

Code: BD/BDA

Adopted: July 2017

MITCH CHARTER SCHOOL

MITCH Charter School Board Meetings

Meetings of the Board are conducted according to the nonprofit corporation's bylaws and Oregon Public Meeting Law. The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. "Meeting" means the convening of the Board as the MITCH Charter School's governing body to make a decision or to deliberate toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, i.e., a work session. The affirmative vote of a majority of the quorum present is required to transact business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. All meetings will be conducted in compliance with state and federal statutes and the nonprofit corporation's bylaws. All Board meetings, including Board retreats and work sessions will be held within the geographic boundaries over which the Board has jurisdiction. The Board may attend training sessions outside these boundaries but cannot deliberate towards a decision. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, age or national origin is practiced. (Sexual orientation is defined at ORS 174.100 to include gender identity.)

If requested to do so at least 48 hours before a meeting held in public, the Board shall provide an interpreter for hearing-impaired persons. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. Communications with all qualified individuals with disabilities shall be as effective as communications with others.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law.

The possession of dangerous or deadly weapons and firearms, as defined by law and Board policy (JFCJ, Weapons in the Schools) is prohibited on public charter school property.

1. Regular, Special and Emergency Meetings.

The Board meeting schedule is established by the Board and posted on the school's website but may be changed by the Board with proper notice. The purpose of each meeting will be to conduct Board business. The Board Chair will conduct the meeting, or in his/her absence, the Vice Chair will conduct the meeting. If both are absent, the Secretary will conduct the meeting. If the Secretary is also absent, the Treasurer will conduct the meeting. Special meetings may be convened by the Board Chair, upon request by 50% of the Board members or by common consent of the Board at any time to discuss any topic. A special meeting may also be scheduled if less than a quorum is present at a meeting or additional business still needs to be conducted at the ending time of the meeting. At least 24 hours' notice must be provided to all board members, the news media which have requested notice, and the general public through notification on the website, for any special meeting.

Emergency meetings can be called by the Chair (or Vice Chair in the absence of the Chair) in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitate by the emergency may be discussed and acted upon at the emergency meeting.

The Board will elect new Board members according to its bylaws at an annual election meeting or at any Board meeting as agreed to by the Board. The annual election for directors will customarily take place during May, unless the Board by resolution sets a different month. Directors will take office after election on the date decided by the Board.

2. Communication Outside of Board Meetings

Communications to, by, and among a quorum of Board members, outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing MITCH charter school business. This includes electronic communication. Electronic communications among Board members shall be limited to messages not involving deliberation, debate or decision-making or the gathering of information on which to deliberate.

Electronic communications may contain:

- a. Agenda item suggestions;
- b. Reminders regarding meeting times, dates and places;
- c. Board meeting agendas or information concerning agenda items;
- d. One-way information from Board members or the administrator to each Board member as long as it is recognized that this is public information, unless exempt by public records law;
- e. Individual responses to questions posed by community members, subject to other limitations in Board policy.

3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by the Public Meetings Law.

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its Board members with opportunities for planning and discussion. Work sessions are Board meetings and subject to the bylaws, and Oregon law on public meetings including notice and minutes. The Board may make Board decisions during work sessions.

5. Executive Sessions

Executive Sessions may be held as an agenda item or as its own meeting during regular, special or emergency meetings for reasons permitted by law. See Board Policy BDC-Executive Session.

END OF POLICY

Legal Reference(s):

ORS Chapter 192 ORS 338 .115(1)(c)(d) ORS 433 .835 - 433.875 ORS chapter
65

38 OR. ATTY. GEN. OP. 1995 (1978)

41 OR. ATTY. GEN. OP. 28 (1980)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006);
28 C.F.R. Part 35).

Americans with Disabilities Act Amendments Act of 2008.

OR. ATTY. GEN. Public Records and Meetings Manual (2014)