

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po0100
Section: 0000 Bylaws

0100 - DEFINITIONS

Whenever the following items are used in these bylaws, policies, and administrative guidelines, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Agreement

A collectively negotiated contract with a recognized bargaining unit.

Apps and Services

Apps and services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100) over a network, or client-server applications in which the user interface runs in a web browser. Apps and services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their student's progress, and allow staff to perform other tasks related to their employment. Apps and services also are used to facilitate communication to, from, and among and between, staff, students, and parents, Board members and/or other stakeholders and members of the community.

Board

The Board of Education.

Bylaw

Rule of the Board for its own governance.

Classified or Support Employee

An employee who provides support to the District's program and whose position does not require a professional certificate.

District

The School District.

Due Process

Procedural due process requires prior knowledge (a posted discipline code), a notice of offense (accusation), and the opportunity to respond.

Procedural due process may require consideration of statutorily mandated factors, right to counsel, and/or confrontation or cross-examination of witnesses, depending upon the situation.

Family Member

"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. (See Bylaw 0144.3)

Full Board

Authorized number of voting members entitled to govern the District.

Information Resources

The Board defines Information Resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, websites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

May

This word is used when an action by the Board or its designee is permitted but not required.

Meeting

Any gathering which is attended by or open to all of the members of the Board held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

Parent

The natural or adoptive parents or individuals with a valid power of attorney for the care and custody of the student for purposes other than educational placement. Parent also refers to any individual appointed by the State or court as a legal guardian or custodian for the student. Both parents will have equal access to records and rights regarding the student's education absent a court order restricting such rights.

Personal Communication Devices

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular/mobile phones, smartphones, and/or other web-enabled devices of any type.

Policy

A general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of Education. (See Bylaw 0170)

Principal

The educational leader and head administrator of one (1) or more District schools or programs, as designated by the Board of Education. The Principal must hold an appropriate school administrator certificate or permit. The Principal is responsible for the supervision of the school or program consistent with Board policy and directives of the Superintendent and may delegate responsibility to subordinates as appropriate.

Professional Staff Member

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the State.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

Secretary

The chief clerk of the Board of Education. (See Bylaw 0170)

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" also signifies a required action.)

Social Media

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication, including, but not limited to, text messaging, instant messaging, websites, weblogs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts. Apps and web services shall not be considered social media unless they are listed on the District's website as District-approved social media platforms/sites.

Student

A person who is officially enrolled in a school or program of the District.

Superintendent

The chief executive officer of the School District is responsible to supervise all programs and staff of the District and to implement Board policy and follow Board directives. Consistent with Board policies and directives. The Superintendent must hold an appropriate school administrator certificate or permit. Consistent with Board policies and directives, the Superintendent may delegate responsibility to subordinates as appropriate.

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Treasurer

The chief financial officer of the District. (See Bylaw 0170)

Vice-President

The Vice-President of the Board of Education. (See Bylaw 0170)

Voting

A vote at a meeting of the Board of Education. Except to accommodate the absence of any member of the Board due to military duty or for any other purpose permitted by law, Board members must be physically present to have their vote officially recorded in the Board minutes.

Citations to Michigan Compiled Laws (M.C.L.) are shown as M.C.L. followed by Section Number (e.g., M.C.L. 380.1438). Citations to the Michigan Administrative Code are prefaced A.C. Rule (e.g., A.C. Rule R380.221). Citations to the Federal Register are noted as FR, to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.

Revised 1/24/01
Revised 1/21/09
Revised 3/8/17
Revised 12/12/18
Revised 2/12/20

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Adoption Date: **September 14, 1993**
Last Revised: **June 22, 2022**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0111
Section: 0000 Bylaws

0111 - **ORGANIZATIONAL AND SCHOOL DISTRICT LEGAL STATUS**

The legal basis for the Hamtramck Public schools is vested in the will of the people as expressed in the Constitution of Michigan, the statutes pertaining to education, court interpretation of the validity of these laws and the powers implied by them.

The official name of the school district shall be Hamtramck Public Schools, Wayne County and the district shall operate as a third class district as prescribed in Part 4, section 380.201-380.260 of the School code of 1976, being Act 451 of Public Acts of 1976.

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Adoption Date: **September 14, 1993**

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Policy:po0112
Section: 0000 Bylaws

0112 - **PURPOSE**

The Board of Education exists for the purpose of providing a system of free, public education for children in grades K-12th.

The underlying purpose of the actions and functions of the Board of Education shall be to create and keep in operation an educational system of the highest quality for the benefit of the pupils with economy and prudence.

The special interests of groups or individuals shall not be of any consideration in the decisions of the Board, where such interests in any way conflict or could in the foreseeable future conflict with the proper educational development of the student's of the system.

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Adoption Date: **September 14, 1993**

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Policy:po0113
Section: 0000 Bylaws

0113 - **BOUNDARIES**

The boundary of the Hamtramck Public Schools shall be coterminous with the boundary of the city of Hamtramck.

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0115
Section: 0000 Bylaws

0115 - **ADDRESS**

The official address of the Hamtramck Board of Education shall be 3201 Roosevelt, Hamtramck, Michigan 48212.

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Adoption Date: **September 14, 1993**
Last Revised: **January 24, 2001**

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Policy:po0121
Section: 0000 Bylaws

0121 - **AUTHORITY**

The supervision of this District shall be conducted 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.

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Legal References: M.C.L. 380.1201 et seq.

Adoption Date: **September 14, 1993**

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Policy:po0122
Section: 0000 Bylaws

0122 - BOARD POWERS

The District shall operate as a General Powers School District. As such it has all of the rights, powers, and duties expressly stated in statute; may exercise a power implied or incident to any power expressly stated in statute; and, except as provided by law, may exercise a power incidental or appropriate to the performance of any function related to the operation of the District in the interests of public elementary and secondary education in the District, including, but not limited to, all of the following:

- A. Educating Students. In addition to educating students in grades K- 12, this function may include operation of preschool, lifelong education, adult education, community education, training, enrichment, and recreation programs for other persons.
- B. Providing for the safety and welfare of students while at school or at a school-sponsored activity or while en route to or from school or a school-sponsored activity.
- C. Acquiring, constructing, maintaining, repairing, renovating, disposing of, or conveying school property, facilities, equipment, technology, or furnishings.
- D. Hiring, contracting for, scheduling, supervising, or terminating employees, independent contractors, and others to carry out District powers.
- E. Receiving, accounting for, investing, or expending District money; borrowing money and pledging District funds for repayment; and qualifying for State-School Aid and other public or private money from local, regional, State, or Federal sources.

The District may enter into agreements or cooperative arrangements with other entities, public or private, or join organizations as part of performing the functions of the School District.

The District is a body corporate and shall be governed by a school board. An act of this Board is not valid unless approved, at a meeting of the Board, by a majority vote of the members lawfully serving on the Board.

The Board may submit to the School electors a question that is within the scope of the powers of the School electors and that the Board considers proper for the management of the School system or the advancement of education in the School District. Upon the adoption of a question by the Board, the Board shall submit the question to the School electors by complying with Michigan election law (M.C.L. 168.312).

The Board shall adopt bylaws. These bylaws may establish or change Board procedures, the number of Board officers, titles and duties of Board officers, and any other matter related to effective and efficient functioning of the Board.

The Board has authority, based on statute, to make decisions regarding the following subjects without resort to prior bargaining:

- A. the policyholder of an employee group insurance benefit
- B. the starting day for the school year and the amount of student contact time to receive full State school aid
- C. the composition of the District's school-improvement committees established under M.C.L. 380.1277
- D. the decision whether or not to have inter-district and intra-district open-enrollment opportunities
- E. the decision whether or not to permit authorization of Charter Schools (public school academies)
- F. contracting with outside parties for noninstructional support services provided by an employee group including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members or a bargaining unit if the employee group is given an opportunity to bid on providing the noninstructional support services
- G. use of volunteers
- H. decisions regarding the use of experimental or pilot programs including staffing, use of technology, provision of the technology, and the impact on individual staff members or a bargaining unit
- I. compensation or reimbursement of a staff member for monetary penalties imposed on the staff member under the Public Employment Relations Act
- J. any decision regarding the placement of teachers, or the impact of that decision on an individual employee or the bargaining unit
- K. for teachers covered under the Teacher Tenure Act, decisions about the development, content, standards, procedures, adoption and implementation of policies regarding personnel decisions when conducting a staffing or program reduction or eliminating a position as well as decisions regarding recall or hiring after any such reduction

This includes the impact of any such decisions on an individual employee or the bargaining unit.
- L. decisions about the development, content, standards, procedures, adoption and implementation of a performance evaluation system under M.C.L. 380.1249 for teachers and administrators
- M. decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision
- N. decisions about the format, timing or number of classroom observations required for evaluation under the Teacher Tenure Act (M.C.L. 38.83a)
- O. decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher or the bargaining unit

- P. decisions about the development, content, standards, procedures, adoption and implementation of the method of performance-based compensation for teachers and administrators in accordance with M.C.L. 380.1250
- Q. decisions about how performance evaluation is used to determine the performance-based compensation for teachers and administrators
- R. decisions concerning the performance-based pay of an individual teacher or administrator, or the impact of such decision on such individual or the bargaining unit
- S. decisions about the development, content, standards, procedures, adoption and implementation of a policy regarding discipline or discharge for teachers covered under the Teacher Tenure Act (M.C.L. 38.71)
- T. decisions concerning the discipline or discharge of a teacher covered under the Teacher Tenure Act (M.C.L. 38.71), or the impact of such decision on an individual teacher or the bargaining unit
- U. insertion of statutorily required emergency manager language into all collective bargaining agreements
- V. decisions on whether to enter into an intergovernmental agreement to consolidate, to jointly perform or to collaborate on one or more functions or services
 - 1. procedures of obtaining a contract for such an agreement to transfer of functions or responsibilities
 - 2. identities of any other parties to such an agreement
- W. any requirement that would violate section 10(3), M.C.L. 423.210(3) (Right to Work Law)
- X. decisions about the development, format, content, and procedures of the notification to parents and legal guardians required under M.C.L. 380.1249a (the requirement to make the notifications is effective with the 2018-2019 school year)

Revised 1/24/01

Revised 6/05

Revised 6/13/12

Revised 4/18/13

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Legal References: M.C.L. 380.11a, 380.1131 et seq.

M.C.L. 423.201, 202, 206, and 215

M.C.L. 168.301 et seq.

Adoption Date: **September 14, 1993**

Last Revised: **December 12, 2018**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po0123
Section: 0000 Bylaws

0123 - PHILOSOPHY OF THE BOARD

A Board of Education is a legal entity for providing a system of public education within a geographic area of the State of Michigan. The system was created by, and is governed by, State statutes. Members of a Board are chosen by citizens to represent them and the State in the governance of the local schools.

The Board has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of residents. While the Board has an obligation to determine and assess citizen desires, it is understood that when the voters elect delegates to represent them in the conduct of specified educational programs, they, at the same time, endow their representatives with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

- A. maintain two-way communications with citizens of the District. The Board shall keep them informed of the progress and problems of the School District, and the citizens shall be urged to bring their aspirations and concerns about the District to the attention of this body.
- B. establish policies and make decisions on the basis of declared educational philosophy and goals.
- C. act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the Board of Education has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.

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Adoption Date: **September 14, 1993**

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Policy:po0131.1
Section: 0000 Bylaws

0131.1 - **BYLAWS AND POLICIES**

The Board of Education shall adopt bylaws and policies for the organization and operation of this Board and the District and shall be bound to follow such bylaws and policies.

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the Superintendent of Public Instruction or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected.

Bylaws and policies shall be adopted, amended, repealed, or suspended by a majority vote of the Board.

The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

Revised 6/11/14

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Legal References: M.C.L. 380.1201 et seq.

Adoption Date: **September 14, 1993**
Last Revised: **December 12, 2018**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0132.1
Section: 0000 Bylaws

0132.1 - **SELECTION OF SUPERINTENDENT**

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent who shall enforce the statutes of the State of Michigan, rules of the State Board of Education, and the policies of this Board.

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Legal References: M.C.L. 380.132

Adoption Date: **September 14, 1993**

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Policy:po0132.2
Section: 0000 Bylaws

0132.2 - ADMINISTRATIVE GUIDELINES

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the school will be operated. These detailed arrangements shall constitute the administrative guidelines governing the schools which are not inconsistent with statutes or regulations of the State Board or the policies of this Board.

Such administrative guidelines shall be binding on the employees and the students of this District when issued.

The Board need not formally approve administrative rules and regulations except in those instances in which the Superintendent or legal counsel believes such formal adoption shall be necessary or desirable because of potential litigation or where it is felt that strong public attitudes or possible student or staff reaction deem it advisable. Regulations approved by the Board shall be so noted in the minutes of the Board.

The Superintendent, however, shall keep the Board informed of regulations developed to implement its policies and shall periodically present them for review. The Board, however, shall veto administrative rules only if in the judgement of the Board, they are inconsistent with Board policies.

Regulations may be issued directly by the Superintendent without adoption of policy.

Before issuance, regulations shall be properly titled and coded in conformance with the codification system adopted by the Board. All regulations issued to implement Board policies shall be made a part of the policy manual and copies shall be provided to all holders of such manuals.

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

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Legal References: M.C.L. 380.132, 380.238, 380.1300

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0133
Section: 0000 Bylaws

0133 - **JUDICIAL**

The Board of Education assumes jurisdiction over any dispute or controversy arising within this District and concerning any matter in which authority has been vested in the Board by statute, rule, a contract, or policy of this Board.

In furtherance of its adjudicatory function, the Board may hold hearings which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

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Legal References: M.C.L. 380.1201

Adoption Date: **September 14, 1993**

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Policy:po0134
Section: 0000 Bylaws

0134 - **RECOGNITION OF BARGAINING UNITS**

It shall be the policy of the Board not to recognize by stipulation any bargaining unit within the school system. All units desiring recognition shall do so through an election conducted by the Michigan Employee Relations Commission as provided by law.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0135
Section: 0000 Bylaws

0135 - **PRIVILEGES AND OBLIGATIONS OF STAFF NEGOTIATING ORGANIZATIONS**

Staff negotiating organizations shall, according to law, select the teams that shall represent them at the bargaining table.

The Board and/or its bargaining team shall strive to meet reasonable request of the association as to time and place of bargaining. Bargaining during school hours shall be at the discretion of the Board or as provided in collective-bargaining agreements or ground rules agreed upon by the partner.

Involvement in or preparation for the bargaining process shall in no way interfere with the educational program for youngsters. All preparation, discussion, and contact concerning bargaining shall take place so as not to interfere with regular assignment of employees.

Collective-bargaining issues, strategies, or references to positions of or conflicts between the Board and the bargaining unit shall not be discussed or referred to in the classroom or in contact with students during school hours or during school-sponsored activities.

The associations and their members shall abide by and be subject to all Board policies, including but not limited to the use of school facilities, distribution of information and materials, visitors to schools, use of school mail, and use of bulletin boards, unless covered by specific provisions in a valid master agreement which is currently in force.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po0136
Section: 0000 Bylaws

0136 - **BOARD NEGOTIATING AGENTS**

It is the policy of the Board to appoint either a member of the staff, or the Superintendent, or to employ an outside consultant, to serve as chief negotiator in its negotiations with each employee group recognized under the Public Employee Relations Act. The board upon recommendation of the Superintendent shall appoint one or more members of the administrative staff to each negotiating team to assist and counsel the chief negotiator as negotiations proceed.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0141
Section: 0000 Bylaws

0141 - **NUMBER**

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

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Legal References: M.C.L. 380.111(2), 380.211, 380.316(2), 380.403(a)

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0142.1
Section: 0000 Bylaws

0142.1 - **ELECTORAL PROCESS**

The number of members of the Board of Education shall remain the same as before July 1, 1996 unless changed by the school electors at a regular or special school election. A ballot question for changing the number of Board members may be placed on the ballot by action of the Board or by petition submitted by school electors as provided under Michigan election law (M.C.L. 168.301 to 168.315).

Members of the Board shall be elected in the November even year general election (the first Tuesday after the first Monday) in a manner that is consistent with State law.

A special election may be called by the Board as provided under Michigan election law (M.C.L. 168.301 to 168.315).

Revised 6/05

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Legal References: M.C.L. 168.301 et seq.

Adoption Date: **September 14, 1993**

Last Revised: **June 13, 2012**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0142.2
Section: 0000 Bylaws

0142.2 - **QUALIFICATIONS**

An individual is eligible for election as a Board of Education member if the individual is a citizen of the United States and is a qualified and registered elector of the School District by the filing deadline.

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Legal References: M.C.L. 168.302

Adoption Date: **September 14, 1993**

Last Revised: **June 01, 2005**

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Policy:po0142.3
Section: 0000 Bylaws

0142.3 -**TERM**

Members of the Board of Education shall be elected by the school electors for terms of six (6) years.

At each regular school election, members of the Board shall be elected to fill the positions of those whose terms will expire. A term of office begins as provided by law (M.C.L. 168.302) and continues until a successor is elected and qualified.

At least one (1) Board member for a School District shall be elected at each of the School District's regular elections. A Board member's term of office begins January 1st, immediately following the November election.

Revised 6/05

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Legal References: M.C.L. 168.301 et seq.

Adoption Date: **September 14, 1993**

Last Revised: **June 13, 2012**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0142.4
Section: 0000 Bylaws

0142.4 - **OATH**

Each newly-elected Board of Education member shall file an acceptance of office as well as an affidavit of eligibility within ten (10) days after receiving a certificate of election and shall take an oath of office as prescribed by the Constitution of Michigan.

A ceremonial oath of office may be administered at the Organizational Meeting and may be administered by the Superintendent.

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Legal References: M.C.L. 168.309, 168.310

Adoption Date: **September 14, 1993**
Last Revised: **June 11, 2008**

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Policy:po0142.5
Section: 0000 Bylaws

0142.5 - **VACANCIES**

The office of a Board of Education 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

A vacancy shall be filled by the remaining members of the Board within thirty (30) days, and, if not, the vacancy shall be filled by the board of the Wayne County RESA.

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 regular school election.

Filling a Board Vacancy

If the majority of the Board is still seated, the vacancy shall be filled by the Board using the following procedure:

- A. The Board shall seek qualified and interested candidates from the community.
- B. All applicants are to submit a notice of their interest, in writing, to the Board President.
- C. The Board shall interview all interested candidates to ascertain their qualifications.
- D. Appointment by the Board to fill a vacancy shall be by majority vote of the full Board.

Revised 1/24/01

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Legal References: M.C.L. 168.310, 168.311
 M.C.L. 380.1103, 380.1104

Adoption Date: **September 14, 1993**
Last Revised: **June 01, 2005**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0142.6
Section: 0000 Bylaws

0142.6 - **RECALL**

Any member of the Board of Education may be recalled pursuant to M.C.L. 168.951 et seq.

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Adoption Date: **September 14, 1993**

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Policy:po0142.7
Section: 0000 Bylaws

0142.7 - **ORIENTATION**

The Board of Education 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
- B. a copy of each current negotiated agreement
- C. the current budget statement, audit report, and related fiscal materials
- D. Board meeting minutes of the preceding year
- E. a copy of the Superintendent's administrative guidelines, upon their development

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

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

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0143
Section: 0000 Bylaws

0143 - **AUTHORITY**

Individual members of the Board of Education do not possess the powers that reside in the Board. The Board speaks through its minutes and not through its individual members. An act of the Board shall not be valid unless approved at an official meeting by at least a majority vote of the members elected to and serving on the Board.

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 shall be conducted 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 Board meeting.
- 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.

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Legal References:

M.C.L. 380.1201

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0143.1
Section: 0000 Bylaws

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 will make public statements on school matters.

If the statements imply, or if the readers (listeners) could infer that the opinions expressed or statements made are the official positions of the Board, the Board members shall, when writing or speaking on school matters, 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
 - 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 annually to local media by the Board President.

Revised 4/18/18

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Adoption Date: **September 14, 1993**

Last Revised: **December 12, 2018**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0144.1
Section: 0000 Bylaws

0144.1 - **COMPENSATION**

Board of Education members shall receive \$6,000 per year except the President, who shall receive \$7,000 annually as compensation for their services. Any proposed increase in the amount of compensation must be approved by a majority vote of the Board in accordance with procedures established in statute. Expenses of a Board member shall be reimbursed when incurred in the performance of his/her duties or in the performance of functions authorized by the Board and duly vouchered.

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Adoption Date: **March 08, 2023**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0144.2
Section: 0000 Bylaws

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;
- 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 the educational welfare of the students attending the public schools.

Source: Board of Directors, National School Boards Association

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0144.3
Section: 0000 Bylaws

0144.3 - **CONFLICT OF INTEREST**

Board of Education members shall perform their official duties in a manner free from conflict of interest. To this end:

- 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 School District, intermediate school district, or public school academy.

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.

- 1. A Board member is not considered to have a financial interest in any of the following instances:
 - a. A contract or other financial transaction between the School District and any of the following:
 - 1. A corporation in which the individual is a stockholder owning one percent (1%) or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.

2. A corporation in which a trust, if the individual is a beneficiary under the trust, owns one percent (1%) or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
 3. A professional limited liability company organized pursuant to the Michigan limited liability company act, if the individual is an employee but not a member of the company.
 - b. A contract or other financial transaction between the School District and any of the following:
 1. A corporation in which the individual is not a director, officer, or employee.
 2. A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
 3. A corporation or firm that has an indebtedness owed to the individual.
 - c. A contract between the School District and the intermediate school district.
 - d. A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This does not apply to any amendments or renegotiations of a contract or to additional payments under the contract that were not authorized by the contract at the time of award.
2. If the financial interest pertains to a proposed contract with the District, the following requirements must be met:
 - a. 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 pecuniary 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 (1) of two (2) ways:
 1. 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.)
 2. 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 pecuniary interest amounts to \$5000 or more.

- b. 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.

- c. 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.
- d. A Board member with a financial interest in a contract may participate in discussion, but may not vote on the contract.

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 of \$100 or less.

Board members must disclose any potential conflict of interest which may lead to a violation of this policy to the full Board.

Board members shall not accept any money, goods, or services with a value in excess of the amount established annually by the State Department of Instruction (\$44 within any one (1) month period as of December 31, 2004) from any person who does business or seeks to do business of any kind with the District.

D. 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:

1. the Board member receives no compensation for service as a volunteer coach or supervisor;
2. 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;
3. there is no other qualified applicant available to fill a vacant position; and
4. 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.

Revised 1/24/01
Revised 1/21/09
Revised 2/25/09
Revised 6/12/13

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Legal References: M.C.L. 15.183, 15.323, 380.1203

Adoption Date: **September 14, 1993**
Last Revised: **May 11, 2016**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0144.4
Section: 0000 Bylaws

0144.4 - **INDEMNIFICATION**

The Board of Education may hold harmless, indemnify, pay, settle, or compromise a judgment against a Board member to the extent allowed under the law.

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Legal References: M.C.L. 691.1408

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0145
Section: 0000 Bylaws

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.

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Legal References: M.C.L. 380.1300a

Adoption Date: **January 24, 2001**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0151
Section: 0000 Bylaws

0151 - ANNUAL ORGANIZAION MEETING

The Board of Education shall organize annually not earlier than January 1st immediately following an election held on a November regular election date and not later than the third Wednesday in January at a meeting held for that purpose. The meeting shall be called to order by the Superintendent who shall serve as presiding officer until the election of a temporary chairperson, who shall in turn serve until the election of a President.

The organizational meeting shall be temporarily chaired by the prior year's president if he/she is still a member of the Board. If the prior year's president is not a member or is absent from the meeting, the following shall be the order of succession for the purpose of chairing the meeting:

- A. Prior year's vice-president;
- B. Prior year's secretary;
- C. Prior year's treasurer;
- D. In the absence of all prior year's officers, the board member with greatest seniority in years of service.

Agenda for Organizational Meeting:

- A. Call to order
- B. Roll call
- C. Oath of office administered by person chairing the meeting
- D. Election of officers:
 - 1. President (who then Presides)
 - 2. Vice-President
 - 3. Secretary
 - 4. Treasurer
- E. Designation of authorized signatures for various accounts
- F. Designation of depository for school funds
- G. Determination of dates, time, and location of regular meetings.

- H. Designation of person responsible to post public notices of meetings
- I. Designation of the Board's liaison representative to Michigan Association of School Boards
- J. Such other items of annual business as the president may wish to place on the agenda
- K. Adjournment

Revised 6/11/08

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Legal References: M.C.L. 168.302

Adoption Date: **September 14, 1993**

Last Revised: **January 15, 2013**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0152
Section: 0000 Bylaws

0152 - **OFFICERS**

The Board shall elect a President and Vice-President as well as a Secretary and Treasurer.

Election of officers shall be by a majority of the full Board. Where no such majority exists on the first ballot vote, a second vote shall be cast for the two (2) candidates who received the greatest number of ballot votes.

Except for those appointed to fill a vacancy, officers shall serve for one (1) year and until their respective successors are elected and shall qualify. An officer may be removed for cause by a majority vote of the full Board. The Board shall fill a vacancy in any Board officer position within thirty (30) days of the occurrence of the vacancy.

Revised 1/8/02

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Legal References:

M.C.L. 380.11a

Adoption Date: **September 14, 1993**

Last Revised: **June 11, 2008**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0154
Section: 0000 Bylaws

0154 - **MOTIONS**

The Board shall, at the organizational meeting:

- A. designate depositories for school funds;
- B. designate those persons authorized to sign checks, contracts, agreements, and purchase orders;
- C. designate a day, place, and time for regular meetings which shall be held at least once every month;
- D. determine fee charged to individuals who request notice of Board meetings;
- E. designate an administrator to assume specified responsibilities of the Treasurer and/or of the Secretary.

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Legal References: M.C.L. 380.1221
 M.C.L. 15.266

Adoption Date: **January 24, 2001**

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Policy: po0155
Section: 0000 Bylaws

0155 - COMMITTEES

Committees of Board members shall, when specifically charged to do so by the Board, gather information, conduct studies, present options to the Board and act in an advisory capacity, but shall neither limit choices available to nor take action on behalf of the Board.

The President is authorized to appoint as soon after the organizational meeting as practicable, members of the Board to standing committees where they shall serve a term of one (1) year.

Special committees may be created and charged at any time by the President or a majority of the Board at any meeting at which the need for a committee becomes evident.

Special Committees

The Board may authorize such special committees as are deemed necessary. A special committee shall report recommendations to the Board for appropriate consideration and action. A special committee shall be dissolved when its report is accepted by the Board.

Membership to special Committees shall be appointed by the president unless otherwise directed by the Board and shall be composed of less than a quorum of the Board. The Superintendent or his/her designee shall be an ex officio member of all special committees.

Committees shall:

- A. Generally consist of three Board members.
- B. Have their tasks specifically defined by the Board.
- C. Have designated timelines for reporting to the Board.
- D. Have no power or authority to act on behalf of the Board unless specifically authorized by the Board.
- E. Hold public hearings, if such should be appropriate, only upon approval of the Board.
- F. Limit their activities and considerations to policy matters and recommendations and shall have no administrative responsibilities nor take administrative actions unless specifically directed by the Board.

The Superintendent shall be apprised of all committee findings. Such committee findings shall at all times include the Superintendent's recommendations, as well as reflect the opinions of all committee members in the event the findings are less than unanimous.

A member may request (or refuse) appointment to a committee.

Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another 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.

Revised 1/24/01

Revised 1/8/02

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Adoption Date: **September 14, 1993**

Last Revised: **September 18, 2024**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0161
Section: 0000 Bylaws

0161 - **PARLIAMENTARY AUTHORITY**

The parliamentary authority governing the Board of Education shall be Robert's Rules of Order, Newly Revised in all cases in which it is not inconsistent with statute, administrative code, or these bylaws, or the rules of order of this Board.

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0162
Section: 0000 Bylaws

0162 - **QUORUM**

Majority of the full Board members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

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Adoption Date: **September 14, 1993**

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Policy:po0163
Section: 0000 Bylaws

0163 - **PRESIDING OFFICER**

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

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Legal References: M.C.L. 380.231

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0164.1
Section: 0000 Bylaws

0164.1 - **REGULAR MEETINGS**

The Board shall hold a meeting once each month on a date and at a time and place determined annually by a resolution of the Board.

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

**Policy:po0164.2
Section: 0000 Bylaws**

0164.2 - SPECIAL MEETINGS

Special meetings of the Board may be called by the President or by any two (2) members of the Board provided there is compliance with the notice provision of these Bylaws.

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0164.3
Section: 0000 Bylaws

0164.3 - **EMERGENCY MEETINGS**

In the event of a severe and imminent threat to the health, safety, or welfare of the District, its employees, or students, any member of the Board may call an emergency session provided two-thirds (2/3's) members of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat.

The Superintendent and those administrators directed by the Superintendent shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

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Legal References: M.C.L. 15.264/265

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0165.1
Section: 0000 Bylaws

0165.1 - **REGULAR MEETINGS**

Within ten (10) days after the organizational Board meeting, the Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall also contain the name and address of the District and its telephone number.

The notice shall also contain the following statement:

"Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this meeting."

Upon the written request of an individual, organization, firm, or corporation, the District shall send to the requesting party by first class mail a copy of any notice required to be posted by these bylaws.

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0165.1A
Section: 0000 Bylaws

0165.1A - **MEDIA RELATIONSHIP**

All regular and special meetings of the Board are open to the public and representatives of the news media. News media representatives shall be encouraged to attend all meetings of the Board in order that they may better inform the public of school Board discussions and actions.

A copy of the agenda will be sent in advance to members of the working news media who so request.

Every effort shall be made to provide comfortable seating and writing space for members of the press near the Board table so that reporters may follow the Board's discussion without difficulty.

In order that the Board may transact its business with dispatch, questions from the press will not be entertained while the meeting is in progress, but a representative of the Board shall be available to answer questions and clarify points of discussion after the meeting.

When individual Board members receive requests from news media representatives or others for information about Board meetings, Policy 0143.1 shall apply.

Meetings of the Board are conducted for the purpose of carrying on the business of the Board and are not; therefore, public meetings or forums but meetings of the Board held in public. However, a specific period for public comment shall be provided on the agenda of all Board meetings.

Copies of the agenda shall be available to members of the public attending the Board meeting.

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0165.2
Section: 0000 Bylaws

0165.2 - **CHANGE OF REGULAR MEETINGS**

Within three (3) days after the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, and place of the rescheduled meeting, as well as the name, address, and telephone number of the District. Said notice shall be posted on the front door of the Administrative Office and such other place(s) as the Board may determine. Said notice shall be posted at least twenty- four (24) hours before the rescheduled meeting.

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Legal References: M.C.L. 15.264, 15.266

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0165.3
Section: 0000 Bylaws

0165.3 - SPECIAL MEETINGS

Said notice shall state the date, time, and place of such special meeting and the business to be transacted thereat, as well as the name, address, and telephone number of the District. A notice of any special meeting shall be posted at least twenty-four (24) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board.

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Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0165.4
Section: 0000 Bylaws

0165.4 - **EMERGENCY MEETINGS**

In the event of a severe and imminent threat to the health, safety, or welfare of the District, its employees, or students, any member of the Board may call an emergency session provided two-thirds (2/3) of the members of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. No notice of any emergency meeting shall be required.

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Adoption Date: **September 14, 1993**

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Policy:po0165.5
Section: 0000 Bylaws

0165.5 - **RECESS**

Any meeting of the Board may be recessed to another time and place. Any meeting which is recessed for more than thirty-six (36) hours shall be reconvened only after a notice stating the date, time, and place of the recessed meeting as well as the name, address, and telephone number of the District has been posted on the front door of the Administrative Office and such other place as the Board may determine for at least twenty-four (24) hours prior to the time the meeting is to be reconvened.

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Legal References: M.C.L. 15.265, 380.1201(3)(4)

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0165.6
Section: 0000 Bylaws

0165.6 - **CANCELLATION**

Any meeting of the Board may be canceled for appropriate purposes, which shall include, but not be limited to, inclement weather, lack of a quorum, or conflict with a special event relating to the District. If the canceled meeting is a regular meeting, it must be re-scheduled following all notice requirements set forth above.

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Legal References: M.C.L. 15.265, 380.1201(3)(4)

Adoption Date: **September 14, 1993**
Last Revised: **December 12, 2018**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy: po0166
Section: 0000 Bylaws

0166 - **AGENDA**

The Superintendent shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda upon the concurrence of the Board President.

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent on information relating to the District with such recommendations as s/he shall make.

Each agenda shall contain the following statement:

"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda item _____."

Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than seven (7) days prior to the meeting and include:

- A. name and address of the participant;
- B. group affiliation, if and when appropriate;
- C. topic to be addressed.

Such requests shall be subject to the approval of the Superintendent and the Board President.

Denial of the opportunity to have an item placed on the agenda will not preclude an individual or group from the opportunity to speak during the public participation portion of the meeting.

The agenda for each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than three (3) days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.

The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any meeting by a majority vote of the members present.

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Adoption Date: **January 24, 2001**
Last Revised: **December 12, 2018**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0166.1
Section: 0000 Bylaws

0166.1 - **CONSENT AGENDA**

The Board of Education shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

- A. minutes of prior meetings
- B. bills for payment
- C. hiring of personnel
- D. resolutions that require annual adoption, such as bank signatories, Michigan High School Athletic Association membership, etc.
- E. resignations and leaves
- F. field trips, etc. (overnight and/or out-of-state)

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

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Adoption Date: **September 14, 1993**

Last Revised: **January 24, 2001**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0167.1
Section: 0000 Bylaws

0167.1 - **VOTING**

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members elected or appointed to and serving on the Board who are authorized to vote (see Voting as defined in Bylaw 0100) and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom. M.C.L. 380.1201

Unless specifically authorized by Michigan conflict of interest laws, any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. Failure to vote, absent a statutory exception or other reasonable ethical basis, constitutes a breach of the Board member's duty as a public official. In situations in which a specified number of affirmative votes is required and abstentions have been noted, the motion shall fail if the specified number of affirmative votes have not been cast. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority. 184 Mich App 681, 684 (1990)

All actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted. If a vote is not conducted by roll call, any member may request a roll call vote.

Revised 1/8/02
Revised 6/05

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Adoption Date: **September 14, 1993**
Last Revised: **December 12, 2018**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0167.2
Section: 0000 Bylaws

0167.2 - **CLOSED SESSION**

The Board may by means of a roll call vote meet in a closed session, one closed to the public, for the following purposes:

- A. to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, staff member, or individual agent, if the named person requests a closed hearing **(a majority vote is required)**
- B. to consider the dismissal, suspension, or disciplining of a student only if the student or student's parents request a closed hearing **(a majority vote is required)** (Also see Bylaw 0169, Student Disciplinary Hearings)
- C. for strategy and negotiation sessions connected with the negotiation of a collectively-bargained agreement if either negotiating party requests a closed hearing **(a majority vote is required)**
- D. to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained **(a two-thirds (2/3's) vote is required)**
- E. to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body **(a two-thirds (2/3's) vote is required)**
- F. to consider materials exempt from discussion or disclosure under State or Federal statute, including by way of example only, written opinions of legal counsel, and school safety plans **(a two-thirds (2/3's) vote is required)**
- G. to review the specific contents of an application for employment or appointment if the candidate requests that the application remain confidential **(a two-thirds (2/3's) vote is required)**

However, all interviews for employment or appointment of the Superintendent shall be held in an open meeting of the Board.

- H. to consider security planning to address existing threats or prevent potential threats to the safety of the students or staff **(a majority vote is required)**

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose the content of discussions that take place during such sessions. The only exceptions will be discussions with the District's legal counsel or as directed by an order of a court with proper jurisdiction.

It is expected that Board members shall not record nor communicate by any means, electronic or otherwise, with party or parties outside such meetings regarding the substance of such meetings either during or after the course of such meetings.

Revised 12/11/02

Revised 6/05

Revised 12/12/18

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Adoption Date: **September 14, 1993**

Last Revised: **February 12, 2020**

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Policy:po0167.3
Section: 0000 Bylaws

0167.3 - PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at public meetings of the Board and publish rules to govern such participation in Board meetings and in Board committee meetings. The rules shall be administered and enforced by the presiding officer of the meeting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted at a time as determined by the presiding officer.
- B. Anyone with concerns related to the operation of the schools or to matters within the authority of the Board may participate during the designated public participation portion(s) of a meeting.
- C. Attendees must register their intention to participate in the public participation portion of the meeting upon their arrival at the meeting.
- D. Participants must first be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; and group affiliation, if and when appropriate.
- E. Each statement made by a participant shall be limited to three (3) minutes duration or may be extended by the presiding officer.
- F. Participants shall direct all comments to the Board and not to staff or other participants.
- G. The presiding officer may:
 - 1. interrupt, warn, or terminate a participant's session when they make comments that are repetitive, obscene, and/or comments that constitute a true threat (i.e., statements meant to frighten or intimidate one (1) or more specified persons into believing that they will be seriously harmed by the speaker or someone acting at the speaker's behest)
 - 2. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;

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Policy:po0167.5
Section: 0000 Bylaws

0167.5 - USE OF ELECTRONIC MAIL

Since E-mail is a form of communication that could conflict with the Open- Meetings Law, it will be used to conduct business of the Board only for the purposes of communicating:

- A. messages between Board members or between a Board member and employee(s) which do not involve deliberating or rendering a decision on matters pending before the Board;
- B. possible agenda items between the Superintendent and the Board President;
- C. times, dates, and places of regular or special Board meetings;
- D. a Board meeting agenda or public record information concerning items on the agenda;
- E. requests for public record information from a member of the administration, school staff, or community pertaining to District operations;
- F. responses to questions posed by members of the public, administrators, or school staff.

Under no circumstances shall Board members use E-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

There should be no expectation of privacy for any messages sent by E-mail. Messages that have been deleted may still be accessible on the hard drive, if the space has not been occupied by other messages. Messages, deleted or otherwise, may be subject to disclosure under the Freedom of Information Act, unless an exemption would apply.

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Adoption Date: **January 24, 2001**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0167.6
Section: 0000 Bylaws

0167.6 - **USE OF SOCIAL MEDIA**

Social Media, as defined in Bylaw 0100, shall not be used to conduct any form of Board business.

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Adoption Date: **December 12, 2018**

3. request any individual to stop speaking and/or leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;
 4. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 5. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.
- H. The portion of the meeting during which the participation of the public is invited shall be limited to thirty (30) minutes, but the timeframe will be extended, if necessary so that no one's right to address the Board will be denied.

The Board may permit individuals to attend meetings remotely through live broadcast; however, public participation will be limited to those who are in attendance at the meeting site only. The Board is not responsible for any technology failures that prevent or disrupt any individual from attending remotely.

Audio or video recordings are permitted subject to the following conditions:

- A. No obstructions are created between the Board and the audience.
- B. No interviews are conducted in the meeting room while the Board is in session.
- C. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

The person operating the recorder should contact the Superintendent prior to the Board meeting to review the possible placement of the equipment.

Revised 4/15/04
Revised 7/21/10
Revised 12/12/18

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Legal References: M.C.L. 15.263(4)(5)(6), 380.1808

Adoption Date: **September 14, 1993**
Last Revised: **June 22, 2022**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0168.1
Section: 0000 Bylaws

0168.1 - OPEN MEETING

The secretary, or a temporary secretary appointed by the presiding officer, shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the Secretary at the next meeting. The minutes shall include all roll call votes taken at the meeting. Proposed minutes shall be available for public inspection not later than eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. The minutes shall be available for inspection at the Superintendent's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The Board Secretary shall not include in or with its minutes any personally identifiable information on any student of the District which if released, would prevent the public body from complying with the Family Educational Rights and Privacy Act of 1974.

The official minutes shall be bound together by years and kept in the office of the Board of Education.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next meeting.

The minutes shall show only action taken.

Revised 6/05

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Legal References: M.C.L. 15.269, 380.1201

Adoption Date: **September 14, 1993**

Last Revised: **May 10, 2017**

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Policy:po0168.2
Section: 0000 Bylaws

0168.2 - **CLOSED MEETING**

The Board shall designate a person to keep separate minutes of each closed meeting of the Board. These minutes shall be retained by the Secretary of the Board, but shall not be available to the public and shall only be disclosed if required by a civil action filed under M.C.L. 15.270 et seq. These minutes may be destroyed one (1) year and one (1) day after approval of the minutes of the regular meeting at which the closed session was approved.

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Legal References: M.C.L. 15.267, 15.269, 15.270-71, 15.273

Adoption Date: **September 14, 1993**

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Policy:po0169.1
Section: 0000 Bylaws

0169.1 - CLOSED SESSION REQUESTED

If parent or student requests a closed hearing, a vote must be taken. The purpose of the closed session should be announced: "To consider a student disciplinary matter, pursuant to the request of the parent/guardian". A majority is required to go into a closed session.

Those invited into closed session should include the student, parent(s) and/or representative(s) and school administrator(s) bringing charges. Others may be admitted at Board discretion, if needed for the proceeding or at the request of student/parents.

Witnesses should be admitted when needed to testify. They should be asked to leave the closed session after testifying. Witnesses may be required to affirm that they will tell the truth.

The administration should present a summary of the requested discipline and an overview of the incident(s) supporting discipline. The administration shall call and question witnesses as it determines appropriate. The administrator may testify as a witness to the results of his/her investigation of the incident and the student's past record.

The student, parent, or representative (only one (1)) should be allowed to ask the witness(es) questions related to issues reasonably related to the discipline. Additional questioning by the administration, the student/representative and/or the Board may be allowed at the Board's discretion.

The student, parent, or representative may then present witnesses or statements to the Board. The administration and/or the Board may ask questions of these individuals. The Board may allow additional questioning at its discretion.

When the presentation of evidence is concluded, the Board will deliberate. It may exclude both the administration and the student and representatives, or allow both sides to remain. If the Board desires clarification of any testimony during its deliberation, it shall assure that both the administration and the student are present to hear the information.

The Board shall not take any action in the closed session. To act on the discipline the Board must return to open session. This requires a majority vote.

During the open session the name of the student shall not be used in voting on the discipline, to protect student privacy under the Federal Family Education Rights and Privacy Act. The student may be referred to by a Code Number or Pseudonym (i.e. Student A). Only the reference code shall be indicated in the Board minutes, NOT the student's actual name. The reference code shall be listed in the student's discipline file.

If, at any time during the hearing, the student, parent or authorized representative withdraws the request for a closed hearing, the matter shall proceed under the open hearing provisions.

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Adoption Date: **June 01, 2005**

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Policy:po0169.2
Section: 0000 Bylaws

0169.2 - **OPEN HEARING**

If the student, parent or authorized representative does not request a closed hearing, the Board must still assure that the Family Education Rights and Privacy Act is not violated.

The parents (or student if eighteen (18) or older) should sign an authorization to release student record information to allow discussion of the student's information in the public forum (Form 8330 F4). If the parents refuse to sign the authorization or information relating to other students must be presented at the hearing, it should be done anonymously by referring to students by Code Numbers or Pseudonyms. If this is not possible, then the Board may go into closed session to receive student identifiable information pursuant to a two-thirds (2/3's) roll call vote for the announced purpose of "Considering material exempt from discussion or disclosure by State or Federal law."

In all other respects the hearing shall proceed as outlined under the Closed Hearing.

The Board must deliberate and act on the discipline in open session. The student, parents, administration and public will be allowed to be present. Students/parents who have not authorized disclosure to the public will not be mentioned by name during deliberations, but only by anonymous reference code. Any action must be by a vote of the Board in open session. If the student/parents have signed an authorization for public disclosure, then the student's name may be used in the motion and recorded in the Board minutes.

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Adoption Date: **June 01, 2005**

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Policy:po0171.1
Section: 0000 Bylaws

0171.1 - **PRESIDENT**

The president of the Hamtramck Board of Education shall perform the following duties:

- A. Shall preside at all meetings
- B. Shall call special meetings of the district
- C. Shall sign legal instruments of the district when provided by law or when authorized by the Board
- D. Shall appoint various Board members to serve on various committees of the Board unless other wise provided by the Board
- E. Shall appoint official delegates to conventions and conferences unless otherwise provided by the Board
- F. Shall officially represent the Board at meetings of municipal bodies or quasi-municipal bodies
- G. Shall represent, upon request, the Board at meetings of local organizations
- H. Shall act as spokesperson for the Board on official matters unless otherwise determined by the Board
- I. Shall see that the policies and procedures of the Board and provisions of state law are faithfully executed
- J. Shall have the right, as do other members of the Board, to offer, support and discuss resolutions or motions and vote thereon
- K. Shall appoint, in the absence of the secretary, a temporary secretary who shall sign the minutes of the meeting
- L. Shall act as chairperson of special district hearings or meetings
- M. Shall perform all other functions as provided by law or as directed by the Board
- N. Shall consult with the Superintendent in developing the Board agenda

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Legal References:

M.C.L. 380.121

Adoption Date: **September 14, 1993**

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Policy:po0171.2
Section: 0000 Bylaws

0171.2 - **VICE PRESIDENT**

The vice-president of the Hamtramck Board.

- A. Shall perform the duties of the president in his/her absence;
- B. Shall, in case of a vacancy in the presidency, succeed to the office of the president for the remainder of the term.

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Legal References: M.C.L. 380.122

Adoption Date: **September 14, 1993**

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Policy:po0171.3
Section: 0000 Bylaws

0171.3 - **SECRETARY**

The duties of the secretary of the Hamtramck Board shall be as follows:

- A. Shall record, or cause to be recorded, minutes of all meetings of the Board.
- B. Shall sign all minutes of all meetings of the Board and all orders for the expenditure of funds.
- C. Shall be responsible to give, or cause to be given, the prescribed notice of the annual elections and all special elections of the School District.
- D. Shall prepare, or cause to be prepared, any reports that may be required by law.
- E. Shall serve as the chief election officer of the Board in the conducting of school elections with authority to delegate this responsibility to members of the administrative staff.
- F. Shall maintain properly authenticated official copies of all minutes.
- G. Shall duplicate or cause to be duplicated copies of the minutes promptly after each Board meeting and shall distribute same to members of the Board, except any lengthy and personal items such as salary lists or copies of other reports.
- H. Shall perform other duties as required by law or by the Board.
- I. The secretary may delegate such of his/her duties that are deemed appropriate to the Superintendent of schools or his/her designee without transferal of final responsibility.

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Legal References:

M.C.L. 380.123, 380.243

Adoption Date: **September 14, 1993**

Hamtramck Public Schools - Board Policies BoardDocs® PL

Policy:po0171.4
Section: 0000 Bylaws

0171.4 - **TREASURER**

The Treasurer of the Hamtramck Board.

- A. Keep or cause to be kept the funds of the School District.
- B. Keep or cause to be kept proper books of account.
- C. Keep or cause to be kept an account of interest received from invested school funds and credit interest received to the appropriate fund or account.
- D. Pay or cause to be paid out funds for the purposes specified by law, or, in the case of gifts or donations, for the purpose for which the money was donated, on proper order signed by the secretary and countersigned by the president of the Board.
- E. Perform other duties the Board may prescribe relating to the administration of school district funds.
- F. May delegate such of his/her duties as are appropriate to the Superintendent of schools or his/her designee without transfer of final responsibility.

The Board, by resolution, may delegate the authority for directing the administration of School District funds to the Superintendent or other administrator recommended by him/her. In such case the person or persons to whom the responsibility is delegated shall be properly bonded.

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Legal References: M.C.L. 380.123, 380.125, 380.241, 380.243, 380.1221

Adoption Date: **September 14, 1993**

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Policy:po0172
Section: 0000 Bylaws

0172 - **LEGAL COUNSEL**

The Board may employ an attorney to represent the School District or Board in actions brought for or against the District and to render other legal services for the welfare of the School District.

Only the Superintendent and/or Board president shall have the authority to contact the legal counsel on matters concerning the School District except when the Board specifically acts to authorize another member or employee to do so. The Superintendent may designate a member of his/her administrative staff to act in his/her behalf if circumstances deem it advisable.

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Legal References: M.C.L. 380.1253

Adoption Date: **September 14, 1993**

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Policy:po0173
Section: 0000 Bylaws

0173 - **INDEPENDENT AUDITOR**

The independent auditor shall:

- A. examine the balance sheet of the District at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;
- B. 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;
- C. render an opinion of the financial statements prepared at the close of the fiscal year;
- D. make such recommendations to the Board concerning its accounting records, procedures, and related activities as may appear necessary or desirable;
- E. perform such other related services as may be requested by the Board.

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Adoption Date: **September 14, 1993**

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Policy:po0174
Section: 0000 Bylaws

0174 - **REPORTS**

The Board shall publish a financial report and an annual report as required by law. In addition, the Board shall publish other reports it deems necessary to keep the community and governmental authorities adequately informed about the operation of the District.

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Legal References:

M.C.L. 380.246, 380.1203, 380.1204, 380.1213

Adoption Date: **September 14, 1993**

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Policy: po0175
Section: 0000 Bylaws

0175 - **ASSOCIATION MEMBERSHIPS**

The Board of Education may maintain membership in the National School Boards Association, Michigan Association of School Boards and may take part in the activities of these groups.

The Board may also maintain institutional memberships in other educational organizations which the Superintendent and Board find to be of benefit to members and District personnel.

The materials and other benefits of these memberships will be distributed and used to the best advantage of the Board and staff.

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Adoption Date: **September 14, 1993**

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Policy:po0175.1
Section: 0000 Bylaws

0175.1 - **SCHOOL BOARD CONFERENCES, CONVENTIONS, AND WORKSHOPS**

The Board recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level.

Attendance at local, County, State, and National workshops and conferences is encouraged.

Each Board member is expected to report back to the Board after attending a conference at District expense.

Travel and personal expenses of spouse, children, or other guest traveling with a Board member shall be the responsibility of the Board member or of the individual. Expenses for convention functions attended as a group will be borne by the District within budgetary limits.

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Adoption Date: **September 14, 1993**