

CASWELL COUNTY SCHOOLS BOARD OF EDUCATION POLICY	<u>BOARD ORGANIZATION</u> Board of Education Meetings and Procedures	205
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The board, as a corporate body, may transact business only at official meetings of the board. An individual board member has no authority to act absent the 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 time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business of the public body. However, a social meeting or other informal assembly or gathering together of the members of a public body does not constitute an official meeting unless called or held to evade the spirit and purposes of the open meetings law.

The regular meetings of the Caswell County Board of Public Education will be on the second and fourth Mondays of each calendar month. The first meeting of the third month of each quarter will be held in the morning. The date of a regular Board meeting may be changed by the Chairman provided that every member is notified of the change. Additional meetings may be held at the request of the majority of the Board, the Chairman, or the Superintendent. If additional meetings are held, or if the regular meeting date is changed, the Superintendent will notify the public and the media.

All official Board meetings shall be open to the public. The Board meetings will operate with the following principles as guides:

- The Board shall act as a body.
- The Board should proceed in the most efficient manner possible.
- The Board shall act by at least a majority of a quorum of its members.
- All members should have an equal opportunity to participate in decision-making.
- The Board’s action should result from a decision on the merits rather than a manipulation of the procedural rules.

Executive sessions of the Board shall be closed to the public; however, the Board will report to the public the general proceedings of the executive sessions. Executive sessions shall be held in accordance with North Carolina General Statutes.

A. TYPES OF MEETINGS

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While the board is determined to operate efficiently, it also is mindful of the importance of thoughtful planning and discussion prior to taking formal action. 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 to act in a timely manner and provide its members and executive staff with the opportunity to have an exchange of ideas and receive input from other staff, parents, students and the community.

B. REGULAR MEETINGS

The superintendent shall 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.

C. EMERGENCY MEETINGS

An emergency meeting may be called in order to address generally unexpected circumstances that require immediate consideration by the board. The chairperson, or the vice-chairperson, if the chairperson is unable or unwilling to act, will call an emergency meeting when (a) two members so request; or (b) the chairperson determines that the meeting is necessary.

D. SPECIAL MEETINGS

1. Retreats and Workshops

Retreats and workshops are special meetings that may be scheduled in order to give the board more time to deliberate or evaluate issues. The chairperson, or the vice-chairperson, if the chairperson is unable or unwilling to act, will call a retreat or workshop upon a majority vote of the board.

2. Public Hearings

Public hearings required by law or deemed advisable by the board will be organized by a special order and adopted by a majority vote, setting forth the subject, date, place and time of the hearing as well as any rules regarding participation, such as the length of time for each speaker. The purpose of the meeting is to gather information and hear opinions from the community. Generally, board members will respond only to seek clarification. At the appointed time, the chairperson 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 chairperson or designee will declare the hearing ended.

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3. Other Special Meetings

Other special meetings may be scheduled in between regular meetings. The chairperson, or the vice-chairperson, if the chairperson is unable or unwilling to act, will call a special meeting to address a particular item or topic when (a) two members so request; or (b) the chairperson determines that the meeting is necessary.

E. OPEN MEETINGS LAW COMPLIANCE

The board will comply with the open meetings law, including notices of meetings.

(Legal References: G.S. 143-318.9, -318.14)

I. Place of Meetings

Meetings of the Board will be held in the Board Room of the Central office except when the Board determines the public can be served best by holding the meetings elsewhere. When such a determination is made, the meeting will be held at some other appropriate place with the School district as determined by the Board, provided that prior public notice of least forty-eight (48) hours is given, except for emergency meetings.

II. Agenda

The Superintendent, as secretary to the Board, shall prepare a proposed agenda for each Board meeting. The proposed agenda shall be mailed to each member of the Board, the media, and other individuals three days before the date of such meeting.

Items may be added to the proposed agenda at the beginning of each meeting by the Superintendent. The second item of business for each Board meeting shall be adoption of the agenda.

The agenda for Board meetings shall be prepared by the Administration staff at the direction of the Superintendent. Any Board member may submit an item to be placed on the agenda of a regular or special meeting of the Board by submitting the item in writing to the Superintendent's office not later than five o'clock of the afternoon five days prior to the meeting at which consideration is desired.

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It is the usual practice of the Board for the agenda to be in writing; however, the absence of a written agenda or the absence of any particular item on a written agenda shall not affect the validity of action taken by the Board.

III. Voting Method

Voting shall be a show of hands on all matters before the Board, except in election of Board members and Board officers. In case of a division, the minutes shall record the vote of each member voting and the abstention of any members present but not voting.

Voting for the election of Board members and Board officers is done by a written ballot unless there is only one nominee. If ballots are utilized, they must be signed and immediately available for public inspection. The results of any voting by written ballot must be recorded in the minutes and the minutes must show how each member voted.

A board member must vote on all issues unless the member has a conflict of interest or is unable to remain impartial in a judicial matter before the board. If a board member recuses himself or herself from a vote, the member will state the reason before the vote is taken and the reason will be recorded in the minutes.

IV. Procedure for Making a Formal Presentation to the Board

Any person or group desiring to make a formal presentation to the Board, or to address the Board relative to a specific matter, shall file with the Superintendent at least five (5) days prior to a meeting, a written request to be placed on the agenda. This procedure does not prohibit the Chairman from having a public comment session at a Board meeting. The request shall contain the following information:

- A. Name and address of the person making the request.
- B. The organization or group, if any, represented.
- C. Content of the information to be presented. If written material is to be passed out, a copy of the material shall accompany the request.

The Superintendent shall have the authority, with the consent of the Board Chairman, to deny requests for inclusion on the agenda, where the item sought to be included:

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- Is repetitious:
- Personally attacks an individual:
- Is harassing in nature;
- Is determined by the Superintendent to be improper or inadvisable for any reason.

The Board may, by majority vote, consent to hear a presentation where the appeal to speak is made immediately prior to or during the course of a regular or special meeting.

The Board Chairman shall have the authority to terminate any presentation.

V. PUBLIC COMMENTS

During each regularly scheduled board meeting, a time will be set aside for citizens to address the board through public comment. A sign-up sheet will be available for any individual or group to indicate their desire to address the board. Total time allotted not to exceed 15 minutes. Those wishing to speak must sign up before the meeting, giving full name and address, and topic. Each person will be allowed no more than 3 minutes. Spokesperson representing a group of 8 or more people present will be given 5 minutes. The Board will hear comments, but no action will be taken unless the item is already on the agenda. Concerns of sufficient interest may be placed on the agenda for future meetings. Concerns covered by laws requiring confidentiality may NOT be addressed in open meeting.

Board members will not respond to individuals who address the board except to request clarification of points made by the presenter.

Except in cases of emergency, information received during presentations will not be acted upon at the time it is received. It will take unanimous vote of the board members present to take action on a presentation considered to be of an unusual or emergency nature at the time it is presented.

Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S.143-318.17.

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VI. Presiding Officer

The board will elect a chairperson and a vice-chairperson to serve for a term of one year or until his or her successor is elected and qualified by taking the oath of office prescribed in Article VI, Sec. 7 of the North Carolina Constitution. An organizational meeting for the election and qualification of officers will be held at the regularly scheduled December meeting of the board and as often thereafter as the board determines appropriate. The officers will be elected in the following order: chairperson, vice-chairperson.

If necessary at any meeting held to elect officers, the superintendent will serve as chairperson of the board for the purpose of conducting the election of the chairperson.

Vacancies in Office – All vacancies in the membership of the boards of education whose members are elected pursuant to the provisions of subsection (a) of this section by death, resignation, or other causes shall be filled by appointment by the remaining members of the board, of a person to serve until the next election of members of such board, at which time the remaining unexpired term of the office in which the vacancy occurs shall be filled by election.

Legal References: G.S. 115C-37(d),-41

If the Chairman or Vice-Chairman resigns from office, the position shall be filled at the next meeting. The individual elected must have the vote of an absolute majority of the Board. The Superintendent shall preside at the Board meeting during the election of officers.

The officers of the board will perform all duties and exercise the authority imposed or conferred upon them by the statutes of the State of North Carolina and by the State Board of Education.

A. DUTIES OF THE CHAIRPERSON

1. The chairperson has the following duties:
 - a. preside at all meetings of the board;
 - b. preserve order at all times;
 - c. appoint committee members and chairpersons;
 - d. serve as ex-officio member of all committees;

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- e. call special meetings; and
- f. sign official system documents.

The chairperson will perform all duties required of the office by law and execute all documents on behalf of the board.

2. In order to address the board, a member must be recognized by the chairperson. The chairperson has the following powers:
 - a. to rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
 - b. to determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks;
 - c. to entertain and rule on questions of parliamentary procedure;
 - d. to call a brief recess at any time; and
 - e. to adjourn in an emergency.
3. The chairperson will have a vote on all matters for which a motion is made and will serve as spokesperson of the board for communication the board's position to the public.
4. To exercise those powers conferred on the Chairman by the General Statutes of North Carolina.

B. DUTIES OF THE VICE-CHAIRPERSON

In the absence of the chairperson, the vice-chairperson of the board will assume all the rights and responsibilities of the chairperson and will perform other duties assigned by the chairperson.

C. DUTIES OF THE CHAIRPERSON PRO TEMPORE

In the absence of both the chairperson and vice-chairperson, the board may elect a chairperson pro tempore for that meeting only, and the appointment of such temporary officer will be noted in the minutes. While so serving, a chairperson pro tempore performs the regular duties of the chairperson.

DUTIES OF THE SUPERINTENDENT, AS SECRETARY TO THE BOARD

As secretary to the board, the superintendent shall:

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1. record all proceedings of the board;
2. issue all notices and orders that may be made by the board;
3. ensure that the minutes of the meetings of the board are promptly and accurately recorded in the minutes book, which must be kept in the office of the superintendent and be open to the public inspection during regular business hours;
4. manage all correspondence on behalf of the board, unless the board directs otherwise;
5. prepare and distribute copies of the agenda as required by law and board policy;
6. maintain board members' manuals of policies and administrative regulations in current status;
7. advise the board of policies previously adopted that affect items on the agenda requiring policy considerations;
8. in the absence of the chairperson and vice-chairperson, call the board meeting to order and conduct the election of a chairperson pro tempore; and
9. perform other duties as required by state law or board policy.

Legal References: G.S. 115C-41(a),-276(b)

VII. Presiding Officer when the Chairman is in Active Debate

The Chairman shall preside at Board meetings unless he becomes actively engaged in debate on a particular proposal, in which case he may designate the Vice-Chairman to preside over the debate. The Chairman shall resume the duty to preside as soon as action on the matter is concluded.

VIII. Board Committees

The Caswell County Board of Public Education shall only act as a committee of the whole and ad hoc (dissolved upon completion of task), if needed, to investigate, hold a public hearing, and so forth. All committees of the Board are public bodies within the meaning of the North Carolina Open Meetings Law and are subject to all requirements of that law pertaining to notice, closed sessions, minutes, voting, and penalties. The majority of the Board shall decide when a committee of the whole will be enacted and when a meeting will occur.

IX. Public Hearings

Public hearings required by law or deemed advisable by the Board shall be organized by a special motion, which is adopted by a majority vote that sets forth

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the subject, date, place and time of the hearing, as well as any rules regarding the length of time of each speaker, etc. At the appointed time, the Chairman or his designee shall call the hearing to order and then preside over it. When the allotted time expires or when no one wishes to speak who has not already done so, the Chairman or his designee shall declare the hearing ended.

X. Reference to Robert’s Rules of Order

To the extent not provided for in these rules, and to the extent that the reference does not conflict with the spirit of these rules, the Board shall refer to Robert’s Rules of Order,

Revised, for unresolved procedural questions.

XI. Policy Revision

It is the policy of the Caswell County Board of Public Education that no policies of the Caswell County Board of Public Education shall be rescinded or amended without an affirmative vote of the majority of the members constituting the Caswell County Board of Public Education. Further, a vote shall not be taken on any motion or resolution, which would constitute action hereunder, unless the Board has been informed of this proposed action at its last regular or special meeting. This limitation may be waived only by an affirmative vote of all members then constituting the Caswell County Board of Public Education.

The operation of any section or sections of board policies not established by law or contract may be suspended temporarily by a majority vote of board members present at a board meeting held in compliance with law and board policy.

Legal References: G.S. 115C-36