Series 2000: Bylaws

2300 Board Member Conduct

2303 Violation of Board Code of Ethics

The Board is responsible for enforcing the Code of Ethics (Policy 2302) for its members.

A. If it is suspected or alleged that a Board member has violated the Code of Ethics, the following may occur:

   1. The President (or Vice President, if the President is the focus of the inquiry) may confer with that Board member to determine whether the suspected or alleged violation is disputed.

      a. If the suspected or alleged violation is not disputed, the President/Board may propose how the member may remedy the violation; or

      b. If the suspected or alleged violation is disputed, the President may initiate an investigation by an affirmative vote of a majority of the members elected or appointed to and serving on the Board.

   2. The Board may discuss the alleged violation as an agenda item at a Board meeting. At the affected Board member's request, the Board may convene in a closed session under the Open Meetings Act to consider complaint(s) or charge(s) brought against the Board member.

B. If the violation is admitted or the Board determines that a disputed violation has been established by at least a preponderance of the evidence, the Board may consider:

   1. whether to publicly censure the Board member, which action may include adopting a formal Board resolution reprimanding the Board member;

   2. whether to remove the Board member from committee assignments;

   3. whether to remove the Board member from any Board office or position (e.g., Vice President, Secretary);

   4. whether the violation rises to the level of gross neglect of duty or corrupt conduct in office, or other misfeasance or malfeasance, warranting referral to the Governor pursuant to Michigan Constitution, Article V, §10 for possible suspension or removal from public office;

   5. whether the violation may constitute a criminal violation of the Revised School Code, the Michigan Penal Code, or other applicable Michigan law, warranting referral to local law enforcement; and

   6. any other act authorized by law.

© 2024 THRUN LAW FIRM, P.C. POLICY SERVICE

Legal Authority: Const 1963, art 5, §10, Const 1963, art 11, §1; MCL 380.619, 380.1107, 380.1804, 380.1815, 380.1816, 380.1230, 380.1230a, 380.1230b

Date adopted: October 26, 2026

Date revised:

© 2024 THRUN LAW FIRM, P.C. POLICY SERVICE