



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

APPOINTED SCHOOL BOARD MEMBERS

House Bill 4429 as introduced
First Analysis (3-13-01)

Sponsor: Rep. Tom Meyer
Committee: Education

THE APPARENT PROBLEM:

Currently, the Revised School Code says that an act of a school board is not valid unless voted at a meeting by a majority vote of the members elected to and serving on the board and unless a proper record is made of the vote. This means that if a school board has appointed members, then official actions can be taken by less than a majority of the school board members elected or appointed, since the code requires only a majority of *elected* school board members. Legislation has been introduced to address this issue.

THE CONTENT OF THE BILL:

The bill would amend the Revised School Code to include appointed board members in the code's requirement that valid acts of a school board be by a majority vote of the board members. The bill would amend the code to say that an act of a school board is not valid unless it were authorized at a meeting by a majority vote of the members elected *or appointed* to and serving on the board (and a proper record is made of the vote).

MCL 380.1201

FISCAL IMPLICATIONS:

According to the House Fiscal Agency the bill would have no fiscal impact. (3-12-01)

ARGUMENTS:

For:

The Revised School Code has procedures for making temporary appointments (until the next regular school election) to a school board when less than a majority of its members resign or leave the board. But the school code also says that official school board actions can be taken only by a majority vote of the elected board members, which means that it is possible for a minority of the school board members to take official action if some of the board members

have been temporarily appointed. For example, if three of a seven-member school board have been temporarily appointed, then a vote by only three of the four elected board members is all that is needed for the board to take official action. Obviously, official school board actions should require a majority vote of all of the members serving on the board, regardless of whether they were elected or appointed. The bill would require just this.

POSITIONS:

There are no positions on the bill.

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.