



POLICY 1.03

5-E I recommend the Board approve development of the proposed revised Policy 1.03, entitled "School Board Meetings."

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

Development

CONSENT ITEM

- 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 8:00 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~~specific 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~~ 8:00 p.m., public comment shall be heard on non-agenda
85 items from approximately ~~7:00~~ 8:00 p.m. until ~~7:30~~ 8:30 p.m. (Time will begin
86 at the conclusion of the last item being heard prior to 8:00 p.m. and will
87 continue for 30 minutes if there are sufficient speakers to utilize this time), at
88 which time the agenda of the meeting shall continue and, once concluded, any
89 additional non-agenda speakers not heard between ~~7:00~~ 8:00 p.m. and ~~7:30~~
90 8:30 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. Disclosures and Abstentions, if any

141 e. Board Comment, 3 minutes per member

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

143 g. Presentations

144 h. Student Government Report

145 i. Delegations/Individual Appearances

146 j. Committee Reports

147 k. Public Comment on Consent Agenda Items

- 148 I. Approval of the Consent Agenda
- 149 m. ~~Unfinished Business: Specific listing with brief summary~~
- 150 n. New Business: Including Speakers on Non-Consent Agenda items Specific
151 ~~listing with brief summary~~
- 152 o. ~~Other Business: Specific listing and brief summary (such as non-agenda~~
153 ~~speakers and Board discussion items)~~ Non-Agenda Speakers, Time Certain at
154 end of meeting or 8:00PM, whichever comes sooner
- 155 p. Board Discussion Items
- 156 q. Adjourn.
- 157 14. In both regular and special meetings, the Board may utilize a consent agenda to
158 increase the efficiency of approving large numbers of routine or non-controversial
159 items. Except for any item that a School Board member pulls from the consent
160 agenda, all items on the consent agenda may be approved in gross and without
161 debate or amendment.
- 162 15. The order of special meetings shall be as required by Florida law and, if specified
163 on the agenda, may include a consent agenda, which shall be called up and later
164 approved before any pulled agenda items are discussed.
- 165 16. The consent agenda of either a regular or special meeting may include proposed
166 Policy development items. The consent agenda of either a regular or special
167 meeting may also include proposed Policy adoption items unless, after publication
168 of the adoption notice, an affected person has specifically requested public
169 discussion of the proposed rule pursuant to the hearing-request provisions of Fla.
170 Stat. § 120.54(3)(c).
- 171 17. Final Board proceedings on expulsion of students are exempted from Florida's
172 Government in the Sunshine Law, unless properly waived. A special meeting of the
173 Board, which is not open to the public, will be scheduled on expulsions, to
174 commence either approximately one-half (½) hour prior to each regular Board
175 meeting, or at a special meeting on another day, although the scheduling time and
176 date may vary or the meeting canceled depending on the number of expulsions to
177 be heard. This is not the evidentiary hearing. At these special meetings, each
178 expulsion will be considered separately and consecutively. Individuals may speak
179 relating to the specific expulsion and Board discussion may follow. The vote on the
180 expulsion and final order, without discussing the name of the student, will be taken
181 and entered in accordance with Board action at the regular meeting following this
182 special meeting, or at a special meeting.
- 183 18. School Board members may attend workshops and participate at such workshops

184 through the use of an interactive video and/or telephone system, as long as a
185 quorum of Board members is present at the workshop.

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

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199 STATUTORY AUTHORITY: Fla. Stat. §§ [1001.32\(2\)](#); [1001.372](#); [1001.41\(1\)](#) &
200 [\(2\)](#); [1001.42\(26\)](#); [1001.43 \(10\)](#)

201 LAWS IMPLEMENTED: Fla. Stat. §§
202 [119.07](#); [120.525](#), [120.569](#), [120.57](#), [120.81\(1\)\(f\)&\(j\)](#); [286.011](#); [1001.32\(2\)](#); [1001.371](#); [100](#)
203 [1.372](#); [1001.43\(6\)](#); [1001.51\(2\) & \(3\)](#); [1001.42\(1\) \(a\) & \(b\)](#); [1006.07\(1\)\(a\)](#)

204 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 development by the Board.

Attorney

Date
