

Indiana Charter School Board
BOARD MEETING PROCEDURES
AND
ELECTRONIC
PARTICIPATION POLICY

The following “Board Meeting Procedures and Electronic Participation Policy” (“Policy”) is hereby adopted by the Indiana Charter School Board (“ICSB”) to establish procedures for ICSB meetings and the participation of ICSB board members in ICSB meetings by electronic means pursuant to Indiana Code (“IC”) § 5-14-1.5-3 and IC § 5-14-1.5-3.6.

The Chair

Pursuant to IC § 20-24-2.1-1(c), the Chair of the board is appointed by the Governor. The board shall elect a Vice-Chair from among its members by majority vote for a term of one year. If it is necessary for the Chair to be absent from a meeting for any reason, the Vice Chair shall preside and exercise all the powers and duties of the Chair. The temporary Chair shall follow these Meeting Procedures.

Meeting Participation

Each member of the ICSB is required to physically attend at least one (1) regular meeting of the ICSB annually. Board members should make every effort to physically attend the Spring and Fall meetings to vote on charter school applications. Such meetings will be scheduled at least thirty (30) days in advance.

Regular Meetings

The ICSB shall meet no less than two (2) times a year, once in the Fall and once in the Spring, to review and to make decisions on proposals to establish charter schools pursuant to IC § 20-24-3-4 and to make renewal decisions pursuant to IC § 20-24-4-1(a)(6)(E). Unless otherwise specified, regular meetings of the ICSB will be held in the Indiana Government Center South building. ICSB staff shall handle meeting logistics, including securing meeting locations and streaming support, for regular meetings.

Special Meetings

The Chair may call a special meeting to address issues as needed. ICSB staff shall handle meeting logistics, including securing meeting locations for special meetings. Board members shall provide calendar availability to ICSB staff and the Chair or the Chair’s designee within forty-eight (48) hours after a request for a special meeting has been made. Following this forty-eight (48) hour period, ICSB staff will select a date for the special meeting, provided that a quorum can be obtained.

Executive Sessions

ICSB may meet in executive session for the reasons specified in IC § 5-14-1.5-6.1 and shall comply with the notice requirements of IC § 5-14-1.5-5. The Chair, with the assistance of the Executive Director, shall determine when an executive session is needed.

Conduct of the Meeting

Except as expressly modified by these Board Meeting Procedures, all meetings shall be governed by the current edition of Robert’s Rules of Order, Newly Revised. The conduct of the meeting shall be at the discretion of the Chair; provided, however, each board member shall have the right and responsibility to participate fully in the meeting, to ask questions and provide input on any issue

before the ICSB, to move the ICSB to a vote on any agenda item, and to discharge his or her duties fully as outlined in IC § 20-24-2.1-2.

Quorum and Official Action

Pursuant to IC § 20-24-2.1-1(d), a majority of the members appointed to the ICSB constitutes a quorum. Therefore, at least five (5) board members must be present, either physically or electronically, in order for a quorum to be present. The affirmative votes of a majority of the members present are required for the charter board to take action. Voting by proxy is not permitted.

Voting Method

Votes by the ICSB are taken by alphabetical roll call of board members, with the Chair voting last. Each board member's vote shall be recorded in the minutes. Subject to Paragraph 7 of the Electronic Participation Policy, at the Chair's discretion, a vote may be taken by voice unless objected to by any other board member. Roll call shall be taken and recorded by the ICSB staff.

Public Participation at Indiana Charter School Board Meetings

Solely at the discretion of the Chair, ICSB may, at its regular business meetings, accept comment from any interested person on items that appear on ICSB's agenda for that meeting, as well as general public comments. Public participation at a meeting is subject to the following guidelines:

1. A person who desires to speak to board members must register at the ICSB meeting room on the day of the meeting. Registration sheets shall customarily be available at least thirty (30) minutes prior to the start of the meeting, and registration shall close five (5) minutes before the start of the meeting. Required registration information shall include the name and address of the person providing the comments, the name of the organization (if any) that the person represents, and whether the speaker wishes to address a specific agenda item or make a general public comment. General comments will be heard during the "Public Comment" agenda item.
2. ICSB will not accept comments on specific adjudications that are governed by the Administrative Orders and Procedures Act (IC § 4-21.5) or by other statutory procedures that limit public participation. Persons who wish to participate in these proceedings may obtain procedural information from ICSB staff.
3. Statements on specific agenda items are limited to five (5) minutes in length, general public comments are limited to three (3) minutes in length. Statements shall be timed by ICSB staff and time limits will be strictly enforced.
4. Written comments may be submitted to the Chair or Executive Director by a speaker and copies shall be distributed to all ICSB members.
5. No person may speak more than once on the same topic. Statements relating to a specific agenda item are limited to that agenda item.

6. Comments shall be directed to all board members, not to an individual board member, and questions will not be entertained.
7. Comments may not include complaints against a specific person or persons. Specific complaints about a school or an individual should be brought to the attention of ICSB staff.
8. Statements may not be abusive, argumentative, or otherwise inappropriate for a public hearing, and persons making comments may not debate statements made by other persons.

The Chair shall enforce these rules and may, subject to appeal to the full board, take any action necessary to maintain order at the meeting, including, but not limited to:

- interrupting a person making a comment if the comment exceeds the time limit, is unduly repetitive, or otherwise violates these rules; and
- limiting the total amount of time devoted to public comments based on the number of persons wishing to make comments and the length of the board's agenda.

Conflicts of Interest

Under IC § 4-2-6-9, a special state appointee, including a member of the board, is prohibited from participating in a decision or vote, or matter relating to that decision or vote, if the special state appointee has knowledge that any of the following has a financial interest in the outcome of the matter: (1) The special state appointee; (2) Any of the special state appointee's immediate family members; (3) A business organization in which the special state appointee is serving as an officer, a director, a member, a trustee, a partner or an employee; or (4) Any person or organization with whom the special state appointee is negotiating or has an arrangement concerning prospective employment.

A "financial interest" is defined by IC § 4-2-6-1(a)(11) to include "an interest . . . in a purchase, sale, lease, contract, option, or other transaction between an agency and any person; or . . . involving property or services. . ." The term does not include an interest that is not greater than the interest of the general public or any state officer or any state employee.

To address any potential conflicts that may arise with respect to a member of the board and an entity or organization in which the member has financial interest, and to ensure compliance with the conflict of interest laws, any board member who has knowledge of a potential conflict of interest relating to a matter coming before the board shall immediately notify the Executive Director.

ICSB's Ethics Officer has established the following procedures to screen the board member from participating in any decision or vote, or a matter relating to that decision or vote relating to the entity or organization in which the member has financial interest:

1. ICSB's Ethics Officer shall monitor the board member's involvement in any matter relating to the entity or organization in which the member has financial interest to ensure that the screening procedures are followed.
2. If any matter related to the entity or organization in which the member has financial interest is presented to ICSB for a discussion and vote, the board member will recuse him or herself from the discussion and vote, as well as submit an "Ethics Disclosure Statement" to the OIG.
3. The board member will not be permitted access to any confidential information concerning the entity or organization in which the member has financial interest without the written approval of ICSB's Ethics Officer.
4. ICSB staff will screen the board member from any and all involvement in matters involving the entity or organization in which the member has financial interest, including refraining from any discussion in the board member's presence that might be related to matters involving the entity or organization in which the member has financial interest.
5. The fact that the individual is both an ICSB board member and has a financial interest in the entity or organization in which the member has financial interest does not serve as an endorsement by ICSB of the entity or organization in which the member has financial interest, other than that which normally exists between the entity or organization in which the member has financial interest and ICSB as a charter school authorizer.
6. ICSB's Ethics Officer will provide written notice to the OIG anytime the screening procedures are implemented.

Electronic Participation Policy

The purpose of the Electronic Participation Policy is to allow the ICSB to avail itself of legislation passed by the Indiana General Assembly permitting governing bodies of state agencies to participate in meetings electronically. Pursuant to IC § 20-24-2.1 et seq., the authorizing statute for ICSB, board members must be appointed by state and local office holders, which results in significant geographic diversity. Additionally, board members are leaders in the state, as well as in their local communities. In light of time constraints imposed by geography and other professional commitments, this Electronic Participation Policy allows board members greater flexibility to attend and participate in ICSB meetings electronically. Policy provisions are as follows:

1. Board members are encouraged to physically attend ICSB meetings. Absent exceptional circumstances, each board member is limited to electronically attending no more than two meetings per year. This Policy endeavors to balance convenience and greater membership participation with operational quality.
2. At least two (2) board members must be physically present at the designated meeting site on the date of a scheduled meeting in order for a meeting to occur. Five (5) board members must be present, either physically or electronically, in order for a quorum to be present.

3. The Chair and Executive Director are responsible for supervising and coordinating electronic participation in meetings by board members. All requests to participate electronically must be submitted via email to the Chair with a copy to the Executive Director no later than three (3) days in advance of the meeting. All requests must be approved by the Chair.
4. A board member participating via electronic means may do so by telephone, computer, video conferencing, or any other method of communication that allows for simultaneous communication and is capable of being recorded by members of the public.
5. A board member appropriately participating via electronic means is considered present at the meeting, is counted for quorum purposes, and may vote at the meeting.
6. A board member participating via electronic means pursuant to this Policy is not required to do so in a setting that is open to the public, e.g., a duly noticed executive session. This Policy does not create a right for the public to observe and record an executive session of the board conducted pursuant to Ind. Code § 5-14-1.5-6.1, or any other applicable law.
7. In any meeting where a board member participates in a meeting electronically and casts his/her vote, the board member must provide written confirmation, by email or letter, of the vote to the Chair and Executive Director no later than seven (7) calendar days after the meeting where the vote was cast.
8. Where at least one board member is participating via electronic means, all votes must be taken by roll call.

Per IC § 5-14-1.5-3.6, this Policy is posted on the ICSB website.