

BOARD POLICY

MMA

PUBLIC SCHOOL ACADEMIES BOARD OF DIRECTORS: METHOD OF SELECTION, APPOINTMENT, AND REMOVAL

December 16, 2013

The Board of Education declares that the method of selection, length of term, and number of board members of any approved academy shall be as follows.

Method of Selection and Appointment

The Board of Education ("Board") shall prescribe the method of appointment for members of an academy's board of directors. The superintendent is authorized to develop and administer an academy board selection and appointment process that includes an *Application for Public School Academy Board Appointment* and is in accord with these policies:

- (a) The Board shall appoint the initial and subsequent academy board of directors by resolution, except as prescribed by subparagraph (d). The superintendent shall recommend qualified individuals to the Board.
- (b) The academy board of directors, by resolution and majority vote, shall nominate its subsequent members, except as provided otherwise. The academy board of directors shall recommend to the superintendent at least one nominee for each vacancy. Nominees shall submit the *Application for Public School Academy Board Appointment* for review by the superintendent. The superintendent may or may not recommend the appointment of a nominee submitted by the academy board. If the superintendent's office does not recommend the appointment of a nominee submitted by the academy board, he/she may select and recommend another nominee or may request the academy board submit a new nominee for consideration.
- (c) An individual appointed to fill a vacancy created other than by the expiration of a term shall be appointed for the unexpired term of that vacant position.
- (d) Under exigent conditions, and with the approval of the Board President, the superintendent may appoint a qualified individual to an academy's board of directors. All appointments made under this provision must be presented to the Board for final determination at its next regularly scheduled meeting. The Board reserves the right to review, rescind, modify, ratify, or approve any appointments made under this provision.

Length of Term

The director of an academy board shall serve at the pleasure of the Board. Terms of the initial positions of the academy board of directors which shall be staggered in accordance with *The Academy Board of Directors Table of Staggered Terms and Appointments* established and administered by the director. Subsequent appointments shall be for a term of office not to exceed four (4) years, except as prescribed by *The Academy Board of Directors Table of Staggered Terms and Appointments*.

Removal and Suspension

If the Board determines that an academy board member's service in office is no longer necessary, then the Board may remove an academy board member with or without cause and

shall specify the date when the academy board member's service ends. An academy board member may also be removed from office by a two-thirds (2/3) vote of the academy's board for cause.

With the approval of the Board President, the superintendent may suspend an academy board member's service, if in his/her judgment the person's continued presence would constitute a risk to persons or property, or would seriously impair the operation of the academy. Any suspension made under this provision must be presented to the current Board for final determination at its next regularly scheduled meeting. The Board reserves the right to review, rescind, modify, ratify, or approve any suspensions made under this provision.

Number of Directors

The number of members of the academy board of directors shall not be less than five (5) nor more than nine (9). If the academy board of directors fails to maintain its full membership by making appropriate and timely nominations, the Board or its designee may deem that failure an exigent condition.

Qualifications of Academy Board Members

To be qualified to serve on an academy's board of directors, a person shall, among other things:

(A) be a citizen of the United States; (B) submit all materials requested by the superintendent's office including, but not limited to, the *Application for Public School Academy Board Appointment* which must include authorization to process a criminal background check; and (C) annually submit a conflict of interest disclosure as prescribed by the superintendent.

The members of an academy board of directors shall not include: (a) employees of the academy; (b) any director, officer, or employee of a service provider or management company that contracts with the academy; (c) a District official or employee, as a representative of the District.

Oath of Public Office

All members of the academy board of directors must take the constitutional oath of office and sign the *Oath of Public Office* before beginning their service. No appointment shall be effective prior to the filing of the *Oath of Public Office* with the District.

Tenure

Each Director shall hold office until the Director's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.

Resignation.

Any Director may resign at any time by providing written notice to the corporation. Notice of resignation will be effective upon receipt or at a subsequent time if designated in a written notice. A successor shall be appointed as provided in the Academy bylaws or applicable District policy.

Board Vacancies

A Board of Director vacancy shall occur because of death, resignation, removal, failure to maintain residency in the State of Michigan, disqualification or as otherwise specified in the Code. Any vacancy shall be filled as provided in the Academy bylaws or applicable District policy.

Compensation.

A Director of the Academy shall serve as a volunteer Director. By resolution of the Board, the Directors may be reimbursed for their reasonable expenses incident to their duties.