



INDIANA STATE BOARD OF EDUCATION

MEMORANDUM

To: Indiana State Board of Education
From: Board Staff
Date: July 29, 2015
RE: Changes to Board Operating Procedures

Recommendation: Vote to adopt the attached amended procedures.

In light of the new statutory requirements regarding the Vice-Chair, Board staff decided to revisit the Board's operation procedures. Staff modified the procedures to include the Vice-Chair, and also made other changes staff felt were important. Department staff was included in this process.

INDIANA STATE BOARD OF EDUCATION MEETINGS AND MEETING PROCEDURES

MEETINGS

Regular Meetings

The Board shall establish an annual meeting calendar, with at least one meeting per month. Unless otherwise specified, regular meetings of the Board shall be held in the Indiana Government Center South building. The Board shall schedule at least two meetings per year in locations across the state as determined by the Board. Board staff shall handle meeting logistics, including securing meeting locations and streaming support, for all meeting dates established by the annual meeting calendar.

Special Meetings

The Chair or three Board members may call a special meeting to address issues as needed. Board members will notify the Chair in writing (including email or facsimile) of the request for a special meeting. Special meetings will be held within seven calendar days of the request at a date and time convenient to the members, including the Chair and at a location determined by Board staff, in consultation with the Chair. Board staff shall handle meeting logistics, including securing meeting locations and streaming support, for special meetings. Board members must provide calendar availability to Board staff and the Chair or the Chair's designee within 48 hours after a request for a special meeting has been made. Following this 48-hour period, Board staff will select a date for the special meeting, provided that a quorum that includes the Chair and Vice Chair can be obtained. A special meeting called pursuant to this section does not qualify as a meeting for purposes of satisfying the requirement under IC 20-19-2-2.2(h) that the Board meet at least one (1) time each month.

Cancellation of Meetings

The Chair may cancel a meeting up to 72 hours (excluding Saturdays, Sundays, and legal holidays) prior to the meeting by notifying Board members in writing (including email or facsimile). The Chair's decision shall be final unless three or more Board members object in writing (including email or facsimile) to the cancellation within 48 hours of the Chair's notification. Meetings may not be cancelled with less than 72 hours' notice unless such cancellation is due to an unforeseen emergency.

Executive Sessions

The Board 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 or three Board members shall determine when an executive session is needed.

Absence of the Chair

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. If the Chair and the Vice-Chair are absent, the Secretary shall preside and exercise all the powers and duties of the Chair. If there is a quorum present, and the Chair, the Vice-Chair, and the Secretary are absent, the members present shall, by majority vote, agree upon a member to preside and serve as Chair. The temporary Chair will follow the established Board Meeting Procedures.

BOARD MEETING PROCEDURES

Public Notice

Notwithstanding IC 5-14-1.5-5, the Chair and Board staff shall provide public notice of each Board meeting and executive session in the manner described in IC 5-14-1.5-5(b) and shall make the agenda for each Board meeting available on both the Board's and the Department's web sites at least five (5) days before the Board meeting. Public notice of each Board meeting and executive session shall include the date, time, and location of the meeting, and shall be posted outside the State Superintendent's office (Room 229 State House) and at the Board's office (143 W. Market Street, Indianapolis, IN 46222) at least 48 hours prior to the meeting (excluding Saturdays, Sundays, and legal holidays).

Agenda Format – Order of Business

The order of business for a regular meeting is as follows:

- I. Call to Order
 - a. Roll Call
 - b. Pledge of Allegiance
- II. Approval of the Agenda
- III. Approval of the Minutes
- IV. Statement from the Chair
- V. Board Member Comments and Reports
- VI. Public Comment (public comment on a specific agenda item will be taken at this time unless the speaker wishes to comment when the specific agenda item is before the Board)
- VII. Best Practices – Innovation in Education – Student Successes
- VIII. Consent Agenda
- IX. New Business – Action
- X. Discussion and Reports
- XI. Adjournment

Agenda Preparation and Dissemination

The Chair and the Vice-Chair are jointly responsible for establishing the agenda for each Board meeting after receiving and considering recommended agenda items from Board members. No Board member can be deprived of the basic rules of Board membership, including the right to place items on the agenda.

Board members may add items to each Board agenda as follows:

1. Board members may add agenda items by submitting an email or verbal request to both the Chair and the Chair's Designee and the Vice-Chair and the Vice-Chair's Designee. The Chair and the Chair's Designee and Vice-Chair and the Vice-Chair's Designee will acknowledge receipt of the request within one business day.
2. Requests for items that require final action by the Board including motions, proposals, resolutions, rules, or regulations must be submitted via email to the Chair and the Chair's Designee and the Vice-Chair and the Vice-Chair's Designee at least seven business days before a Board meeting. The following exception to the seven business day rule applies: if the Chair and three Board members determine that an emergency or special circumstances exist, a matter may be added to the agenda for final action.
3. Reporting or discussion items may be added to the agenda before or during a meeting as is consistent with Ind. Code sec. 5-14-1.5.
4. The Vice-Chair's Designee and the Chair's Designee shall meet at least monthly to discuss upcoming Board meeting agenda items and to ensure good communication between the Board and Department regarding upcoming meeting topics.

The final draft written agenda must be approved by both the Vice-Chair and the Chair. Once approved, the final draft written agenda, together with supporting background and related materials, must be

provided in electronic format to Board members and Board staff at least five business days before a Board meeting.

Conduct of the Meeting

Subject to the Rules of Order as described herein, 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, ask questions and provide input on any issue before the Board, move the Board to a vote on agenda items, and discharge his or her duties fully as outlined in IC 20-19-2.

Rules of Order

Obtaining and Assigning the Floor

Before a Board member can make a motion or speak in debate, the Board member must be recognized by the Chair. The Chair must recognize any person who seeks the floor while entitled to it. A Board member is entitled to the floor if the Board member requests the floor at a time that no other Board member is talking. If two or more Board members seek recognition, the Board member addressing the Chair first should be given the floor. If it is uncertain which Board member addressed the Chair first, the Chair will determine the order by which the Board members will be recognized to speak.

Motion Procedure for Action Items

To make a main motion, a Board member must obtain the floor, as explained above. The Board member then makes his or her motion, by saying "I move that . . . [announcing what he proposes in a wording intended to become the assembly's official statement of the action taken]."

After a motion has been made, another Board member who wishes it to be considered says, "I second the motion," or, "I second it," or even "Second!" – without obtaining the floor and without rising. If there is not a second, then the motion dies.

The Chair must state the question on a motion immediately after it has been made and seconded, unless the Chair is obligated to rule that the motion is out of order or unless, in his or her opinion, the wording is not clear.

Maker of the Motion. **Until** the Chair states the question, the maker has the right to modify the motion as the maker pleases or to withdraw it entirely.

Modification of a Motion – by Non-Maker. **Until** the Chair states the question, a Board member may suggest modifications to improve the language of the motion. The maker of the motion can accept or reject the changes. This method should be limited to technical or non-substantive changes.

Amending a Motion. **After** the Chair calls the question, any Board member may propose an amendment. If an amendment to a motion is made and seconded, it is then debatable. In order to be adopted, the amendment must receive a majority of the votes. If the amendment is adopted, then the main motion is voted on in its amended form.

Appealing a Ruling of the Chair

If the Chair makes a ruling and a Board member disagrees, the Board member should raise his or her hand and state that he or she appeals the ruling of the Chair. If another Board member seconds the appeal, then the Chair puts the question to the Board, who decide by majority vote whether to sustain the Chair's ruling. A majority or tie vote sustains the decision of the Chair. If the decision of the Chair is not sustained, it is considered reversed.

This appeals procedure applies to all actions and decisions otherwise addressed in these Board Meeting Procedures, including, but not limited to, calling a special meeting or the addition of agenda items.

Interpretation of Board Meeting Procedures

If a dispute arises at any time during a meeting as to the interpretation of any part of these Board Meeting Procedures, a Board member may move to adopt his or her interpretation of the provision(s) at issue. If another Board member seconds the motion, then the Chair shall put the question to the Board, who shall decide by majority vote whether to adopt that interpretation. Such vote shall occur during the meeting in which the dispute arose, and may not be delayed to a future meeting.

Board Members' Access to Staff

A Board member, who has been recognized by the Chair, may, at any time, request to address Board staff, and board staff shall be permitted to respond.

Adjournment – Order of Business

The Chair shall call for a motion to adjourn. If a motion to adjourn is made, and seconded, it must have a majority vote to prevail. A motion to adjourn is not amendable or debatable.

Quorum

Per IC 20-19-2-2.2(c), a quorum consists of six members of the Board, and a quorum must be present to take official action as described in IC 5-14-1.5-2(d).

Voting Method

Votes by the Board are taken by alphabetical roll call of the Board members, with the Chair voting last. Each Board member's vote shall be recorded in the minutes. At the Chair's discretion, the vote may be taken by voice unless objected to by any Board member. Roll call shall be taken and recorded by the Board Director.

Election of Vice-Chair and Secretary

Annually during the first regular business meeting in January, the Board shall elect a Board member to serve as Vice-Chair and a Board member to serve as Secretary. Any Board member may nominate another Board member for either office without being recognized by the Chair. Upon nomination and second, the Chair shall ask the nominated member if they are willing to accept the nomination. When no other nominations are offered, seconded, and accepted, the Chair will close the nominations. The Board shall vote by a show of hands. A nominee for either Vice-Chair or Secretary must receive at least six votes to be elected.

Minutes

The Secretary may designate the Board's Executive Director or a designee to take notes and prepare draft minutes of the meeting for the Secretary's review. The Secretary shall review, edit, and return the minutes to the Board Director or designee for final drafting and distribution to the Chair for review and inclusion in the following meeting's agenda. Approved minutes shall be posted on the Board's website within ten business days of the Board meeting at which the minutes were approved.

Board Committees

The Board may from time to time appoint special committees by vote of a majority of the Board, including any committee tasked with revising these Board Meeting Procedures. Members to these committees may be appointed in two ways: either by the designation of the Chair; or by motion adopted by the Board.

- If the Chair creates a committee, the Chair may appoint the committee chair.
- If the Committee is created by a motion, the motion shall include a designation of the person to serve as the committee chair.

Public Participation at Board Meetings

- The Board shall, at its regular monthly business meeting, accept comment from any interested person on items that appear on the Board's agenda for that meeting, as well as general public comments.
- The Board shall not accept comments on specific adjudications that are governed by the Administrative Orders and Procedures Act (Ind. Code 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 the Board office.
- A person who desires to speak to the Board must register at the Board 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 Board 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, the topic to be discussed, and whether the speaker, instead of making comment during agenda item VI. Public Comment, wishes to speak when a specific agenda item is before the Board.
- Public comments are subject to the following rules:
 - Statements on 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 the
 - Board Director or designee and time limits will be strictly enforced. The Board may also designate a meeting as a public hearing on a particular issue, giving more citizens the opportunity to present their opinions to the Board.
 - Written comments may be submitted to the Chair or Board Director by a speaker and copies shall be distributed to the full Board.
 - No person may speak more than once on the same topic.
 - Comments shall be directed to the Board, not to an individual Board member, and questions will not be entertained.
 - Statements shall not be abusive or argumentative, and persons making statements shall not debate statements made by other persons.
- The Chair shall enforce these rules and may, subject to appeal to the Board, take actions necessary to maintain order at the Board meeting. Such actions may include, but are not limited to:
 - interrupting a person making a statement if the statement is too lengthy, unduly repetitive or otherwise violates these rules; and
 - limiting the total amount of time devoted to public statements based on the number of persons wishing to make statements and the length of the Board's agenda.

Public Comment Registration

- When an individual registers to provide public comment, he or she will indicate on the sign-in sheet the specific agenda item on which s/he wishes to comment or that he or she will be making only general comments.
- Public comment on a specific agenda item will be taken during the VI. Public Comment agenda item

unless the speaker wishes to comment during a specific agenda item. General comments will be taken during the VI. Public Comment agenda item.

Parliamentary Authority

The procedures at all meetings shall be governed by the current edition of Robert's Rules of Order, Newly Revised, except as expressly modified by these Board Meeting Procedures.