

# **ROCHESTER COMMUNITY SCHOOLS**

## **POLICIES/REGULATIONS**

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## NAME

### 0111 BOARD OF EDUCATION NAME

The name of the Board of Education shall be the Board of Education of the Rochester Community School District, Oakland and Macomb Counties, Michigan.

### 0112 COMPOSITION

The School District is comprised of all the area within the municipal boundaries of the City of Rochester and a portion of the area within the municipal boundaries of the Cities of Rochester Hills and Auburn Hills and the Townships of Oakland, Orion, Shelby, and Washington.

### 0113 DISTRICT LEGAL NAME AND CLASSIFICATION

The legal name of the School District is the Rochester Community School District, more commonly known as Rochester Community Schools. The School District is a Michigan general powers school district within the meaning of the Michigan Revised School Code (RSC), MCL 380.1 *et seq.*

### 0114 ADDRESS

The address of the Board of Education of the Rochester Community School District shall be 501 West University Drive, Rochester, Michigan 48307.

## AUTHORITY AND POWERS

**0121**      **Bylaws and Policies:** The School District is governed by the Board of Education (the Board). A principal function of the Board is to adopt Bylaws and Policies that are reasonable and necessary to guide present and future Board and School district decision making and operations. The adoption, amendment or repeal of Bylaws or Policies may be proposed at any time in accordance with the Open Meetings Act and requires a motion, public discussion and a majority vote of the of the Board members elected and serving. All adoptions, amendments or repeals of Bylaws and Policies will be presented for a first and second reading.

Bylaws and Policies supplement the wide body of federal and state statutory and regulatory law that applies to public school districts in the State of Michigan. Federal and state law supersedes these Bylaws and Policies, to the extent of any inconsistency. The Board has determined that it is not reasonable or necessary to attempt to replicate statutes or regulatory law in these Bylaws and Policies.

**0122**      **Board Handbook:** A Board Handbook which contains Board of Education procedures and protocols shall be approved by the Board of Education at a regular meeting. The Handbook shall be reviewed as part of the annual organizational meeting and may be revised at any time in accordance with the Open Meetings Act requiring a motion, public discussion and a vote by a majority vote of the Board. Board members are required to comply with all provisions in the Board Handbook.

**0123**      **Superintendent of Schools:** The Board will, at all times, employ a Superintendent of Schools in conformity with the Revised School Code and other applicable laws. The Superintendent will serve as the School District's chief administrator and is responsible for the development and implementation of necessary regulations to give operational effect to the Board Policies. Regulations are to be consistent with these Bylaws and Policies and, except as otherwise agreed to by the Board, will not be effective for a period of one month from the date they are provided to the Board.

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**0124 Independent Auditor: The Board shall designate an independent auditor. The duties of the independent auditor shall include the following:**

**To examine the balance sheet of the School District at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;**

**To conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;**

**To render an opinion on the financial statements as prepared at the close of the fiscal year;**

**To make such recommendations to the Board concerning its accounting records, procedures, internal controls, financial processes, and related activities as may appear necessary or desirable;**

**to perform such other appropriate services as may be requested by the Board or the Superintendent/Designee.**

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## MEMBERS

- 0131      **Composition:** The Board of Education is comprised of seven (7) members, elected or appointed in accordance the Revised School Code and the Michigan Election Law.
- 0132      **Term of Office:** The term of office of each member is six (6) years.
- 0133      **Oath of Office:** Newly elected, reelected and appointed members of the Board will take the required oath of office before being seated.
- 0134      **Duties and Responsibilities of Board Members:** Board members are elected to serve the interests of the School District and the entire school community. These interests may not be subordinated to any partisan principle, group or interest. Board members are expected to be and remain informed about issues that may come before the Board for decision. Regular attendance at Board meetings is necessary to fulfill the obligations of a Board member.
- 0135      **Role of Individual Board Members:** The Board acts as a whole, and only at properly convened Board meetings. An individual Board member lacks independent authority and may not act for or on behalf of the Board unless he/she has been specifically delegated authority by the Board to act in a particular instance.
- 0136      **Confidentiality:** In their official capacities Board members may receive information that is not available to the general public. This includes information that is received during a closed session of the board. In order for the proper functioning of the Board, an individual Board member will not share confidential information without the prior authorization of the Board or as may be required by law.
- 0137      **Vacancies:** In the event of a vacancy, the Board will follow the Revised School Code and Michigan Election Law in appointing an eligible candidate to fill the position. The appointed person will be selected by a majority vote of the Board and will serve

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until a successor is elected at the next regular School District election and the elected person takes office.

- 0138**      **New Members: Board Service** requires a considerable preparation and study. New Board members are strongly encouraged to participate in orientation and educational activities to acquaint themselves with their duties and responsibilities.
- 0139**      **Compensation:** Board members will not be compensated for serving on the Board.
- 0139.1**    **Reimbursement of Expenses:** Board members will be reimbursed for actual and necessary expenses incurred in the discharge of their official duties, as well as for attending Board approved activities and functions. Board members are expected to exercise good judgment, and ensure that expenditures incurred are reasonable, necessary, and in the best interest of the School District. Board members will not be reimbursed for entertainment expenses or purchases of alcoholic beverages.
- 0139.2**    **Indemnification:** The School District will indemnify the Board and individual Board members to the extent permitted by law. The School District will also purchase and keep in effect reasonable insurance policies for the defense and indemnification of the Board and individual Board members.
- 0139.3**    **Conflict of Interest:** Board members are expected to conduct themselves in a manner that does not create or give the appearance of a conflict of interest prohibited by law.
- 0139.4**    **Discipline and Removal:** By a majority vote, the Board may censure an individual Board member or members for violating federal or Michigan law, these Bylaws, Board policy, the Board Handbook or otherwise acting in a manner unbecoming a Board member. By a majority vote, the Board may petition the Governor to remove an individual Board member or members pursuant to Section 1107 of the Revised School Code. Alternatively, the Board may, in less serious cases where the Board deems removal or discipline unwarranted (such as failing to carry out Board assigned duties), the board may

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remind, remand and, finally reassign the Board member's duties to another Board member.

## 0139.5 Code of Cooperation for Conduct Among Board Members:

1. Board members will share information and concerns with one another.
2. Board members will respect one another and members of the community and value other opinions.
3. Board members will be honest when expressing either their own opinions or those of community members.
4. Board members are encouraged to offer solutions when they have concerns.
5. Disagreements among the Board Members will be handled through frank, open, and respectful discussion.
6. Individual Board members have the responsibility to articulate the Board's stance to the community. If Board members express opinions outside a board meeting, they must be clear that they are expressing their personal opinions and not the opinion of the Board of Education.
7. Board deliberations and decisions will take place in open meetings, as required by the Open Meetings Act (OMA).
8. The Board President will be the spokesperson for the Board.

The Code of Cooperation for Conduct among Board Members will be read aloud by the Board of Education Secretary in January of each school year. At that time, Board of Education Members will be asked to sign the document by the President.

## 0139.6 Code of Cooperation for Board Conduct with Administrators:

1. The Board will respect the Administration and value other opinions.

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2. **The Board, not individual Board members, will direct the Superintendent and/or his/her representatives and other District employees.**
3. **The Board will share information and concerns with the Administration.**
4. **Questions from Board members will first be directed to the Superintendent, Assistant Superintendent for Business, and/or Assistant Superintendent for Curriculum. When emailing questions or comments to the Assistant Superintendents, Board members will copy the Superintendent in their emails.**
5. **When the Board raises a topic for discussion, the administration will determine which staff will be responsible for a response and will set a reasonable time frame.**
6. **Disagreements with the administration will be handled through frank, open, and respectful discussion.**
7. **The Board will concern itself with determining policy and rely on the Administration to implement policy, including through the development of Regulations.**
8. **Board members will work through administrative channels.**

**The Code of Cooperation for Board Conduct with Administrators will be read aloud by the Board of Education Secretary in January of each school year. At that time, Board of Education Members will be asked to sign the document by the President.**

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## ORGANIZATION

- 0141 **Michigan Open Meetings Act:** The Michigan Open Meetings Act (OMA), MCL 15.261 et seq. governs many aspects of the Board of Education meetings. The Board and individual Board members will comply with the Open Meetings Act. These Bylaws supplement the requirements of the Open Meetings Act.
- 0142 **Annual Organizational Meeting:** An organizational meeting will be held annually during the month of January. The business of the meeting will include: swearing in newly elected and/or reelected Board members; electing Board officers; establishing a schedule of regular Board meetings; reviewing the Board Handbook; reading and signing the Codes of Cooperation; and such other business as the Board chooses to address.
- 0143 **Election of Officers of the Board:** The President, Vice President, Treasurer and Secretary of the Board will be elected at the Board's annual organizational meeting. The vote of a majority of the Board members elected and serving will be necessary for their election. The elected officers will hold office for one year, and continue in office until their successor is chosen and take office. Board officers are eligible for reelection to their office.

### Board President

The President of the Board will preside at all meetings of the Board and conduct meetings in the manner prescribed by these Bylaws. The President will prepare the agenda for Board meetings in cooperation with the Superintendent of Schools and may perform such other tasks as are reasonably necessary to facilitate Board meetings.

The President, or his/her designee, functions as the official spokesperson for the Board. The President will be the official recipient of correspondence directed to the Board and will provide copies of School District related correspondence to all other Board members and the Superintendent. Board members who receive School District related correspondence that was not addressed to the President will promptly provide

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a copy to the President. The President will sign all papers and documents required by law or otherwise authorized by action of the Board.

The President, on behalf of the Board, is authorized to consult with the Superintendent and/or School district legal counsel prior to presentation of an issue to the full Board.

### Vice President

The Vice-President will have the powers and duties of the President during the temporary absence or disability of the President. The Vice President will also have such other powers and duties as the Board may from time to time determine.

### Board Secretary

The Superintendent's Executive Assistant will take and prepare the minutes per the Board Secretary's direction and supervision. The Board Secretary will have the powers and duties of the President during the temporary absence or disability of the President and Vice President and will perform such other duties as the Board may from time to time determine.

### Treasurer

The Treasurer of the Board will sign all School District legal documents as may be required by law or otherwise authorized by action of the Board. The Board Treasurer will have the powers and duties of the President during the temporary absence or disability of the President, Vice President and Secretary and will perform other duties required by law and/or assigned by the Board.

#### 0144 Vacancies in Officer Positions

In the event of a vacancy in a Board office position, the Board will elect a successor to serve for the balance of the term.

#### 0145 Removal from Office

The Board may remove a person from an elected Board office, by a majority vote of the serving members. Removal from an office does not constitute removal from the Board.

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## MEETINGS

- 0151 Regular Meetings:** Regular meetings of the Board will be held in accordance with the schedule established by the Board at the Organizational meeting. The agenda for each regular meeting will be developed by the President of the Board in cooperation with the Superintendent of Schools.
- Special Meetings:** Special meetings of the Board may be called by the President or any three (3) Board members by providing not less than 24 hours notice to all Board members. The notice shall be consistent in manner and form with the requirements of the Open Meetings Act.
- 0152 Quorum:** Unless otherwise required or permitted by law, a majority of the serving members constitutes a quorum.
- 0153 Guidelines for Public Participation at Board Meetings:** The Board will publish guidelines concerning public participation at Board meetings. Those guidelines will include, but not be limited to:
- Limiting the total time devoted to public participation, but such limit will not apply in a circumstance where any individual would be denied an opportunity to address the Board
  - Limiting the time any individual may address the Board.
  - Requiring individuals who wish to address the Board to complete a request card (to be available in the Board meeting room) and hand it to the Board Secretary either before or during the meeting.
  - Requiring individuals who wish to address the Board to identify themselves, any organization they may represent, whether they have children who attend school in the School District and whether they live within the School District's geographical boundaries.
  - Advising the public that, generally, the Board and individual Board members will not directly respond to comments and questions that arise during the public participation portion of the meeting.
  - Requiring individuals who wish to address the Board to direct their comments to the entire Board and not to

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individual Board members, the Superintendent, or other School District employees or members of the audience.

- Prohibiting behavior that is intemperate, abusive, defamatory or discourteous or that otherwise interferes with the orderly conduct and timely completion of the Board meeting.
- Excluding from the meeting an individual who engages in conduct that constitutes a breach of the peace.

**0154** Rules of Order: Disagreements concerning the rules of order for a meeting will be resolved according to *Roberts Rules of Order*. The Board may, however, suspend the Rules for a particular meeting or vote by action of a two-thirds (2/3) vote of those members present.

**0155** Suspension or Waiver of the Bylaws: Bylaws may be suspended by general consent or a two-thirds (2/3) vote of the board members present at a properly constituted meeting. The suspension will apply to a particular instance and matter and will not be otherwise generally applicable.

**0156** Amendment of Bylaws: The procedure for amending these Bylaws is identical to those for adopting or modifying Board policies in accordance with the Open Meetings Act. Amendments will require a motion, public discussion and a majority vote of the Board members elected and serving. All amendments to the Board Bylaws will be presented for a first and second reading.

## BOARD DEVELOPMENT AND COMMITTEES

**0161**      **Development Opportunities/School Board Conferences, Conventions, and Workshops:** In recognition of the need for continuing in-service education and development for Board members, the Board encourages its members to participate in meetings and activities through school board associations and other educational organizations. Board members are encouraged to study and examine materials received from these organizations related to educational issues and report back to the Board of Education when appropriate.

To help individual members develop an understanding of the educational program, the Superintendent and/or Board President will request members of the staff to appear before the Board from time to time to present and discuss new developments in various areas of instruction, business, and human resources.

The Board recognizes the importance of maintaining memberships in professional organizations.

Board Members who wish to attend conferences, conventions and/or workshops should notify the Board President in advance as early as possible.

Board members shall be reimbursed for actual and necessary expenses incurred in discharging their official duties and in performing functions authorized by the Board in accordance with Bylaw 0147.1 and Regulation 0176.

**0162**      **Self Assessment:** The Board of Education believes in continuous assessment and improvement. Accordingly, the Board commits itself to annually initiating a Board self-assessment using an assessment tool approved by the Board.

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**0163 Standing and Ad Hoc Committees: Standing and Ad Hoc committees may be created and charged at any time by the president or the superintendent with the approval of the Board.**

**Standing and Ad Hoc committees of Board members shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board and act in an advisory capacity, but shall not take action on behalf of the Board.**

**All Standing and Ad Hoc committees shall comply with the open meetings act by providing notices of each meeting, posting the time and date of each meeting, providing for a period of public participation, and recording appropriate minutes of the meeting.**

**The president is authorized to appoint members of the Board to Standing and Ad Hoc committees where they shall serve until the committee is discharged.**

**The superintendent shall serve as an ex-officio member of each committee.**

**Each Board committee shall be convened by a chairperson who shall report for the committee and shall be chosen by the committee from among its members.**

**Adopted: June 9, 2014**