



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

January 29, 2007

MEMORANDUM

TO: State Board of Education

FROM: Kathleen N. Straus, President

SUBJECT: Approval of Recommended Changes to State Board of Education Procedures

The revised Procedures were presented to the Board at its November 28, 2006 Retreat. The attached document reflects revisions recommended by the State Board of Education Policies and Procedures Subcommittee, based on the Retreat discussion. The subcommittee members include Elizabeth Bauer, Nancy Danhof, Reginald Turner, and me.

A non-strike/cap version of the Procedures is provided for ease of reading

It is recommended that the State Board of Education approve the State Board of Education Procedures, as attached to the President's memorandum dated January 29, 2007.

STATE BOARD OF EDUCATION

KATHLEEN N. STRAUS – PRESIDENT • JOHN C. AUSTIN – VICE PRESIDENT
CAROLYN L. CURTIN – SECRETARY • MARIANNE YARED MCGUIRE – TREASURER
NANCY DANHOF – NASBE DELEGATE • ELIZABETH W. BAUER
REGINALD M. TURNER • CASANDRA E. ULBRICH

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DRAFT -1/29/07
PROCEDURESAL POLICIES
OF THE
STATE BOARD OF EDUCATION

1. State Board of Education By-Laws, PROCEDURES, AND POLICIES

~~It is the policy of~~The STATE Board OF EDUCATION (SBE) SHALL REVIEW ITS BY-LAWS AND THESE PROCEDURES BIENNIALLY IN EACH ODD NUMBERED YEAR TO ENSURE EFFECTIVE LEADERSHIP AND GENERAL SUPERVISION OF ALL PUBLIC EDUCATION ~~to maintain and, as necessary, to amend by laws treating the organization of the body and its official activities.~~

THIS REVIEW SHALL INCLUDE A REPORT OF STATUTES AND EXECUTIVE ORDERS THAT AFFECT PUBLIC EDUCATION, AND ADMINISTRATION OF THE MICHIGAN DEPARTMENT OF EDUCATION AND OTHER RELEVANT AGENCIES.

Any policy of the ~~State Board of Education~~ SBE hereinbefore set forth PREVIOUSLY ADOPTED BY THE STATE BOARD may be revised or deleted by a vote of the majority of the voting members of the Board. SBE POLICIES SHALL BE REVIEWED EVERY FOUR (4) YEARS UNLESS OTHERWISE SPECIFIED.

2. Department of PUBLIC Education FINANCIAL PLANNING ~~Operating Budget~~

IN ORDER FOR THE BOARD TO SERVE AS THE GENERAL PLANNING AND COORDINATING BODY FOR ALL PUBLIC EDUCATION, AND TO ADVISE THE LEGISLATURE AS TO THE FINANCIAL REQUIREMENTS THEREOF, THE BOARD SHALL REVIEW THE FINANCIAL REQUIREMENTS FOR PUBLIC EDUCATION. The Superintendent shall submit ~~his recommendations for the Department of Education operating budget~~ RECOMMENDATIONS to the Board ANNUALLY, ALLOWING SUFFICIENT TIME (MINIMUM OF 60 DAYS) FOR DISCUSSION AND DECISION BY THE BOARD BEFORE TRANSMISSION OF THE RECOMMENDATIONS TO THE EXECUTIVE OFFICE AND THE LEGISLATURE. ~~whereafter the Board will meeting prior to Labor Day to conduct an in-depth review of said recommendations.~~

~~It is the intent of this provision that should the date for the submission of the proposed budget to the Board be adjusted, such adjustment shall allow sufficient time for discussion and decision by the Board before transmission of its recommendations to the Executive Office and the Legislature.~~

AT LEAST EVERY THREE YEARS, THE SBE WILL DISCUSS POSSIBLE REFORMS FOR HOW EDUCATION IS DELIVERED, AND HOW TO FINANCE EFFECTIVE AND EFFICIENT EDUCATION DELIVERY.

3. Board Resolutions

Resolutions presented by members of the Board for the agenda ~~must~~ SHALL be in writing ~~and may not be acted upon until the next meeting day of the Board.~~ Once adopted, such resolutions shall be transmitted by the STATE BOARD EXECUTIVE ~~Administrative Secretary~~ to any affected parties, and a public listing of such resolutions shall be maintained in the Board Office.

4. Appointment of State Board for Public Community and Junior Colleges

~~The State Board of Education~~ SBE has the constitutional responsibility to appoint the State Board for Public Community and Junior Colleges, WHICH SHALL ADVISE THE SBE CONCERNING GENERAL SUPERVISION AND PLANNING FOR SUCH COLLEGES AND REQUESTS FOR ANNUAL APPROPRIATIONS FOR THEIR SUPPORT ~~and in order to perform this function has adopted a set of policy procedures.~~

THE STATE BOARD FOR PUBLIC COMMUNITY AND JUNIOR COLLEGES CONSISTS OF EIGHT MEMBERS. THE SBE SHALL APPOINT THE MEMBERS WHO SHALL HOLD OFFICE FOR TERMS OF EIGHT YEARS. WHEN MEMBERS ARE FIRST APPOINTED, 2 MEMBERS EACH SHALL BE APPOINTED FOR TERMS OF 2, 4, 6 AND 8 YEARS. THE SBE SHALL FILL A VACANCY ON THE BOARD FOR THE UNEXPIRED TERM. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL BE EX OFFICIO A MEMBER OF THE BOARD WITHOUT THE RIGHT TO VOTE.

5. Appointment of AND OVERSIGHT OF STATE BOARD OF EDUCATION AND DEPARTMENT Advisory GROUPS ~~Council, Commissions, Committees~~

~~The State Board of Education~~ SBE'S ~~has adopted a formal procedure for the appointment of members to its AND THE DEPARTMENT'S various advisory groups such procedure to be followed by staff in submitting recommendations.~~ IS AS FOLLOWS:

~~The adjusted procedures are spelled out in an administrative document entitled, "The Role of Advisory Councils," dated May 28, 1974.~~

1.a. ~~The State Board of Education~~ SBE shall ~~approve all bodies as are required by law,~~ APPOINT MEMBERS TO ADVISORY GROUPS IN ACCORDANCE WITH LAW, or as are established by action of the ~~State Board~~ SBE, whether permanent or ad hoc.

B. UNLESS THE TERM OF EXISTENCE FOR A GROUP IS SET BY LAW, SUCH TERM SHALL BE AT THE DISCRETION OF THE SBE.

2.c. ~~The following titles will be used exclusively for groups approved by the State Board of Education:~~

~~a. Board~~

- ~~b. Commission~~
- ~~c. Council~~
- ~~d. Task Force~~

~~3.c. The groups approved by the State Board of Education shall be considered advisory to the State Board of Education.~~

MICHIGAN DEPARTMENT OF EDUCATION (MDE) STAFF SHALL BE ASSIGNED TO WORK WITH SBE ADVISORY GROUPS.

The Superintendent of Public Instruction or the A Deputy shall MAY appoint ~~bodies~~ ADVISORY GROUPS other than those appointed by the ~~State Board of Education~~ SBE, as he/she deems necessary in order to facilitate the work of the Department. In such instances, the Superintendent will SHALL inform the ~~State Board of Education~~ SBE of such action without delay.

The information to the ~~State Board of Education~~ SBE will SHALL include the following information:

- a. Name of group
- b. Purpose
- c. Membership
- d. Expected duration of the group
- E. EXPECTED OUTCOMES

~~5.e. Administrative and supervisory staff within the Department may work with groups to seek input on either a semi-permanent basis or ad hoc basis and will SHALL exercise judgment as to the appropriateness of such groups and their membership in terms of 1, 2, and 3 a, b, and c above, and will SHALL inform their respective Associate Superintendent of the formation of such groups.~~

~~6.f. The advisory groups appointed by the Superintendent of Public Instruction, the Deputy, and the staff will utilize titles as follows:~~

- ~~a. Committee~~
- ~~b. Working Group~~
- ~~c. Study Group~~
- ~~d. Referent Group~~

~~This list is not all inclusive, but titles reserved for State Board of Education use will not be utilized by staff.~~

Unless the term of existence for a group is set by law, such term shall be at the discretion of the Superintendent.

The role of the ALL newly created advisory groups ~~approved by the State Board of Education or utilized by staff~~ should be clearly defined, especially in relation to existing advisory groups.

~~(Adopted by State Board of Education on June 4, 1980)~~

Reimbursement of Travel and Meal Expenses

CONSISTENT WITH STATE POLICIES, the Department of Education ~~will~~ ~~SHALL~~ MAY reimburse each advisory ~~council~~ GROUP member upon request for reasonable travel and meal expenses which result from his or her attendance at a scheduled advisory council meeting. This policy does not apply to those individuals who receive reimbursement for their travel from their employer, institution, or organization. In those circumstances in which the distance traveled is of extreme length and requires overnight accommodations, lodging may be reimbursed if funds are available. Unless otherwise approved by the Superintendent, all reimbursement ~~must~~ SHALL be limited to one meeting per month.

~~The Board requests that~~ This policy SHALL be submitted to each member of each ~~State Board of Education appointed~~ advisory ~~council~~ GROUP at the initial meeting following appointment of the membership ~~by the State Board of Education SBE~~ and to all existing members at the time of the adoption OF THESE PROCEDURES.

~~9. Citizen Membership on Advisory Councils~~

~~The State Board of Education adopted a policy that citizen members be increased from four to six on advisory councils with the understanding that, where appropriate, student members will be recommended.~~

~~The membership of certain councils is prescribed either by statute or by federal guidelines. In those instances the policy will not apply.
(Adopted June 2, 1976)~~

~~10.H. Procedure for State Board of Education Nomination APPOINTMENT to ADVISORY Councils GROUPS~~

A list of all current members, their attendance record for their term of service, and their qualifications shall be submitted to the Board at least four (4) weeks prior to the end of their term. No recommendations for reappointments shall be made by staff prior to the deadline set for Board members to submit nominees. Board members shall have four (4) weeks TO SUBMIT NAMES OF NOMINEES prior to the meeting date set for appointments ~~to submit names of nominees.~~

11.I. Notification of Excessive Absences

On behalf of the Board, staff for each respective advisory council GROUP shall notify in writing the titular president or executive DIRECTOR secretary or, if none, ANother appropriate officer of each organization or body having a representative on the council in each instance where the representative has been absent during FROM 50 percent or more of the scheduled meetings during his or her term of appointment, suggesting REQUESTING that a different individual, able to attend the majority of the meetings, be RECOMMENDED designated by the organization.

Tenure and Dual Service

IN ORDER TO ASSURE THAT MEMBERSHIP ON ADVISORY GROUPS IS DYNAMIC AND FORWARD-THINKING, IN PLANNING FOR THE FUTURE OF EDUCATION IN MICHIGAN, no individual shall serve more than four consecutive one-yearS terms of appointment or its equivalent on any Board advisory GROUP council. NO INDIVIDUAL SHALL, nor serve concurrently on two or more councils GROUPS unless at the specific request of an organization or body entitled by the Board to select RECOMMEND a representative to the GROUP council.

Citizen, Community, Lay, and Parent Representative

A citizen or community representative or lay or parent representative to a Board advisory council GROUP must SHALL not be employed by or receive remuneration from any educational body, public or private, affected by the actions of the council.

~~Another category of membership on advisory councils is that of "Board Member's Nominee." There shall be no restrictions as to the employment of these advisory council members.~~

Relation of Council ADVISORY GROUP Members to State Board of Education Members

No individual shall be eligible for appointment to a Board advisory council GROUP if related within the fourth degree of affinity or consanguinity* to a member of the ~~State Board of Education~~ SBE.

- * Related by blood or marriage up to and including parents, sisters and brothers, grandparents, aunts and uncles, nieces and nephews, first cousins.

6.M. Representatives on Advisory Councils GROUPS

Communications to organizations concerning appointment of individuals to serve on advisory councils GROUPS should include the State Board of Education's SBE'S wish DESIRE that consideration be given to DIVERSITY AND INCLUSION racial characteristics, ethnic origin, sex, and geographical location of the proposed appointee.

6. Audits

~~It is the Board policy that The Superintendent shall submit to the Board for its information any significant findings or comments contained in a tentative Auditor General's report or a preliminary Auditor General's report before such reports become final and, in addition report to the state board when a final report is~~ REPORTS received from the Auditor General, PROPOSED CORRECTIVE ACTION, AND QUARTERLY STATUS REPORTS UNTIL COMPLETION.

7. ~~Delegation of Authority to Conduct Private Trade School Hearings~~

~~The State Board of Education will continue to delegate to the Superintendent in the area of private trade schools, the authority to (1) issue licenses and temporary permits, (2) issue a change of license, (3) issue to outstate schools authorization to solicit Michigan students, and (4) approve articles of incorporation as required by Act 327, P.A. of 1931 for schools licensed under Act 148, P.A. of 1943.~~

~~The Board will continue to delegate authority to conduct private occupational school hearings to a private occupational school committee to be appointed by the Superintendent. That committee shall make recommendations to the Superintendent relative to approval of private occupational schools which are certified, based upon such review, with a report of approval presented to the State Board of Education quarterly. Recommendations relative to revocation of licenses shall continue to be presented to the Board for action.~~

8.7. Property TransferS Appeals

~~The Board will continue to delegate to a Hearing Officer all property transfer appeals. The Hearing officer will present the official record of such hearings and recommendations to the Board. When the Board differs with the staff recommendations, the Board member making the motion will identify the reasons for the position moved and may ask staff to put such reasons in writing prior to the vote.~~

~~If the property under consideration is located in a school district involved in desegregation litigation, the State Board of Education shall deny the property transfer without prejudice, unless the petitioners seeking the transfer secure a stipulation signed by the plaintiffs to the desegregation litigation stating that the parties will make no claim in the litigation that the granting of the~~

~~transfer is an act of de jure segregation, in which case the State Board of Education may grant the transfer. (Paragraph two of Procedural Policy no. 8 adopted December 6, 1978)~~

~~THE BOARD SHALL DEVELOP CRITERIA UPON WHICH THE SUPERINTENDENT SHALL MAKE DETERMINATIONS REGARDING PROPERTY TRANSFERS FROM ONE SCHOOL DISTRICT TO ANOTHER.~~

~~THE SUPERINTENDENT SHALL REPORT HIS/HER PROPERTY TRANSFER DECISIONS TO THE SBE AT ITS NEXT REGULAR MEETING.~~

9.8. Policy Regarding Individuals PROCEDURES FOR Making Oral Statements Before State Board of Education

~~It is not the policy of the State Board of Education to receive testimony from the general public during regular meetings of the Board. Report to the Board, however, may include presentations by Board-appointed advisory groups or those individuals invited by the Board.~~

~~By consensus or majority vote the State Board of Education may agree to suspend this rule permitting an individual to address the Board.~~

A Note to Participants

- ~~1.~~ All documents distributed during the SBE meetings are part of the public meeting and, therefore, shall be considered public documents.
- ~~2.~~ The presentations made by the participants INDIVIDUALS during the public participation should take into consideration the rules of common courtesy. The presenters should keep in mind that all statements made at a public meeting become a matter of public record. It is the responsibility of the presenter that all statements made are accurate and based on facts.
- ~~3.~~ It is the practice of THE SBE State Board members not to respond to comments heard during the public participation portion of the meeting. Questions for clarification are appropriate, but a presenter should not expect to carry on a dialogue with any Board Member(s).

~~Revised January 7, 1998~~

THE FOLLOWING FORM WILL SHALL BE USED TO REQUESTING AN OPPORTUNITY TO ADDRESS THE BOARD:

STATE BOARD OF EDUCATION
REQUEST TO ADDRESS THE MEETING

Date _____

Yes, I would like to speak to the State Board of Education at this meeting.

NAME _____

ADDRESS _____

CITY/STATE _____ ZIP _____

* TELEPHONE NUMBER _____

* E-MAIL ADDRESS _____

I want to speak about (subject) _____

* Organization Represented _____

Official Spokesperson for Organization: Yes _____ No _____

* SUBMISSION OF THIS INFORMATION IS OPTIONAL, AND IF GIVEN, BECOMES PUBLIC INFORMATION.

+++++

~~10. Entering Statements into the Minutes~~

~~The Board will follow the procedures outlined in Robert's Rules of Order relative to entering statements into the minutes of the Board.~~

~~Board members will not explain their "nay" vote in formal statement in the minutes. The reasons for a dissenting vote will be recorded in the minutes if requested by a member prior to the vote being called.~~

~~11. Administrative Procedures for Determining Board Agenda Items~~

~~The Board will continue to follow its primary and Secondary Administrative Procedure which provides that certain state education organizations (Michigan Education Association, Michigan Federation of Teachers, Michigan Association of School boards, Michigan congress of School Administrator Associations, and Michigan Association of Elementary School principals); when appropriate, will be requested to review recommendations of the staff prior to Board action.~~

~~12.9. State Board of Education Agenda~~

~~The Superintendent shall present to the Board for its approval at each of its meetings a proposed agenda for the next meeting. AT EACH MEETING OF THE BOARD, MEMBERS OF THE BOARD ARE ASKED TO SUBMIT SUGGESTED AGENDA ITEMS TO MEMBERS OF THE BOARD'S AGENDA PLANNING COMMITTEE. THIS COMMITTEE IS MADE UP OF REPRESENTATIVES INCLUDING THE PRESIDENT, VICE PRESIDENT, SECRETARY, SUPERINTENDENT OF PUBLIC INSTRUCTION, AND STATE BOARD EXECUTIVE. AND OTHERS IN ATTENDANCE SHALL MAY INCLUDE OTHER SBE MEMBERS, THE SUPERINTENDENT, STATE BOARD EXECUTIVE, AND DEPUTY SUPERINTENDENTS, CHIEF OF STAFF, AND OTHERS AS NEEDED. AGENDA PLANNING MEETINGS OCCUR APPROXIMATELY THREE WEEKS PRIOR TO A STATE BOARD MEETING, AT WHICH TIME THE AGENDA FOR THE NEXT MEETING IS DETERMINED. SBE MEMBERS SHALL BE NOTIFIED OF THE DATE AND TIME OF AGENDA PLANNING MEETINGS. At the following BOARD meeting any Board member, including the Superintendent, may identify items which did not appear on that agenda, and those items will SHALL be added at that time unless objection thereto is made by any member. In the event of an objection, an affirmative vote BY A MAJORITY of the Board is required to add the item. All added items will SHALL be placed at the end of the agenda.~~

~~By consensus or a majority vote the State Board of Education SBE may agree to suspend this rule allowing a reordering of the agenda.~~

~~13.10. Reorganization of Department of Education~~

~~Changes in the organization of the Department of Education may be made by the Superintendent at any level below the major service areas. The Board must SHALL be promptly informed of any change in organization. Any reorganization at the service area level and above must receive prior approval by the Board.~~

~~14.11. Press Policy~~

~~The State Board of Education will maintain its present policy adopted May 26, 1970.~~

THE SBE SHALL HAVE A POLICY REGARDING COMMUNICATIONS AND RELATIONS WITH THE MEDIA.

~~15.12.~~ Affirmative Action in Hiring EQUAL EMPLOYMENT OPPORTUNITY

~~It is the policy of the SBE AND MDE TO PURSUE EQUAL EMPLOYMENT OPPORTUNITY REGARDLESS OF RACE, RELIGION, COLOR, GENDER IDENTITY, SEXUAL ORIENTATION, HEIGHT, WEIGHT, MARITAL STATUS, NATIONAL ORIGIN, AGE, OR DISABILITY AS DEFINED BY FEDERAL AND STATE LAW IN ITS RELATIONSHIP WITH APPLICANTS FOR EMPLOYMENT, EMPLOYEES OF THE DEPARTMENT/AGENCY, AND THE PUBLIC Board to conscientiously encourage the hiring of women and racial minority individuals at all levels of the Department. The Board's Affirmative Action Program is maintained in force.~~

~~16.~~ Selection of the Board's Voting Representative to NASBE

~~Biennially in January the board will select one of its members to be its voting representative at meetings of the National Association of State Boards of Education (NASBE).~~

~~17.13.~~ State Board of Education Per Diem AND TRAVEL REIMBURSEMENT

~~Each member of the Board is allocated by the legislature a certain number of per diems each year for meetings and business related to membership on the Board. Per Diems AND TRAVEL REIMBURSEMENTS shall be provided TO EACH MEMBER OF THE SBE upon individual submission of documentation to the Administrative Secretary STATE BOARD EXECUTIVE, not to exceed the number of days LIMITS AND ALLOCATIONS allotted by the Legislature.~~

~~18.14.~~ Contract for APPOINTMENT OF State Superintendent of Public Instruction

~~No fewer than six months prior to the expiration of the State Superintendent's contract, the State Board of Education shall evaluate the effectiveness of the State Superintendent and discuss with the Superintendent within thirty days of the evaluation its decision as to whether or not to offer the Superintendent a new or extended contract.~~

IN ACCORDANCE WITH THE CONSTITUTION AND STATE LAW, THE SBE SHALL BY THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS APPOINT A SUPERINTENDENT OF PUBLIC INSTRUCTION WHOSE TERM OF OFFICE SHALL BE DETERMINED BY THE BOARD. S/HE SHALL BE THE CHAIRMAN OF THE BOARD WITHOUT THE RIGHT TO VOTE, AND SHALL BE RESPONSIBLE FOR THE EXECUTION OF ITS POLICIES. S/HE SHALL BE THE PRINCIPAL EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF EDUCATION WHICH SHALL HAVE POWERS AND DUTIES PROVIDED BY LAW. (ARTICLE VIII, SECTION 3 OF STATE CONSTITUTION)

IN ACCORDANCE WITH STATE LAW, THE SBE MAY BY THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS REMOVE A SUPERINTENDENT OF PUBLIC INSTRUCTION.

~~19.15. Salary of the State Superintendent OF PUBLIC INSTRUCTION and Deputy Superintendent~~

~~Upon advice from the Associate Superintendent for Business and finance of the Department of Education, The Board shall annually, UPON THE APPOINTMENT OR EVALUATION, ESTABLISH recommend a salary for in September recommend a salary for its two unclassified position the State Superintendent of Public Instruction. and the Deputy Superintendent. The President of the State Board of Education shall assume the responsibility of conveying to the Governor and the Legislature the Board's recommendations.~~

~~20.16. Annual Leave, Sick Leave, and Other Fringe Benefits for Superintendent of Public Instruction~~

~~The Board policy on Annual leave, sick leave, and other fringe benefits of the State Superintendent and the Deputy Superintendent shall be contained in a written memorandum of agreement approved by the Board upon THE hiring of such individuals THE SUPERINTENDENT OF PUBLIC INSTRUCTION.~~

~~21.17. State Board of Education Priorities~~

~~It is the policy that in January of each year the State Board of Education THE SBE shall ANNUALLY establish a list of ITS priorities for that calendar year after reviewing the priorities of previous years and determining whether they should be continued, deleted, or modified.~~

~~22.18. REVIEW, Revision, Deletion, and Suspension of Board PolicyIES~~

~~Any policy of the State Board of Education hereinbefore set forth may be revised or deleted by a vote of the majority of the voting members of the Board.~~

(NOTE: This entire section was moved to earlier in the document)

~~23. Property Transfers~~

~~It shall be the policy of the State Board of Education to request all intermediate school districts, in acting upon property transfer cases, to state the reasons for their action in approving, denying, or modifying such requests for property transfers and that such stated reasons, as contained in the minutes of the meeting of the intermediate board of education, are to be considered part of the record before the State Board of Education and its Hearing Officer. The parties to the hearing before the State Board of Education's Hearing Officer will be so informed by him. However, the State~~

~~Board of Education will, on each property transfer appeal, hear the case de novo through its Hearing Officer, and it will decide the case de novo. The State Board of Education's decision will not be limited to whether the reasons given by the intermediate board of education are supported by material, competent, and substantial evidence. (Adopted August 10, 1976)~~

~~24. State Board of Education Policies Regarding Advisory Councils~~

~~(NOTE: This entire section was moved to earlier in the document)~~

~~21:18. Inquiries or Investigation~~

~~THE SBE SHALL BE INFORMED BY THE SUPERINTENDENT OF ANY INVESTIGATION OF A SCHOOL OR OTHER EDUCATIONAL INSTITUTION, AND BE INFORMED OF THE FINDINGS.~~

~~It shall be the policy of the State Board of Education that when the State Board takes an official action to inquire or investigate a school or other educational institutions, circumstances, or situation, the individual designated by the Superintendent of Public Instruction to undertake such inquiry or investigation shall be responsible for informing the chief executive of the educational organization of such inquiry.~~

~~After completion of the inquiry or investigation, it shall be the responsibility of the designated individual to inform the chief executive of the educational organization that the inquiry has been completed and the date that the report has been scheduled for presentation to the State Board of Education.~~

~~These procedures under no circumstances will be viewed as superseding the actions assigned to the Administrative Secretary on behalf of the State Board of Education in such matters. (Adopted February 7, 1979)~~

DRAFT -1/29/07
PROCEDURES
OF THE
STATE BOARD OF EDUCATION

1. State Board of Education By-Laws, Procedures, and Policies

The State Board of Education (SBE) shall review its By-Laws and these Procedures biennially in each odd numbered year to ensure effective leadership and general supervision of all public education.

This review shall include a report of statutes and Executive Orders that affect public education, and administration of the Michigan Department of Education and other relevant agencies.

Any policy of the SBE previously adopted by the SBE may be revised or deleted by a vote of the majority of the voting members of the Board. SBE policies shall be reviewed every four (4) years unless otherwise specified.

2. Public Education Financial Planning

In order for the Board to serve as the general planning and coordinating body for all public education, and to advise the Legislature as to the financial requirements thereof, the Board shall review the financial requirements for public education. The Superintendent shall submit budget recommendations to the Board annually, allowing sufficient time (minimum of 60 days) for discussion and decision by the Board before transmission of the recommendations to the Executive Office and the Legislature.

At least every three years, the SBE will discuss possible reforms for how education is delivered, and how to finance effective and efficient education delivery.

3. Board Resolutions

Resolutions presented by members of the Board for the agenda shall be in writing. Once adopted, such resolutions shall be transmitted by the State Board Executive to any affected parties, and a public listing of such resolutions shall be maintained in the Board Office.

4. Appointment of State Board for Public Community and Junior Colleges

The SBE has the constitutional responsibility to appoint the State Board for Public Community and Junior Colleges, which shall advise the SBE concerning general supervision and planning for such colleges and requests for annual appropriations for their support.

The State Board for Public Community and Junior Colleges consists of eight members. The SBE shall appoint the members who shall hold office for terms of eight years. When members are first appointed, 2 members each shall be appointed for terms of 2, 4, 6, and 8 years. The SBE shall fill a vacancy on the Board for the unexpired term. The Superintendent of Public Instruction shall be ex officio a member of the Board without the right to vote.

5. Appointment and Oversight of State Board of Education and Department Advisory Groups

The SBE's procedure for the appointment of members to its and the Department's advisory groups is as follows:

- a. The SBE shall appoint members to advisory groups in accordance with law, or as established by action of the SBE, whether permanent or ad hoc.
- b. Unless the term of existence for a group is set by law, such term shall be at the discretion of the SBE.
- c. Michigan Department of Education (MDE) staff shall be assigned to work with SBE advisory groups.
- d. The Superintendent of Public Instruction or a Deputy may appoint advisory groups other than those appointed by the SBE, as he/she deems necessary in order to facilitate the work of the Department. In such instances, the Superintendent shall inform the SBE of such action without delay.

The information to the SBE shall include the following:

- a. Name of group
- b. Purpose
- c. Membership
- d. Expected duration of the group
- e. Expected outcomes
- e. Unless the term of existence for a group is set by law, such term shall be at the discretion of the Superintendent.
- f. The role of all newly created advisory groups should be clearly defined, especially in relation to existing advisory groups.
- g. Reimbursement of Travel and Meal Expenses

Consistent with state policies, the Department of Education may reimburse each advisory group member upon request for reasonable travel and meal expenses which result from his or her attendance at a

scheduled advisory council meeting. This policy does not apply to those individuals who receive reimbursement for their travel from their employer, institution, or organization. In those circumstances in which the distance traveled is of extreme length and requires overnight accommodations, lodging may be reimbursed if funds are available. Unless otherwise approved by the Superintendent, all reimbursement shall be limited to one meeting per month.

This policy shall be submitted to each member of each advisory group at the initial meeting following appointment of the membership and to all existing members at the time of the adoption of these procedures.

h. Procedure for State Board of Education Appointment to Advisory Groups

A list of all current members, their attendance record for their term of service, and their qualifications shall be submitted to the Board at least four (4) weeks prior to the end of their term. No recommendations for reappointments shall be made by staff prior to the deadline set for Board members to submit nominees. Board members shall have four (4) weeks to submit names of nominees prior to the meeting date set for appointments.

i. Notification of Excessive Absences

On behalf of the Board, staff for each respective advisory group shall notify in writing the president or executive director or, if none, another appropriate officer of each organization or body having a representative on the council in each instance where the representative has been absent from 50 percent or more of the scheduled meetings during his or her term of appointment, requesting that a different individual, able to attend the majority of the meetings, be recommended by the organization.

j. Tenure and Dual Service

In order to assure that membership on advisory groups is dynamic and forward-thinking, in planning for the future of education in Michigan, no individual shall serve more than four consecutive years of appointment or its equivalent on any Board advisory group. No individual shall, serve concurrently on two or more groups unless at the specific request of an organization or body entitled by the Board to recommend a representative to the group.

k. Citizen, Community, Lay, and Parent Representative

A citizen or community representative or lay or parent representative to a Board advisory group shall not be employed by or receive remuneration from any educational body, public or private, affected by the actions of the council.

Relation of Advisory Group Members to State Board of Education Members

No individual shall be eligible for appointment to a Board advisory group if related within the fourth degree of affinity or consanguinity* to a member of the SBE.

* Related by blood or marriage up to and including parents, sisters and brothers, grandparents, aunts and uncles, nieces and nephews, first cousins.

m. Representatives on Advisory Groups

Communications to organizations concerning appointment of individuals to serve on advisory groups should include the SBE's desire that consideration be given to diversity and inclusion.

6. Audits

The Superintendent shall submit to the Board final reports received from the Auditor General, proposed corrective action, and quarterly status reports until completion.

7. Property Transfers

The Superintendent shall report his/her property transfer decisions to the SBE at its next regular meeting.

8. Procedures for Making Oral Statements Before State Board of Education

All documents distributed during the SBE meetings are part of the public meeting and, therefore, shall be considered public documents.

The presentations made by individuals during the public participation should take into consideration the rules of common courtesy. The presenters should keep in mind that all statements made at a public meeting become a matter of public record. It is the responsibility of the presenter that all statements made are accurate and based on facts.

It is the practice of the SBE not to respond to comments heard during the public participation portion of the meeting. Questions for clarification are appropriate, but a presenter should not expect to carry on a dialogue with any Board Member(s).

The following form shall be used to request an opportunity to address the Board:

**STATE BOARD OF EDUCATION
REQUEST TO ADDRESS THE MEETING**

Date _____

Yes, I would like to speak to the State Board of Education at this meeting.

NAME _____

ADDRESS _____

CITY/STATE _____ ZIP _____

* TELEPHONE NUMBER _____

* E-MAIL ADDRESS _____

I want to speak about (subject) _____

* Organization Represented _____

Official Spokesperson for Organization: Yes No

* Submission of this information is optional, and if given, becomes public information.

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9. State Board of Education Agenda

At each meeting of the Board, members of the Board are asked to submit suggested agenda items to members of the Board's Agenda Planning Committee. This Committee is made up of representatives including the President, Vice President, Secretary, Superintendent of Public Instruction, and State Board Executive. Others in attendance may include other SBE

members, the Deputy Superintendents, Chief of Staff, and others as needed. Agenda planning meetings occur approximately three weeks prior to a State Board meeting, at which time the agenda for the next meeting is determined. SBE members shall be notified of the date and time of agenda planning meetings. At the Board meeting any Board member, including the Superintendent, may identify items which did not appear on that agenda, and those items shall be added at that time unless objection thereto is made by any member. In the event of an objection, an affirmative vote by a majority of the Board is required to add the item. All added items shall be placed at the end of the agenda.

By consensus or a majority vote the SBE may agree to suspend this rule allowing a reordering of the agenda.

10. Reorganization of Department of Education

Changes in the organization of the Department of Education may be made by the Superintendent. The Board shall be informed of any change in organization.

11. Press Policy

The SBE shall have a policy regarding communications and relations with the media.

12. Equal Employment Opportunity

It is the policy of the SBE and MDE to pursue equal employment opportunity regardless of race, religion, color, gender identity, sexual orientation, height, weight, marital status, national origin, age, or disability as defined by Federal and State law in its relationship with applicants for employment, employees of the Department/Agency, and the public.

13. State Board of Education Per Diem and Travel Reimbursement

Per Diem and travel reimbursements shall be provided to each member of the SBE upon individual submission of documentation to the State Board Executive, not to exceed the limits and allocations allotted by the Legislature.

14. Appointment of State Superintendent of Public Instruction

In accordance with the Constitution and State law, the SBE shall by the affirmative vote of a majority of its members appoint a Superintendent of Public Instruction whose term of office shall be determined by the Board. S/He shall be the Chair of the Board without the right to vote, and shall be responsible for the execution of its policies. S/He shall be the principal executive officer of the State Department of Education which shall have powers and duties provided by law. (Article VIII, Section 3 of State Constitution)

In accordance with State law, the SBE may by the affirmative vote of a majority of its members remove a Superintendent of Public Instruction.

15. Salary of the State Superintendent of Public Instruction

The Board shall annually, upon the appointment or evaluation, establish a salary for the State Superintendent of Public Instruction.

Annual Leave, Sick Leave, and Other Fringe Benefits for Superintendent of Public Instruction

Annual leave, sick leave, and other fringe benefits of the State Superintendent shall be contained in a written agreement approved by the Board upon the hiring of the Superintendent of Public Instruction.

17. State Board of Education Priorities

The SBE shall annually establish its priorities after reviewing the priorities of previous years and determining whether they should be continued, deleted, or modified.

Inquiries or Investigation

It shall be the policy of the State Board of Education that when the State Board takes an official action to inquire or investigate a school or other education institution, circumstance, or situation, the individual designated by the Superintendent of Public Instruction to undertake such inquiry or investigation shall be responsible for informing the chief executive of the education organization of such inquiry.