

ARTICLE VI: MEETINGS

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POLICY 1-6.1 REGULAR SCHOOL BOARD MEETINGS

Closed Session

Closed meetings may be held only in accordance with Virginia law, including for the following purposes:

1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of officers, appointees or employees of the School Board. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student or students and the student or students involved in the matter are present, provided the teacher makes a written request to be present to the Chairman of the School Board.
2. Discussion or consideration of admission or disciplinary matters concerning any student in the Hanover County Public Schools. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians, shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents or guardians so request in writing and such request is submitted to the chairman of the School Board.
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.
4. The protection of the privacy of individuals in personal matters not related to public business.
5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the School Board would be adversely affected.
7. Consultation with legal counsel and briefings by staff members or consultants, pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the School Board. For the purposes of this subdivision "probable litigation" means litigation which has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the School Board is in attendance or is consulted on a matter.
8. Consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the School Board is in attendance or is consulted on a matter.
9. Discussion or consideration of honorary degrees or special awards.
10. Discussion or consideration of tests or examinations or other documents used, administered or prepared by a public body and subject to the exclusion in subdivision 4 of Va. Code § 2.2-3705.1.
11. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the School Board in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the School Board or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.
12. Discussion or consideration of medical or mental records subject to the exclusion in subdivision 1 of Va. Code § 2.2-3705.5.
13. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of information subject to the exclusion in subdivision 3 or 4 of Va. Code § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information

- technology system or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.
14. Discussion of consideration of information subject to the exclusion in subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such information.
 15. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.

No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

Calling and Certification of Executive Sessions

1. No closed meeting shall be held unless the School Board has taken an affirmative recorded vote in an open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting as authorized in Va. Code § 2.2-3711(A) or other provision of law, and (iii) cites the applicable exemption or exemptions from open meeting requirements provided in the Freedom of Information Act or other provision of law. The matters contained in such motion shall be set forth in detail in the minutes of the opening meeting. A general reference to the provisions of the Virginia Freedom of Information Act, the authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.
2. The notice provisions of this policy shall not apply to closed meetings of the School Board held solely for the purpose of interviewing candidates for the position of division superintendent. Prior to any such closed meeting for the purpose of interviewing candidates, the School Board shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within fifteen days thereafter.
3. The School Board holding a closed meeting shall restrict its discussion during the closed meeting only to those matters specifically exempted under the Virginia Freedom of Information Act and identified in the motion required by paragraph A.
4. At the conclusion of the closed meeting, the School Board shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the School Board minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the School Board. Any member of the Board who believes that there was a departure from the requirements of subdivisions (i) and (ii) above, shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the School Board minutes.
5. Failure of the certification required by subsection D to receive the affirmative vote of a majority of the members of the School Board present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce these provisions.
6. The School Board may permit non-members to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the School Board in its consideration of a topic which is a subject of the meeting.

7. Except as specifically authorized by law, in no event may the School Board take action on matters discussed in any closed meeting, except at an open meeting for which notice was given as required by Virginia Code § 2.2-3707.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3700 through 2.2-3714, 22.1-69, 22.1-72.

Recodified: August 2000

Amended: April 16, 2002, July 10, 2007, June 13, 2017

POLICY 1-6.2 AGENDA PREPARATION AND DISSEMINATION

A proposed agenda and agenda packet shall be furnished to all Hanover County School Board members at least three days prior to a regularly scheduled School Board meeting. The preparation of the agenda shall be the responsibility of the School Board Chairman with the assistance of the division superintendent. Any member of the School Board may submit items for inclusion on the proposed agenda. School Board members are discouraged from adding items to the agenda on the date of the meeting.

A copy of the proposed agenda and all agenda packets and materials furnished to School Board members shall be made available for inspection by the public at the same time such documents are furnished to the School Board members unless the materials are exempt under the Virginia Freedom of Information Act.

Order of Business

The normal order of business at regular School Board meetings shall be as follows:

1. Call to Order
2. Closed Meeting
3. Approval of Minutes
4. Special Recognition and Announcements
5. Citizens' Delegations
6. Instructional Highlights
7. Consent Agenda
8. Action Items
9. Information/Discussion Items
10. Materials for Board Review
11. Schedule of Topics for Next Board Meeting
12. Closed Meeting (if necessary)
13. Adjournment

Notification of School Board Meetings

The division superintendent or his designee shall give advance notice of regular and special meetings of the School Board by placing the notice (1) on the School Board's website, (2) in a prominent location at which notices are regularly posted, and (3) in the office of the clerk of the School Board. Notice shall include the date, time, and location and tentative agenda of such meetings and shall be posted at least three working days prior to the meetings.

Notice shall be furnished to any citizen who requests such information. Requests to be notified on a continual basis shall be made at least once a year in writing and shall include the name of the requesting party, address, zip code, telephone number, electronic mail address, if available, and organization, if any.

Notice, reasonable under the circumstances, of special emergency or continued meetings shall be given contemporaneously with the notice provided to members of the School Board.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-72, 22.1-78, 2.2-3707.

Recodified: August 2000

Amended: August 8, 2006, June 13, 2017

POLICY 1-6.3 QUORUM/CALL TO ORDER

Quorum

At any meeting of the Hanover County School Board, a majority of the School Board members shall constitute a quorum. Should a quorum not be assembled at the hour appointed, the members present shall be competent to adjourn from time to time in order that an opportunity may be given for a quorum to assemble.

Call to Order

Should a quorum be assembled at the hour and place appointed for the meeting, the Chairman, or in the absence of the Chairman the Vice-Chairman, shall assume the chair and declare the meeting in order. Should a quorum be assembled at the hour appointed and the Chairman and Vice-Chairman be absent, a member nominated shall serve during the meeting or until the Chairman or Vice-Chairman shall appear.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-73, 22.1-78, 22.1-79.

Recodified: August 2000

POLICY 1-6.4 RULES OF ORDER

In the absence of any specific rule, “Robert’s Rules of Order Revised” shall be considered the governing authority on parliamentary law. Specific rules of order of the Hanover County School Board are as follows:

1. It shall be the duty of the Chairman or presiding officer at all times to preserve order and to endeavor to conduct all business before the School Board with propriety and dispatch.
2. When any business is brought regularly before the School Board, the consideration of the same cannot be interrupted except by a motion: for adjournment, to lie on the table, for the previous question, for commitment, or for amendment.
3. The chairman may speak to points of order in preference to other School Board members, and shall decide questions of order subject to an appeal to the School Board by any two members.
4. A motion made must be seconded and then repeated distinctly by the Chairman or read aloud before it is debated; and every motion shall be reduced to writing if the Chairman or any of the School Board members requires it.
5. Any School Board member who shall have made a motion shall have liberty to withdraw it, with the consent of his second, before any debate has taken place thereon. He may not withdraw his motion after debate is had without leave being granted by the School Board.
6. An amendment may be moved on any motion and shall be decided before the original motion. No more than one amendment to an amendment shall be entertained.
7. If the motion under debate is composed of two or more parts which are so far independent of each other as to be susceptible of division into several questions, any two School Board members may have it divided and a vote taken on each part.
8. A motion once voted down cannot be renewed at the same meeting of the School Board without the consent of a majority of the members of the School Board.

9. If any member considers himself aggrieved by a decision of the Chairman, it shall be his privilege to appeal to the School Board and the vote on such appeal shall be taken without debate.
10. When the Chairman has commenced taking a vote, no further debate or remark shall be admitted unless there has evidently been some mistake, in which case the mistake shall be rectified and the Chairman shall recommence taking the vote.
11. A motion for adjournment shall always be in order and shall be decided without debate, except that it cannot be entertained when the School Board is voting on another question or while a member is addressing the School Board.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.

Recodified: August 2000

POLICY 1-6.5 BOARD MINUTES AND RECORDING VOTES

Board Minutes

The official minutes of the Hanover County School Board shall be recorded by the clerk, approved by the School Board in regular session, signed by the clerk and Chairman of the Board, stored in a safe place and shall be made available for general public examination during the hours when the School Board office is regularly open to the public.

Content and Style

In content and style, the official minutes shall be as brief and simple as possible and still retain the essential facts of each meeting. A record of all motions and amendments thereto which are offered, the disposition thereof and the vote thereon, shall be recorded. All matters required by law, schedules of accounts and bills acted upon and approved by the School Board shall be properly recorded. A record of all persons making presentations and the subject of their presentation shall be noted. All items not specifically noted here but required by law or recommended by auditors or by the opinions of the Virginia Attorney General's Office shall be recorded.

Procedures for Approval

Following proper editing, the unofficial minutes shall be sent to School Board members prior to the next regular School Board meeting. Minutes of the previous School Board meeting shall not be read to the School Board except for the purposes of corrections or omissions. An early procedural matter on the agenda shall be the adoption of the minutes of the previous meeting.

With prior approval of the School Board, the clerk may have School Board minutes microfilmed after a ten-year (10-yr.) period and the originals transferred to the Virginia State Library as provided by applicable law. Disposal of these records shall be recorded in the official minutes of the School Board.

Recording Votes

All matters voted on by the School Board shall be recorded in the minutes by the clerk as passed or defeated. Voting shall be by voice, aye or no, unless there be a negative or abstaining vote, in which case the Chairman may call for a poll of the School Board. A poll of the School Board shall be made at the request of any School Board member. Except as otherwise required by law or School Board Policy all matters shall be passed when they have received the affirmative vote of a majority of the members present.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.1-341, 2.1-342, 22.1-74, 42.1-86.01.

Recodified: August 2000

POLICY 1-6.6 VOTING METHOD

The official vote on all decisions by the Hanover County School Board including unanimous votes, shall be recorded in the official minutes. The minutes of the meeting shall reflect the method and result of all votes.

In any case in which there shall be a tie vote of the School Board when all members are not present, the question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In complying with this procedure, or in any case in which there is a tie vote when all the members of the School Board are present, the clerk shall record the vote and the School Board Chairman shall immediately notify the tie breaker, if any, to give the casting vote in case of a tie as provided in Virginia Code § 22.1-75. If no tie breaker has been appointed as authorized by state law, any tie vote shall defeat the motion, resolution or issue voted upon.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-44, 22.1-75.

Recodified: August 2000

POLICY 1-6.7 SPECIAL SCHOOL BOARD MEETINGS

The Hanover County School Board may hold special and continued meetings when necessary. Special meetings shall be held when called by the Chairman or when requested by two or more School Board members. Special meetings may be called provided each member is duly notified or a reasonable attempt has been made to notify each member.

Business that does not come within the purposes set forth in the call of the meeting shall not be transacted at any special meeting of the School Board unless the quorum present is in unanimous agreement to consider additional items of business.

Notice, reasonable under the circumstances, of special or continued meetings is given contemporaneously with the notice provided to members of the School Board.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3707, 22.1-69, 22.1-72.

Recodified: August 2000

Amended: July 16, 2003, June 13, 2017

POLICY 1-6.8 PUBLIC COMMENT

Presentations to the Board

The public and members of the Hanover County Public Schools staff, as individuals or as members of a group, may address the Hanover County School Board on matters related to Hanover County Public Schools at any regular meeting. Public comment is an opportunity to present information to the School Board. Debate and dialog with the School Board will not be permitted. The School Board reserves the right to limit presentations and to refuse to hear those coming from the floor of a School Board meeting without advance notice.

Advance Request Procedure

A person who wishes to address the School Board should contact the School Board Clerk before 12:00 p.m. on the day of the meeting or sign up upon arrival at the meeting.

Recognition from the Floor

Recognition from the floor will be granted to persons desiring to address the School Board, but who have not made an advance request, at the discretion of the School Board Chairman.

Addressing the Board

Upon recognition by the chairman, the speaker should clearly state his name, address and the subject of his remarks. Speakers shall address their comments to the Board and not to the audience. At the conclusion of the speaker's remarks, if any School Board member desires further information, said Board Member shall address the speaker only with the permission of the Chairman. The courtesy of the School Board shall be extended to the speaker, and the speaker shall respect the privilege extended by the School Board. Use of profanity will be ruled out of order.

The School Board may direct that the staff prepare a report or take other action in response to comments received during public comment.

Time Limitations

The time allotted to any speaker for individual speakers shall be three minutes and the time allotted for those speaking on behalf of a group shall be six minutes. The total time allotted for public comment during a meeting shall not exceed sixty (60) minutes. The School Board may extend these time limitations by a motion, and a majority vote by the School Board members present shall be necessary to carry the motion.

Complaints Regarding School Division Employees

The School Board requests any person with a complaint about a school division employee to first address the concern to the division superintendent, in accordance with Hanover County School Board Policy 5-9.1 (Issues Regarding Employees and Third Parties).

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79; 22.1-253.13:7.C.4.

Recodified: August 2000

Amended: January 9, 2018

POLICY 1-6.9 ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

When a quorum of the School Board is physically assembled at the primary or central meeting location, a School Board member may participate in the meeting through electronic communication means from a remote location that is not open to the public under either of the following conditions:

1. On or before the day of a meeting the School Board member notifies the chair of the School Board that the School Board member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter; and the School Board records in its minutes the specific nature of the personal matter and the remote location from which the School Board member participated.

If the School Board member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by the School Board member shall be limited each calendar year to two (2) meetings of the School Board.

2. A School Board member notifies the School Board chair that the School Board member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the School Board member's physical attendance; and in its minutes the School Board records this fact and the remote location from which the School Board member participated.

The School Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting. The School Board shall make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-3708.1.

Adopted: June 9, 2015

Amended: June 13, 2017
