

Series 1000: Policy Overview, Mission Statement, and Definitions

1100 Policy Overview

1101 General Policy Statement

The board will establish, maintain, and amend bylaws and policies (together, "Policies") that guide the district and assist the board and its designees with carrying out district functions and duties.

A. Policies serve to:

1. formally articulate the board's goals, standards, and objectives;
2. provide the board, administrators, and other personnel with guidance in making decisions that affect district operations, functions, and duties; and
3. inform the public of the manner in which the board, administrators, and other personnel conduct district operations, functions, and duties.

Policies are intended to be flexible where possible.

B. Specific administrative regulations, procedures, practices, contracts, collective bargaining agreements, handbooks, and other documents also may guide and govern actions and decisions and should be consistent with policies.

1. Collective Bargaining Agreements and Past Practice

These policies supersede any inconsistent past practice. The Policies, however, are not intended to change or alter the terms of a collective bargaining agreement between the board and a labor organization. Collective bargaining agreement terms supersede inconsistent Policies unless contrary to state or federal law.

2. Other Contracts and Legal Obligations

These policies do not change or alter the terms of enforceable contracts or other legal obligations.

C. Validity of Policies

Policies should be interpreted consistent with applicable law. If a court determines that a policy provision is invalid or that a changed legal standard makes a provision unlawful, the unaffected provisions remain in force.

A violation of policies may result in discipline, including discharge.

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Series 1000: Policy Overview, Mission Statement, and Definitions

1200 Mission Statement

1201 Mission Statement

Together...educating with excellence, inspiring each learner for life.

Legal authority: MCL 380.11a, 380.601a

Date adopted:

Date revised:

Series 1000: Policy Overview, Mission Statement, and Definitions

1300 Creation, Amendment, and Posting of Policies

1301 Creation, Amendment, and Posting of Policies

The board is responsible for creating policies that will represent the educational ideals, values and goals of the community as well as assuring that these are incorporated into practice and procedure by the superintendent and the staff. The board shall seek input where appropriate.

Each of these policies will become an official district policy when approved by a majority vote of the board at a lawfully convened meeting. The adopted policies override and supplant previously adopted policies and board resolutions.

It is the practice of the board to give all policies, new or revised, a first reading at a public meeting, with final action taken no sooner than one (1) month later from the date of first reading. However, the board may adopt or amend any policy after a single reading at a regular or special board meeting, unless the law requires more than one (1) reading due to the policy's subject matter. The board may, in its discretion, review policies at multiple meetings before taking action.

Each policy will include the date it was adopted or revised by the board.

The superintendent will maintain a master copy of these policies in the district's central office, and the policies may be posted on, or linked to, the district's website. The board will post policies on its website if required by law.

The board may update, add, or delete policies as needed. Unless otherwise directed by the board, the master copy will be considered the official district policy manual, provided the master copy includes all board-approved Policies.

The board is responsible for keeping its policies up to date. The Policy Committee shall meet regularly to review existing policies. All policies shall be reviewed on a regular review cycle.

All employees of the Okemos schools are responsible to inform themselves of district policies and to cooperate in the implementation of these policies.

Legal authority: MCL 380.11a, 380.601a

Date adopted:

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Series 1000: Policy Overview, Mission Statement, and Definitions

1400 Definitions

1401 Definitions

The following definitions apply throughout this policy manual. If a word is defined within a specific policy, the definition is intended to apply only to that specific policy. Undefined words are intended to have their ordinary meaning.

- A. Capitalized terms used in these policies are defined as follows:
 - 1. "Board" means the District's Board of Education.
 - 2. "District" means Okemos Public School District.
 - 3. "MDE" means the Michigan Department of Education.
 - 4. "Superintendent" means the Superintendent of Schools. Where permitted by law, Superintendent also means the Superintendent's designee.
 - 5. "State" means the State of Michigan.
- B. If an individual policy does not define the following words differently, the definitions listed below will generally apply:
 - 1. "Business Day" means, regardless of capitalization, a day that the district's central office is open for business.
 - 2. "Year" means the district's fiscal year, July 1 to June 30.
 - 3. "Supervisor" means the direct or immediate supervisor of the applicable position or employee.
 - 4. "Employee" means a person directly employed by the Board. Policies classify employees in four categories: (1) non-exempt staff, (2) teachers and non-teaching professionals, (3) administrators and supervisors, and (4) the Superintendent.
 - 5. "Parent" means a student's natural or adoptive parent or legal guardian.
 - 6. "Personnel" means persons employed by, contracting with, or volunteering for the Board.
 - 7. "Policy" means a bylaw or policy adopted by the board.

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Series 2000: Bylaws

2100 Official Description, Purpose, and Board Organization

2101 *Roles of the Board and Board Members*

A. Role of the Board

The board has the legal authority and duty to provide public elementary and secondary education in its schools. The board's authority is based on state and federal law as set forth in policy 2201. The board's primary role is to:

1. Adopt Bylaws and Policies

The board will concern itself with broad questions about the District's operation, including the establishment of District goals, objectives, and priorities through the adoption of bylaws and policies. The board will focus on governance, not management. Policy implementation and administrative details are tasks overseen by the superintendent, who is responsible for the effective administration and supervision of the district. The superintendent will apprise the board about the implementation of its policies and will recommend changes to policies as necessary.

2. Employ and Evaluate a superintendent

The board will employ or contract for a superintendent as its chief executive to whom it will delegate the district's administration, within board-approved parameters. The superintendent does not assume tenure in any administrative position. As the chief administrator for the board, the superintendent will implement board policies and supervise the District's day-to-day operations. The superintendent will furnish educational leadership to the board, district employees, and the community. The board will annually evaluate the superintendent in accordance with the Revised School Code. See Policies 4206 and 4603.

3. Employ or Contract with Other Administrators and Supervisors

The board may employ or contract with other administrators and supervisors, who do not assume tenure in their positions. The board will prescribe the duties and fix the terms for those administrative positions. See policies 4206 and 4501.

4. Employ Teachers

The board will employ teachers through contracts which will be in writing and signed on behalf of the district by the superintendent. The board may contract for instructional services with third parties as permitted by law. See Policies 4206 and 4401.

5. Employ or Contract with Non-Teaching Professionals

The board may employ non-teaching professionals. The board may contract with non-teaching professionals through third parties as permitted by law. The board will prescribe the duties and fix the terms for those positions. See policies 4206 and 4401.

6. Employ or Contract with Non-Exempt Staff

The board may employ non-exempt staff. The board may contract with non-exempt staff through third parties as permitted by law. The board will prescribe the duties and fix the terms for those positions. See policies 4206 and 4301.

7. Adopt and Oversee a Budget

The board will annually adopt and continually monitor a budget to fund district operations, including district employees, buildings, equipment, and materials which support the district's educational program. The superintendent or designee will manage the district's financial resources and develop a proposed budget for board approval. The board will maintain adequate funding reserves pursuant to Policy 3202.

8. Establish and Maintain Grades, Schools, and Departments, and Determine the Curriculum and Courses of Study

The board will establish and maintain the grades, schools, and departments as it considers appropriate and necessary to support the district's educational program and determine the curriculum and courses of study to educate the students enrolled in its schools.

9. Evaluate Programs

The board will evaluate, or cause to be evaluated, the progress and results of the district's educational programs on a continuing basis. In making those evaluations, the board will consider the superintendent's analysis and recommendations.

10. Act as Decision-Maker

As delineated by applicable legal authority, policy, or collective bargaining agreement, the board will act as a decision-maker for matters within its jurisdiction for students, employees, and the community.

In fulfilling its duty and role, the board acts as a body corporate at properly convened meetings held in compliance with the Open Meetings Act. See policy 2501. A board decision requires a majority vote of the members elected or appointed to and serving on the board (unless otherwise expressly required by statute) and as recorded in the board's meeting minutes.

B. Role of board Members

1. Individual board members do not speak on the board's behalf without board approval. Unless authorized, public communications by individual board members about district matters must clearly indicate that the board member is not speaking on the board's behalf.
2. Board members may access information and public records as necessary to perform their duties or as otherwise permitted by law.
3. Board members may access sensitive information, including personnel files and student records, if permitted by law and necessary to perform their duties.
4. Board members will not disclose privileged or confidential information unless permitted by board action or applicable law.

Legal authority: MCL 15.261 et seq.; MCL 141.411-.415, 141.436-.451; MCL 380.11a, 380.601, 380.1229, 380.1231, 380.1249b, 380.1250, 380.1277, 380.1282; *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

Date adopted:

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Series 2000: Bylaws

2100 Official Description, Purpose, and Board Organization

2102 School District's Legal Name and Status

The district's legal name is Okemos Public Schools, which will operate as a general powers school district under Michigan law.

Legal authority: MCL 380.11a

Date adopted:

Date revised:

Series 2000: Bylaws

2100 Official Description, Purpose, and Board Organization

2103 School District Boundaries

The district is comprised of the geographic area in the description on file in the board office of the Ingham Intermediate School District.

The Board's physical address is:

4406 N Okemos Rd
Okemos, MI 48864

The Board's mailing address is:

Board of Education
4406 N Okemos Rd
Okemos, MI 48864

Legal authority: MCL 380.11a

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2100 Official Description, Purpose, and Board Organization

2104 *Student Representative on the Board*

To provide the Board with a greater insight into student activities, programs, and needs, and to encourage student involvement in District governance activities, the Board may allow- non-voting student representatives on the Board. The student representative's role is advisory.

A. Selection and Term of Student Representative

1. High school students may select the student representative in a manner developed by the building principal(s) and student council.
2. The student representative may be selected in the spring and may serve a 1-year term for the next school year, beginning on July 1 and ending on June 30.

B. Guidelines

1. The student representative may sit with the Board during open session at all regular and special meetings, but will not attend a closed session from which the public is excluded, unless specifically authorized by the Board.
2. The student representative may participate in Board discussions but will not introduce, support, or vote on motions.

Legal authority: MCL 380.11a, 380.601a

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Series 2000: Bylaws

2200 Board Powers

2201 Board Powers/General Powers

The Board exercises powers that are expressly conferred upon the Board by Michigan Constitution or statute, and that are necessarily implied or incidental to expressly conferred powers. Except as otherwise provided by law, the Board may exercise a power incidental or appropriate to the performance of a function related to the operation of a public school and the provision of public education services in the interests of public elementary and secondary education in the District.

A. Expressly Conferred Powers

1. The Board will establish and maintain the grades, schools, programs, and departments it deems necessary, which may include grades Pre-K through 12, and may provide lifelong education, adult education, community education, training, enrichment, and recreation programs.

a. The Board may educate persons by:

- i. directly operating 1 or more public schools as defined in Revised School Code Section 5(6); and/or
- ii. causing public education services to be provided for students through an agreement, contract, or other cooperative agreement with another public entity.

b. The Board will:

- i. ensure that each public school within the District is accredited or certified by the State Superintendent as having met or exceeded established standards;
- ii. ensure that the requirements of Revised School Code Sections 1204a (annual reports), 1277a (disaggregation of data by gender for school improvement planning purposes), 1278 (core academic curriculum), and 1280 (accreditation) are met for any consortium program in which the District participates;
- iii. ensure each student in grades 8-12 is provided with information on college-level equivalent courses;
- iv. determine the length of the school year;
- v. select, approve, and purchase textbooks as defined under Revised School Code Section 1421;
- vi. administer state-required standardized tests;

- vii. adopt a parent/guardian involvement plan; and
 - viii. adopt, implement, and annually make available to MDE a copy of a 3 to 5-year school improvement plan and continuing school improvement process for each school in the District in compliance with Revised School Code Section 1277.
2. The Board will provide for the safety and welfare of students while at school or a school-sponsored activity or event, and while traveling to or from school or a school-sponsored activity or event, as required by law.
 3. The Board may acquire, construct, maintain, repair, renovate, dispose of, or convey school property, facilities, equipment, technology, or furnishings as it deems appropriate, within applicable legal parameters.
 4. The Board may hire, contract with, schedule, supervise, or terminate employees, independent contractors, and other persons or entities to carry out District powers. The Board may defend and indemnify its employees to the extent authorized by law.
 5. The Board may receive, account for, invest, or expend public school money; borrow money and pledge public school funds for repayment; and qualify for state school aid and other public or private money from local, regional, state, or federal sources.
 6. The Board delegates to the Superintendent the authority to take action in circumstances not authorized by Board action or Policy when required to effectively maintain the District's day-to-day operations. The Superintendent should (a) promptly inform the Board of the action taken and the need for taking expedited action; and (b) report the action to the Board at the Board's first meeting after the Superintendent takes such action.

B. Limitations on Powers

1. The Board will not use money received from any source to unlawfully aid or maintain any private, denominational, or other nonpublic, pre-elementary, elementary, or secondary school. The Board may provide transportation, auxiliary services, and nonessential elective classes for students attending nonpublic schools to the extent permitted by law.
2. The Board will use public funds, including state school aid allocations, tax revenue, and bond proceeds only for designated purposes.
3. The Board will not permit a fraternity, sorority, or other secret society to operate in the District. See Policy 5511.
4. The Board will not award a high school diploma to a student unless the student meets the requirements of Revised School Code Sections 1278a and 1278b.

C. Authority

1. Consistent with Policy 2101, the general powers reside within the Board as a whole, not individual Board members. The Board speaks only through its minutes and resolutions.
2. Consistent with Policy 2503, Board action is not valid unless approved by a majority vote in a lawfully convened meeting.

Legal Authority: Const 1963, art 8, §2; MCL 380.5(6), 380.11a, 380.1146, 380.1153, 380.1216, 380.1217, 380.1277, 380.1278a, 380.1278b, 380.1280, 380.1280a, 380.1282, 380.1284, 380.1294, 380.1321, 380.1322, 380.1421, 380.1422, 380.1472, 380.1804, 380.1807, 380.1816; MCL 388.1766b; Mich Admin Code R 340.281, 340.282 (transportation services for nonpublic school children), 340.291-.295 (auxiliary services for nonpublic school children); *Tavener v Elk Rapids Rural Agric Sch Dist*, 341 Mich 244 (1954)

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Series 2000: Bylaws

2200 Board Powers

2202 *Authority to Enter into Contracts*

- A. The Board may enter into agreements, contracts, or other cooperative arrangements with other entities, public or private, including, but not limited to, another school district or intermediate school district, to the extent permitted by law.
- B. The Board also may enter into an agreement with a public school academy to provide services to the public school academy or the academy's students or for the public school academy to provide services to the District or to the District's students.
- C. No agreement, contract, or other cooperative arrangement is binding on the District unless approved by the Board or designee and executed by 1 or more persons delegated authority to act as an authorized signatory to an agreement, contract, or other cooperative arrangement on the Board's behalf. Absent the Board's express delegation of authority to another entity or person, only the Board has the authority to contractually bind the District.
- D. The Board and its authorized designees are without authority to grant unconditional indemnity to a third party before a liability-triggering event has occurred.
- E. Before presenting a contract to the Board for approval, the Superintendent or designee will:
 - 1. verify the Board's contracting authority;
 - 2. review budget parameters and implications and recommend any correspondingly required budget amendments;
 - 3. review relevant existing contractual obligations;
 - 4. consider and report to the Board any actual or perceived conflict of interest; and
 - 5. ensure that the contract complies with all relevant laws and Policies.
- F. All independent contractors, employees of independent contractors, and other persons who provide services to the District who are not District employees must comply with all applicable legal requirements and Policies including those related to interactions with students, non-discrimination, ethics and standards, student safety and welfare, student privacy, and District operations.

Legal Authority: MCL 15.321 et seq.; MCL 380.11a(4), 380.1203, 380.1228, 380.1421, 380.1422; *Huntington Leasing Co v Manistee ISD*, unpublished Mich App No. 250942 (2005)

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Series 2000: Bylaws

2400 Board Membership and Duties

2406 Board Officers' Duties

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

A. President

1. Preside over all Board meetings and act as a decision-maker on procedural issues.
2. Coordinate with the Superintendent or designee to prepare Board meeting agendas.
3. Serve as the Board's spokesperson unless another person is designated by the Board.
4. Sign contracts, correspondence, and other documents on behalf of the District as authorized by the Board or required by law.
5. If both the President and Vice President are absent from a Board meeting, the Board may appoint a Board member to serve as acting President.
6. Accept complaints and coordinate investigations into allegations of misconduct against other Board members or the Superintendent, including placing the Superintendent on non-disciplinary, paid administrative leave during the pendency of an investigation.
7. Contact legal counsel on the Board's behalf or authorize individual Board members to contact legal counsel.
8. Perform other duties as prescribed by law, Policy, or Board action.

B. Vice President

1. In the President's absence or where the President is precluded from performing the President's duties, preside over Board meetings and perform the President's other duties.
2. Perform other duties as prescribed by law, Policy, or Board action.

C. Secretary

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

2. Sign Board meeting minutes, orders, resolutions, and records memorializing Board proceedings.
3. Draw and sign orders upon the Treasurer for money to be disbursed by the Board.
4. Perform other duties as prescribed by law, Policy, or Board action.

In the Secretary's absence, the Vice President will serve as acting Secretary or, in the alternative, the Board may appoint a Board member to serve as acting Secretary.

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

D. Treasurer

1. Serve as the custodian and maintain accounting for District monies, credits, and property.
2. Sign checks and other Board-authorized documents.
3. Perform other duties as prescribed by law, Policy, or Board action.

In the Treasurer's absence, the Vice President will serve as acting Treasurer or, in the alternative, the Board may appoint a Board member to serve as acting Treasurer.

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

E. Succession

1. Board office holders will promptly transfer authority to their respective successor in office, including access to District accounts, investments, files, and public records.
2. Board office holders will promptly deliver District property, including logs, ledgers, money, reports, files, books, equipment, and public records, to the Board officer's respective successor in office.
3. The transfer of District property will promptly occur at a location and time agreed upon by the Board officer and the Board officer's successor in office or at a location and time otherwise determined by the Board.

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

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Series 2000: Bylaws

2500 Board Meetings and Open Meetings Act Compliance

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. The Board establishes two standing committees, the Advocacy Committee and the Policy Committee.

1. The Advocacy Committee shall promote appropriate board engagement in advocacy activities and engage the community to identify areas where they may wish to advocate for issues that would serve to advance the educational opportunities of Okemos students.
2. The Policy Committee shall be responsible for the creation, amendment, and review of policy drafts prior to consideration by the entire board. Policy shall be adapted in accordance with Board Policy 1301.

C. 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.

D. 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.

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

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