years.

Upon expiration of the terms of the Initial Board members, each member of the Board shall be elected at the November regular election date for a term of 4 years beginning on January 1 following the member’s election.

The term of a member of the elected Board shall begin on January 1 following the member’s election and has duration as provided by law and continues until a successor is elected and qualified.

0142.4 Oath

Each newly-elected Board member shall file an acceptance of office, as well as an affidavit of eligibility within ten (10) days after receiving a certificate of election and shall take an oath of office as prescribed by the Constitution of Michigan.

A ceremonial oath of office may be administered at a Board meeting and may be administered by:

- A. Any Board member;
- B. the past President of the Board;
- C. the past Secretary of the Board;
- D. the Superintendent;
- E. A member of the judiciary; or
- F. A notary public.

0142.5 Vacancies

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

- A. the expiration of his/her term of office
- B. the death of the incumbent, or the incumbent's being found mentally incompetent by the proper court
- C. the incumbent's resignation
- D. the incumbent's removal from office
- E. the incumbent's conviction of a felony
- F. the incumbent's election or appointment being declared void by a competent tribunal
- G. the incumbent's neglect or failure to file the acceptance of office; to take the oath of office; or to give or renew an official bond, if required by law
- H. the incumbent's ceasing to possess the legal qualifications for holding office
- I. the incumbent moving his/her residence out of the District.

0142.6 Filling a Board Vacancy

If the majority of the Board is still seated, a vacancy shall be filled within sixty (60) calendar days, via appointment, by the remaining members of the Board using the following procedure:

- A. The Board shall seek qualified and interested candidates from the community. To become a candidate, an individual must possess the requirements as outlined by law.
- B. All applicants are to submit a notice of their interest, in writing, to the Board Secretary.
- C. The Board may interview candidates to ascertain their qualifications.
- D. Appointment by the Board to fill a vacancy shall be by the majority vote of the existing Board at an open meeting.

If the vacancy is not filled within sixty (days) after it occurs, the Board of the Intermediate School District shall fill the vacancy by appointment.

An appointed member of the Board shall serve until the next annual school election at which time the position shall be filled for the remainder of the unexpired term.

0142.7 Recall

Any member of the Board may be recalled pursuant to MCL 168.951 et seq.

0142.8 Orientation

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the District, and learn Board procedures. Accordingly, the Board shall give to each new Board member, no later than his/her first regular meeting as a Board member for his/her use and possession during the term on the Board, the following items:

- A. access to a copy of the Board policy manual;
- B. a copy of each current collective bargaining agreement and/or employee handbook; and
- C. the current budget statement, audit report and related fiscal materials.

Each new Board member shall be invited to meet with the Board President, Superintendent and/or Board Secretary to discuss Board functions, policies, and procedures.

0143 Authority of Board Members

Individual members of the Board do not possess the powers that reside in the Board as a whole. The Board speaks through its minutes and not through its individual members. An act of the Board shall not be valid unless approved at an official meeting by at least a majority vote of the members present or as otherwise may be required by law.

Recognizing the critical importance of well-informed and educated Board members, it is the goal of the Board to have systems in place to allow for transparent and thorough communication of information between the District administration and individual Board members.

0143.1 Public Expression of Board Members

The Board President functions as the official spokesperson for the Board.

From time-to-time, however, individual Board members make public statements on school matters to local media, local officials, State officials and to the general public.

Sometimes the statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the member and the Board. Therefore, Board members shall, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:

- A. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter;
- B. routine, not for publication, correspondence of the Superintendent and other Board employees;
- C. routine "thank you" letters of the Board;
- D. statements by Board members on non-school matters (providing the statements do not identify the author as a member of the Board); and
- E. personal statements not intended for publication.

0144 Operations

0144.1 Board Stipend

Board members shall receive a stipend of \$75.00 per meeting, up to a total of not more than forty-eight (48) meetings per year. Applicable meetings are limited to general board meetings and committee meetings.

To ensure appropriate and proper reimbursements of expenses for Board members, the following guidelines have been established by the Board of Education:

- A. Expenses will be reimbursed only for activities authorized by the Board.
- B. Reimbursement for mileage will not exceed the current rate established by the Internal Revenue Service.
- C. When attending a Board-approved conference, all reasonable fees, parking, mileage, meals, and housing will be reimbursed.
- D. No entertainment expenses or purchases of alcoholic beverages are reimbursable.

A voucher detailing the amount and nature of each expense must be submitted to the Board for approval at a Board meeting after the expenses have been incurred and prior to reimbursement.

The Board shall ensure that the District does not provide to a school board member, official or employee of the District any reimbursement from public funds for travel outside of this state unless the reimbursement is specifically approved by the Financial Review Commission.

0144.2 Code of Conduct and Ethics

To be the most effective advocates for children, the Board must function as a team and at all times treat each other and the people served with the utmost courtesy, dignity, respect and professionalism.

The Board shall promote the best interests of the school district as a whole, and, to that end, all decisions will place the needs of children first by adhering to the following educational and ethical standards.

Each Board Member commits that he or she will;

- A. bring about desired changes through legal and ethical procedures, upholding and enforcing all laws, administrative rules and regulations, court orders pertaining to schools and district policies and procedures.
- B. make decisions in terms of the educational welfare of all children in the District, regardless of ability, race, creed, sex, sexual orientation, national origin, disability or social standing.
- C. recognize that the Board must make decisions as a whole in public, as a body corporate, and make no personal promise or take private action that may compromise the role and integrity of the Board.
- D. focus Board action on policy making, goal setting, planning and evaluation as outlined in Board Policies and state law.
- E. recognize that the role of the Board is to govern and oversee the management of the District and that the Board must delegate authority to the Superintendent for the day to day operations of the District.
- F. not step outside their role to govern and oversee the management of the District by seeking to participate in the administration of the day to day operations of the District.
- G. hold confidential all matters that if disclosed, may have a negative impact on the District and will respect the confidentiality of information that is privileged under applicable law, including closed session discussions.
- H. attend, to the extent possible, all regularly scheduled and specially set Board meetings, arrive on time, and will be informed of the issues to be considered at the meetings.
- I. assist in making policy decisions only after full discussion at publicly held Board meetings, and will render all decisions based on available facts, and refuse to surrender judgment to individuals or special groups.

- J. refrain from using Board position for personal or partisan gain.
- K. disagree in an agreeable manner and will not hold grudges or question other Board member's ethics or motives as to their vote or views on issues.
- L. be firm, fair, just and impartial in all decisions and actions.
- M. respect the majority decision as the decision of the Board.
- N. encourage the free expression of opinion by all Board members, and will make a good faith effort to understand and accommodate the views of others.
- O. recognize the appropriate channels to refer complaints to the Superintendent and will do so.
- P. seek communication among the Board, students, staff, and the community at Board meetings as required, to conduct Board business.
- Q. communicate to fellow Board members and the Superintendent at appropriate times, the expression of public concerns.
- R. become informed about current educational issues and seek continuing education opportunities such as those sponsored by state and national school Board associations.
- S. disseminate pertinent information gathered at training workshops and conventions with the Superintendent and fellow Board members.
- T. share school district information with other Board members.

Further, the Board President commits that he or she will;

- U. make sure that persons addressing the Board follow established Board Policy guidelines.
- V. make sure that persons addressing the Board do so in a professional manner and not allow inappropriate communication to be directed to the Board or the Superintendent during Board meetings.
- W. insure that all Board members are given an opportunity to reflect their views and will work toward building consensus among all Board members.

0144.3

Conflict of Interest

Board members shall perform their official duties in a manner free from conflict of interest. To this end:

- A. no Board member shall use his/her position as a Board member to obtain financial gain for himself/herself, immediate family, or any organization with which s/he is associated;
- B. no Board member shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system and as a public officer;
- C. when a member of the Board determines that the possibility of a personal interest conflict exists, she/he should, prior to the matter being considered, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board), and thereafter shall abstain from participation

in both the discussion of the matter and the vote thereon. In the event that the potential conflict involves a program or activity in whole or in part financed through Federal grant funds, the potential conflict of interest must be disclosed to the Federal granting agency consistent with the requirements of the particular granting agency.

- D. Board members shall not be given special consideration in dealings with the District.
- E. Board members shall not solicit or accept gratuities, favors or anything of monetary value from contractors or parties to subcontractors involved with state or federal grant funds.

To the extent a conflict of interest arises or a Board member believes a conflict of interest could arise s/he must immediately file a written disclosure, setting forth the nature of the conflict. Should any Board member fail to file such a written disclosure, all transactions with regard to that business relationship shall become voidable at the option of the majority of the Board.

0144.4 Indemnification

The Board may hold harmless, indemnify, pay, settle, or compromise a judgment against a Board member to the extent allowed under the law.

0145 Anti-Discrimination

The Board of Education's intent is to provide an environment that fosters the respect and dignity of each person. To this end, the Board is committed to maintaining an environment free of discrimination, harassment and intimidation.

Prohibited conduct includes that which as the purpose or effect of creating an intimidation, hostile, discriminatory, or offensive environment on the basis of race, color, gender, age, national origin or ancestry, religion, disability, height, weight, marital status, pregnancy, sexual orientation, and/or any other legally protect characteristic.

Acts of discrimination and or harassment against a student, staff member, another Board member, or third party (e.g. visiting speaker, athletic team member, volunteer, parent, etc.) by a member of the Board is strictly forbidden. Any person who is found to have violated this policy will be subject to discipline in accordance with law.

0150 ORGANIZATION

0151 Annual Board Organizational Meeting

The board shall be organized at a meeting held annually in January; not earlier than January 2nd and not later than the fourth Monday in January at a meeting held for that purpose in accordance with applicable law. At the organizational meeting, the board shall elect officers and adopt a regular monthly meeting schedule by a vote of a majority of the members.

The organizational meeting shall be called to order by the Superintendent, who shall serve as presiding officer until the election of the Board President.

0151.1 Annual Board Motions

At the organizational meeting, the Board shall, in addition to other statutory requirements, perform the following annually:

- A. designate a day, place, and time for regular meetings which shall be held at least once every month;
- B. designate person responsible for the posting of notices;
- C. designate an administrator to assume specified responsibilities of the Treasurer and Secretary.

The Board may also, by resolution, assign a district employee to provide clerical assistance to the Board.

0152 Officers

The Board shall elect, from among its members, a President, Vice-President, Treasurer, and a Secretary.

Any Board member may make nominations for an office. The nominated candidate receiving a simple majority of votes shall be declared elected to the respective office. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties, as required by the Board. All officers shall assume his/her office immediately upon election.

In case of a vacancy or vacancies in a Board office or offices, the vacancy or vacancies shall be filled by a written ballot by the majority vote of the full Board.

Except for those appointed to fill a vacancy, officers shall serve for one (1) year and until their respective successors are elected and shall qualify. An officer may be removed for cause by a supermajority vote (5) of the full Board.

0153

Committees

The Board functions at the regular and special meetings of the Board as a committee of the whole. In order to give a broader understanding of District operations, Board members will be encouraged to participate on a variety of committees. The Board shall recognize both standing and ad hoc committees.

The committees shall have advisory powers and no authority other than recommendations to the Committee of the Whole at regular or special Board meetings unless the Board, by vote, has delegated specific authority to that committee. Committees will meet regularly to consider matters in more specific detail and understanding than can normally be considered during the proceedings of a Board meeting.

Each Board committee shall be convened by a chairperson who shall report for the committee and shall be appointed by the President, or shall be chosen by the committee from among its members. The committees will include at least one (1) experienced Board member to assure that each committee maintains continuity in succeeding years. After each committee meeting, a report of recommendations shall be given at the next regular Board meeting, and the Board shall act upon any recommendations.

The committees shall be subject to an annual review by the full Board. All committees shall comply with the Open Meetings Act in accordance with the applicable laws and the Boards' bylaws.

A member may request or refuse appointment to committee.

0153.1

Selection and Operation of Standing Committees

The standing committees will be:

- **Curriculum/Academic Performance** – To review the District academic plan and performance
- **Finance** – To review the annual District budget

Assignment of Board members to standing committee responsibilities will be facilitated by the Board President and approved by the majority of the Board. Standing committee assignments may ultimately require appointment as necessary.

Standing committee members shall serve a term of one (1) year.

0153.2 Selection and Operation of Ad Hoc Committees

Ad hoc committees may be created and changed at any time by the President or a majority of the members present at any meeting at which the need for an ad hoc committee becomes evident.

Member of ad hoc committees shall serve until the committee is discharged.

0160 MEETINGS

0161 Parliamentary Authority

The parliamentary authority governing the Board of Education shall be Robert's Rules of Order, in all cases in which it is not inconsistent with statute, administrative code, or these bylaws, or the rules of order of this Board.

0162 Quorum

Four (4) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

In addition, in order for a motion to pass, no less than four (4) members must cast affirmative votes.

0163 Presiding Officer

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, the Treasurer and if not available, the Secretary shall act instead. The act of any person so designated shall be legal and binding.

0164 Meeting Call and Notice

Notice of all meetings of the Board shall be provided and posted in accordance with the Open Meetings Act.

0164.1 Regular Meetings

The Board shall hold a meeting at least once each month. There shall be posted at the principal office of the school district, and other appropriate places, a notice of the schedule of meetings within ten days after the organizational meeting. The notice shall also contain the date, time, place of each regularly scheduled meeting of the Board, as well as the name, address and phone number of the Detroit Public Schools Community District.

0164.2 Change of Regular Meetings

The schedule of regular meetings or a regular meeting date may be changed at any meeting by a majority vote of the board. Public notice of meeting schedule changes shall be posted within three days following the meeting at which the schedule is changed. Said notice shall be posted at least twenty-four (24) hours before the rescheduled meeting.

0164.3 Special Meetings

Special meetings of the Board may be called by the President or by the written request of any three (3) members of the Board provided there is compliance with the notice provision of these Bylaws.

The superintendent or his/her designee shall notify members of the special meeting by phone, fax, e-mail or written notice as soon as the date, time and place have been established.

Public notice of special meetings shall be posted at the principal office of the school district, and at the appropriate places at least 18 hours prior to the convening of the meeting.

0164.4 Emergency Meetings

In the event of a severe and imminent threat to the health safety, or welfare of the District, its employees, or students, any member of the Board may call an emergency session provided the majority of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. Actual notice of any emergency meeting shall be attempted, but not required to other Board members.

No public notice of any emergency meeting shall be required.

0164.5 Recess

Any meeting of the Board may be recessed to another time and place. Any meeting which is recessed from more than thirty-six (36) hours shall be reconvened only after a notice stating the date, time, and place of the recessed meeting as well as the name, address and telephone number of the District has been posted at the District main offices and any other place as the Board may determine is appropriate.

0165 Agenda

The Board President and/or Vice President shall meet with the Superintendent to create the agenda. The Superintendent shall prepare and submit to each Board member the written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda for a regular meeting shall be mailed, mailed electronically, or delivered to the members of the Board at least five (5) days before the date of the meeting. Under special circumstances, revised agendas may be issued with twenty-four (24) hours notice.

The level of specificity of the description of subject matter for discussion shall be determined considering the following: (1) the time and effort required to provide detailed notice; (2) the level of public interest in the particular subject; and, (3) whether the meeting will involve routine or novel issues.

Board members' agenda shall be accompanied by the unapproved minutes of regular meetings, those minutes of special meetings which are available, superintendent's recommendations, and other materials pertinent to items on the agenda or which may be useful to the members.

The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added during the "Approval of Agenda" section of any meeting by a majority vote of the members present.

The usual order of business is:

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda
- D. Approval of Minutes
- E. Superintendent's Report
- F. Board Committee Reports*
- G. New Business
- H. Old Business
- I. Public Comment
- J. Adjournment

*Board Committee Reports are rotated monthly.

0166 Conduct

0166.1 Voting

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members present at the meeting, unless otherwise required by law, and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom.

Any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority.

All actions requiring a vote may be conducted by voice or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.

0166.2 Closed Session

The Board may, by means of a roll call vote, meet in a closed session, for specified purposes and as permitted by the Open Meetings Act.

0166.3 Public Participation at Board Meetings

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings. The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business.
- B. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- C. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; and group affiliation, if and when appropriate.
- D. Each statement made by a participant shall be limited to two (2) minutes duration.
- E. No participant may speak more than once on the same topic.
- F. Participants shall direct all comments to the Board and not to staff or other participants.

The presiding officer may also:

- A. prohibit public comments which are frivolous, repetitive or harassing;
- B. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
- C. request any individual to leave the meeting when that person does not observe reasonable decorum;
- D. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- E. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and
- F. waive any or all of these requirements for due cause upon a majority vote of the members present.

Parliamentary rules, as specified by Robert's Rules of Order, do not permit cross discussion between members of the audience and the Board.

The Board shall reserve the right to limit discussion so that everyone desiring to speak may be heard.

0166.4 Administrative Participation

The Superintendent and those administrators directed by the Superintendent shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation – as distinct from deliberation, debate and voting of Board member.

0167 Minutes

0167.1 Minutes of Open Meetings

The Secretary of the Board, or a temporary Secretary appointed by the presiding officer, shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the Secretary or by a person designated by the presiding officer which should ordinarily occur at the next regular meeting. The minutes shall include all votes taken at the meeting.

Approved minutes shall be available for inspection at the Board of Education office.

0167.2 Minutes of Closed Meetings

The Board shall designate a person to keep separate minutes of each closed meeting of the Board. These minutes shall be retained by the Secretary of the Board, but shall not be available to the public and shall only be disclosed if required by civil action in accordance with the Open Meetings Act and any and all other applicable laws.

0170 DUTIES

0171 Officers

0171.1 President

The President of the Board of Education shall:

- A. preside at meetings of the Board and ensure that minutes of meetings are properly recorded, approved, and signed appoint committees with the consent of the Board;
- B. call special meetings of the Board when necessary;
- C. represent and speak for the Board on actions which the Board has taken or policies established, or designate a fellow Board member to do so;
- D. plan the Board agendas cooperatively with the District administration; and
- E. perform other duties as authorized by the Board or as prescribed by any and all other applicable laws.

0171.2 Vice-President

The Vice-President of the Board of Education shall:

- A. preside at meetings of the Board when the President is not able to attend;
- B. perform other duties appropriate to the office of Vice-President as the Board determines; and
- C. in case of a vacancy in the office of President, succeed to the office of President for the balance of the unexpired term.

0171.3 Secretary

The Secretary of the Board of Education shall:

- A. record, when secretarial assistance is not available, and sign the minutes of meetings, orders, resolutions and other proceedings of the Board in proper record books; and
- B. perform other duties as prescribed by law or the Board.

The following duties of the Secretary shall be delegated to the Superintendent or his/her designee:

- A. prepare the annual report of the District and other reports required by the State Board or applicable state law; and
- B. preserve and file copies of reports, books, papers and other documents belonging to the office of the secretary or to the District.

0171.4 Treasurer

The Treasurer of the Board of Education shall:

- A. sign official documents as required by law or authorized by the Board; and
- B. perform other duties as prescribed by law or the Board.

0172 Legal Counsel

The Board of Education may retain outside counsel to represent the School District or Board in actions brought for or against the District and to render other legal services for the welfare of the School District and/or the proper administration of the Board's duties. The District's Office of General Counsel may also serve as counsel for the District and/or Board.

0173 Association Memberships

The Board of Education may maintain membership in the National School Boards Association and/or the Michigan Association of School Boards, and may take part in the activities of these groups.

The Board may also maintain institutional memberships in other educational organizations which the Superintendent and Board find to be of benefit to members and District personnel.

The materials and other benefits of these memberships will be distributed and used to the best advantage of the Board and staff.

0173.1 School Board Conferences, Conventions, and Workshops

The Board of Education recognizes the value of continuing training and development for its members. Thus the Board encourages the participation of all members at appropriate conferences, workshops and conventions. However, in order to control both the investment of time and the funds necessary to implement this policy, the Board shall adhere to the following principles and procedures:

- A. Each Board member is expected to report back to the Board after attending a conference at District expense.
- B. Travel to attend Board-financed conventions, conferences and workshops out of the State shall require advance approval by the Board.
- C. Funds for participation at such meetings will be approved by the Board and the Financial Review Commission, as mandated by applicable law.
- D. Reimbursement to Board members for these expenses will be made in accordance with applicable District policies.
- E. Travel and personal expenses of spouse, children, or other guest traveling with a Board member shall be the responsibility of the Board member or of the individual.
- F. A log of conferences, conventions and workshops attended by Board members shall be maintained by the Superintendent or his/her designee and provided to the President of the Board no less than four (4) times during a given calendar year.