

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 005
SECTION: Board
Procedures/Bylaws
TITLE: 005 Meetings
ADOPTED: August 16,
2018
REVISED:

005 MEETINGS

Purpose

This policy governs the conduct and order of business for all Board of Education (“Board”) meetings. The Board reaffirms the right of the public to be present at all public regularly scheduled and special meetings of the Board. The Board also reaffirms the right of the public to have a reasonable opportunity to comment on matters of concern, matters being considered for official action of the Board, and matters that are or may come before the Board.[1][2]

The Board encourages the public to attend Board meetings and to participate in public comment opportunities, and believes the public’s involvement in education issues is critical to academic success of the District’s students.

Authority

Parliamentary Authority

All Board meetings shall be conducted in an orderly and business-like manner. Robert’s Rules of Order Newly Revised shall govern the Board in its deliberations in all cases where it is not inconsistent with *applicable* law or Board policy. The Board’s General Counsel shall function as the parliamentarian for the Board.

Quorum

A quorum of the Board shall be a majority of the Board members appointed[1] [2] [3] [4] [5] . No business shall be transacted at a meeting without a quorum of the Board present, but the Board members present at such a meeting may adjourn to another time.[1]

Presiding Officer

The Board President shall preside over all Board meetings. In the absence, disability or disqualification of the Board President, the Vice-President shall act instead. If neither person[6] [7] [8] is present, a Board member shall be elected President pro tempore by a majority of those present to preside at that meeting only. The acts of any person so designated shall be legal and binding.[1][2]

Notice

Notice of all open public Board meetings, including committee meetings, shall be given by publication of the date, place, and time of such meetings in the newspaper of general circulation designated by the Board and the posting of such notice at the administrative offices of the Board.

1. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the calendar year at least three (3) days prior to the time of the first regular meeting.
2. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a special meeting is

called to deal with an actual emergency involving a clear and present danger to life or property.

3. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.
4. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of meeting
5. Notice of all public meetings shall be given to any newspaper circulating in Philadelphia County and a radio or television station which so requests.
6. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.

Written notice of all regular and special Board meetings shall be given to Board members not later than twenty-four (24) hours prior to the time of the meeting.

Notice of executive sessions, if not previously announced, shall be provided in writing to Board members at least twenty-four (24) hours prior to the executive session.[3]

Action Meetings

Action meetings are meetings of the full Board which shall be public and shall be held at specific locations in accordance with the schedule established by the Board for the calendar year, which shall include at least one (1) Board meeting every month.

The order of business for all regular meetings shall be set out in an agenda that is made available to the public in advance of the meeting. The order of business for regular meetings shall be as follows, unless altered by the President:

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Committee Reports
5. Superintendent Update
6. Staff presentations
7. Registered Speakers
8. Discussion of Agenda Items & Votes
9. Adjournment

The agenda, together with all relevant reports, shall be provided to each Board member before the meeting.

Special Meetings

Special meetings may be called after the Board's regular schedule of meeting has been established to address either general or specific issues and shall be open to the public.

The Board President may call for special meetings at his/her discretion and as necessary to conduct District business. The Board President shall call for a special meeting upon receiving written requests for a special meeting from three (3) Board members. Upon the Board President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the Board members.

The Board President shall determine the agenda for all special meetings. The agenda for a special meeting shall be made available to the public no later than twenty-four (24) hours before the special meeting is convened.

No business may be conducted at a special meeting except for that named in the call sent to Board members for such special meeting, provided that meetings may be called for general purposes.

Emergency Meetings

The Board President may call for an emergency meeting when there is a real or potential emergency involving a clear and present danger to life or property. Although public notice of emergency meetings is not required by law, reasonable efforts shall be made to inform the public in a timely fashion when an emergency meeting is called.

Committee Meetings

All committee meetings shall be open to the public unless the committee meets in Executive Session or in conference as provided by the Pennsylvania Sunshine Act. [2][3][4]

Standing Committees shall meet periodically throughout the school year as outlined by Board policy. Meeting dates and times shall be posted publicly at the start of each calendar year, with the understanding that they are subject to change.

Public Participation

The Board reaffirms the right of the public to deliver comments to the Board on matters of general concern, on formal actions of the Board, or on deliberations regarding matters that are or may be before the Board. Speakers present at a Board meeting may address the Board in accordance with law and Board policy **and administrative procedures posted on the Board website.** [3][4]

If a motion from the floor is made to amend, revise or edit a resolution on the list of proposed resolutions, or to propose a substitute for it, and the public has had a reasonable opportunity to comment on the original resolution, then the Board may proceed to vote on the amended or substituted resolution without further public comment, if the amendment, revision, edit, or substitute resolution pertains to the same subject which is addressed in the original resolution.

If a motion from the floor is used to propose a resolution which does not pertain to a subject that is already addressed in a resolution that has been posted in advance of that meeting, the Board may vote on the proposed resolution made from the floor at the next or later Board action meeting after the public has been notified of the proposed resolution and has had an opportunity to comment on the proposed resolution.[3][4]

When a Board member proposes a new resolution by a motion from the floor and the President calls for a vote at that meeting, the Board will provide for public comment before the Board takes action. If no speakers request to be heard, then the Board may proceed to vote.

Voting

All motions shall require for adoption a majority vote of the Board, except as provided by statute or Board policy. [1][2]

All votes on motions and resolutions shall be by an oral roll call vote.

The Board President or any Board member may make a motion for a vote on any combination of submitted resolutions at regular meetings or special meetings.

Minutes

The Board shall cause to be made, and shall retain as a permanent record of the District, minutes of all open

Board meetings. Said minutes shall be comprehensible and complete and shall include:

- Date, place, and time of the meeting
- Names of Board members present
- Presiding officer
- Substance of all official actions taken
- Record by individual Board member of the roll call votes taken
- Names of all residents who appeared officially and the subject of their testimony

Each Board member shall be provided with a copy of the minutes of the last meeting prior to the next regular meeting. The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Secretary.

Notations and any audio or video recordings shall not be the official record of a public Board meeting but may be available for public access, upon request, in accordance with Board policy. Any notations and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with the law. [3]

Recess/Reconvene

The Board may at any time recess or reconvene to a reconvened meeting at a specified date and place, upon the majority vote of those present. The reconvened meeting shall immediately take up its business at the point in the agenda where the motion to recess was acted upon. Notice of the reconvened meeting shall be given in accordance with law and Board policy.[3]

Executive Session[9] [10]

The Board may hold an executive session, which is not an open meeting, before; during; at the conclusion of a public meeting; or at some other time. [3]

The Board may discuss the following matters in executive session:

1. Employment issues.
2. Labor relations.
3. Purchase or lease of real estate.
4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaint expected to be filed.
5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.

The General Counsel shall announce the reason for holding the executive session; the announcement can be made at the public meeting prior to or subsequent to the executive session.

Beginning with the public meeting or the first public meeting after amendments to this Policy are approved, and continuing thereafter, when the Board holds an executive session regarding litigation or issues on which identifiable complaints in litigation are expected to be filed:

1. As regards litigation matters not yet formally commenced, the General Counsel or his/her designee will announce the nature of any such complaint (but not the identity of the complainant) discussed at the executive session;
2. As regards litigation matters that have been filed, the General Counsel or his/her designee shall disclose the names of the parties, the docket numbers and the court in which the litigation has been filed. The General Counsel or his/her designee will make available a written list of the name(s) of the parties, the court and the docket numbers of the litigation at the beginning of the public meeting at which the executive session was announced or shortly after the beginning of the public meeting.

Official action on discussions held in executive session shall be taken at a public meeting. [3]

Legal References:

1. [Public School Code](#) – 24 P.S. Secs. 407, 421, 423, 433, 508, 518, 609, 696, 1075
2. [Home Rule Charter](#) – 12-208, 12-209, 12-310
3. [Pa Sunshine Act](#) – 65 Pa. C.S.A. Sec. 701 et seq.
4. Board Policy – 004.1, 801

Administrative Procedures:

005 Administrative Procedure