

Handbook Categories update from 10-2-17 committee meeting

Anchorage

Berlin

Chesterfield

Howard

Lynn

Washoe

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BOARD BUSINESS AND OPERATIONS

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~~Business Meetings (Schedule, Regular and Special)~~

Meetings

The Board of Education normally meets regularly once each month, and meetings last one to three hours. BB 9320 goes into more detail regarding meetings. ~~Work sessions and board committee meetings are usually held prior to each regular meeting, typically starting between 12:00 p.m. and 4:00 p.m. midday, and lasting from two to four hours until the Board dinner break. The Board encourages using the dinner break to invite elected officials, tribal representatives, and other District partners to join the Board for informal conversations over a light dinner. Additionally, the Board has the current practice of quarterly planning and work sessions beginning around 9am the following morning which can extend into the afternoon. When the Board is considering the budget or high priority needs, additional meetings and worksessions may be necessary. A joint budget review meeting(s) with the Borough Assembly is usually held prior to the Board's approval and development of the budget. Special school District activities or meetings may often require the attendance of a Board members, ie Administrator meetings, Key Communicator events. A joint budget review meeting with the Borough Assembly is usually held prior to the Board's approval of the budget.~~

Regular Meetings

~~Regular meetings are traditionally held on Mondays and begin at 6:00 p.m. in the Borough Administration Building. Each school year, at least one regular meeting will be is held in Seward and one in Homer. Typically this has been at Seward High in the spring, and Homer High in the fall. The local Board members from these areas are encouraged to suggest dinner guests, presenters for the Board meeting and possibly Organizations Supporting Student Activities to provide dinner in exchange for a donation.~~

Special Meetings

The Special meetings are convened for action on matters that cannot wait until the next regular meeting. Only the specific topics on the special meeting agenda can be discussed.

Executive Session (closed meetings)

The Executive sessions are convened only for discussion of personnel, or fiscal or other matters that by law, municipal charter, or ordinance are required to be confidential. Voting does not take place during these sessions.

Work Sessions

Work sessions are conducted for review of a subject in greater depth than is possible during a regular meeting. All Board members are expected to attend. No voting or public comment takes place, but the public is welcome to listen.

Executive Sessions

An executive session is not a stand-alone, or secret meeting; it is a part of a public meeting in which the public may be temporarily excluded for certain purposes. An executive session is not an exception to the Open Meetings Act, but rather authorization to conduct a step in the decision-making process in an appropriate way. A Board decision to conduct any step in the deliberation process outside of the public forum should weigh the public interest in the right-to-know against any potential harm that could result from open deliberation.

BB 9321 explains the procedure for entering into executive session, the subjects allowed to be discussed in accordance with the OMA and when direction may be given. The permissible reasons for holding an executive session are limited and, when in doubt, the Board may choose to consult with counsel. Although the OMA allows for discussion in executive session, any action by the Board must be taken in open session. However, the Board may take action during an executive session when acting on quasi-judicial matters such as hearings. BB 9011 explains the confidentiality requirements of executive sessions.

The Board may, at its discretion, invite others into its executive session.

Confidentiality

~~Confidential information which is produced for or which comes out during executive sessions of the Board shall not be divulged or released unless a majority of the Board agrees to release the information as permitted by law/bargaining agreement/policy. (BB 9011)~~

Please remind me if we received a written opinion from the borough attorney on voting during Executive Sessions. I don't know if I was imagining things, but I only found the 2002 Gordon Tans, Perkins Coie document referenced on the state website. After rereading, definitely still direction with voting only allowed in Executive Session related to decisions of quasi-judicial matters.

www.commerce.alaska.gov/web/Portals/4/pub/Alaska's%20Open%20Meetings%20Law.pdf
Also, AR 4117.6 Informal Hearing for Nonretention of Nontenured Staff, BP 9321 Executive Sessions & AR 5144.1 Suspension and Expulsion may be unclear.

Indemnification

Meeting Audio/Video

Video (when available) and audio recordings of public meetings are available as a matter of public record. The audio recordings of all school board meetings are streamed live, then posted to and retained on the District BoardDocs portal. Video recordings will be similarly streamed, posted and retained.

The following guidelines will help ensure that meeting recordings can be understood by all listeners.

Board President

- Confirm the type of meeting (Board of Education regular meeting, ~~or Board of Education special meeting~~ or emergency special meeting), as well as meeting date, time, and location
- Acknowledge excused Board members as roll is called by the Board administrative secretary
- Acknowledge any member attending via distance
- Acknowledge Board members by name as they are given permission to speak. Assure Board members attending via distance are given opportunities to speak

- Acknowledge by name the maker of the motion or amendment and the second
- Repeat each motion before the vote is taken
- ~~and then afterwards~~ Report **individual votes** and whether the motion passed or failed
- Acknowledge when a Board member leaves the meeting before adjournment (“Mr. Smith has been excused from the meeting.”) **or arrives after meeting has commenced (Ms Smith was delayed and has joined the meeting.)**

All Board Members

- Silence electronic devices – e.g. cell phone, **computers**
- Speak directly into the microphone
- Assume that microphones are live at all times **as** side conversations can be picked up by neighboring microphones and become part of the recording
- **Assume video is live at all times.**
- Start speaking after turning on the microphone and stop speaking before turning it off
- Speak only when recognized by the Board president
- Speak slowly when reading to the audience from printed material.

Meeting Protocols and Acceptable Board Communications

Minutes

~~The minutes are recorded and prepared by the Board administrative secretary to~~ In order to appropriately apprise the public of the Board’s work, Board minutes should include:

- The District name, Board member attendance, date, time **meeting began**, location, type of meeting (special, regular, **emergency special executive session**), time of adjournment;
- All motions and amendments made by any Board member **unless withdrawn**, even if the action dies for lack of a second;
- ~~Motions and amendments and the~~ All action taken **and direction given by the Board.** Individual votes will be recorded unless the action was unanimous **or there was no objection**;
- A brief description of any business transacted by the Board, along with any Board action;
- A description of any executive session held, along with the names of all individuals present for the session;
- The name and a brief summary of the subject for all public speakers and presenters; and
- A brief summary of Board Reports, **the Superintendent’s Report** and Board Comments.

Minutes are considered unofficial until approved by the Board and signed by the presiding officer and the Board clerk. **Final approval of the minutes rests with the Board.**

Minutes are available as a matter of public record. In addition to being **posted to** the District BoardDocs **portal**, official minutes ~~shall be~~ **are** preserved in a hard cover book and **retained as a permanent record kept forever**. The Board administrative secretary ~~to the Board shall have the right to~~ **may** correct typographical errors when they are discovered.

Officers of the Board

Open Meetings Act

The State of Alaska's Open Meetings Act (OMA) requires that all meetings of the Board be open to the public except certain matters that may be discussed in executive session. The OMA is intended to ensure that decisions made and actions taken are public knowledge and represent the will of the public that the Board serves.

In essence, the OMA protects the public's right to know. To this end, the OMA requires that:

- all deliberations and action taken by the Board must be done in public view, with limited

- exceptions;
- the public must be provided prior knowledge of all steps occurring in the decision making process, with limited exceptions; and that
- individual actions of board members are made known.

In order for these requirements to have full effect, meetings must occur as provided in the notice; and, with few exceptions, the public must be allowed to involve itself in the meeting. The public must also have access to materials being considered during the meeting.

The OMA should be narrowly construed to effectuate these policies and avoid unnecessary exemptions.

A meeting of a decision or policy-making body occurs when more than three members or a majority of the members, whichever is less, engage collectively in discussion of a subject that the body is authorized to act and set policy on and is therefore subject to the Open Meetings Act. Under this definition, it doesn't matter where the meeting occurs, if it was prearranged, or who arranged it and could include unplanned casual or social contact.

A meeting of an advisory only body, ie committees, is a prearranged gathering to consider a matter on which the entity is authorized to advise and assist the decision making body and is subject to the provisions of the act. The act doesn't specify a number, so two or more members, if the gathering is prearranged for the purpose of conducting any business of the entity, could constitute a meeting. *Note: if two or more is the minimum to constitute a meeting of an advisory only body, what about district level committees with two or more board members participating?*

Note: The preceding information was essentially sourced from the Alaska Department of Commerce, Community, and Economic Development website.

Serial meetings (a series of gatherings of Board members, over the course of which, a quorum exists) whether in person or by means of electronic communication, to deliberate toward a decision or take action are prohibited by the OMA.

Quorum

Parliamentary Procedure

Parliamentary procedure facilitates the transaction of business and promotes cooperation and harmony. State statutes and regulations may direct some parliamentary procedures, ie *AS 29.20.020 Meetings Public* requires that all regular and special meetings must include a reasonable time for the public to be heard. BB 9323 reflects Board adoption of parliamentary procedures through board bylaws. BB 9323 includes the choice to adopt Roberts Rules of Order as the parliamentary authority used to guide board meetings except as provided otherwise either in board policy or law. **Robert's Rules of Order is the most commonly adopted parliamentary authority among societies in the United States.**

Lynn

Sunshine Fund

The Board maintains the Sunshine Fund to allow timely acknowledgements for member retirements, hospitalizations, passing of immediate family members, etc. Each board members

contributes individually to the fund when requested to do so by the Board Treasurer. Some examples of Items of acknowledgement in the past have included cards, flowers, art, donations to a charity of the member's choice, jewelry, scarves, pottery and gift cards. The Board Administrative Assistant maintains an accounting of the fund with contributions and expenditures recorded. The Treasurer works with other board members and the Administrative Assistant to assure acknowledgements are appropriate for the intended purposes. Members volunteer to assist in the purchase and /delivery presentation of the acknowledgements.

Voting

The Board of Education is a collective body and, as such, can only act via a vote by its members. Board votes must be in public at a properly noticed meeting of the Board and recorded in writing. Pursuant to Robert's Rules, all motions must be made by one board member and seconded by another. Members may vote in favor, against or abstain from voting. Members may explain their vote, but are not required to ~~explain~~ do so. ~~The chair~~ board president announces the vote for the record.

Board members have a duty to ~~to make an informed decision in the best interest of district students by~~ ~~vote~~ voting on issues before them. All members present are also obligated by the Alaska Open Meetings Act to vote on every question unless required to abstain.

Notes:

Requirement to vote & ballots restricted to board organization (officers)

www.commerce.alaska.gov/web/dcra/LocalGovernmentOnline/LocalGovernmentElectedOfficials/OpenMeetingsAct.aspx

BB 9270.1&2 may conflict with current practice so we might want to suggest this BB be reviewed.

The board has already noted BB 9320 requiring voice vote may also need review.

~~When a member feels that the issue causes a conflict of interest they may abstain from voting. The member's abstention shall be considered to concur with the action taken by the majority of those who vote, whether affirmatively or negatively.~~ Votes can be cast by "unanimous consent", "no objection", roll call, via BoardDocs electronically or by ballot. Roberts Rules of Order will be followed unless Board Bylaws or Policy direct otherwise. ~~(See Appendix Robert's Rules of Order Motions Chart)~~ suggest

Call for Unanimous Consent In cases where there seems to be no opposition to routine business items the president will accept a request for unanimous consent. ~~Any Board members who wish for a roll call or ballot vote~~ desires casting individual votes or discussion may respond with an objection.

No Objection The president, when assuming a motion on which no controversy is expected, can phrase the question as: If there is no objection, we will take a ten minute recess; Is there objection? (pause) Hearing none, we are in recess.

Roll Call (required whenever a member is participating by distance by the Alaska Open Meetings Act) The Board member participating by distance shall vote online via BoardDocs or the administrative secretary shall call individual board members by name and record their vote as YES, NO or ABSTAIN.

The Student Representative to the Board shall be called first to cast an advisory vote and the Board president shall be called last. ~~An effort at randomness is encouraged when calling upon remaining members by name.~~

Note: <http://robertsrules.forumflash.com/topic/30663-calling-for-acclamation/?tab=comments#comment-177919>

Ballot (**only allowed** for election of Board officers **by the Alaska Open Meetings Act**) The Board president shall direct the administrative secretary to distribute, collect, and count the ballots) and to report the results of the vote.

APPENDIX (We will need to look more fully at the Appendix) suggestion - Penny

Alaska's Open Meetings Law, by Gordon J Tans, 3rd Edition October 2002 (link)

www.commerce.alaska.gov/web/Portals/4/pub/Alaska's%20Open%20Meetings%20Law.pdf

Board Policy (link)

Effective Leadership Evaluation (link)

Strategic Plan (link)

References (Acronyms, Parliamentary Procedure)

Resources