

# AH a BOARD NEWSLETTER

From the Director of School Operations

## LET'S TALK MEETING PROTOCOLS

As public schools, charter schools are subject to the requirements of the South Carolina Freedom of Information Act (FOIA).

The law says a public meeting is a gathering of a quorum (simple majority) of a public body, either in person or by telephone or computer, to discuss or act upon public business. The law covers work sessions, ad hoc committees, retreats, subcommittees and committee meetings. Meetings are to only take place if a quorum is present.

Meeting minutes are the legal record of what happened at a meeting and must be made available to the public. Your board and charter school have legal consequences if you fail to comply with open meeting laws. So, let's review the requirements!

### HELPFUL BOARD MEETING LINKS!

- [Freedom of Information Act \(FOIA\)](#)
- ["What Should Your Board Meeting Minutes Look Like?" By BoardOnTrack](#)
- [Cornell University Robert's Rules of Order Simplified](#)
- [Exemplar Board Meeting Agenda](#)

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

~ Margaret Mead

BPLA  
Board



# BOARD MEETING Protocols

## REGULARLY SCHEDULED MEETINGS

- Regularly scheduled meetings must be posted at the start of each school year
- Advance public notice of 24 hours for all regularly scheduled meetings
- Posted agendas 24 hours for all regularly scheduled meetings

## REGULARLY SCHEDULED MEETINGS

- Board-approved minutes are recorded and made available to the public within 10 business days
- A meeting takes place only if a quorum is present. A quorum is a simple majority
- All charter board meetings must be open to the public unless there is a valid legal reason to go into executive session

## SPECIAL MEETINGS

- Called for a specific matter requiring special attention and cannot wait until the next regular Board meeting
- Only may be called by the Chair
- Require at least a 24-hour notice with an agenda

## EMERGENCY MEETINGS

- May be called by the Chair or the Vice-Chair *in the absence of the Chair* or by three members of the Board in the absence of the Chair and the Vice-Chair
- An emergency is “an unforeseen occurrence, or combination of circumstances, which call for immediate action or remedy”
- Make a reasonable effort to give meeting notice, however 24 hour notice is not required



# EXECUTIVE SESSION, PUBLIC COMMENTS & AGENDAS

## EXECUTIVE SESSION

Before a public body may go into Executive Session, it must approve a motion in open session, stating the specific purpose of the closed meeting and identifying the exact exemption that covers the topic. A general reference such as “personnel matters” is not sufficient. The board cannot vote or take action in executive session. Be precise, such as "to discuss negotiation of a contract and receipt of legal advice related to a building project."

Examples of permissible topics for discussion in executive session:

- Discussions of the hiring, firing, promotion, or discipline of an employee or student
- Discussion of contract negotiations, including the sale of property
- Receipt of legal advice (Public bodies may receive legal advice behind closed doors when it relates to a pending claim, the position of the public body in an adversarial matter, or any matter covered by attorney-client privilege. Such exemptions are put in the law to provide shelter when necessary. Having an attorney present is not a general reason for an executive session.)
- Discussion of security personnel or devices
- Discussions that may lead to criminal prosecution.
- Discussion of industrial recruitment/economic development



## PUBLIC COMMENTS

Follow the bylaws for your school’s process regarding Public Comment.

- Have a sign-up sheet that includes the guidelines that will be adhered to
- Board Chair keeps decorum during public comment
- Set a time limit and follow it (3-5 min is common practice)
- Discussion is not allowed with individual board members, school staff or audience
- Thank the speaker for taking the time to share their thoughts
- Determine a timeline for follow-up and who at the school will follow up

## AGENDAS SHOULD INCLUDE

- School Name
- Date of Board Meeting
- Call to Order
- Optional – Invocation and Pledge of Allegiance
- List of members present
- Approval of Agenda
- Approval of previous meeting minutes
- Public Comment
- Action Items
- Informational items
- Executive Session (with reason(s))
- Adjournment

## RESOURCE ALERT

### [PCSD BOARD MEETING CHECKLIST](#)

