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|  Meadows Arts and Technology Elementary School | Board Meeting, Agenda and Meeting Materials Policy | |
| | Last Reviewed/Revised: 01/19/2016 | Effective Date: 01/19/2016 |
| Reference Number: BB-BMP-01192016 | Original Author: MATES Board | Policy Status: ACTIVE |

PURPOSE:

The Meadows Arts and Technology Elementary School (“MATES”) welcomes public participation at its Board of Directors (“Board”) meetings. The purpose of a public meeting of the Board is to conduct the affairs of MATES in public. As the MATES Board is defined as a local legislative body by the State of California, the Brown Act and other applicable laws guarantee the public’s right to attend and participate in the meetings of the Board. This policy is defined to ensure compliance with applicable regulations and foster public involvement in school affairs.

SCOPE:

This policy applies to all formal and informal meetings scheduled and conducted under subject matter jurisdiction of the MATES Board.

GENERAL POLICY STATEMENT:

The Board of Director’s (“Board”) shall comply with the Brown Act and other applicable laws of the State of California with regard to open meetings and Board agendas.

POLICY DETAILS:

1. A majority of the voting members of the Board shall constitute a quorum of Board which is necessary for the Board to transact business. All motions, in order to pass, need positive action (votes registering aye) by at least the majority of the Board present. Should there be fewer than a majority of the Board present at any meeting, the meeting shall be adjourned.
2. REGULAR MEETINGS - Regular meetings of the Board shall be held consistent with the calendar for such meetings as established by the Board each year.
3. SPECIAL MEETINGS - Special Meetings may be called on as-needed basis, consistent with legal requirements (Government Code 54956).
4. EMERGENCY MEETINGS - An emergency meeting may be called with a one hour notice in case of work stoppage that seriously impairs public health, safety or both in the case of a crippling disaster.
5. CLOSED SESSIONS
 - 5.1. Agenda Requirement:
 - 5.1.1. All items to be considered in closed session must be identified in the notice or agenda for a meeting. (Government Code 54954.2) Closed session agenda items may relate to the following subjects: Personnel, Pending Litigation, Real Estate Negotiation, Labor Negotiations, Public Security Exception, and Pupil Discipline.

- 5.1.2. Closed session agenda for personnel matters must specify the title of the position in all instances except discipline, dismissal or release. (Government Code 54954.5(e).)
 - 5.1.3. Closed session agenda for conferences with real property or labor negotiations must specify the names of designated representatives. (Government Code 54954.5(b)(f), 54956.8, and 54957.6.)
 - 5.2. Oral Announcement: Prior to each closed session, the Board must orally announce the subject matters(s) of the closed session. (Government Code 54957.1)
 - 5.3. Reporting Out: If final action is taken in closed session, the Board must report the action at the conclusion of the closed session. Each Board members vote shall be disclosed orally and recorded. (Government Code 54957.7)
 - 5.4. Confidentiality of Closed Sessions: Those in attendance may not disclose confidential information that has been acquired by attending a closed session to a person not entitled to receive it, unless the Board authorizes the disclosure.
 - 5.5. Duration: If the closed session items/discussions are not completed by the time the open meeting is scheduled to begin, the closed session may be suspended and continued after the open meeting is completed or as agreed to by the majority of attending Board members.
6. NOTIFICATION OF MEETINGS - No later than seventy-two (72) hours prior to a regular meeting and no later than twenty-four (24) hours prior to a Special Meeting, the Board shall provide notice of the time and place of the meeting as authorized by law.
7. AGENDA PREPARATION
 - 7.1. The Agenda will follow the Board approved "Sample Agenda" which will also serve as a guide for preparing minutes of Board meetings.
 - 7.2. The Executive Director ("Director") shall consult with the Board President ("President") in order to determine an agenda for each meeting of the Board.
 - 7.3. The Director shall include on the agenda all items known to him/her to require action by the Board and other topics containing information necessary for the Board to carry out its responsibilities.
 - 7.4. The President and Director shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether an item should be an action item, discussion item or a consent item.
 - 7.5. The President and the Director shall determine whether an item should be placed on the agenda, if at all. The President's decision regarding whether or not to agendize an item supersedes that of the Director.
 - 7.6. Any member of the Board may request that an item within the jurisdiction of the Board be placed on the agenda of a meeting. The request must be received by the President or Director at least four (4) days prior to the next scheduled Board meeting.
 - 7.6.1. When constructing the agenda, the President and Director will decide whether a request is within the subject matter jurisdiction of the Board and whether it is appropriate as an agenda item. Individuals will be notified within a timely manner, of the disposition of their request.
 - 7.6.2. If the President and Director decline to place the item on the agenda, the requesting Board member can seek a simple majority Board vote to place the time on the agenda at the next scheduled Board meeting. If the item is

time-sensitive, the requesting Board member may request a special Board meeting for the hearing of the agenda item.

7.7. The Director is responsible for preparing all supporting information which may accompany each agenda topic originating from the administration or the Board.

8. AGENDA DISSEMINATION

8.1. The Board agenda along with supporting information for a regular Board meeting should be delivered to Board members as soon as practicable but preferably at least 72 hours prior to the meeting. For Special Board meetings, the agenda and supporting information should be delivered at least 24 hours prior to the meeting. The Director is responsible for the distribution of Board packets (which includes the official agenda and all supporting information).

8.2. Board members shall review agenda materials before each meeting. Individual members may confer directly with the Director or designee to request additional information on agenda items.

8.3. The Director or designee shall mail a copy of the agenda, or a copy of all the documents constituting the agenda packet, to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. Public requests for agenda and materials should be directed in writing to the Board at the MATES official address. (Government Code 54954.1)

8.4. Any request for mailing copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

8.5. Persons requesting mailing of the agenda or agenda packet shall pay an annual fee as determined by the Director or designee.

9. AGENDA POSTING - Agendas for Regular Board meetings shall be posted 72 hours in advance of such meetings for public preview. Special meeting agendas shall be posted at least 24 hours in advance of such meetings. Agendas will be published to the MATES web site and posted at the meeting location.

10. MEETINGS OPEN TO THE PUBLIC

10.1. Open Session: All meetings of the Board shall be open to the public and the press except Closed Sessions, as authorized by law.

10.2. Requests to address the Board: Prior to the beginning of the meetings, community members seeking to address the Board on an item on the agenda or during time allocated for oral communications shall complete the "Request to Speak" card (located in the Board Meeting Room), and give it to the defined Board recipient.

10.2.1. Presentations to the Board/Agenda Items: Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted five (5) minutes of time (or other time limit as defined on the individual meeting agenda) to make a presentation to the Board at the time the specific item is under discussion. The President may grant additional time for an individual to address the Board if circumstances permit. The total time devoted to presentations to the Board on agenda items shall not exceed thirty (30) minutes (or other time limit as defined on the meeting agenda) unless additional time is granted by the Board. The President may curtail individual presentations if repetitive of points raised by others, particularly if it appears the total allotted time may be exceeded.

- 10.2.2. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic by the Board and consideration of action.
- 10.2.3. Oral Communication: Parents and community members may address the Board on any item not listed on the Board meeting agenda. Upon recognition by the President or designee, speakers will be limited to three (3) minutes. No more than a total of fifteen (15) minutes shall be devoted to all non-agenda items at a regular meeting. The Board may grant additional time if circumstances permit.
 - 10.2.3.1. Board members are prohibited from taking action on any public comment or item that is not part of the printed or published agenda.
 - 10.2.3.2. Citizens may request that a topic related to MATES business be placed on a future agenda. The Board will assess the appropriateness of the request as an agenda item (See Section 7.6.1 and 7.6.2 of this policy). Once such an item is properly agendized and publicly noticed, the Board can respond, interact and act upon the item.
 - 10.2.3.3. Members of the public attempting to make complaints or charges against School personnel before the Board in open session will be referred to the appropriate staff for the purpose of receiving a copy of MATES' Internal Complaint procedure.
- 10.3. Disturbance of Meetings: Any person who willfully disturbs any Board meeting will be asked to leave immediately.

11. MINUTES OF BOARD MEETINGS

- 11.1. The purpose of taking minutes is to provide a written record of what was considered and decided at the meeting, and should not serve as an exact record of conversations, reports and work assignments. The minutes are not intended to be a record of opinions nor serve as a newsletter for MATES.
- 11.2. The minutes of open session meetings of the Board shall record all motions, show the names of Board members making and seconding motions and state the vote of each Board member upon each motion. The open session minutes shall also record all resolutions, the recommendations of the administration and substance of the Board's and staff's discussion. The minutes shall follow the generally accepted pattern in form.
- 11.3. The original copy of the open session minutes shall be signed by the Board Secretary ("Secretary") or President. Original minutes shall be bound in chronological order and volumned by fiscal year. The following documents shall be bound with the official minutes and referred to in the text of the minutes to which they apply:
 - 11.3.1. Original copies of all resolutions unless required by other agencies, in which case photocopies of the originals may be substituted;
 - 11.3.2. Copies of any document determined by the Board to be attached to the official minutes; and
 - 11.3.3. Other documents which, in the opinion of the Secretary, are necessary to fully substantiate or record Board action. Examples of this may include copies of legal opinions sought by MATES staff or Board members.
- 11.4. In addition to the official minutes, a copy of all minutes and attached documents shall be maintained on the MATES administrative backup server and the secondary cloud backup system. This set of minutes shall be bound, indexed by those categories detailed above, and by subject.
- 11.5. The Secretary will ensure that all electronic and hard copies of draft minutes are destroyed.

12. CONSENT ITEMS

- 12.1. In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Director recommends approval.
- 12.2. In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

13. BOARD ACTION/VOTING

- 13.1. The Board may only take action on items formally listed on the Board agenda except in emergency or other circumstances as authorized by law.
- 13.2. The Board shall refrain from the use of secret ballots, whether for preliminary or final action.
- 13.3. When there is a tie vote on the agenda topic under consideration, the item shall be resubmitted to the Board at its next regular meeting.
- 13.4. The minutes shall record the person making and seconding it, the vote result, and the vote of each individual Board member including abstentions and absences.

14. **RECUSAL** - A Board member should consider recusal when the Board member believes he or she may have a conflict of interest as defined in Board Conflict of Interest Policy in participating in or deciding any matter in which the Board member has a personal interest. such as a potential personnel action regarding an employee with whom the Board member has a personal relationship or friendship. The guiding principal for any such Board member is that the Board member must be able to remain neutral and objective in acting in the best interest of the Board and the School.

NON-COMPLIANCE TO POLICY:

Violations of this policy may result in the Board incurring civil sanctions resulting in injunctive, mandatory or declaratory relief, or requiring that actions that violate regulations be voided. Additional remedies for Board member non-compliance may include Board disciplinary action.

GOVERNANCE:

The MATES Board will be responsible for monitoring adherence to the policy.

REVIEW CYCLE:

The MATES Board will be responsible for reviewing the policy every two years or more frequently as required.

REVISION HISTORY

| <u>Policy Version:</u> | <u>Effective Date:</u> | <u>Revision:</u> |
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| BB-BMP-06152009 | 6/15/2009 | Original Version |
| BB-BMP-03152010 | 3/15/2010 | Modify Review Cycle section to modify cycle from bi-annual to every two years. |
| BB-BMP-04232012 | 4/23/2012 | Updated as part of two year review cycle. |
| BB-BMP-01132014 | 01/13/2014 | Updated as part of two year review cycle – Brown Act vote recording compliance added |
| BB-BMP-01192016 | 01/19/2016 | Updated as part of two year review cycle – Removed Section 13. Anonymous Letters added to reflect Board Conflict of Interest Policy. |