

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD MEETINGS

2.22*

All official School Board meetings shall be open to the public, and all informal meetings and conferences involving School Board members shall be conducted as public meetings unless specifically exempted by Florida Statutes. No official action may be taken by the School Board at any time other than an official meeting.

- I. Regular School Board meetings shall be established at the organizational meeting held in November. The regular meeting date may be changed by School Board action at any previous meeting, provided that each member is notified by letter or by distribution of the minutes showing a record of the change. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.
 - A. Special meetings shall be held at the time designated by the Superintendent, School Board chairperson, or when called by a majority of the School Board members as specified in written notice.
 - B. Emergency meetings may be held at any time by the Superintendent, either upon his/her initiative or upon the School Board chairperson's request. An emergency meeting may be called as quickly as complying with notification procedures; School Board members shall be given a tentative agenda during the notification.
 1. The Superintendent shall prepare and distribute an agenda prior to the emergency meeting.
 2. The agenda, the need for the emergency meeting, and the results of the emergency meeting shall be available to the public within twenty-four (24) hours of said meeting.
 3. Emergency meetings shall be conducted in the same manner as prescribed for regular and special meetings.
 - C. Executive sessions may be held for the purpose of discussing the status of negotiations between labor organizations and the Superintendent and his/her designees, and for the purpose of instructing the Superintendent as to the School Board's wishes in such negotiations. Further, the School Board may hold executive sessions with the Superintendent and the School Board's attorney to discuss pending litigation to which the School Board is presently a party with regard to settlement negotiations or strategy related to litigation expenditures.

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- II. Regular, special, and emergency meetings of the School Board shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. As provided by Florida Statutes, any regular or special meeting may be held at any other appropriate public place within the District by giving prior public notice of at least forty-eight (48) hours. When such a meeting is scheduled or re-scheduled at a location other than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.
- III. All School Board meetings shall be conducted in accordance with *Robert's Rules of Order*. In the event *Robert's Rules of Order* conflict with the policies adopted by the School Board, the School Board policy shall control. It is recognized that *Robert's Rules of Order* may be impractical to apply verbatim or literally to every parliamentary question which may arise in the course of the School Board's proceedings. Questions of applicability or interpretation of *Robert's Rules of Order* shall be referred to the School Board attorney for opinion, however it shall always be the prerogative of the chairperson to rule on such questions as he/she believes to be correct or proper, subject only to the right of any two School Board members to take an appeal for such ruling. All special and regular meetings of the School Board at which the Board may take action on any proposition or business shall be in compliance with the requirements of Section 286.0114, Florida Statutes, which requires citizen participation before action on a proposition, subject to the exceptions as set forth in that law. The procedures insuring compliance with Section 286.0114, Florida Statutes, are set forth in subsection X hereinafter.
- IV. Any item to be placed on the agenda of a regular School Board meeting shall be submitted in writing to the Superintendent's office no later than four o'clock (4:00 p.m.), eight (8) calendar days prior to the meeting at which consideration is desired. This rule shall not preclude the right of any citizen to address the School Board; however, except for good cause as provided herein, the School Board shall not take action on any substantive proposal until such matter has been formally placed on the School Board agenda. Copies of the agenda for regular meetings shall be made available at least seven (7) calendar days prior to the scheduled meeting date to the public or other parties who have expressed a desire for such copy of the agenda. Copies of the agenda for a special meeting shall be prepared at least forty-eight (48) hours prior to such meeting.
 - A. Any person or group desiring to be placed on the agenda shall file with the Superintendent, by twelve o'clock (12:00) noon at least ten (10) working days prior to a meeting, a request to be placed thereon. Persons or groups desiring to be placed on the agenda do not have a right to be placed on the agenda. The Superintendent shall limit what is presented to matters that the Superintendent has determined are relevant to the operations or mission of the School District of Osceola County. Additionally, any person or group placed on an agenda pursuant to the procedures stated herein

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shall only present before the Board at a public meeting those matters presented in advance to the Superintendent. Generally, only one person will be allowed to speak on behalf of a group if a matter is specially placed on the agenda in accordance with these procedures, and the three-minute rule for presentation will apply unless a majority of the School Board votes to allow the person speaking to exceed the three minutes. A decision on whether or not a person will be allowed to exceed three minutes when presenting will never be made by the Board based upon the content of the material presented or the viewpoint of the speaker, but instead the decision will be made whether to extend the three minutes based upon the relevance to the business or operations of the School District of Osceola County as determined by the Board. The Superintendent and School Board may allow for more than one person to present on behalf of a group if there is a need because of the complexity of the information, special expertise among members of the group presenting the information, or for other good cause as determined by the School Board. As provided in subparagraph C of subsection IV of this rule, in no event will multiple persons presenting an item on the agenda exceed a total of fifteen (15) minutes in presentation length, and redundant and repetitious information may be prohibited by the Chair or presiding officer, or by majority vote of the School Board. The Superintendent will make the supporting documentation available to each School Board member at least ninety-six (96) hours prior to each regular School Board meeting whenever practicable. Such request shall contain the following information:

1. The name and address of the person making the request.
2. The organization or group, if any, represented.
3. Content of the information to be presented - if written material is to be passed out, a copy of such material shall accompany the request.
4. An estimate of the time necessary for such a discussion.
5. Specific action desired of the Board.
6. Any charges to be made against an individual shall be in affidavit form. If any information is to be presented in the form of a statement or charges that might be considered derogatory or of a serious nature, such shall be presented in writing and shall specifically state the charges in the form of an affidavit.

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- B. The Superintendent shall respond verbally or in writing to any person or group requesting to be placed on the agenda. In the event the agenda for the next regular meeting is unduly long, the Superintendent shall place the presentation request on the agenda for the following regular meeting. If a question should arise in regard to the granting of a request, the Superintendent and the chairperson shall confer and make a decision. The Superintendent will prepare a proposed consent agenda for each regular or special meeting of the School Board, which shall consist of those agenda items which normally are considered to be matters not requiring discussion. The Superintendent shall cause such consent agenda to be delivered to each School Board member along with the regular agenda. Prior to a vote by the School Board on the consent agenda, any item included thereon may be removed upon the request of any School Board member. School Board members, where possible, are encouraged to convey to the Superintendent any such request prior to the day of the School Board meeting.
- C. At any School Board meeting, unless otherwise ordered by majority consent of the Board members present, the maximum amount of time allowed for presentation of, and discussion on, the subject matter of any such request shall be fifteen (15) minutes. Each speaker shall be allowed a maximum of three (3) minutes on a topic unless time is extended by the Board. Prior to the School Board meeting, each speaker shall sign a form, which is maintained by the Superintendent, and state whether they intend to speak on a specific topic on the agenda or a topic which is not on the agenda. If the topic is not on the agenda, the School Board will not comment on the issue, but may direct the Superintendent to contact the speaker about the issue. The Superintendent may contact the speaker to review or resolve the issue, or to schedule the issue at a subsequent School Board meeting. General citizen participation shall not be permitted when the School Board is sitting as the legislative body pursuant to Chapter 447, Florida Statutes, to resolve impasse in collective bargaining process, nor when the School Board is considering or hearing any charges or recommendations of suspension or discipline of any employee, the expulsion of a student, or otherwise acting as a quasi-judicial body.
- D. All agenda items on which action is deferred shall be listed on the next agenda unless a different time certain is specified.

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- V. A majority shall constitute a quorum for any School Board meeting. Unless a majority is present, no meeting can be convened.
- VI. The vote shall be unanimous if all members audibly vote “yes” or otherwise indicate an affirmative vote.

When a split vote occurs, the minutes shall show the vote of each member on the question. Each member who is present shall vote on each decision, ruling, or official act which is taken or adopted by the School Board, unless there is or appears to be a conflict of interest under the provisions of Florida Statutes. In such cases the member may abstain, but shall file a memorandum pursuant to requirements of Florida Statutes.

- VII. The official minutes of the School Board shall be kept as prescribed by Florida Statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes.
 - A. Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and the vote or action thereon shall be recorded.
 - B. Any School Board member or Superintendent who wishes any of his/her statements to be recorded may request during the meeting that such become a part of the official minutes.
 - C. Any other matter may be made part of the official minutes by direction of the chairperson or by a majority of the School Board.
 - D. Lengthy material such as, but not limited to, student assignments may be maintained in record books which are separate from, but supplemental to the basic record of minutes.
 - E. All regular and special meetings of the School Board shall also be recorded electronically, and the tape or other medium preserved by the Superintendent. A copy of such recordings shall be kept readily accessible for use by School Board members, District staff, and the general public.
- VIII. It is unlawful to knowingly disrupt or interfere with a School Board meeting, and any such action may result in a misdemeanor offense of the second degree. This includes individuals who advise, counsel, or instruct students or School Board employees on techniques for disrupting a School Board meeting.

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- IX. The School Board determines it wishes to continue implementing rules which foster a sense of efficiency and transparency in its business. In furtherance of this stated goal, the School Board wishes to avoid the appearance of impropriety by prohibiting the use of electronic communication devices during its meetings.
 - A. At the commencement of all School Board regular meetings, special meetings, hearings, workshops and any other meeting of the School Board, all School Board members, the Superintendent and the School Board's attorney shall not use any electronic communication device of any type whatsoever and shall not communicate on any such device until the meeting is adjourned. Electronic communication devices shall be interpreted in its broadest sense, and include any device which allows phone calls, emails, text messages, and any other form of electronic communication. Notwithstanding the foregoing, nothing in this rule shall prohibit the use of electronic devices or computers that are provided by the School District for use during the course of the meeting, or the use of personal electronic devices or computers which a person otherwise subject to this rule uses during the course of a meeting in order to review the agenda and materials being presented during the meeting or to review calendars to schedule meetings or events. Additionally, electronic devices used by the School District to transmit, record or otherwise to allow members of the public to watch, listen and/or review public meetings are also allowed and are not prohibited by this rule.
 - B. The Superintendent shall establish and distribute a procedure for emergency situations which may occur during School Board meetings which require the immediate attention of a School Board member, the Superintendent, or the School Board's attorney.

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- X. The School Board determines that it wishes to continue implementing rules which foster a sense of efficiency and civility in its business. In furtherance of this stated goal, the School Board wishes to clarify the following expectations for all School Board members.
 - A. The School Board Chair shall call each agenda item and ask for a motion to approve or deny each agenda item.
 - B. Each School Board member shall be permitted three (3) minutes to speak to the motion.
 - C. Each School Board member shall be permitted a second three (3) minutes to respond, rebut, or ask a question about the motion being discussed in response to another School Board member's comments or to the response of a recognized speaker.
 - D. All discussions on a motion or topic shall be germane to and directed to the motion.
 - E. During discussion, School Board members shall direct questions for School District employees to the Superintendent, and the Superintendent may answer the question or direct a School District employee or invited speaker to answer the question.
 - F. The School Board Chair shall have the authority to recognize the speakers to a motion and the order of the speakers. The School Board Chair shall permit a School Board member an additional three (3) minutes to make a closing argument on a motion or topic.
 - G. Any lack of civility, as defined in *Osceola County School Board Rule 9.63 – Civility and Orderly Conduct Among School District Employees, Parents, and the Public*, shall be grounds for the School Board Chair to declare the speaking School Board member out of order, and the speaking School Board member shall forfeit the rest of their allotted time.
 - H. At least eight (8) calendar days prior to the scheduled School Board meeting, any School Board members shall notify the Superintendent to add new business to the meeting agenda and provide a written description regarding the new business.
 - I. No new business shall be discussed unless it is an item placed on the School Board meeting agenda.

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XI. RULES REQUIRED BY SECTION 286.0114, FLORIDA STATUTES:

- A. The agendas for meetings of the School Board should briefly identify all propositions coming before the School Board for discussion or action, so that the public is sufficiently notified of the subject of the proposition.
- B. "Public Comment" will be included on every agenda (including the public agendas for School Board committees and school advisory councils). The School Board will allow comments by members of the audience regarding all propositions and proposed actions, with the exception of those matters that are identified as exempt from these requirements by Statute 286.0114, including, as provided in the statute, emergencies, ministerial acts (including but not limited to the approval of minutes), and ceremonial proclamations, a meeting that is exempt from Sunshine (Section 286.011), a student disciplinary matter, or a matter in which the School Board is acting in a quasi-judicial capacity.
- C. In the event that a proposition comes before the School Board for action or for a formal vote that was not on the agenda, the Chair will allow public comment on that proposition.
- D. Public comment may not be heard on:
 - 1. Emergency items, meaning an official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with Florida Statutes 286.0114 would cause an unreasonable delay in the ability of the School Board to act.
 - 2. Ministerial items, meaning an official act involving no more than a ministerial act, including but not limited to, approval of minutes and ceremonial proclamations. Additionally, any parliamentary vote such as a motion to table, motion to adjourn, motion to extend debate or other similar procedural votes which do not implicate any substantive right but are merely designed to facilitate the conduct of the meeting shall be deemed ministerial and public comment may not be allowed.
 - 3. Quasi-judicial matters except by permission of the School Board, and in no event will public comments be considered evidence at a quasi-judicial proceeding.

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- E. Public Comment will not as a matter of normal order be part of a workshop agenda. However, Public Comment will be allowed on any proposition regarding a workshop topic at the first regular or special meeting of the School Board following the workshop, and before a vote on the item is taken by the School Board.
- F. All school advisory councils and committees of the School Board will allow public comment at their meetings except for emergency, ministerial or quasi-judicial items.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**CHAPTER 112, 120.525, 120.53, 286.0105,
286.011, 286.0111, 286.0113, 286.0114,
286.012, 447.605, 877.13, 1001.32,
1001.37, 1001.371, 1001.372(1)(2)(3)(4),
1001.41, 1001.42, 1001.43, 1006.145, F.S.**

HISTORY:

**REVISED: 04/20/10, 07/13/10, 02/07/12, 05/01/12,
05/21/13, 12/17/13, 06/02/15, 05/16/23
FORMERLY: 1.2.1, BOARD BYLAWS**