

BOARD MEMBERS' LEGAL STATUS

The legal status of each member of the Florence City Board of Education is that of a Florence "city officer."

Members of the Board have the authority, powers, duties and responsibilities provided by Section 16-11-1 of Title 16, Code of Alabama and by Act 2000-656 of the State of Alabama.

Further, members of the Board are immune from any civil liability – contract, tort or otherwise – for any action taken in their official capacity as members of the Board.

The legal status of each Board member does not authorize members to act for or bind the Board of Education individually. Instead, the powers and duties vested in the Board of Education may be exercised only by action of the Board of Education as a whole. In this respect, no motion or resolution may be declared adopted without the concurrence of the majority of the whole Board.

NUMBER

The Florence City Board of Education consists of six members, with one member elected from each of the six city council districts by a majority of the qualified electors voting who reside within the district.

QUALIFICATIONS FOR BOARD MEMBERS

A person is legally qualified for membership on the Board of Education provided:

1. The person is a member of the city council district which he/she proposes to represent for at least six months immediately preceding the deadline date for qualifying as a candidate;
2. The person is at least 21 years of age;
3. The person is a registered voter;
4. The person is not an employee of the Board;
5. The person does not have a record of conviction for any crime involving moral turpitude; and
6. The person pays a qualifying fee in an amount equal to that paid by candidates for general municipal elections.

NOTE: If the boundaries of a city council district change, the corresponding Board of Education districts automatically changes accordingly for the next election of the Board of Education. If

redistricting places an incumbent Board member outside his/her district, the member continues to serve the remainder of the term to which he/she was elected.

TERM OF OFFICE

Members of the Board of Education are elected within their respective districts for a four-year term, coinciding with general municipal elections. The election is conducted, the vote canvassed and the results declared in the same manner as provided for other general municipal elections. Terms officially begin on the first Monday in October following the election.

UNEXPIRED TERM FULFILLMENT

Should a vacancy occur in the membership of the Florence City Board of Education by resignation or otherwise, the vacancy is filled by a majority of the remaining members of the Board for the unexpired term. It is filled within 45 days after the vacancy occurs from qualified candidates who apply for the Board position.

If the vacancy is not filled within 45 days, the Superintendent of Education notifies the State Superintendent of Education who then fills the vacancy by appointment. The person filling the vacancy must reside in the district which the vacating members represented.

RESIGNATION OF BOARD MEMBERS

A Board of Education member may resign from office at any time during his/her term. Such resignation must be approved by the Board. In the event that a member elects to resign, a written statement of resignation must be submitted to the Board as far in advance of the effective resignation date as possible.

A Board member is considered as resigned when he/she moves from the city council district that he/she represents, when he/she has a record of conviction of any crime involving moral turpitude, or when he/she becomes an employee of the Board of Education.

REMOVAL FROM OFFICE

Any member who fails to attend more than two regularly scheduled monthly meetings of the Board of Education without an authorized excused absence as recognized by the Board through written agreement receives a written request from the Superintendent of Education to attend the meetings. If the Board member persists in unexcused absences for two additional regularly scheduled monthly meetings, his/her position is declared vacant by the President of the Board subject to review and approval by the city council.

INTERNAL ORGANIZATION

At its regular meeting in October of each year, the Board of Education, after establishing a quorum, elects a President and Vice-President from among its members. The President accepts these duties:

1. To preside over all meetings of the Board;
2. To set the meeting times and dates of all Board meetings consistent with state law, keeping in mind that meeting times should afford citizens the best opportunity to attend;
3. To set the agenda of the Board meetings in consultation with the Superintendent of Education;
4. To ensure proper and adequate notice to the public for public hearings on the budget of the school system;
5. To maintain order at all Board meetings;
6. To assist the Superintendent in seeking public input into the operation and support of the city school system;
7. To vote on all matters which come before the Board if he/she so desires;
8. To ensure due process for the employees of the school system according to adopted written policies and state law; and
9. To promote the city school system as authorized by the Board.

In the absence of the President, the Vice-President performs the duties of the President, and, when so acting, has all the powers of the President.

QUORUM

A majority of the Board membership (i.e., at least four) constitutes a quorum at regular or special meetings of the Board of Education. With the establishment of a quorum, four assenting votes are required for passage of any motion.

The only action that may be taken in the absence of a quorum is to adjourn the meeting to another time in the expectation of a quorum.

METHOD OF VOTING

There is no representation by proxy of any member of the Board at any time. All members present at a Board meeting are authorized to speak on issues, offer and second motions, and vote. Any matter requiring a vote of the Board is voted on by open ballot. A roll call vote may be required by the President, or at the request of any Board member, on matters of extreme importance.