



### POLICY 1.03

4-E I recommend that the Board adopt the proposed revised Policy 1.03, entitled "School Board Meetings."

[Contact: Sheryl G. Wood, Esq., PX 48751.]

#### Adoption

#### CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on February 22, 2012.
- The proposed policy has been revised to reflect current or more efficient Board practices to conduct its meetings. The proposed revisions:
  - Permit persons addressing consent agenda items to speak on the item prior to Board action on the consent agenda. Sec. 8b and 13k.
  - Permit persons requesting to speak on non-consent agenda items to be heard under the specific agenda item. Sec. 8b and 13n.
  - Allow for non-agenda item speakers to be heard at the end of the business of a regular or special Board meeting, unless the agenda items of a regular meeting have not been concluded by 7:00 p.m. Sec. 8c and 13(o).
  - Provide for the Chair to request the Superintendent or designate a staff person to respond to a matter, if a Board member requests a staff member to address or respond to the Board. Sec. 9.
  - Amend the order of the agenda for a regular Board meeting to provide for matters as: disclosures and abstentions; Board members' comments; removal of agenda items from the consent agenda; presentations to the Board; student government reporting; comments on behalf of delegations or individual appearances; advisory committee reports; public comments on consent agenda items; and Board discussion items. Sec.13.
- The proposed revisions further provides that a Board member may attend a meeting by interactive video or telephonically, if the Board member is away from headquarters attending to District business.

**POLICY 1.03**

**SCHOOL BOARD MEETINGS**

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3 1. All meetings of the School Board shall be open to the public except those meetings  
4 exempted under Florida Sunshine Statutes and the Public Employees Relations  
5 Act. The School Board of Palm Beach County invites the advice and counsel of the  
6 people within the School District of Palm Beach County, including by means of  
7 public comment at the Board's regular, special and workshop meetings which are  
8 open to the public.
- 9 2. All regular School Board meetings shall begin at 5:00 p.m. and shall end no later  
10 than approximately 10:00 p.m., absent a Board vote to extend the time of the  
11 meeting. A regular meeting may commence prior to 5:00 p.m. if properly advertised  
12 and notice is provided to the public. The dates and time of regular Board meetings  
13 will be determined by Board action at its organizational meeting in November,  
14 although at a later date the Board may reschedule a meeting(s). Special meetings  
15 may be called for any location as provided by Florida Statutes within the county by  
16 the Superintendent upon forty-eight (48) hours public notice. Special meetings may  
17 be called by the Superintendent, Board Chair or Board, pursuant to the procedure  
18 set forth in Fla. Stat. § 1001.372(1) & (2).
- 19 3. Workshops and special meetings conducted by the School Board shall begin at  
20 times designated by the Board, the Board Chair, or Superintendent. The purpose of  
21 the workshop meeting shall be to acquaint the Board with background information.  
22 No Board votes will be taken at a workshop. The purpose of special meetings  
23 includes dealing with:
- 24 a. ~~I~~important matters arising between regular meetings which require urgent  
25 action;
- 26 b. ~~S~~pecific matters of business which are not being raised at the Board's regular  
27 meeting;
- 28 c. ~~E~~mergencies; or;
- 29 d. ~~O~~ther matters as decided by the Superintendent (or as decided by the Board  
30 Chair or majority of the Board, in the event the Superintendent should decline  
31 to call a special meeting when requested to do so by the Chair or majority of  
32 the Board pursuant to Fla. Stat. § 1001.372 (1) & (2)).
- 33 4. All School Board meetings shall be conducted in accordance with *Robert's Rules of*  
34 *Order*, the School Board's special rules of order, this Policy, Florida's Uniform  
35 Rules of Procedure, as applicable, and the Florida Statutes including the Florida  
36 Administrative Procedure Act. If any conflict exists between *Robert's Rules of*

37        *Order* and the School Board's special rules of order, or this policy, the provisions in  
38        the special rules of order or this policy, shall control and supersede *Robert's Rules*.  
39        However, the Board may suspend the rules within this policy for a particular  
40        meeting by a two-thirds (2/3) vote of those members present, if not contrary to  
41        Florida or Federal Law.

42        5. All items to be considered at regular School Board meetings shall be submitted to  
43        the Superintendent's office for inclusion on the agenda not later than ten (10)  
44        working days prior to the meeting at which consideration is desired. The agenda is  
45        published approximately ten (10) days prior to the regular meeting and the agenda  
46        may be changed only for good cause determined by the Chair. The good cause for  
47        the change(s) shall be stated on the record as may be reflected in the Board report  
48        and/or discussion at the meeting, and notification of such change shall be at the  
49        earliest practicable time.

50        6. Questions or other queries received from School Board members on the District's  
51        e-mail network shall be responded by the designated staff member(s) as a "reply"  
52        to the inquiring Board member and copied to all other Board members so that the  
53        reply contains the original question or query. These communications are public  
54        records and shall be added by the Board Clerk to the appropriate e-agenda item as  
55        soon as possible before the Board meeting. Board members shall not use the e-  
56        mail network to express or indicate their positions on a specific Board agenda item,  
57        and shall not use e-mails as a means of communicating among themselves on  
58        matters that are foreseeable to come before the Board for action.

59        7. Persons who desire to speak before the Board may call or write to the clerk's office  
60        prior to 12:00 p. m., the day of the Board meeting to advise of their intent to  
61        address the Board and, if applicable, the particular agenda item to which they wish  
62        to speak. The clerk shall provide a list to the Chair of those persons who called or  
63        wrote to address the Board, as well as, if applicable, the particular agenda item to  
64        which they wish to speak. Anyone else who desires to speak before the Board shall  
65        complete a blue card and provide the card to the School Board's clerk before the  
66        meeting begins. Speakers may address the Board for no longer than three (3)  
67        minutes on agenda or non-agenda items at the appropriate time, although public  
68        comment at special meetings and workshops shall be limited to agenda items for  
69        that meeting. The Board, however, may vote to limit the time to a lesser amount  
70        due to the volume of speakers or the amount of time scheduled for a special  
71        meeting or workshop.

72        8. Regular School Board Meetings-

73        a. Unless otherwise provided in a collective bargaining agreement, only one (1)  
74        person may speak on behalf of a delegation although other persons from that  
75        entity may address the School Board during public comment on agenda or  
76        non-agenda items.

- 77 b. Delegation speakers and speakers addressing consent agenda items will be  
78 heard before vote on the consent agenda. Persons addressing the Board to  
79 on a specific non-consent agenda item will be listed and heard under that  
80 specific agenda item. "Delegations/Individual Appearances."
- 81 c. Speakers addressing non-agenda items shall be heard at the end of business  
82 of the regular or special agenda; however, if the agenda items at regular  
83 meetings that are scheduled to commence at 5:00 p.m. have not been  
84 concluded by 7:00 p.m., public comment shall be heard on non-agenda items  
85 from approximately 7:00 p.m. until 7:30 p.m. (Time will begin at the conclusion  
86 of the last item being heard prior to 7:00 p.m. and will continue for 30 minutes  
87 if there are sufficient speakers to utilize this time), at which time the agenda of  
88 the meeting shall continue and, once concluded, any additional non-agenda  
89 speakers not heard between 7:00 p.m. and 7:30p.m.
- 90 d. p.m. may address the School Board.
- 91 9. If a School Board member requests that a member of the audience address the  
92 Board, the Chair will poll the Board and consensus will prevail. If a School Board  
93 member requests that a member of staff address or respond to the Board, the  
94 Chair will request the Superintendent to respond or to designate a staff member to  
95 respond.
- 96 10. If a response at the next regular meeting is deemed necessary by the  
97 Superintendent, the Superintendent shall report the status of any issue or concern  
98 raised by speakers to non-agenda items in the Superintendent's report to the Board  
99 at the next regularly scheduled Board meeting.
- 100 11. A unanimous vote will be considered if all members voting (not abstaining due to a  
101 potential conflict of interest) audibly vote "yes," show by hands a "yes," or all those  
102 who are voting and present (defined as being in the Board chambers, including the  
103 Board chambers' restroom or kitchen areas have indicated a "yes" vote on the e-  
104 agenda system, or if they remain silent it will also mean consent (unless they  
105 abstained due to a potential conflict of interest). However, if a member votes "no",  
106 on the e-agenda, audibly, or by show of hands, it will then be considered a split  
107 vote. If a vote is evenly tied for and against a measure, such tie vote shall defeat  
108 the measure. For each vote, the Chair or acting chair shall announce the vote, and  
109 the names of any member in dissent, after it is tabulated.
- 110 12. The official minutes of the School Board shall be taken, recorded, and maintained  
111 as required by Florida's Sunshine Act, Public Records Statute, and Fla. Stat. §  
112 1001.42(1)(a) & (b), shall be kept in a safe place by the Superintendent and shall  
113 be made available by the Superintendent to any citizen desiring to examine the  
114 minutes during the hours the office is open.
- 115 a. Unless as otherwise required by Fla. Stat. § 1001.42(1)(b) or other law,

116 minutes of regular and special Board meetings shall record only the date,  
117 starting and ending times, Board members in attendance, presenters,  
118 conclusion of discussion items, motions, resolutions, and necessary  
119 information related thereto, the name of the person making and seconding a  
120 motion, or submitting a resolution, and the vote thereon (specifying the name  
121 of any member who votes against the measure, abstains, or was out of the  
122 room for the vote). Certain resolutions shall be spread upon the minutes, i. e.  
123 quoted in full as part of the minutes, when required by law. If any member of  
124 the School Board or the Superintendent wishes any of that person's  
125 statements to be recorded, the Board member or Superintendent may request  
126 during the meeting that such statement become a part of the official minutes.

127 b. Unless as otherwise required by Fla. Stat. § 1001.42(1)(b) or other law,  
128 minutes of School Board workshop sessions shall indicate the date, starting  
129 and ending time, attending participants and subject(s) presented and  
130 discussed. These minutes shall clearly indicate that no official actions were  
131 taken by the Board members during this session and that audio tapes are  
132 maintained by the Board office as an additional record of these proceedings.

133 13. Order of Regular Meetings.-- The order of regular meetings shall be set forth in the  
134 agenda consistent with Fla. Admin. Code Rule 28-102.002(1)(b) and at a minimum  
135 include the following:

136 a. The official name of the agency; the time, date, and place of the meeting; and  
137 a statement that this meeting is open to the public.

138 b. Call to Order and Pledge of Allegiance

139 c. Review of Minutes, if any

140 d. Chair to add agenda items, if any, for good cause

141 e. Superintendent withdraws items, if any

142 f. Board pulls items, if any, from the Consent Agenda

143 g. Board review and approval of the agenda

144 h. Disclosures and Abstentions, if any

145 i. Board Comment, 3 minutes per member

146 j. Presentations

147 k. Student Government Report

- 148 I. Delegations/Individual Appearances
- 149 m. Committee Reports
- 150 n. Public Comment on Consent Agenda Items
- 151 o. Approval of the Consent Agenda
- 152 p. Unfinished Business: ~~Specific listing with brief summary~~
- 153 q. New Business: Including Speakers on Non-Consent Agenda items ~~Specific~~  
154 ~~listing with brief summary~~
- 155 r. ~~Other Business: Specific listing and brief summary (such as non-agenda~~  
156 ~~speakers and Board discussion items).~~ Non-Agenda Speakers, Time Certain  
157 at end of meeting or 7:00PM, whichever comes sooner
- 158 s. Board Discussion Items
- 159 t. Adjourn.
- 160 14. In both regular and special meetings, the Board may utilize a consent agenda to  
161 increase the efficiency of approving large numbers of routine or non-controversial  
162 items. Except for any item that a School Board member pulls from the consent  
163 agenda, all items on the consent agenda may be approved in gross and without  
164 debate or amendment.
- 165 15. The order of special meetings shall be as required by Florida law and, if specified  
166 on the agenda, may include a consent agenda, which shall be called up and later  
167 approved before any pulled agenda items are discussed.
- 168 16. The consent agenda of either a regular or special meeting may include proposed  
169 Policy development items. The consent agenda of either a regular or special  
170 meeting may also include proposed Policy adoption items unless, after publication  
171 of the adoption notice, an affected person has specifically requested public  
172 discussion of the proposed rule pursuant to the hearing-request provisions of Fla.  
173 Stat. § 120.54(3)(c).
- 174 17. Final Board proceedings on expulsion of students are exempted from Florida's  
175 Government in the Sunshine Law, unless properly waived. A special meeting of the  
176 Board, which is not open to the public, will be scheduled on expulsions, to  
177 commence either approximately one-half (½) hour prior to each regular Board  
178 meeting, or at a special meeting on another day, although the scheduling time and  
179 date may vary or the meeting canceled depending on the number of expulsions to  
180 be heard. This is not the evidentiary hearing. At these special meetings, each  
181 expulsion will be considered separately and consecutively. Individuals may speak

182 relating to the specific expulsion and Board discussion may follow. The vote on the  
183 expulsion and final order, without discussing the name of the student, will be taken  
184 and entered in accordance with Board action at the regular meeting following this  
185 special meeting, or at a special meeting.

186 18. School Board members may attend workshops and participate at such workshops  
187 through the use of an interactive video and/or telephone system, as long as a  
188 quorum of Board members is present at the workshop.

189 19. Under the following circumstance, School Board members may attend meetings  
190 and participate at meetings through the use of an interactive video and/or  
191 telephone systems, as long as a quorum of School Board members are physically  
192 present at the meeting. School Board members may participate and vote by use of  
193 electronic media technology to allow a member who is not physically present to  
194 attend the meeting, in those instances where the member is away from  
195 Headquarters attending to School District business, confined to home or hospital  
196 due to illness or accident or in those situations where the member's absence is due  
197 to a death or serious illness of an immediate family member. Any other situations  
198 which cause a member to be absent from a meeting will require a vote by majority  
199 of the School Board, based only on extraordinary circumstances as required by  
200 law, to allow the member to participate by the above referenced technology.

201 STATUTORY AUTHORITY: Fla. Stat. §§ [1001.32\(2\)](#); [1001.372](#); [1001.41\(1\) &](#)  
202 [\(2\)](#); [1001.42\(26\)](#); [1001.43 \(10\)](#)

203 LAWS IMPLEMENTED: Fla. Stat. §§  
204 [119.07](#); [120.525](#), [120.569](#), [120.57](#), [120.81\(1\)\(f\)&\(j\)](#); [286.011](#); [1001.32\(2\)](#); [1001.371](#); [100](#)  
205 [1.372](#); [1001.43\(6\)](#); [1001.51\(2\) & \(3\)](#); [1001.42\(1\) \(a\) & \(b\)](#); [1006.07\(1\)\(a\)](#)

206 HISTORY: 6/2/76; 7/21/82; 11/20/85; 07/09/01; 1/16/02; 4/5/2006; 9/30/09; \_/\_\_\_2012

Legal Signoff:

The Legal Department has reviewed proposed Policy 1.03 and finds it legally sufficient for adoption by the Board.

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Attorney

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Date