

**BYLAWS
OF**

**THE CITY OF MADISON BOARD OF EDUCATION
AMENDED October 25, 2012**

ARTICLE I. PREAMBLE

The City of Madison Board of Education was established, pursuant to Ala. Code § 16-11-2, by the adoption of Resolution No. 97-133-R of the Madison City Council on October 16, 1997. The City of Madison Board of Education is vested with all powers, authority, and responsibility provided in the applicable sections and chapters of Title 16 of the Alabama Code.

These Bylaws have been adopted to organize the City of Madison Board of Education (hereinafter referred to as the "Board"); to establish procedures for the conduct of its meetings; and to establish rules for the transaction of business by the Board. These Bylaws are not to be constructed to be in conflict with any existing or future state or federal law. To the extent any such conflict is deemed to exist, the state or federal law will control.

ARTICLE II. NAME

The name of the Board shall be the "City of Madison Board of Education."

ARTICLE III. MEMBERSHIP AND ORGANIZATION

1. Appointment.

The Board shall have five (5) members appointed by the Madison City Council.

2. Qualifications.

The members shall be residents of the City of Madison, chosen because of their character and fitness and otherwise meet minimum qualifications established by law or regulation of the Alabama State Board of Education. They may not be members of the City Council and may not be subject to the authority of the Board. Each member must affirm principles of educational governance required by the School Board Governance Improvement Act of 2012 before assuming office.

3. Terms.

Current members serve for the following terms:

<u>Place No.</u>	<u>Term Expires</u>
1.	June 1, 2014
2.	June 1, 2015

3. June 1, 2016
4. June 1, 2017
5. June 1, 2013

Members of the Board serve five (5) year staggered terms which expire on June 1st of each year, provided, however, that a member shall continue to serve in an expired term until his successor is duly appointed. Members may be re-appointed in a manner consistent with policies and ordinances of the City of Madison.

4. Advisory Liaison Member.

An advisory liaison to the Board may be designated by the Town of Triana in a manner and for a term designated by the Town of Triana, not to exceed five (5) years. The advisory member appointed must be a resident of the Town of Triana. As a matter of law, the advisory liaison member from the Town of Triana does not vote on Board business.

5. Duties.

The members of the Board are charged with the duty of the general administration and supervision of the public schools and educational interest of the City of Madison and its school system. Members of the Board shall perform all duties and responsibilities required by Title 16 of the Alabama Code in a manner consistent with the School Board Governance Improvement Act of 2012 (*see* Ala. Code §16-1-41.1), regulations of the State Department of Education regarding school board governance, *see* Alabama Admin. Code §290-1-5-.01, *et seq.*, and the Code of Conduct for the City of Madison Board of Education. Members also shall obey all other laws of the State of Alabama applicable to service on the Board.

6. Compensation.

The authority of Board members to receive compensation for their services as members of the Board is set by Alabama law. Members of the City of Madison Board of Education have declined to accept compensation but receive reimbursement of actual travel and other necessary expenses incurred in attending meetings outside the City and in transacting business of the Board. Nothing in these by-laws shall be deemed to prohibit adoption of a Board compensation policy consistent with Alabama law.

7. Vacancies.

Vacancies in Board membership shall be reported by the Board to the City Council and shall be filled in accordance with the provisions of Alabama Code § 16-11-3.

ARTICLE IV. OFFICERS

1. President.

The Board shall elect annually one of its members to serve as President. The President shall preside at meetings of the Board, rule on points of order during meetings, call special meetings, sign resolutions, contracts, and other documents approved or adopted by the Board, appoint all Board committee positions for one-year terms coinciding with the term of President, and represent the Board at official and civic functions as requested.

2. Vice President.

The Board shall elect annually one of its members to serve as Vice President. The Vice President, in the event of illness, absence, or unavailability of the President, shall perform all functions of the President set out in these Bylaws. In the event of a vacancy in the office of President, the Vice President shall automatically succeed to the office of President for the unexpired term.

3. Superintendent/Chief Executive Officer.

A Superintendent of the Madison City Schools shall be appointed by the Board to hold office at the pleasure of the Board or as provided by contract. The Superintendent shall serve as the Chief Executive Officer of the Madison City School System and shall perform all duties and functions required of a superintendent of city schools by Title 16 of the Alabama Code. Although not a member of the Board, the Superintendent shall serve as the Board's Secretary. The Board shall establish the Superintendent's compensation and may remove the superintendent from office for incompetence, immoral conduct, misconduct in office, willful neglect, violation of terms of the Superintendent's contract, or when, in the opinion of the Board, the best interests of the schools require it. The Superintendent shall give bond in an amount fixed by the State Superintendent prior to assuming office.

4. Secretary.

The Superintendent will normally serve as Secretary of the Board, but has no vote on any Board business. During a vacancy in the office of Superintendent, or when the Superintendent is otherwise absent or unable to serve, the Board may designate a member of the Board to serve as Secretary. The Secretary will: keep or cause to be kept accurate minutes of all meetings and all records of the Board; give or cause to be given all notices of meetings of the Board; make or cause to be made all reports required of the Board; execute all resolutions, contracts, and other documents of the Board on which a signature of the Board Secretary is

required; and perform all other functions and responsibilities required by the board, by state or federal law or which are requested by the Board.

5. Delegation of Duties.

Whenever both the President and Vice President are unavailable to perform duties assigned to them, either, as available in succession, may temporarily designate another board member to assume the powers and duties of the office of President.

ARTICLE V. MEETINGS

A. TYPES OF MEETINGS

1. Regular Meetings.

The times and places for regularly scheduled meetings will be established by the Board prior to the beginning of each school year, provided that the Board may modify its meeting schedule in the exercise of its sound discretion.

At the pleasure of the Board, a meeting may be designated in advance as a work session at which official Board business will not be conducted.

2. Annual Meeting.

The Board shall hold its annual meeting at its first regular meeting in May of each year. At the annual meeting, the Board shall elect one of its members to serve as President and one of its members to serve as Vice President. The Board shall also consider any resolution to establish or revise the approved compensation of members of the Board at this meeting in accordance with Ala. Code § 16-1-26.

3. Special Meetings.

Special meetings of the Board may be called by the Board President or by any two (2) other members of the Board.

4. Executive Session.

The Board may meet in closed or executive session for any reason allowed by the Alabama Open Meetings Act of 2005, (codified at Ala. Code § 36-25A-1, *et seq.*); provided that proper notice of the meeting have been given and that all procedural requirements for meeting for the stated purpose of the Executive Session have been met. No official action of the Board shall be taken in Executive Session, except as allowed by Ala. Code§ 36-25A-7(a)(9).

5. Notice of Meetings.

Public notice of the dates, times, and places of meetings of the Board will be given in the manner prescribed by law. Board members will be given such advance notice of specially called meetings as is practicable under the circumstances.

6. Records of Meetings.

A record of all meetings and work sessions of the Board (except Executive Sessions) shall be made and maintained. At a minimum, the record will include the date, time and place of the meeting or work session, the members present and absent, and actions taken, if any.

B. PROCEEDINGS

1. Rules of Order.

Board meetings shall be conducted in accordance with the most recently published edition of Robert's Rules of Order, except as otherwise specified by these Bylaws.

2. Order of Business.

Business shall be conducted by the Board in accordance with the agenda proposed by the Superintendent and/or the President of the Board, unless otherwise provided by the Board.

The Board President or a majority of the Board may establish time limits or other policies related to public comments or other agenda items as are deemed necessary for the efficient conduct of business by the Board.

3. Quorum.

Three (3) members of the Board shall constitute a quorum for the transaction of business.

4. Voting.

No motion or resolution shall be declared adopted without the concurrence of the majority of the whole Board.

5. Agenda.

The agenda for regular meetings will be prepared by the Superintendent with the advice of the President and/or members of the Board.

Preliminary agendas prepared for a meeting will be posted as soon as practicable after they are prepared. At meeting time, agenda items may be added or re-ordered by approval of a majority of the members present.

ARTICLE VI. GENERAL PROVISIONS

1. Instruments, Generally.

The Board may authorize any officer, the Superintendent, or any employee of the Board to sign any contract or other instrument on behalf of the Board, provided that the Superintendent has recommended or approved any document, contract, or instrument as to which the Superintendent's recommendation or approval is required and/or sufficient by law.

2. Fiscal Year.

The fiscal year of the Board shall begin October 1 and end September 30.

3. Budget.

The Superintendent shall prepare, or cause to be prepared, an annual budget for each fiscal year which shall be submitted to the Board at least thirty (30) days in advance of the end of the fiscal year. The Board will adopt the budget and schedule required public hearings by the end of September of each year. The budget shall include all anticipated revenues (including loans, bond proceeds, or other borrowing) and expenditures. The Superintendent will submit a financial report to the Board on a monthly basis. The adopted budget shall be submitted to the State Superintendent of Education for approval in accordance with instructions issued annually.

4. Audit.

The Superintendent shall cause an annual audit to be performed of the financial condition of the Board by a Certified Public Accountant.

5. Amendments.

These Bylaws may be amended at any regular meeting of the Board by a majority of the members, provided that notice of the proposed amendments has been provided to each member at least forty-eight (48) hours in advance of the meeting and that the proposed amendment does not cause the Bylaws to become in conflict with any provision of State law or rule or regulation of the State Department of Education. At the request of any member present at the first meeting at which any amendment is proposed, it shall be held for decision until the next meeting. The Bylaws should be revised annually within sixty (60) days

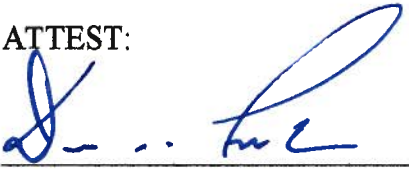
of the Board's annual meeting to assure consistency with State law and Department of Education rules or regulations and to consider appropriate updates or revisions. Amendments adopted by the Board should be distributed to all members.

THESE BYLAWS WERE CONSIDERED AND APPROVED ON THE 25th DAY OF OCTOBER 2012, BY A VOTE OF THE CITY OF MADISON BOARD OF EDUCATION.

CITY OF MADISON BOARD OF EDUCATION

By: 
Ray White, President

ATTEST:


Dee O. Fowler, Secretary