

## OPEN BOARD MEETINGS

### GENERAL

The purpose of this policy is to establish rules by which the date, time, place and agenda of all regularly scheduled meetings and the date, time, place and purpose of all special meetings of the Board are to be made available in advance to the public and news media. It is also the purpose of this policy to establish rules for attendance and presentations at any board meeting where there is not room enough for all members of the public who wish to attend. This policy also establishes procedures related to the conduct of all meetings.

### SCOPE

This policy shall apply to all regular and special meetings of the Board. This policy shall also establish procedures to be observed in relation to emergency meetings requiring immediate official action by the Board. School closing and consolidation hearings shall be regarded as special meetings and may have different procedural rules than appear herein. The notice requirements for special meetings and the notice requirements contained in West Virginia Code § 18-5-13a and West Virginia Board of Education Policy 6204 shall be observed for such hearings.

### MEETINGS

#### Regular Meeting

The Board shall establish a regular meeting schedule during its organizational meetings, conducted in accordance with the provisions of West Virginia Code § 18-5-1c. The agenda for all Regular Meetings shall be established by the Board President in consultation with the Superintendent. However, any two members of the Board in agreement with one another may direct that an item be placed upon the agenda of an upcoming Regular Meeting by communicating such direction to the Superintendent in advance of the publication of the agenda. Agendas may be amended up to two business days before a Board meeting to include items not known at the time the original agenda was prepared. But the amended agenda must be provided to the public and media in the same manner as the original agenda.

#### Special Meeting

A Special Meeting is a meeting held between the regularly scheduled meetings of the Board. A Special Meeting of the Board may be called by the President of the Board or by any three members of the Board in agreement with one another. All Special Meeting notices must include a statement of the purpose for the meeting. This statement of purpose must describe with reasonable precision the matters requiring official action that will be addressed during the Special Meeting. Apart from the statement of purpose, no other agenda will be required. However, if the Special Meeting will deal with several matters, the meeting notice must state that the special meeting will address the items with a Special Meeting Agenda. Said Special Meeting Agenda must be prepared as a separate document in the usual and ordinary manner and must be posted at the same time and in the same manner as the Special Meeting Notice.

#### Emergency Meetings

An Emergency Meeting is one requiring sudden and immediate official action. Only true emergencies where the health, safety and welfare of persons or severe property damage or other unknown and unanticipated events of a comparably serious nature may occasion the call of an Emergency Meeting of the Board. The notice requirements for Regular Meetings and Special Meetings need not be fully observed in convening Emergency Meetings. A statement of the nature of the emergency shall be reflected in the minutes of an Emergency Meeting. Notice of an Emergency Meeting must be given in a reasonable and timely manner given the circumstances of the emergency situation. An Emergency Meeting notice must, at a minimum, explain the nature of emergency and be posted by the

usual means, if at all practicable. This explanation of the emergency must also be repeated within the official minutes prepared for this meeting.

Statutory Meeting

Any meeting that is required by statute. The same procedures that are observed in providing notice of Special Meetings shall be observed in providing notice of Statutory Meetings.

**PRE-MEETING PROCEDURES**

Notice of Regular Meetings

Notices of all Regular Meetings shall be posted, by the Superintendent or designee, in a conspicuous location in or at the Board's administrative office and shall be accessible to the public. All such Regular Meeting notices shall be posted at least three business days in advance of a scheduled Regular Meeting. If the notice is posted during business hours, the date of the posting shall be included as one of these three business days. However, the date of the meeting shall not be included as one of these three business days. Each such notice shall state the date, time, place and include an agenda for the meeting. If a Regular Meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted in the same location as soon as is feasible and reasonable after the cancellation or postponement has been determined. Notice of Regular Meetings may also, at the discretion of the Superintendent, be published on the Internet or posted at other locations on Board-owned property.

Notice of changes to a posted agenda shall be provided in the same manner as the initial notice, except that changes must be posted at least two business days in advance of the meeting. Emergency changes to an agenda need not be posted in advance of a meeting but reasonable efforts will be made to do so where feasible.

Notice of Special Meetings

Notices of all Special Meetings shall be posted, by the Superintendent or designee, in a conspicuous location in or at the Board's administrative office and shall be accessible to the public. All such notices shall be posted at least two business days in advance of a scheduled Special Meeting. If the notice is posted during business hours, the date of the posting shall be included as one of these two business days. However, the date of the meeting shall not be included as one of these two business days. Each such notice shall state the date, time, place and purpose of the meeting. If a Special Meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted in the same location as soon as is feasible and reasonable after the cancellation or postponement has been determined. Notice of Special Meetings may also, at the discretion of the Superintendent, be published on the Internet or posted at other locations on Board-owned properties.

Notice to Media

The Superintendent shall cause advance notice of all Regular and Special Meetings to be provided to the media that regularly cover matters relating to the Board. The Superintendent shall cause advance notice to be provided to other members of the media upon request. Such notice shall not be required in advance of emergency meetings.

Business Days

The term "business days" excludes Saturdays, Sundays and legal holidays.

## MEETING PROCEDURES

### Compliance with Open Governmental Proceedings Act

The President of the Board and each member of the Board shall be familiar with the provisions of the Open Governmental Proceeding Act, W.Va. Code §6-9A-1 et seq. and shall undertake to observe the requirements of the Act in all matters related to conduct of Board meetings. Executive sessions shall not be recorded by mechanical or other means. However, the board minutes shall identify the stated and authorized reason for each executive session and shall record the persons in attendance.

### Reconvening Meeting When Space is Limited

In the event that the place where a meeting is initially convened has inadequate space to safely and/or comfortably accommodate members of the public who desire to attend or make presentations to the Board, the President of the Board may adjourn the meeting and reconvene the meeting at an alternate location on a date and at a time announced at the time of adjournment. A notice identifying the alternative location, date and time shall be posted at the location of the adjourned meeting. In the event a meeting is reconvened to a different date, the notice requirements attending Special Meetings shall be observed.

### Telephone/Electronic Attendance

Although the practice is discouraged and should ordinarily be used only where circumstances compel the same, members of the Board may attend and participate at any Board meeting by means of telephone or video-conference. Telephone or electronic equipment shall be configured to allow those present, including members of the public, to observe and/or hear the members who are attending and participating by telephone and/or other electronic means, and shall also be configured to permit the Board member(s) who is participating in this manner to observe and/or hear the meeting proceedings.

### Consideration of Materials by Reference

All documents or materials that are referenced in an agenda or statement of purpose of a Special Meeting shall be available for public inspection at the meeting where such documents or materials are considered.

### Parliamentary Procedure

The Board shall observe *Robert's Rules of Order, New Revised*, as a guide for conducting its business. However, the Board may use less formal procedures when the same are better-suited to the needs of the Board. In no case shall *Robert's Rules of Order, New Revised* be applied in any manner to thwart the will of a majority of the Board or to alter the application of State or Federal law.

### Voting

Voting must take place in view of the public in an open manner. Voting may be accomplished verbally or by a show of hands. Ballots of any kind are prohibited. The outcome of all votes shall be announced by the presiding officer. Any member may request a roll call vote immediately following the presiding officer's announcement of the outcome of a non-roll call vote.

### Quorum

Three of the five members of the Board shall constitute a quorum. A majority of those members present and eligible to vote shall be required for the passage of all motions.

Duties of Superintendent – Secretary of the Board

The Superintendent and his staff shall be responsible for preparing and publishing agendas of regular meetings and statements of purpose and/or agendas of special meetings. The Superintendent shall cause agendas to be in the hands of board members at least three days prior to regular meetings. The Superintendent, in his or her capacity as Secretary of the Board, shall cause minutes to be prepared within a reasonable time after each meeting. Minutes prepared by the Superintendent for approval by the Board shall be provided to board members at least three days in advance of regular meetings. The minutes shall include: the date, time and location of the meeting; the name of each Board Member present and absent; a text of all motions voted upon; the names of the Board Members who move and second motions; the disposition of all motions; and, if a roll call vote is requested, the vote of each Board Member by name. The Superintendent shall be responsible for safeguarding the minutes and all other official records of the Board. Approved minutes shall be available for public inspection during regular business hours. The Superintendent shall be responsible to see that all reports and other documents that may need to be examined for purposes of clarification or background be in readiness at all meetings of the Board.

**STATE LAW**

This policy shall not be interpreted to conflict with W. Va. Code §6-9A-1 et seq. To the extent that any provision herein is determined by a Court of competent jurisdiction to so conflict, the same shall be stricken and the remaining portions of the policy shall remain intact and in full force.

Adopted: March 25, 2014  
Revised: February 17, 2020