

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 1 of 17

MEMBERSHIP

0141 **Number**

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

M.C.L. 380.612-614

0142 **Election/Appointment**

0142.1 **Electoral Process**

Unless the Board decides to provide for popular elections, members of the Board shall be elected biennially on the first Monday in June by the boards of the constituent school districts in a manner consistent with State law. In case of a vacancy during the biennium, the Board shall appoint an interim member to serve until the next election. M.C.L. 380.614

M.C.L. 380.615-17

The members of the Intermediate School Board shall be elected biennially on the first Monday in June by an electoral body composed of one (1) person designated by the board of each constituent school district unless the Board opts for popular election.

In accordance with State law, the board of a constituent district shall designate its representative to this electoral body by resolution adopted not earlier than twenty-one (21) days before the date of this biennial election.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 2 of 17

The secretary of the Intermediate School Board shall send a notice by certified mail of the hours and place of the meeting of the electoral body described in subsection (1) of the law to the secretary of the board of each constituent school district at least ten (10) days before the meeting. The President and Secretary of the Intermediate School Board shall act as chairperson and secretary at the meeting. The meeting of the electoral body shall be an open meeting conducted in the manner prescribed under the open meetings act.

The school district filing official shall provide ballots for the biennial election, listing on the ballots the names of all candidates properly nominated. The chairperson of the biennial election meeting may accept nominations for a vacancy from the floor only if no nominating petitions have been filed for the vacancy.

M.C.L. 380.614
M.C.L. 15.261 to 15.275, 168.642

Revised 4/14/05

0142.2

Qualifications/Limitations

Any school elector of a constituent district is eligible for appointment or election to the Intermediate School Board.

To be eligible for consideration, each candidate must either file a valid nominating petition or filing fee as required by State law. The school district filing official shall determine the sufficiency of the petitions and the eligibility of the candidates nominated.

Not more than two (2) members of the Board may be from the same school district, unless the number of constituent districts will not allow the Intermediate Board seats to be filled with this restriction.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 3 of 17

As of the 2005 election, no more than three (3) members of the Intermediate Board may also be serving on the board of a constituent district or public school academy. Members in place as of September 1, 2004 who are also members of their local board may complete their terms, despite exceeding the limitation on jointly serving members.

The candidate may not have been removed from the Intermediate Board by action of the Governor within three (3) years of the being elected or appointed to the Intermediate Board.

M.C.L. 380.612, 380.619

Revised 4/14/05

0142.3

Term

The term of office of each member elected to the Intermediate School Board is six (6) years and begins on July 1st following election. (M.C.L. 380.614

Revised 4/14/05

0142.4

Oath

Each newly-elected Board member shall file an acceptance of office as well as an affidavit of eligibility and shall take an oath of office. (M.C.L. 380.614 (2))

The oath of office may be administered by the Superintendent or a notary public.

M.C.L. 168.951 to 168.976, 380.614a, 380.614(1), 380.630

Revised 4/14/05

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 4 of 17

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 death of the incumbent or the incumbent's being found mentally incompetent by the proper court
- B. the incumbent's resignation
- C. the incumbent's removal from office
- D. the incumbent's conviction of a felony
- E. the incumbent's election or appointment being declared void by a competent tribunal
- F. 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 required by law
- G. the incumbent's ceasing to possess the legal qualifications for holding office
- H. the incumbent moving his/her residence out of the District

If less than a majority of the offices of the District becomes vacant, the remaining members of the Board shall fill the vacancy immediately. The Board shall notify the State Board of Education of the vacancy within five (5) days of the vacancy occurring.

If the vacancy is not filled within thirty (30) days after it occurs, the State Board of Education shall fill the vacancy by appointment.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 5 of 17

A person elected or appointed to fill a vacancy on the Board shall file an acceptance of office and shall hold office until the next biennial school election.

M.C.L. 380.614

Revised 10/8/97

Revised 4/14/05

0142.6

Recall/Removal

A member of Board elected at a biennial election meeting or appointed to fill a vacancy is subject to recall by the intermediate school electors of the Intermediate School District. Such members may also be removed by resolutions (filed within any sixty (60) period with the Intermediate Board Secretary or alternate) from a majority plus one (1) of the constituent districts or by action by the Governor as provided by State law. Removal by the Governor shall require verified, written charges, evidence and notice to the Board member(s) charged and an opportunity to respond. M.C.L. 168.951 et seq., M.C.L. 380.614, 380.619

Revised 4/14/05

0142.7

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. a copy of the Board policy manual

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 6 of 17

- B. a copy of each current negotiated agreement
- C. the current budget statement, audit report, and related fiscal materials

The Board will provide and maintain a library of publications and reference materials for the use of Board members.

Each new Board member shall be invited to meet with the Board President, the Superintendent, the Business Manager, and Department Directors to discuss Board functions, policies, and procedures.

The Board shall encourage the attendance of each new Board member at orientation and training meetings.

0143

Authority

Individual members of the Board do not possess the powers that reside in the Board of Education but no member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to District personnel records shall be subject to the following rules:

- A. Examination of school employee personnel records by the Board of Education shall be done in accordance with the Open Meetings Act.
- B. Personnel records shall, in their entirety, be returned to the custody of the Superintendent at the conclusion of the examination.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 7 of 17

- C. Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members in fulfilling their legal responsibilities in making decisions in such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

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, to local officials, and/or State officials.

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 should, 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.

- A. 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:
 - 1. Correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter.
 - 2. Routine, not for publication, correspondence of the Superintendent and other Board employees.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 8 of 17

3. Routine "thank you" letters of the Board.
 4. Statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board).
 5. Personal statements not intended for publication.
- B. Copies of this bylaw shall be sent to local media by the Board President.

A Board member's personal or private use of social media may have unintended, negative consequences to the Board member and/or the District, including possible violations of the Open Meetings Act and issues relating to creation of a public record. Postings to social media should be done in a manner sensitive to the Board member's responsibilities, applicable District policies, and legal obligations regarding District confidential information.

0144 **Operations**

0144.1 **Compensation**

Board members shall receive a per diem for attendance at regular Board meetings, special Board meetings, state or national conferences, state or national workshops, and state or national meetings. Any expense paid for or reimbursed by the District for out of State travel must be approved by the Board. This per diem will be:

- A. \$25.00 per regular Board meeting for member residing in the county in which the meeting is held;
- B. \$30.00 per regular Board meeting for members residing outside of the county in which the meeting is held;
- C. \$25.00 will be paid for attendance at all other meetings excluding committee meetings.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 9 of 17

Board members attending sanctioned committee meetings within the District, shall be eligible to be compensated at the rate of:

- A. \$15.00 per meeting for members residing in the county in which the meeting is held;
- B. \$25.00 for members residing outside of the county in which the meeting is held.

The cost of meals on a per diem basis shall be established at \$31.00 with the following distribution:

Breakfast	\$6.00
Lunch	\$8.00
Dinner	\$17.00

Lodging shall be reimbursed at the actual cost. Reimbursement will be made only upon documentation of cost to the business office. Actual cost of travel shall be reimbursed for travel other than by automobile. Such travel costs shall be documented at the business office. The use of a personal automobile shall be reimburse at a rate of \$.375 per mile for actual miles. This rate will be adjusted with the current IRS rate respectively.

The District shall carry travel insurance on all Board members and administrators which shall be in effect during travel that occurs as part of their responsibility as members of the Board and administrative staff.

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. Board approval is required for all travel.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 10 of 17

Board members may use District credit or debit cards only in accordance with Board Policy 6423 and the accompanying administrative guidelines.

M.C.L. 380.634

Revised 7/14/04

Revised 1/19/05

Revised 4/14/05

Revised 10/12/05

0144.2

Board Member Ethics

As members of the Board of Education, Board members will strive to improve public education and to that end they will:

- A. attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- B. recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
- C. render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- D. encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 11 of 17

- E. work with the other Board members to establish effective Board policies and to delegate authority for the administration of the District to the Superintendent;
- F. communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- G. inform themselves about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the State and National School Boards Associations;
- H. support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- I. avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal partisan gain;
- J. take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law;
- K. remember always that their first and greatest concern must be for educational welfare of the students attending the public schools.

Source: Board of Directors, National School Boards Association.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 12 of 17

0144.3 **Conflict of Interest**

Board members shall perform their official duties in a manner free from conflicts of interest.

- A. No Board member shall use his/her position as a Board member to benefit either himself/herself or any other individual or agency apart from the total interest of the School District.
- B. When a member of the Board determines that the possibility of a personal interest conflict exists, s/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.
- C. A member of the Board is presumed to have a conflict of interest if the member or his/her family member has a financial interest, or a competing financial interest, in the contract or other financial transaction or is an employee of the Intermediate School District.

Having a child in the District does not alone constitute a conflict of interest or financial interest in a contract or other financial transaction of the School District.

“Family member” means a person’s spouse or spouse’s sibling or child; a person’s sibling or sibling’s spouse or child; a person’s child or child’s spouse; or a person’s parent or parent’s spouse, and includes these relationships as created by adoption or marriage.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 13 of 17

If the financial interest pertains to a proposed contract with the District, the following requirements must be met:

1. The Board member shall disclose the financial interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct financial interest amounts to \$250 or more or five percent (5%) or more of the contract cost to the District, the Board member shall make the disclosure in one of two (2) ways:
 - a. in writing, to the Board president (or if the member is the Board president, to the Board secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165.)
 - b. by announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The Board member must use this method of disclosure if his/her financial interest amounts to \$5,000 or more.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 14 of 17

2. If an intermediate school board member or intermediate school district administrator has a substantial conflict of interest in a proposed contract, the intermediate school board shall not enter into that contract and the administrator or board member shall not present that contract. As used in this subsection, "substantial conflict of interest" means a conflict of interest on the part of an intermediate school board member or intermediate school district administrator in respect to a contract with the intermediate school district that is of such substance as to induce action on his/her part to promote the contract for his/her own personal benefit. Excluded from substantial conflict are the situations described in M.C.L. 380.634(5).
3. Any contract in which there is a conflict of interest as defined by this bylaw and the related statute (M.C.L. 380.1203) must be approved by a majority vote of the full Board without the vote of any Board member with a financial interest.

However, if a majority of the members of the Board are required to abstain from voting on a contract or other financial transaction due to a financial interest, then for the purposes of that contract or other financial transaction, the members who are not required to abstain constitute a quorum of the board and only a majority of those members eligible to vote is required for approval of the contract or financial transaction.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 15 of 17

4. The official minutes of the Board disclose the name of each party involved in the contract, the nature of the financial interest, and the terms of the contract including the duration, financial consideration between the parties, facilities or services of the District included in the contract, and the nature and degree of assignment of District staff needed to fulfill the contract.
5. A Board member with a conflict of interest in a contract may participate in discussion, vote on the contract to the extent that the Board member's participation is required by law, or two-thirds (2/3's) of the members are not eligible to vote and his/her vote is needed to constitute a quorum, providing the pecuniary interest is less than \$250 and five percent (5%) of the contract cost to the District and the Board member files a sworn affidavit to that effect with the Board. Such affidavit is to be made a part of the official minutes of the Board.

Board members shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds. A Board member may, however, accept a gift of unsolicited items of "nominal value" from a contractor or party to subcontracts that do not involve Federal grant funds. For purposes of this section, "nominal value" means that the gift has a monetary value. In accordance with M.C.L. 380.634, the Michigan Department of Education (MDE) adjusts the limits on the value of gifts that may be accepted from vendors or potential vendors for Intermediate School District employees. The fiscal year 2014 – 15 cap for gifts was \$56.00.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 16 of 17

A Board member may be appointed to serve as a volunteer coach or supervisor of a student extra-curricular activity if all of the following conditions are present:

- A. the Board member receives no compensation for service as a volunteer coach or supervisor;
- B. the Board member abstains from voting on issues before the Board concerning the program during the period of time s/he serves as a volunteer coach or supervisor;
- C. there is no other qualified applicant available to fill a vacant position; and
- D. the appointing authority has received the results of a criminal history check and criminal records check from the Michigan State Police or the Federal Bureau of Investigation for the Board member.

M.C.L. 15.183, 15.323, 380.1203, 380.634

Revised 4/8/98
Revised 12/13/00
Revised 10/12/05
Revised 6/7/06
Revised 12/10/08
Revised 8/5/13
Revised 12/11/13
Revised 11/11/15
Revised 5/11/16

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. M.C.L. 691.1408 et seq.

bylaw

**BOARD OF EDUCATION
DICKINSON-IRON INTERMEDIATE
SCHOOL DISTRICT**

BYLAWS
0140/page 17 of 17

0145 **Discriminatory Harassment**

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 harassment and intimidation.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to such conduct is made a condition of employment or a basis for an employment decision. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive environment on the basis of gender, religion, race, color, national origin or ancestry, age, disability, height, weight, marital status, and/or any other legally protected characteristic.

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

M.C.L. 380.1300a

Revised 12/13/00