

POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

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Subject:

School Board
Meetings

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1. PURPOSE

To describe the six types of Board of Education Meetings.

2. DEFINITIONS

The six types of Board of Education Meetings are:

A. Regular. Regular meetings are concerned with the discharge of the Board's legal responsibilities and include, but are not limited to, discussions of policy, school system business, planning, educational programs, and matters of community interest.

The Board of Education of Somerset County will conduct two regular public meetings: the first Wednesday of each month and the third Tuesday of each month. At least one of the meetings will be held at the J.M. Tawes Technology & Career Center. However, subject to the convenience of the Board, the Board may establish a different meeting date provided the public receives reasonable notification. Reasonable advance notice of closed and open sessions will be in writing and include a statement that all or part of a meeting may be conducted in closed session. (§§10-506)

B. Special. Special meetings may be called when a vote on a specific issue is needed before a regular meeting is scheduled. No business will be transacted except that for which the special meeting was convened. A special meeting of the Somerset County Board of Education may be called by a majority of the Board or the Chairperson.

C. Closed Sessions (for which a public vote to close the meeting is required)

Closed sessions may be held for any of the purposes enumerated in the Maryland Open Meetings Act, MD. CODE ANN., STATE GOVT 10-508(a). The discussion of matters relating to these purposes will take place in closed sessions following a public vote to conduct a closed session. No final action on topics discussed may be taken in closed session. Discussions at closed sessions must be limited to the purpose for which the session was closed. Statements of position or questions on points of order, as well as the action, will be made in open meetings. Reasonable public notice of the closed session shall be given for meetings closed, which shall include a general description of the purpose for which the meeting is closed. Closed sessions may be held under 10-508(a) of the Open Meetings Act, for the following purposes:

To discuss:

- (1) a) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom the Board has jurisdiction.
b) Any other personnel matter that affects one or more specific individuals.
- (2) To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) To consider the investment of public funds.
- (6) To consider the marketing of public services.
- (7) To consult with counsel to obtain legal advice.
- (8) To consult with staff, consultants or other individuals about pending or potential litigation.
- (9) To conduct collective bargaining negotiations or to consider matters that relate to the negotiations.
- (10) To discuss public security, if the Board determines that public discussions would constitute a risk to the public or public security, including the deployment of fire and police services and staff and the development and implementation of emergency plans.
- (11) To prepare, to administer, or to grade a scholastic, licensing or qualifying examination.
- (12) To conduct or to discuss an investigative proceeding on actual or possible criminal conduct.
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

D. Closed Meetings to Engage in an Executive Function of the Board.

In addition to the purposes set forth in section C, the Board may conduct meetings closed to the public when it is engaged in its executive functions. Such executive functions include the administration of a law of the State, a regulation promulgated by the State Board of Education or other state department or administrative agency, an ordinance of Somerset County, or a rule, regulation, bylaw, or policy of the Board of Education. Such closed meetings may be conducted only in strict accordance with the definition of an executive function in subsection 10-501(d) of the Open Meetings Act. At such meetings the Board may not engage in any of its advisory functions or legislative functions. The Board may only meet in closed session for its executive function for the purposes of applying an already-existing law, regulation, or policy. The consideration of new policies at such sessions is explicitly prohibited. No public notice of closed meetings during which the Board intends to carry out its executive function need be given, but the Board may, in its discretion, chose to provide notice of a meeting held under this section.

It is the intent of this policy to permit the Board to conduct any closed session not prohibited by the Open Meetings Act. Two general types of closed meetings may be held by the Board: meetings during which the Board will exercise its executive function (described in Policy No. 100-13, D); and meetings for one of the fourteen purposes enumerated in 10-508(a) of the Open Meetings Act.

- E. Work Sessions.** These sessions may be scheduled from time to time to provide Board Members with opportunities for planning and discussion without formal action. Topics for discussion will be announced publicly and sessions will be conducted in accordance with state law.
- F. Public Hearings.** Public hearings may be conducted from time to time to assure adequate time for the public to express its views regarding a specific issue.

From time to time, Board Members may be invited to attend meetings of the community, organizations or forums. These do not constitute meetings of the Board, so long as no more than two (2) members attend. Decisions must be made corporately. Constituent requests should be considered by the Board when it has a quorum of at least three (3) members in the appropriate meeting setting as indicated above.

3. BOARD MEETING MINUTES

In accordance with the Maryland Open Meetings Act, the following information will be recorded in the minutes of meetings: each item that the Board considered, the action the Board took on each item, and each vote that was recorded. Written minutes will be kept of each session. The minutes of closed sessions are not open to public inspection, unless the majority of the Board votes in favor of disclosing them. After any closed meeting, the minutes of the next open meeting will include a statement of the time, place and purpose of the closed session, a record of how the members voted on the motion to close the session, a citation of the provision of the Act that allowed the meeting to be closed and a listing of the topics of discussion, persons present and each action taken during the session. Proposed minutes of the regular meetings of the Board of Education shall be reviewed by the Board attorney prior to official approval by the Board of Education. MD. CODE ANN., STATE GOV'T 10-509.

Draft Board minutes will be prepared and distributed to the Board within three days following the meeting.