

MEETINGS

0161 Rules of Order

The parliamentary authority governing the Board of Education shall be guided by Robert's Rules of Order, Newly Revised, as defined in Chapter XVI, "Boards and Committees" so long as it is not inconsistent with statute, administrative code, or these bylaws.

0162 Quorum

Five (5) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum, with the exception of the Board Executive Committee, which is empowered to act on behalf of the Board on urgent issues in between Board meetings.

0163 Presiding Officer

The President shall preside at all meetings of the Board. In the absence, of the President or his/her inability to act, the Vice-President shall act instead. If neither person is available, any member shall be designated by a plurality of those present to preside at the meeting.

0164 Call

0164.1 Regular Meetings

The Board shall hold meetings at least once each month on a date and at a time and place determined annually by the Board.

The Superintendent and those administrators directed by the Superintendent shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation – as distinct from Board members, deliberation, debate, and voting.

0164.2 Special Meetings

Special meetings of the Board may be called by the President, the Board Executive Committee, or upon the filing of a written request with the Clerk signed by a majority of the School Board members.

0164.3 Virtual Meetings

At least the presiding officer of the meeting and the Superintendent (or an administrative-level designee) shall normally be physically present at the meeting location identified in the public notice of the meeting. Unless such presence would violate an order, decree, or declaration that has been issued by a governmental authority or would otherwise be infeasible due to extraordinary circumstances, it is the Board's preference and goal, but not strictly required by this policy in all circumstances, for at least a quorum of the Board to be physically present at the duly-noticed location of the meeting.

Any Board members who are physically present at the posted meeting location will join the virtual meeting using the available technology platform(s). Any Board members who are not physically present at the meeting location will likewise join the meeting from their remote locations via such platform(s).

The presiding officer will formally convene the meeting.

- A. The presiding officer shall confirm that all Board members who are known to have attempted to join the meeting appear to have an adequate connection to enable their participation as authorized under this policy.
- B. The presiding officer shall confirm that the planned methods for allowing public access to the meeting appear to be functioning in a manner that allows for adequate and reasonable public access under the specific circumstances.

Quorums for any virtual meeting that is convened under these emergency procedures will be determined by counting the total number of Board members who are participating in the meeting, including both those physically present and those attending remotely via technology. A majority of the total members of the Board shall constitute a quorum. If, at any point, fewer than a majority of the Board members are able to participate, the meeting shall end for a lack of a quorum.

Unless the in-person attendance of the full Board is disallowed by an order, decree, or declaration that has been issued by a governmental authority having such jurisdiction, no Board member will be prohibited from attending a meeting under this policy in person at the duly-noticed location of the meeting. As a result:

- A. In the absence of such an order, decree, or declaration, a Board member's decision to participate in a meeting remotely via technology under this policy is considered voluntary. If, for any reason, a Board member who voluntarily attempts to participate in such a meeting from a remote location is unable to establish or maintain his/her full participation (e.g., due to unforeseen technical difficulties), the meeting may continue without such Board member's participation as long as the Board continues to maintain a quorum of fully-participating Board members.
- B. If the in-person attendance of the full Board at the duly-noticed location of the meeting is disallowed by an order, decree, or declaration such that a Board member's participation from a remote location cannot be considered voluntary, and if any such Board member is unable to establish or maintain his/her full participation in the meeting from a remote location, the presiding officer shall call for a temporary recess in the meeting to allow the Board member a reasonable opportunity to establish or restore his/her access and participation. If the Board member's access issues cannot be adequately resolved, but the Board member also has not voluntarily withdrawn from the meeting, then the remaining members of the Board (provided that there is a quorum) shall make a determination whether or not to continue the meeting without the Board member, taking into account factors such as (1) the apparent reason(s) for the access issues; and (2) the time sensitivity and importance of any of the remaining items of business, including the feasibility of rescheduling some or all of the remaining agenda items of the meeting.

Board members who, under this policy, join and participate in a meeting remotely via technology may participate in open sessions of such virtual meetings to the same extent as if they were physically present, including discussing items of business and making and voting upon motions, except that Board members may not participate remotely in any evidentiary, due-process hearing, whether in open session or closed session, unless the Board affirmatively votes to permit such participation and has either (a) obtained the voluntary consent of the necessary parties to the hearing; or (b) determined, based on advice of counsel, that applicable law (including any order or decree issued to protect public health) requires the Board to allow such participation under the circumstances.

The Board's preferred setting and forum for conducting any closed session portion of a Board meeting is an in-person meeting, with a physical quorum of the Board being present and without the remote participation of any Board members. Accordingly:

- A. If a physical quorum of the Board is present at the duly-noticed location of a Board meeting and there is no order, decree, or declaration related to the emergency that prohibits the entire Board from attending the meeting in person, then nothing in this policy grants any Board member who is not physically present at such location a right to attend or otherwise participate in a closed session.
- B. In the event that the Board considers a motion to convene in closed session during a virtual meeting held under this policy when either (1) a physical quorum of the Board is not present at the duly-noticed meeting location; or (2) there is an order, decree, or declaration related to the emergency that expressly prohibits the entire Board from attending the meeting in person, the presiding officer of the meeting shall poll each member of the Board who wishes to participate in the closed session from a remote location, and each such Board member will be asked to expressly affirm that the Board member has taken appropriate precautions to safeguard the privacy and integrity of the closed session, including but not limited to precautions that would reasonably ensure that the closed session is not being recorded without the Board's permission and that no non-authorized person can hear or access the discussions or other confidential information. The members of the Board may take the response(s) to the request for such affirmations into account in determining whether to authorize or potentially postpone the closed session.

In the absence of technical difficulties or technical limitations specific to a particular meeting, the Board will make a recording of the open session portion(s) of the virtual meetings held under this policy. Any such recording will be made available to the public at no cost.

If, at any time, the Board is made aware that the methods arranged for providing public access to a virtual meeting under this policy are not allowing adequate and reasonable public access under the specific circumstances, and if such issues cannot be remedied during a brief recess in the meeting, then the Board shall adjourn the meeting.

0165 Notice

0165.1 Regular Meetings

Public notice of all meetings shall be given pursuant to statute. The Board shall post on the District website and in other locations considered appropriate by the Board, a notice listing the date, time, place, and subject matter of each regularly-scheduled meeting of the Board, including subjects intended for the consideration at any closed session, in the form which is reasonably likely to inform members of the public and the news media. The notice shall contain the name and address of the District and its telephone number. The notice shall be given at least twenty-four (24) hours prior to the meeting unless for good cause such notice is impractical, but in no case may the notice be less than two (2) hours in advance of the meeting.

The notice shall also contain the following statement:

“Anyone attending this meeting who requires an interpreter, materials in an alternate format, or other accommodations to access this meeting is asked to contact the School District Office at 262-268-6005 48 hours in advance of the meeting so that arrangements may be made. The meeting location is accessible.”

The notice shall be given to the Ozaukee Press and, upon the written request, to an individual, organization, firm, or corporation. The news media shall be entitled to receive, at their request, copies of, such notices free of charge.

0165.2 Change of Regular Meetings Notice

If the Board changes the date, time, or place of a regularly-scheduled meeting, the meeting notice shall state the date, time, place, and subject matter of the rescheduled meeting, as well as the name and address of the District. Said notice shall be posted on the front door of the Administrative Office Building, on the District website, and such places as the Board may determine. Said notice shall be posted at least twenty-four (24) hours before the rescheduled meeting, unless for good cause at least two (2) hours prior to the meeting.

The notice shall be given to the Ozaukee Press and, upon the written request, to an individual, organization, firm, or corporation. The news media shall be entitled to receive, at their request, copies of, such notices free of charge.

0165.3 Special Meetings Notice

Special Board meeting notices shall state the date, time, place, and subject matter of such special meeting, as well as the name and address of the District. A notice of any special meeting shall be posted at least twenty-four (24) hours before said special meeting, unless for good cause at least two (2) hours prior to the meeting, on the front door of the Administrative Office Building, on the District website, and at such other places as the Board may determine. A copy of said notice shall be emailed to each member of the Board at least twenty-four (24) hours prior to the meeting, unless for good cause at least two (2) hours prior to the meeting.

The notice shall also be emailed to the Ozaukee Press and, upon the written request, to an individual, organization, firm, or corporation. The news media shall be entitled to receive, at their request, copies of, such notices free of charge.

0166 Agenda

The Superintendent, after consultation with the Executive Committee, shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda upon the concurrence of the Board Executive Committee. Each regular Board meeting agenda will provide a time for public participation during the meeting as indicated in the agenda.

The agenda for each regular meeting shall be sent via email to each Board member so as to provide proper time for the member to study the agenda. Generally, each Board member shall receive the agenda at least three (3) days prior to the meeting. The agenda for a special meeting shall be emailed or delivered at least twenty-four (24) hours before the meeting, unless for good cause at least two (2) hours prior to the meeting.

The Board shall transact business according to the agenda. The order of business may be altered by a majority vote of the members present. The Board shall not discuss or act upon any item of business not included on the noticed agenda. The Board may discuss matters raised by the public during the public participation portion of the meeting, provided such period of public comment was included on the meeting agenda notice.

0166.1 Consent Agenda

The Board of Education may use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

- A. minutes of prior meetings
- B. bills for payment
- C. hiring of non-administrative personnel
- D. resignations, terminations, and leaves
- E. resolutions and actions that require annual adoption, such as bank depositories and annual membership dues (i.e. Wisconsin Association of School Boards, Southeastern Wisconsin School Alliance, Wisconsin Interscholastic Athletic Association, etc.)

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated-as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a non-action item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

0167 Conduct

0167.1 Voting

All regular and special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless a quorum of the Board is present and said act is approved by a majority vote of that quorum serving on the Board, with the exception of The Board Executive Committee, which is empowered to act on behalf of the Board on urgent issues in between Board meetings, and a proper record made of the vote. Meetings of the Board shall be public and no person shall be denied admission, with the exception of closed session meetings for specific purposes as outlined in state law.

Any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority.

Actions requiring a vote may be conducted by voice, show of hands, or roll call, provided that the vote of each member be recorded. Proxy voting shall not be permitted.

A roll call vote shall be taken on all significant questions, as determined by the presiding officer, but not limited to all questions requiring appropriation of money. Roll call votes shall also be taken whenever requested by any member of the School Board.

Random order voting will be used for all roll call votes, as determined by the Board Secretary (or alternate individual taking meeting minutes in the absence of the Board Secretary), thereby avoiding the same members always voting first/last on all matters.

0167.2

Closed Session

All meetings of the Board and its committees will be open to the public except that such meetings may be convened in closed session for specific purposes outlined in state law.

Each closed session requires a majority roll call vote of the Board members present.

The presiding officer shall announce the nature of the closed session and the specific section of the law that allows for the closed session.

No business other than that stated in the public notice may be conducted at a closed session. The Board may not reconvene its regular or special meeting after a closed session, within twelve (12) hours, unless public notice of the reconvened meeting was part of the public notice of its regular or special meeting.

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose to anyone the content of discussions that take place during such sessions.

0167.3 Public Participation at Board Meetings

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters. Any person may request of the Superintendent or Board President that an item be placed on the agenda prior to official posting. The request shall include:

- A. name and address of the participant;
- B. group affiliation, if and when appropriate;
- C. topic to be addressed.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and may state rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. All individuals who comment during the public comment period are reminded that the information provided this evening is intended to provide information to the Board so that it can fulfill its role. In that vein, all parties are reminded that all information offered be truthful and honest. False statements or stigmatizing charges may subject the individual making such statements to legal repercussions, including, but not limited to, defamation claims.
- B. Comments that identify students shall be subject to the Wisconsin pupil records law and FERPA. As such, student information that is not directory data as designated by the board, for example individual student behavioral or progress records, shall not be discussed in this forum. Comments that identify personnel are subject to the applicable personnel records state statutes. The Board may inform the speaker that his/her comments are not permitted if in the opinion of the Board it is not subject to release under the above applicable standards.

- C. Public participation may be permitted as indicated on the order of business, before the Board takes official action on any issue of substance, or at the discretion of the presiding officer.
- D. Attendees may register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- E. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name and address.
- F. Each statement made by a participant may be limited to three (3) minutes duration.
- G. Participants may speak more than once on the same topic if all others who wish to speak on that topic have been heard.
- H. Participants shall direct all comments to the Board, not to individual Board members.
- I. The presiding officer may:
 - 1. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 - 2. request any individual to leave the meeting when that person does not observe reasonable decorum.
- J. Tape or video recordings are permitted, providing the person operating the recorder has contacted the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:
 - 1. no obstructions are created between the Board and the audience.
 - 2. no interviews are conducted in the meeting room while the Board is in session.

3. no commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

0167.4 Board Internet and Computer Use - Refer to Board Policy 3900.

0168 Board Minutes

The Clerk, or a temporary clerk appointed by the presiding officer, shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. The minutes shall also show action taken and if requested, remarks of Board members, administration, and/or citizens present. These minutes must be approved by the Board and endorsed by the Clerk at the next regular meeting. The minutes shall include all votes taken at the meeting.

Proceedings of each meeting shall be published as a Class 1 notice within forty-five (45) days of the meeting. There will also be a detailed record of all receipts and expenditures available for inspection at each regular Board meeting and upon written request.

The minutes shall be available for inspection at the Superintendent's office and posted on the District website after approved by the Board.

The official minutes shall be bound together by years and kept in the office of the Board of Education.

Minutes of the preceding meetings shall be approved by the Board at its next regular meeting.

Legal reference:

Sections 19.21, 19.36(10), 19.81, 19.83, 19.83(2), 19.84, 19.85, 19.88, 19.9065.90(5), 118.22(2), 118.24(6), 120.11, 120.11(4), 120.11(1), 120.11(2), 120.17(3), 120.43, 120.43(4), 120.44(2), Wis. Stats.

Cross reference:

Bylaw 0131.1 – Bylaws and Policies
Bylaw 0144.2 – Absence
Bylaw 0144.3 – Code of Ethical Conduct
Bylaw 0152 – Committees
Bylaw 0171.1 – President
Bylaw 0171.2 – Vice President
Bylaw 0171.3 – Clerk
Board Policy 8310 – Public Records