

Board Of Education Meetings

Board Policy: SB-2
Adopted: February 13, 1995
Revised: December 14, 2009

I. General Policy Statement

Haywood County Board of Education meetings are conducted for the purpose of carrying on the official business of the school system. The board, as a corporate body, will transact business only at official meetings of the board. An individual board member has no authority to act unless he/she has delegation of authority by the board at an official meeting.

As defined by law, an official meeting of the board includes any meeting, assembly or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members for the purposes of conducting hearings, participating in deliberations, or voting upon or transacting business of the board. Business of the school system will not be discussed at a social meeting or other informal assemblies or gatherings of board members, and therefore will not constitute an official meeting.

II. Regulations

- A. The Haywood County Board of Education will hold its regular monthly meeting on the second Monday of each month. The time of the meeting will be set by the Chairman. If necessary, due to conflicts, the date of the meeting can be changed by the Chairman.
- B. Special sessions may be called by the Chairman or the secretary as often as school business requires. Unless an exclusion or exemption applies, all meetings of the Haywood County Board of Education are open to the public.
- C. Dates, time, and location of meetings will be published by the secretary. Notice of a meeting will be posted at the Education Center and the Central Office. The regular meeting schedule will also be posted on the system's website.
- D. Flags of the United States and North Carolina will be prominently displayed and Pledge of Allegiance will be recited prior to the execution of the board agenda.
- E. The Chairman of the Board of Education will preside at all meetings and use the most recent edition of Roberts Rules of Order and perform other duties and or responsibilities set forth in state law or Haywood County Schools' policy. The superintendent of schools shall be ex-officio secretary to the board. The secretary or designee shall keep the minutes of the meetings of the board but shall have no vote.
- G. The Board will comply with the open meeting law, including notice of meetings. Notices will be mailed, emailed, faxed or delivered to the media.
- H. In order to conduct official business at a meeting, a quorum of the board will be present. A quorum is defined as one more than half of the members of the board. If the quorum is not present at any meeting, the chairman will postpone the meeting until such time as a quorum can be present, provided adequate notice is given pursuant to the Open Meeting Law.
- I. Voting is normally conducted by a show of hands. The minutes will reflect the vote of each member voting and the abstention of any member present but not voting, unless the vote was unanimous. A member must vote on all issues unless there is a conflict of interest that will be so stated before the vote is taken and the reason recorded in the minutes.
- J. The Board will provide a 30 minute period for public comment at each of the regular

monthly meetings. Sign up forms will be available to the public prior to the beginning of the meeting. This form will provide the guidelines for speaking. The Board Chair is responsible for rules governing this public comment period.

III. Types of Meetings

Regular meetings will be held at a predetermined time and place to conduct the business of the board. In addition, the board may hold emergency meetings, work sessions, retreats, public hearings, or other special meetings, as it deems necessary. This allows the board to act in a timely manner and provide its members and administrative staff with the opportunity to have an exchange of ideas and receive input from other staff, parents, students and the community.

- A. The superintendent will keep on file the schedule of *regular meetings* with the predetermined time and place. The schedule will be revised only in accordance with legal requirements for notice.
- B. An *emergency meeting* may be called in order to address unexpected circumstances that require immediate consideration by the board. This meeting will be called by the chairman if he/she determines the meeting is necessary.
- C. *Public Hearing meetings* required by law or deemed advisable by the board will be scheduled and organized by a special order, adopted by a majority vote, setting forth the subject, date, place and time of the hearing as well as the rules regarding participation, such as length of time for each speaker. The purpose of this meeting is to gather information and to hear opinions from the community. Generally, board members will respond only to seek clarification. The chairman or designee will call the hearing to order and preside over it. When the allotted time expires or when no one wishes to speak, the chairman will declare the hearing ended.
- D. Other *special meetings* may be scheduled in between regular meetings. The chairman will call a meeting when he/she determines one is necessary.

E. CLOSED SESSIONS

1. Authority

The Board reserves the right in accordance with State law to sit in closed session and exclude all members of the public, the media, and all other persons, upon motion made and adopted during an open meeting of the Board. The Board may hold a closed session only for relevant purposes as set forth in G.S. 143-318.11 or as the same may be amended from time to time:

- a. To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes;
- b. To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award;
- c. To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body. General policy matters may not be discussed in a closed session. The board may consider and give instructions to its attorney concerning the handling or settlement of a claim, judicial action, or administrative procedure. If the public body has approved or considered a settlement in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded;
- d. To establish, or to instruct staff or negotiating agents concerning the

position to be taken in negotiating (1) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (2) the amount of compensation and other material terms of an employment contract or proposed employment contract;

- e. To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employee or prospective employee; or to hear or investigate a complaint, charge, or grievance by or against an individual employee. General personnel policy issues may not be considered in a closed session. The Board may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a Board member or member of another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal shall be taken in an open meeting.
- f. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

2. Procedure

A motion to hold a closed session must be duly made and adopted at an open meeting. If the motion is based upon the grounds set forth in paragraph "a" above, it must state the name or citation of the pertinent law that renders the information privileged or confidential. If the motion is based on the provision allowing closed session to discuss with the attorney the handling of a "claim, judicial action, or administrative proceeding," the motion must identify the parties to the relevant lawsuit, if such lawsuit exists. Legal Ref.: G.S. 143-318.11

3. Agenda

The chairman will approve an agenda for the closed session. A request for inclusion of an item of business must be received at least seven (7) working days before the meeting. A board member may, by a timely request, have an item placed on the agenda following consultation with the chairman.

4. Closed Session Minutes

- a. The board shall keep full and accurate minutes of any closed session held pursuant to G.S. 143-318.11.
- b. Minutes of a closed session conducted in compliance with law are not open to public inspection unless and until a majority of the Board votes to make them public or a court of competent jurisdiction orders them open for inspection.
- c. Minutes of closed sessions will be distributed only to Board members and prior to the meeting at which they are to be approved. Approval will be by reference only unless there is a question or objection to those minutes, at this time the Board may go into closed session to discuss and confer. Such a motion to go into closed session must be duly made in accordance with law and Board policy.
- d. At the conclusion of the Board meeting, the secretary will collect all minutes of closed sessions from Board members and destroy all extra copies. The secretary is responsible for keeping the original copy of closed session minutes in a secure place.

- IV. Meeting Agenda(s)
 - A. The chairman will approve an agenda for each board meeting.
 - B. A request to have an item placed on the agenda must be received at least seven (7) working days before the meeting.
 - C. A board member or staff member may, by a timely request, have an item placed on the agenda following consultation with the chairman.
 - D. Each board member will receive a copy of the agenda and support materials, at least three (3) working days prior to the meeting.
 - E. The agenda and support information will be available for public inspection and/or distribution when it is delivered to board members.
 - F. At the meeting only an emergency item will be added to the agenda by a majority vote of the members.

- V. Meeting Minutes
 - A. The Secretary or designee will keep, or cause to be kept, full and accurate minutes of meetings of the Board. These minutes will include:
 - 1. A record of all actions taken by the Board, including a summary of discussions and record of each member's vote on an issue, unless the vote is unanimous.
 - 2. Resolutions and motions in full; reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
 - 3. A record of the disposition of all matters which the Board considered, but did not take action upon.
 - 4. Video and audio recordings shall be made of all opening meetings and will be used to support the written minutes. These recording shall be available for public review.
 - B. Copies of the minutes will be sent to all Board members prior to the meeting at which the minutes are to be approved. Approved minutes must be signed by the Chair and the Secretary.
 - C. Once adopted, the minutes become public and permanent records of the Board. They will remain in the custody of the Superintendent who will make them available to the public on the dates and hours the Superintendent's office is open for business.

Legal References: G.S. 143-318.12, G.S. 115C-35 - 50, G.S. 115C-47, G.S. 276