

## 0165 - SCHOOL BOARD MEETINGS

The School Board shall hold at least one (1) regular meeting each month and may conduct other meetings such as workshops, public hearings, special meetings, emergency meetings, and meetings exempt from Florida's Open Meetings laws. See also, *Bylaw 0131 (Legislative/Polycymaking)*, *Bylaw 0164 (Notice of Regular Meetings, Hearings, and Workshops)*, *Bylaw 0165.1 (Agendas)*, ~~*Bylaw 0165.2 (Regular Meetings)*~~, ~~*Bylaw 0165.3 (Special and Emergency Meetings)*~~, ~~*Bylaw 0166 (Exempt Meetings)*~~, and *Bylaw 0166.1 (Workshops)*.

~~The sessions~~ Meetings will be held in any appropriate public place in the county, provided that due public notice is given.

F.S. 1001.372

~~In accordance with law, all meetings at which official acts are to be taken are declared to be open public meetings, and no resolution, rule, policy, regulation, or formal action shall be considered binding except as taken or made at such a meeting. All meetings of the Board shall be open to the public, except as provided by Florida statute, and the order of business of any regular meetings shall include an opportunity for the public to address the Board, as provided in Bylaw 0169.1 below.~~

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### Regular Meetings

Regular meetings shall be held at the time fixed at the annual organizational meeting. Such notification shall be made immediately after the annual organization meeting at which the Board fixes regular meeting dates and times. Should the date of a regular meeting fall on a holiday, the Board may choose the meeting date at any prior meeting. Every Board member shall be notified of the change by letter or by distribution of the Board minutes which carry a record of the change. The Superintendent shall be responsible for public notice of changed meetings.

### Special Meetings

- A. Special meetings may be called by the Superintendent, the Superintendent at the request of the Board Chair, or the Superintendent at the request of a majority of the members of the Board by serving a written notice of the time, date, location, and purpose of such meeting upon each Board member at least two (2) days in advance of the meeting.
- B. Special meetings are intended to be limited to specific matters and shall not be used in place of the Board's responsibility to conduct regular Board meetings not less than once per month. The meeting notice and agenda shall specify the particular matters to be addressed during the special meeting. Business conducted during special meetings must only relate to the particular matters identified in the meeting notice and agenda.
- C. All special meetings shall be held in the office of the Superintendent or in a room convenient to that office and regularly designated as the Board meeting room. Meetings may be held at other appropriate public places in the county upon the giving of due public notice.
- D. Due public notice shall consist of, at least two (2) days prior to the meeting: continuous publication on a publicly accessible website as provided in F.S. 50.0311 or the District's official website; publication in a newspaper of general circulation in the county, or if there is no newspaper of general circulation in the county, an announcement over at least one (1) radio station whose signal is generally received in the county, a reasonable number of times daily during the forty-eight (48) hours immediately preceding the date of such meeting; or posting a notice at the courthouse door if no newspaper is published in the county.

- E. Actions taken during special meetings shall have the same force and effect as if taken at a regular meeting.

### Emergency Meetings

- A. The Superintendent, the Board Chair, or a majority of the members of the Board may call an emergency meeting when there is an immediate danger to public health, safety, or welfare that requires immediate action.
- B. Emergency meetings are intended to be limited to specific emergencies and shall not be used in place of regular or special meetings. The meeting notice and agenda shall specify the particular emergency to be addressed during the meeting in addition to the time, date, and location of the meeting.
- C. Notice of emergency meetings shall be provided in a manner that is fair under the circumstances and necessary to protect the public interest. The Board shall attempt to provide immediate public notice of all emergency meetings as follows:

1. Publishing a notice on the District's website.

**[NOTE: Numbers 2-6 are optional methods of providing due public notice of an emergency meeting; in addition to number 1 which is required by uniform rule, the Board shall select at least one (1) of the options below.]**

2. ~~( ) Notify at least one (1) major newspaper in a daily general circulation in the county.~~

3. ~~( ) Making an announcement over at least one (1) radio station whose signal is generally received in the county, a reasonable number of times daily during the forty-eight (48) hours immediately preceding the date of such meeting.~~

~~[ ], and providing a news release to other print and broadcast media outlets serving all or part of the county.~~

~~[ ], as well as wire services.~~

4. ~~( ) Posting a notice on the District approved social media platforms.~~

5. ~~( ) Posting a notice on the front door of the District's main office, which is located at \_\_\_\_\_.~~

~~[ ], and on the front door of every school in the District.~~

6. ~~( ) Posting a notice on the county courthouse door.~~

~~[ ], and on the front door of \_\_\_\_\_ (insert other prominent locations within the county):~~

- D. At the start of each emergency meeting and prior to conducting any business, the Board shall publish in writing and state for the record the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and the Board's reasons for concluding that the procedures used to notice and conduct the emergency meeting is fair under the circumstances.
- E. Following the emergency meeting, and as soon as practicable under the circumstances, the Board shall publish in the appropriate publication prescribed by F.S. 120.54(3), and on its website, notice of the time, date, and place of the emergency meeting; a statement setting forth the reasons why the emergency meeting was necessary; and a statement setting forth the action taken during the meeting.
- F. Actions taken during emergency meetings shall have the same force and effect as if taken at a regular or special meeting.

### Exempt Meetings

The Board is committed to transparency and conducting its meetings in the public. However, certain meetings are exempt from Florida's Open Meetings laws. Examples of such meetings include, but are not limited to, the following:

- A. all discussions between the Superintendent, or the Superintendent's representative, and the Board relative to collective bargaining (i.e., "executive sessions");
- B. meetings between the Board, the Superintendent, and the Board's attorney to discuss pending litigation to which the Board is presently a party before a court or administrative agency (i.e., "shade meetings");

Such meetings must meet the following conditions:

- 1. The Board's attorney shall advise the Board at a public meeting that they desire advice concerning the litigation.
  - 2. The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.
  - 3. The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the Board's clerk within a reasonable time after the meeting.
  - 4. The Board shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the Board Chair shall announce the termination of the session.
  - 5. The transcript shall be made part of the public record upon conclusion of the litigation.
- C. student expulsion hearings;
  - D. portions of any meeting relating directly to or that would reveal security and fire safety systems, including all records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to or revealing such systems;
  - E. risk management sessions; and
  - F. any other meeting permitted to be exempt under Florida law.

### x ] Virtual Participation

Unless otherwise determined by the Board or due to an order by an authorized authority preventing and/or suspending in-person attendance at a meeting, Board members are expected to attend meetings in person at the location set by the Board for the meeting.

A Board member may attend virtually in instances where a member is unable to attend in person due to a scheduled absence from the District or due to a physical restriction preventing attendance. The Board member is responsible for making advance arrangements with the District administration to facilitate participation in the meeting.

All votes taken during a meeting conducted with at least one Board member participating through an electronic means of communication shall be by roll call. The Board minutes prepared for meetings in which at least one Board member participates by an electronic means of communication shall state the name of each Board member who:

- A. was physically present at the place where the meeting was conducted;
- B. participated in the meeting by using any electronic means of communication; and
- C. was absent.

(See also Bylaw 0167.1 - *Voting*)

The Board minutes also shall identify the electronic means of communication by which:

- A. Board members participated in the meeting; and
- B. the public attended and observed the meeting if it was not an executive session.

Board members are not provided with technology to facilitate remote Board attendance unless the Board authorizes such expenditure.

Any Board member attending a meeting or who intended to attend a meeting remotely but is unable to attend or unable to maintain attendance due to technological complications, such as a poor connection or other equipment failures, will be considered absent for all or part of the meeting. The meeting may continue in the member's absence, provided that a quorum is still present.

While virtual participation may be permitted in certain circumstances, a quorum of the members of the Board must be physically present at the meeting site. Board members participating by virtual means will not count toward the quorum requirement.

**[END OF OPTION]**