

FREQUENTLY ASKED QUESTIONS

1. **What is a quorum?**
 - a. The number of board members required for a public body to have a meeting. The quorum is a majority of the sitting board members.
2. **How is that affected when board members are not on the board?**
 - a. Ex. You have a seven-member board, and the quorum is four board members. Life happens, and you lose two board members (death/job placement), your quorum is now three until those board members are replaced.
 - b. This is different from board members simply not attending meetings.
3. **Can districts continue to keep board meetings closed to public attendance due to social distancing?**
 - a. Yes. Districts can still limit those who are physically present at board meetings.
 - b. **Crucial: If the district is moving back to in-person meetings, it is perfectly okay to do so with limited seating on a first-come, first-seated basis. The district does not have to continue to stream after returning to in-person meetings.**
4. **If the superintendent or a board member has Covid-19 or has been exposed, can we change the meeting to virtual or cancel?**
 - a. Absolutely
5. **Who can cancel a board meeting?**
 - a. The board or the board chair in consultation with the superintendent.
 - b. Remember, if a quorum cannot be established, there will be no meeting.
 - c. Refer to model policy BE for sample language.
6. **What is the total number of readings required for amending a policy?**
 - a. Two.
 - b. A revised policy becomes a new policy for the board's approval requiring two readings.
7. **Do the two readings of policy have to be done during consecutive meetings?**
 - a. No, there are no time restrictions related to the two readings.

8. **Does FOIA mandate that agendas for committee meetings be noticed the same as for regular and special called meetings?**
 - a. Yes, the meetings must be noticed in the same manner and the agenda restrictions for amendments are still relevant.
 - b. Please note, minutes must be maintained and approved at the next committee meeting or the next board meeting if the committee only meets once.
 - c. The committee is also allowed to go into executive session for the reasons designated under FOIA.

9. **Someone requested a sample of a standing agenda.**
 - a. Agendas should not be the same at every board meeting, although some standard consent items might be listed.

10. **Someone also requested to see sample minutes that would be considered “best practices.”**
 - a. I encourage you to send in your minutes to SCSBA for feedback. We will provide suggestions for improvement, if necessary.

11. **Another district has adopted BEDL, which restricts members from communicating electronically with members of the public or each other during the board meeting. If our district has not adopted BEDL, what can we do to address such behavior?**
 - a. Model policy BEDL will be sent for your review.
 - b. The chair should address the behavior and state that it is out of order for board members to do such.
 - c. The chair can put the matter to the board to vote on.

12. **What is the purpose of policy BEDL?**
 - a. The purpose of the policy is to establish guidelines for board members communicating on their personal or district-owned devices with other board members or members of the public during board meetings.

13. **Can boards have retreats for training and self evaluations?**
 - a. Yes, and should. It does not have to be every year. We recommend every year or every two years.
 - b. Please see model policy BAA.

14. **Where can the board have its retreat?**
 - a. Anywhere in the district

- 15. Can a county with multiple districts have the retreat anywhere in the county, or does it have to be within the district?**
 - a. The statute specifically says within the district.
- 16. Are detailed minutes required to be taken during a board retreat?**
 - a. If no action is being taken, then it not necessary to keep detailed meeting minutes.
- 17. Are board clerks required to remain for the entire duration of a board's retreat?**
 - a. If someone else is going to keep minutes in the clerk's absence, then no. However, the clerk should consult with his/her supervisor to determine if attendance is mandatory.
- 18. If documents are distributed during committee meetings, are districts required to provide them to the public if requested per FOIA?**
 - a. Yes, it is the same as those non-privileged documents provided to the board at regular meetings.
- 19. What is a privileged document?**
 - a. A privileged document contains trade secrets, personal information, certain information compiled for law enforcement purposes, any matters that are specifically exempt from disclosure by law (i.e., student records, etc.).
- 20. If a policy needs to be deleted, is it necessary to have one reading, or can the board be notified in an update?**
 - a. It is necessary to have at least one reading, and the board must vote to delete the policy. Policies cannot be deleted, suspended, or revised without board approval.
- 21. Are action items required to be listed on the board meeting agenda?**
 - a. Yes, the public should be able to distinguish between action and discussion items on the agenda. **Please note**, listing an item as an action item does not mean that action must be taken.
- 22. How are board policies updated online?**
 - a. If your policies are maintained by the district, please consult your IT department.

- b. If SCSBA maintains your policies, please send Rachael O'Bryan at robryan@scsba.org your updated policies. We will review them and provide feedback, if necessary, before posting the revised policies online.
- 23. How do we (administrative assistants) politely say to board members that we cannot prepare their statement of economic interest?**
- a. You should reach out to your superintendent or board chair with your rightful concerns. You are not responsible for ethics filings, especially since there are consequences for filings done incorrectly. Board members can certainly contact the ethics commission for assistance with their filings.
- 24. If a member of the public sends an email requesting documents from a board meeting that are not privileged, can I respond that the requested documents will be available for inspection and copying at the district office during regular business hours?**
- a. Yes, you are not required to provide them in an electronic form.
- b. **Please note**, if you are providing copies, you may charge according to the district's fee schedule.
- 25. During board meetings, who should address any violation of Robert's Rules of Order?**
- a. The board chair should address any violation.
- b. Any board member can address the issue by saying "point of order" to alert the board chair to the violation.
- c. If a board member disagrees with the decision of the board chair, then the full board can vote on the matter.
- 26. Can the board chair exclude himself/herself from voting on a motion?**
- a. Yes. The board chair is not required to vote when there is a clear majority. However, the board chair must vote if there is a tie.
- 27. Can approved meeting minutes be posted without the signature of the board secretary?**
- a. Per Robert's Rules of Order, the signature of the person taking the minutes must appear on the documents. An electronic signature is acceptable.