

VOTING

Voting Method

The Board shall take action by way of motions, including by motion of the President. No motion may be acted upon until it has been duly supported or seconded by any member of the Board including the President. The second cannot come from the Board member who made the motion. The vote on all motions shall be by “yes” or “no” and will be taken by a show of hands, voice vote or a roll call vote. Following each vote, the President shall announce that the motion passed or failed, and if not a unanimous vote, shall announce the number voting “yes” and the number voting “no.” At the President’s discretion, each Board member may have the privilege of explaining for the record any vote, be it affirmative or negative.

The act of a Board is not valid unless the act is authorized at a public meeting by a majority vote of the members elected and serving, unless otherwise required by law, and a proper record is made of the vote.

Conflict of Interest

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

1. 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;
2. When a member of the Board determines 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.
3. Before voting on any contract, each Board member shall determine whether he or she may receive a personal benefit as a direct result of the contract. If the benefit from the contract to the Board member is less than \$250.00 or is less than 5% of the public cost of the contract, the Board member must file a sworn affidavit with the Board stating so.

If the Board member will benefit by \$250.00 or more, or 5% or more of the contract, he or she must disclose his or her benefit to the Board in the following manners, unless the contract is for emergency services:

- a. If the benefit of the contract to the Board member is more than \$5,000, the Board member shall disclose his or her benefit at a public Board meeting. The Board cannot vote on the contract at the meeting when this disclosure is made, but shall schedule another

meeting for the vote. The Board must wait at least seven calendar days for this second meeting.

- b. If the benefit of the contract to the Board member is \$5,000 or less, the Board member must make a written disclosure to the President of the Board at least seven calendar days before the meeting at which a vote will be taken on the contract. Public notice of this disclosure shall be made by either: (1) publishing the disclosure on the public notice for the Board meeting, or (2) the Board member identifying the benefit at a Board meeting in the same manner as required in paragraph "3".

In both cases, the disclosure shall become a matter of record in the official Board minutes, which shall include (1) the name of each party involved in the contract; (2) the terms of the contract (duration, financial consideration, facilities or services of the District included in the contract, and the nature and degree of assignment of District employees for fulfilling the contract; and (3) the nature of any financial contract.

The Board member who has a conflict of interest shall not participate in any executive sessions regarding that particular contract. The Board member who has a conflict of interest shall abstain from voting on that contract. The minutes must record the Board member's abstention.

The motion to approve the contract must pass by a 2/3 vote of the Board members elected to and serving. The vote of the abstaining member is not included in the 2/3 requirement.

Approved:

LEGAL REFERENCE: MCL 380.11; MCL 15.32 et seq; MCL 388.1769

*Adopted April 19, 1982
Revised March 16, 1998
Revised March 21, 2005
Revised October 6, 2008*