

0160-0168.1 - MEETINGS

0161 **Parliamentary Authority**

The parliamentary authority governing the School Board shall be Robert's Rules of Order, Newly Revised, as defined in Chapter XVI, "Boards and Committees" in all cases in which it is not inconsistent with statute, administrative code, or these bylaws, or the rules of order of this Board.

0162 **Quorum**

A majority of the full Board members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

Two (2) forms of a quorum should be avoided.

"Negative Quorum" – A gathering of less than one-half (1/2) of the members of the Board may be a meeting if that group possesses the power to defeat action taken by the School Board.

"Walking Quorum" – Less than one-half (1/2) of the members of the Board gathered together may constitute a meeting if it is one (1) of a series of meetings through which agreement on an issue is reached. A series of e-mail messages, phone calls or other communications between Board member could be a "meeting" or "walking quorum" because, while the Board members have not physically convened, they can effectively communicate and exercise the authority otherwise vested in the Board.

0163 **Presiding Officer**

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

120.11, Wis. Stats.

0164 **Call**

0164.1 **Regular Meetings**

The Board shall hold two (2) meetings each month and at other times upon the call of the School Board President or upon the filing of a request with the Superintendent signed by a majority of the School Board members.

0164.2 **Special Meetings**

Special meetings shall be called by the secretary at the request of the President or by any two (2) members of the Board. Notification thereof shall be given personally or by mail to each member at least twenty-four (24) hours previous to the hour of

the meeting. No business shall be transacted at a special meeting other than that specified in the notification thereof.

The Superintendent and those administrators directed by the Superintendent shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

0165 **Notice**

0165.1 **Regular Meetings**

Public notice of all meetings shall be given pursuant to statute. The Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing the date, time, place, and subject matter of each regularly-scheduled meeting of the Board, including subjects intended for the consideration at any closed session, in the form which is reasonably likely to inform members of the public and the news media. The notice shall contain the name and address of the District and its telephone number. The notice shall be given at least twenty-four (24) hours prior to the meeting unless for good cause such notice is impractical, but in no case may the notice be less than two (2) hours in advance of the meeting.

19.84, Wis. Stats.

The notice shall also contain the following statement:

"Upon request to the Superintendent, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodation including the provision of informational material in an alternative format for a disabled person to be able to attend this meeting."

The notice shall be given to the official newspaper and, upon the written request, to an individual, organization, firm, or corporation. The news media shall be entitled to receive, at their request, copies of such notices free of charge.

0165.2 **Change of Regular Meetings**

If the Board adopts a resolution changing the date, time, or place of a regularly-scheduled meeting, the meeting notice shall state the date, time, place, and subject matter of the rescheduled meeting, as well as the name and address of the District. Said notice shall be posted at such places as the Board may determine. Said notice shall be posted at least twenty-four (24) hours before the rescheduled meeting.

0165.3 **Special Meetings**

Said notice shall state the date, time, place, and subject matter of such special meeting, as well as the name and address of the District. A notice of any special

meeting shall be posted at least twenty-four (24) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board by personal delivery to the member or his/her residence or by first-class mail, at least twenty-four (24) hours prior to the meeting. A special meeting may be held without prior notice if all Board members are present and consent or each member consents in writing even if s/he does not attend.

120.11(2), Wis. Stats.

0166

Agenda

The Board President and the Superintendent shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda upon the concurrence of the Board President.

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent on information relating to the District with such recommendations as s/he shall make.

The agenda for each regular meeting shall be delivered to each Board member no later than three (3) days prior to the meeting so as to provide proper time for the member to study the agenda. The agenda for a special meeting shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.

The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any meeting by a majority vote of the members present.

0166.1

Consent Agenda

The School Board shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

- A. minutes of prior meetings
- B. bills for payment
- C. hiring of non-administrative personnel

D. Resolutions that require annual adoption, such as bank signatories, Wisconsin Interscholastic Athletic Association membership, etc.

E. resignations and leaves

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a non-action item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

0167 **Conduct**

0167.1 **Voting**

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members elected to and serving on the Board and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom.

19.83, Wis. Stats.

Any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority.

All actions requiring a vote may be conducted by voice or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted.

0167.2 **Closed Session**

The Board may meet in a closed session, one closed to the public, for specified purposes.

Each closed session requires a majority roll-call vote of the Board and may be held to:

A. deliberate a case which was the subject of any hearing before the Board; (19.85(1)(a))

B. consider dismissal, demotion, licensing, or discipline of any Board employee or person licensed by the Board, or the investigation of charges against such person, and the taking of formal action on any such matter, provided that the person is given actual notice of any evidentiary hearing which may be held

prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. (19.85(1)(b))

- C. consider the employment, promotion, compensation, or performance-evaluation data of any employee; (19.85(1)(c))
- D. considering strategy for crime detection or prevention; (19.85(1)(d))
- E. deliberate or negotiate the purchase of public properties, the investment of District funds, or the conduct of other Board business whenever competitive or bargaining reasons require a closed session; (19.85(1)(e))
- F. consider financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations; (19.85(1)(f))
- G. confer with the Board's legal counsel who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved; (19.85(1)(g))
- H. consider requests for confidential, written advice from the ethics board under 19.46(2), Wis. Stats., or from any county or municipal ethics board under 19.59(5), Wis. Stats. (19.85(1)(h))

The presiding officer shall announce the nature of the closed session and the specific section of the law that allows for the closed session.

No other business other than that stated in the public notice may be conducted at a closed session. The Board may not reconvene its regular or special meeting after a closed session, within twelve (12) hours, unless public notice of the reconvened meeting was part of the public notice of its regular or special meeting.

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose to anyone the content of discussions that take place during such sessions

0167.3 **Public Participation at Board Meetings**

Members of the Wauwatosa School Board value the input of students, parents, staff members and community members. The Board's regularly scheduled meetings provide an opportunity for opinions and concerns to be expressed publicly. The Board values all comments and will respectfully consider this input in

decision-making. The Board requests that individuals limit their comment on each item to three (3) minutes. Following any comment, an individual Board member may respond on the issue raised; however, it is not the intent of the public comment portion of the agenda for the Board to enter into a debate with a member(s) of the community. Because non-agenda items are not publicly posted in advance, no action will be taken on public comment regarding non-agenda items that evening.

Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name and address.

Each statement made by a participant shall be limited to three (3) minutes duration.

Participants shall direct all comments to the Board and not to staff or other participants.

All statements shall be directed to the presiding officer; no person may address or question Board members individually.

The presiding officer may:

- A. Limit the number of times a speaker may comment on the same topic.
- B. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
- C. request any individual to leave the meeting when that person does not observe reasonable decorum;
- D. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- E. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
- F. waive these rules with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.
- G. Recording, filming, or photographing Board meetings is permitted. The person operating the equipment should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and must agree to abide by the following conditions:
 - 1. No obstructions are created between the Board and the audience.

2. No interviews are conducted in the meeting room while the Board is in session.
3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience or otherwise disrupt the meeting while the Board is in session.

19.90, Wis. Stats.

Broadcasting of School Board Meetings

The Wauwatosa School Board encourages all residents to be well-informed about school affairs. Therefore, regular Board meetings are live-streamed and the recorded School Board meetings are available for viewing online on the District's website. Executive sessions and inservices for Board members are not recorded.

0167.5 Use of Electronic Mail

E-mail is a form of communication that could conflict with the Open Meetings Act and must be preserved for production in the context of an open records request. Board members are strongly discouraged from communicating regarding Board business with other Board members, Superintendent, school staff or members of the community via electronic mail. If a Board member does utilize electronic mail, it may be used only for the purposes of communicating:

- A. Messages between Board members or between a Board member and employee(s) which do not involve deliberating or rendering a decision on matters pending before the Board;
- B. possible agenda items between the Superintendent and the Board president;
- C. times, dates, and places of regular or special Board meetings;
- D. a Board meeting agenda or public record information concerning items on the agenda;
- E. requests for public record information from a member of the administration, school staff, or community pertaining to District operations;
- F. responses to questions posed by members of the public, administrators, or school staff.

Under no circumstances shall Board members use E-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

0167.6

E-mail – Public Records

There should be no expectation of privacy for any messages sent by e-mail. All messages sent or received by any member of the Board in the course of conducting the business of the Board shall be provided to the District's Records Custodian or the Superintendent for preservation. Such records may be subject to disclosure under the Public Records Act.

The Superintendent/District Records Custodian shall devise and develop procedures pertaining to e-mail communications and public records. The custodian shall do the following:

- A. develop procedures for collecting, archiving and cataloguing Board e-mail communications
- B. develop procedures for reproducing Board e-mail communications to comply with a request under the Public Records Act
- C. promptly disseminate the procedures for collecting, archiving and cataloguing Board member e-mail communications to each Board member

Board members are required to provide to the Superintendent/Records Custodian all e-mail communications using the procedure developed by the Superintendent/Records Custodian without regard to whether the Board member believes the communication is subject to disclosure under the Public Records Act.

Prior to implementation of a procedure for collection of e-mail, all such communications of the Board members must be copied to the Superintendent.

Board members shall utilize e-mail communication only as described in Bylaw 0167.5.

0168

Minutes

0168.1

Open Meeting

The presiding officer shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the President and the Clerk at the next regular meeting. The minutes shall include all votes taken at the meeting.

Proceedings of each meeting shall be published as a Class I notice within forty-five (45) days of the meeting. The notice shall also contain a listing of receipts and expenditures in the aggregate. There will also be a detailed record of all receipts and expenditures available for inspection at each regular Board meeting and upon written request.

The approved minutes shall be posted to the District's website, available for inspection at the Superintendent's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The official minutes shall be bound together by years and kept in the office of the Superintendent.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next regular meeting.

120.11, Wis. Stats.

Approved/Adopted: July 13, 2009

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