

Effective Board Meetings

Elisa A. Falco

Executive Vice President of School
Success

efalco@gacharters.org





Today's Session

Essential Questions:

- 1) Are your board meetings effective?
- 2) Why are effective meetings so important?
- 3) Do your meetings create a culture of inquiry and transparency?
- 4) How consistently are your meetings aligned with the GA Open Meetings Act **as well as** governance best practices?

Format:

Pre-Meeting - What is the board required to do prior to a board meeting?

Meeting- What are best practices and requirements as the meeting is in progress?

Post-Meeting- What are the post-meeting legal requirements?



Pre-Meeting Tasks & Considerations

The following steps should be taken before each meeting:

- 1) Agenda development - set policy on how the agenda is developed
- 1) Board packet - should be distributed 5 business days in advance of the board meeting
- 1) Agenda / notice transparency requirements
- 1) Meeting location, time and set-up



Pre-Meeting Tasks & Considerations

Agenda Development:

- 1) Who should be developing the agenda and when?
- 1) Best practices for agenda development
- 1) Common issues with agenda development



Pre-Meeting Tasks & Considerations

Board Packet:

- 1) What should be included in the board packet?
- 2) How far in advance of the meeting should the packet be distributed?
- 3) Best practices for developing a thorough and timely board packet
- 4) Common issues with board packet development & distribution



Pre-Meeting Tasks & Considerations

Agenda / Notice Transparency Requirements:

- 1) Why does transparency matter for charter school boards?
- 2) What are the legal requirements for posting the meeting notice and agenda?
- 3) What are some barriers to maintaining compliance?



Pre-Meeting Tasks & Considerations

Agenda / Notice Transparency Requirements:

O.C.G.A. § 50-14-1

- ❑ Establish a set schedule of meetings
- ❑ Post meeting dates in a conspicuous location (date, time, location)
- ❑ Post agendas not more than 2 weeks in advance but as soon as possible (at least 1 week)
- ❑ 24 hour notice for emergency called meetings must be posted and placed in a local news vehicle (e.g., paper). MUST state the reason for the emergency meeting in the notice.
- ❑ Agendas for meetings should be specific enough to advise the public of the matters expected to come before the board. Matters outside of the agenda can be addressed if they were not anticipated before the meeting by amending the agenda.



Pre-Meeting Tasks & Considerations

Meeting Time, Location, and Set-up:

- 1) Does the time of the meeting matter?
- 2) Where are most board meetings held?
- 3) What should you consider when selecting the meeting room and set-up?



Pre-Meeting Tasks & Considerations

Pre-Meeting Resources:

- 1) Summary of GA Open Meetings Act
- 2) Sample Agenda
- 3) Sample Notice
- 4) GA Open Meetings Law Checklist
- 5) Others?



Meeting Tasks & Considerations

- 1) Establishing quorum
- 2) Rules of order
- 3) Bylaws
- 4) Public comment
- 5) Amendments to the agenda
- 6) Time management



Meeting Tasks & Considerations

Establishing Quorum

- What do your bylaws say about quorum requirements for a meeting?
- How do you make sure that you have quorum prior to the meeting? Who is responsible for this?
- What should the board do if there is no quorum and it's time to start the meeting?



Meeting Tasks & Considerations

Rules of Order

Why do boards use rules of order?

Basic Rules to Know

- Call to order
- Motions / taking action
- Rescinding a motion
- Executive session
- Executive session voting
- Closing the meeting



Meeting Tasks & Considerations

Bylaws

- 1) What is the purpose of the bylaws?
- 2) What are some situations where you might need to use the bylaws during the meeting?
- 3) Who is responsible for making sure that the bylaws are updated?
How often should the bylaws be updated?



Meeting Tasks & Considerations

Public Comment

- 1) What is your board's procedure for public comment?
- 2) Public comment best practices
- 3) How can the public access your policy?



Meeting Tasks & Considerations

Amendments to the Agenda

- 1) How often does your board need to adjust the agenda the day of the meeting?
- 2) Do your agendas have placeholders for committee reports?
- 3) What procedure does your board use to amend the agenda? Is this procedure in the bylaws?



Meeting Tasks & Considerations

Time Management

- 1) How long are your board meetings?
- 2) Do you ever delegate something to a committee or table a matter due to a prolonged discussion?
- 3) Do you put time limits on your agenda?
- 4) Best practices for time management



Meeting Tasks & Considerations

Meeting Resources:

- 1) Summary of GA Open Meetings Act
- 2) Rules of Order Summary
- 3) Sample Public Comment Policy
- 4) Executive Session Affidavit
- 5) Bylaws Checklist
- 6) Others?



Post-Meeting Tasks & Considerations

- 1) Meeting Minutes / Transparency Requirements
- 2) Summary of Actions
- 3) Others?



Post-Meeting Tasks & Considerations

Post-Meeting Transparency Requirements

- 1) What does the GA Open Meetings Act say about post-meeting requirements?
- 2) Are there any barriers to staying in compliance with post-requirements?
- 3) Are there any other post-meeting requirements or best practices to share?



Post-Meeting Tasks & Considerations

Post-Meeting Resources

- 1) Summary of GA Open Meetings Act
- 2) GA Open Meetings Law Checklist



STANDARD 5: BOARD MEETINGS



STANDARD 5: BOARD MEETINGS

DESCRIPTION: In order to conduct official business for the purpose of improving student achievement and organizational effectiveness, the governance leadership team plans and conducts board meetings in accordance with the Open Meetings Act.

CONSIDERATIONS:

1. Transparency and access are key considerations.
2. GA Open Meetings compliance - what systems are in place to ensure compliance



BOARD MEETINGS: DEFINITION OF A MEETING

The language included in O.C.G.A 50-14-1 is relatively straightforward; however, in practice, charter boards sometimes lack the systems to ensure consistent compliance with the law.

A meeting is defined as:

- A gathering of a quorum of board members or committee of the members
- Official business, policy or public matter is: formulated, presented, discussed and/or voted upon



BOARD MEETINGS: EXCEPTIONS TO THE LAW

Boards may gather a quorum, under very special circumstances, and it is not considered a meeting. These special circumstances are limited to:

- Inspections of physical facilities or property,
- State-wide meetings or trainings, (must be with state-approved trainers)
- Meetings with other agencies,
- Travel, or
- Social or ceremonial events



BOARD MEETINGS: NOTICE AND ACCESS

Open access of meetings:

- Meetings must be open to the public and the press
- The public and the press can observe and record
- The public does not have the right to participate in the meeting, just to observe
 - You can give them the right to participate through public comment



BOARD MEETINGS: NOTICE AND MEETING AGENDA

- Establish a schedule of meetings for the year
- Post meeting dates in a conspicuous location at the school and on the website (*Attorney General's guide to the GA Open Meetings act requires that notice and agenda be posted to the website when the organization / agenda has a website in use*)
- Include the date, time and location
- Post agendas at least one week prior to the meeting (this applies to committee meetings as well)



BOARD MEETINGS: NOTICE AND MEETING AGENDA

- 24-hour notice is required for special called meetings. Notice for these meetings must be posted in the local news vehicle (legal organ) of the county where the school is located. The notice **MUST** state the general reason for the emergency / special called meeting
- Agendas for meetings should be specific enough to advise the public of the matters expected to come before the board. Matters outside of the agenda can be addressed if they were not anticipated before the meeting by amending the agenda



BOARD MEETINGS: MEETING MINUTES

- Minutes must be kept of all board meetings, committee meetings and executive sessions (executive session minutes are not made public)
- Minutes should include members present, absent, descriptions of motions or proposals, and a record of votes
- Names of individuals making motions and seconding a motion must be recorded
- When votes are not unanimous, each member's vote must be recorded
- Minutes must be released after approval;
- **A summary of the meeting must be available within two business days**



BOARD MEETINGS: MEETING MINUTES

- Approved meeting minutes must be posted to the school's website ***immediately after*** the board meeting where they were approved
- A summary of all actions taken at a board meeting must be posted within 48 hours of the meeting
- The minutes must reflect names of individuals who arrive late and depart the meeting early

BOARD MEETINGS: MEETING MINUTES

Meeting minutes are a reflection of your board's governance practice. Well executed minutes driven by effective agendas lead to better oversight. Proper oversight leads to increased public trust in your school.





BOARD MEETINGS: EXECUTIVE SESSION

There are ***very limited exceptions*** to Open Meetings:

- Closed meetings may be held with counsel to get advice on actual or threatened litigation
- If litigation is not involved (or if there is no tangible threat of litigation) then the discussion must be public
- The mere presence of counsel does not make the executive session proper
- The counsel must be representing the board (counsel in this context does not include board members who are practicing attorneys)



BOARD MEETINGS: EXECUTIVE SESSION

- The acquisition or disposal or lease of real property may be considered and voted on in closed session. (Matters regarding property may be voted on in closed session, but a subsequent public vote must be taken mirroring the closed session vote)
- Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee or interviewing applicants for the position of the executive head of an agency. **The vote on any matter covered in this paragraph shall be taken in public.”** O.C.G.A. § 50-14-3(b)(3)



BOARD MEETINGS: EXECUTIVE SESSION

- Executive session requires a vote in the open meeting
- Regular minutes must show the specific reason for closing the meeting, those present, and those voting for closing the meeting
- It is required that the chair execute a sworn affidavit showing the basis for the executive session and that the closed part of the meeting was limited to these provisions
- The chair has the duty to keep the meeting limited to the proper purposes of the closed meeting



BOARD MEETINGS: VOTING ON PERSONNEL MATTERS

It is a common practice for charter schools (and school districts) to vote on general recommendations of personnel that do not detail the action taken regarding an individual.

Charter school governing boards must provide sufficient detail to clearly allow the public to determine what action was taken with regard to an individual.



CONFERENCE CALL MEETINGS

- *Provided all open and public meetings requirements are met, charter schools with statewide attendance zones CAN hold meetings via teleconference. If your charter school has a defined attendance zone:*
 1. individual board members may participate in meetings via teleconference ONLY if their health precludes in-person participation or they are out of the jurisdiction.
 2. Individual board members may only participate in meetings by teleconference twice per calendar year absent a doctor's note..



Most Common Violations

- Amending the agenda when changes are made
- Posting the agenda to the website for regular board meetings and committee meetings
- Posting board meeting and committee meeting (approved) minutes within 48 hours of the meeting when they were approved
- Posting a summary of actions within 48 hours of a meeting where actions were taken
- Properly posting emergency / special called meetings
- Executing the sworn affidavit for every executive session
- Properly recording the minutes
- Taking actions in a meeting that is not held in accordance with the law



SCSC Meeting Evaluation

SCSC Meeting Eval Form

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| Georgia Open Meetings Act Compliance | <p>The agenda was posted for public view at least one week prior to the meeting date.</p> |
| | <p>A physical quorum of the board was notated prior to the start of the meeting. (Note: participation by conference call or video platform cannot make the quorum)</p> |
| | <p>A motion, second, and vote was taken to amend the posted agenda.</p> |
| | <p>Approved meeting minutes include members present, members absent, members who arrived late, and/or members who departed prior to adjournment.</p> |
| | <p>Approved meeting minutes include a description of all motions or proposals and a record of all votes.</p> |
| | <p>If a vote was not unanimous, each member's vote was recorded in the minutes.</p> |
| | <p>A motion, second, and vote was taken prior to executive session.</p> |
| | <p>The purpose of executive session (acquisition or disposal of property, personnel issues, and/or pending litigation) was announced as part of the motion.</p> |
| | <p>The board chairperson executed a sworn affidavit showing the basis for executive session.</p> |
| | <p>If personnel matters were discussed a in executive session, sufficient detail was provided in the public meeting to clearly allow the public to determine what action was taken.</p> |
| | <p>An opportunity for public comment was provided during the meeting.</p> |

SCSC Meeting Eval Form

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| Engagement and General Accountability | Each board committee provides a report. |
| | The meeting is conducted in a room suitable for public attendance and participation. |
| | All board members participate in the meeting and avoid personal distractions. |
| | Staff members are capable to aptly answering questions and providing feedback. |
| | Pertinent staff members are present at the meeting. |
| | Materials for the meeting are distributed in advance. |
| | Board members ask relevant questions about academics, finances, and/or operations. |
| | Contractors are evaluated and appropriately held accountable. |
| | Decisions are aligned to the school's mission, vision, and strategic plan. |

SCSC Meeting Eval Form

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| Academic Accountability | Board members ask relevant questions about student achievement. |
| | The board reviews data on the school's academic performance related to the Comprehensive Performance Framework. |
| | The board makes decisions based on review of research and data. |

SCSC Meeting Eval Form

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| Financial Accountability | Board members ask relevant questions about the fiscal health of the school. |
| | The board is provided with a balance sheet. |
| | The board is provided with a cash flow statement. |
| | The board is provided with an income and expense statement. |
| | The board is provided with a budget vs. actuals report. |
| | The board is provided with student enrollment data (actuals and projections). |
| | The board reviews Working Capital Ratio (CPF data point) |
| | The board reviews Unrestricted Days Cash (CPF data point) |
| | The board reviews Enrollment Variance (CPF data point) |
| | The board reviews Efficiency Margin (CPF data point) |
| | The board reviews Debt to Asset Ratio (CPF data point) |

SCSC Meeting Eval Form

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| Operational Accountability | Board members ask relevant questions about school operations. |
| | There is evidence the board reviewed applicable compliance reports. |
| | The board recognizes operational issues are the responsibility of the School Leader. |
| | The board solicits and receives recommendations from the School Leader. |
| | The board evaluates the performance of the school leader and other personnel. |



QUESTIONS?



Elisa A. Falcó
EVP of School Success
Georgia Charter Schools Association
efalco@gacharters.org
404-550-9401