

General Powers and Responsibilities of the Board of Education

The governance of the Okemos school district shall be exercised 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. The board of education will act as a whole. Board members do not individually possess the powers that reside in the board of education; they only have authority when acting as a body duly called in session. The board speaks through its minutes and not through its individual members.

The primary responsibility of the board is to establish policies that represent the educational ideals, values and goals of the constituency and to assure that these policies are incorporated into practice and procedure by the superintendent and the staff. Therefore, the board is a legislative body. It deliberates on matters of fundamental policy and takes action after receiving analyses of alternative possibilities from appropriate advisers within the school system and from the community at large. In reviewing these alternatives the board may ask for the superintendent's recommendation. Policies will be adopted only upon a majority vote by the board. The board will also undertake re-evaluation of its own policies on a regular review cycle, or as needed.

The board of education may assume jurisdiction over any dispute or controversy arising within the school district and concerning any matter over which authority has been vested in the board by statute, rule or a contract or policy of this board.

Board members shall receive no compensation. Expenses incurred by a board member in the performance of official duties or in the performance of functions authorized by the board and duly vouchered shall be reimbursed in accordance with current board policy and regulations. The board of education may bear the costs, including reasonable counsel fees and expenses and costs of appeal, if any, incurred by a board member in his/her defense of a civil action or in a criminal action that results in final disposition in the board member's favor, brought against him/her for any act of omission arising out of and in the performance of duties as a board member.

The board will appoint a superintendent of schools who will implement the statutes of the State of Michigan, rules of the State Board of Education, and policies of this board of education. According to Michigan law, the board appoints the superintendent for a term not to exceed five (5) years. The board will delegate to the superintendent the function of specifying required actions and designing the detailed arrangements under which schools will be operated, constituting the administrative regulations governing the schools. These regulations shall in every respect be consistent with the policies adopted by the board.

The board is responsible for adopting an annual budget in June of each year as well as making periodic adjustments to the budget as required.

Other major responsibilities include acting on the selection, assignment, transfer, promotion, demotion or dismissal of administrative and certified school personnel after receiving the documented recommendation of the superintendent as well as the creation, deletion and change in classification of administrative and supervisory positions. If a recommendation by the superintendent is not accepted by the board, the superintendent shall be requested to make another recommendation. The board may wish to interview administrative personnel before taking action.

The board shall study in depth plans for the development of bonding proposals for school construction and/or the preparation of millage votes for operational needs or other needs as permitted by law. The board assumes final responsibility for approving such proposals.

The board also has the responsibility of communicating with its constituency in order to better understand current educational needs and problems. In addition, the board shall initiate and support efforts to influence local, state, and national governmental legislation that affect the interest of the community and school district.

No action of the board shall be valid unless it is approved at a legally called public meeting of the board by an affirmative vote of at least four members of the board, and is so recorded in the minutes.

Unless prohibited by law or other board policy, a board member shall vote on all matters that come before the board. An assertion of abstention, such as “pass,” “present,” or deliberate silence, shall not be considered a vote.

No board member will be denied documents or information to which he/she is legally entitled and which are required in the performance of his/her duties as a board member.

The board can act only as a corporate entity. An individual board member has no official authority outside a board meeting except as such authority is explicitly delegated to him or her by official action of the board. An individual board member shall not make any commitment for the schools without official board action. An individual board member shall not exercise any administrative responsibility with respect to the district nor direct the services of any district employee. The president will be the spokesperson for the board of education.

Reference: Michigan Compiled Laws Act 267-Public Act of 1976

MCL 423.201,202,206 and 215

MCL380.11a, 380.1131, 691.1408

MCL 380.1201 et. seq.; 380.1250, 380.1254; 380.1300

OAG 1979-80, No. 5626 at 545

Wayne County Prosecutor v Kinney, 184 Mich App 681, 684 (1990).

See Also: Board Policy 1250: Visits to the Schools
9100: Membership and Statutory Bases
9310: Policy/Bylaw Review and Revision
8400: Board Member Ethics and Responsibilities

Policy

Adopted: 05-10-76

Amended: 06-23-14

Reviewed: