

PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS
Board of Education
Upper Marlboro, Maryland

9360
Bylaw No.

BYLAWS OF THE BOARD

MEETINGS

Meetings of the Board

Purpose

This Bylaw shall govern the conduct of meetings of the Prince George's County Board of Education. The Board of Education shall, at its meetings, promote equity in educational achievement by means of ethical, legal and fiduciary standards that focus on improving student achievement and implementation of educational reform initiatives.

Board Meetings - The primary purpose of Board meetings will be to receive information from the Chief Executive Officer (CEO) and the public, adopt policies and take actions for the purpose of improving student achievement.

Board Meetings

Unless otherwise noted, Board meetings will occur in the Board Room of the Administration Building at the time provided by public notice. Two weeks public notice must be given if the date, time or place of the meeting is to be changed unless there is an emergency situation warranting change in scheduling of a meeting, as determined and declared by the Board or Board Chair.

Emergency meetings shall be designated by the Chair of the Board of Education or at the written request of five (5) Board members. Electronic notice shall be posted at least 24 hours in advance of the meeting. Said notice shall cite the purpose of the meeting and the business to be considered.

Changes to regularly scheduled Board meetings to accommodate holidays, special events or other circumstances may be presented by the Board Chair upon notification to Board Members. Board meetings will follow the inclement weather procedure set forth in Administrative Procedure 2565 - Modification of School Hour Schedules.

All meetings and work sessions of the Board are considered regular meetings, unless specifically designated as a special meeting, Capital Improvement Program (CIP) meeting, retreat, award or recognition ceremony, committee meeting or public hearing. The Board may, however, during any of these identified meetings, adjourn to convene in Executive Session.

Special meetings of the Board may be called by the Chair or at the written request of five (5)

Board Members, by notice of the meeting at least 72 hours in advance of the hour of the meeting. Said notice shall cite the purpose of the meeting and the business to be considered. No business shall be transacted at said meeting except that for which the meeting is called.

Board Meeting Agenda Format

1. Motion to Meet in Executive Session
2. Public Session
 - a) Board Prayer
 - b) Pledge of Allegiance
 - c) Adoption of the Agenda
 - d) Approval of Board Meeting Minutes
 - e) NewsBreak or other promotional activity
 - f) Report of the Chair
 - g) Report of the Chief Executive Officer (CEO)
 - h) Legislative Agenda
3. Public Comment on Agenda Items
4. Public Comment on Non-Agenda Items
5. Discussion Item/Presentations
6. Consent Agenda
7. Non-Consent Agenda
8. Governance (Second Readers/Unfinished Business)
9. New Business (First Readers)
10. Follow-up Items
11. Motion to Confirm Actions in Executive Session
12. Motion to Adjourn

Board Work Sessions

The Board reviews key information and oversees management and implementation of the Strategic Plan during these meetings. Therefore, it is the intention of the Board of Education that all Board Work Sessions meet the highest standards of public service. Board Work Sessions will consist of reports to review system integrity, mapped throughout the year by the CEO in coordination with the Board Chair via agenda setting meetings. Discussion items may also be recommended throughout the year by Board Members through the Board Chair. Topics include:

1. Academic Achievement
2. Human Resources
3. Communications and School Culture
4. Safe and Supportive Environments
5. Family and Community Engagement

CIP Meetings

The schedule for Capital Improvement Plan (CIP) meetings will be included in the Board

Meeting Calendar. The purpose of the CIP meeting is to provide Board members and the community updates about capital improvement projects within the school system.

Closed Meetings (Executive Sessions)

The Board may conduct closed meetings (Executive Sessions) in accordance with the law. The Board may meet in Closed Sessions to carry out administrative functions and quasi-judicial functions, as defined in the Maryland Open Meetings Act, section 3-305 et seq. of the General Provisions Article, Annotated Code of Maryland and, upon proper procedures established by the Open Meetings Act, only to:

- (1) discuss:
 - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or
 - (ii) Any other personnel matter that affects 1 or more specific individuals;
- (2) protect the privacy or reputation of an individual with respect to a matter that is not related to public business;
- (3) consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) consider the investment of public funds;
- (6) consider the marketing of public securities;
- (7) consult with counsel to obtain legal advice;
- (8) consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
 - (i) The deployment of fire and police services and staff; and
 - (ii) The development and implementation of emergency plans;
- (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

In addition to the above, the Board shall deliberate in Executive Session on matters involving appeals from decisions of the CEO.

Minutes of Executive Sessions shall be reviewed and approved by the Board during Executive Sessions. No copies of the minutes shall be retained by Board Members and the minutes shall be

maintained by the Custodian of the Board minutes.

Confirmation of Action

All actions of the Board in a closed meeting (Executive Session) shall be confirmed in public session and recorded together with the individual vote of each member.

Agenda Preparation

The CEO will propose agenda items to the Board Chair for placement on the Agenda at least four business days before the meeting. The Board Chair will add or delete items on the Agenda and notify the CEO regarding the additions/deletions. Board Members who wish to have items placed on the Agenda will propose those items to the Board Chair at least four business days before the meeting. A Board Member may submit no more than two new discussion items for a particular Agenda. Board Members will be notified of the Agenda preparation meeting schedule and may also attend these meetings.

If the CEO does not timely submit agenda items, the Board Chair may reject the late posting of an item and defer it to the next Board meeting for consideration unless it is an emergency item.

The Board Office shall notify Members of the Board of Education of any change in meetings, time or agenda.

Consent Agenda

In addition to the regular Agenda for a Board meeting, there shall be a Consent Agenda, upon which the CEO may place items which are ministerial and administrative in nature, or which have previously been presented to the Board for review and discussion at a prior Board meeting and require Board action, pursuant to law. Such items, by way of illustration rather than exclusive limitation, may include the following:

1. Monthly expenditure approvals if same are consistent with the approved operating budget of the Board.
2. Awarding of Contracts upon previously advertised bids where the award would be to the lowest bidder pursuant to Board Policy 3323 - Business and Non-Instructional Operations - Bids.
3. Authorizations for the execution and delivery of Rights of Way and/or Easements given to a public utility, Washington Suburban Sanitary Commission, Prince George's County or the State of Maryland, if such right of way or easement is for the installation of utility, water and/or sewer lines, the widening of roads abutting public school properties or similar purposes.
4. Change-orders on construction contracts and/or purchase orders, where such change-order, when computed with prior change-orders on said contract, does not exceed five percent (5%) of the original contract price or \$25,000 on any single contract award.
5. Approvals of change of funds among major categories of the Board's approved operating budget where the final approval is required by Prince George's County.
6. Notification of awards for direct funding assistance from Federal, State, private agency grants or other grantors for projects which are restrictive in nature and in those instances where the

Board of Education is eligible to be a beneficiary through another organization receiving funds from the above sources.

7. Proclamations.

8. Approval of all sole-source procurements and all sole-source professional/technical services contracts that exceed \$25,000.

9. Agenda items presented for discussion at a Board Work Session or a CIP meeting.

If the CEO could not anticipate the placement of an item of ministerial nature on the Consent Agenda available to Board Members four business days in advance of a Board meeting, the CEO may add such item to the Consent Agenda, with the approval of the Chair, prior to the adoption of the Consent Agenda at a Board meeting.

Prior to the adoption of the Consent Agenda, any item on the Consent Agenda may be automatically removed from the Consent Agenda by a Board Member for discussion. Any item pulled from the Consent Agenda shall be placed on the Non-Consent Agenda and discussed and voted upon separately. All items that remain on the Consent Agenda shall be voted on as a group and shall require an affirmative vote of the entire Board present at the meeting to approve Consent Agenda items.

First Reader, Second Reader and Emergencies

Decisions of the Board of Education will follow the First Reader and Second Reader process unless adopted by a two-thirds (2/3) vote as an Emergency, in which event the matter does not require a Second Reader. If an item is on the Meeting Agenda as an Emergency, adoption of the Agenda by at least a two-thirds (2/3) vote of the Board is sufficient to treat the matter as an Emergency. If a Meeting Agenda item is not listed as an Emergency, the Board may, by at least a two-thirds (2/3) vote, decide to treat the item as an Emergency. Once a matter has been placed on the Agenda as an Emergency, a simple majority of the whole Board is needed to pass the item. Items declared as emergencies are described as those relating to an urgent public matter that is a threat to public health and safety or a reasonably unforeseeable situation requiring the Board to take immediate action in order to maintain the effective business operations of the system, or other matters determined to be an emergency as declared as such by the Board. A vote to treat or add a matter as an Emergency requires passage by ten (10) Board Members if the Student Board Member is entitled by law to vote on the issue; and nine (9) Board Members if the matter is one on which the Student Board Member is precluded from voting.

Because Legislative items are often time-sensitive and require immediate action on the part of the Board, the Board may vote on matters on the Legislative Agenda the first time such matters are before the Board, without a second reader and without a vote to treat such matters as an Emergency.

An item appearing on the published Agenda for the first time constitutes a First Reader for public notice of intended action. First Readers may be the subject of presentations by the Administration and discussion by the Members of the Board. Second Reader status occurs at the next regularly scheduled Board meeting during which time Board action may occur. First Reader items may appear on the Board's Agenda for either a Board Meeting or a Board Work Session

Meeting; however, Second Reader items may only be placed on a Board Meeting Agenda to maximize the opportunity for public comments at evening meetings.

Advance Availability of Meeting Materials

Agenda materials, electronically or hard copy, shall be available to Board of Education members no later than four business days prior to a regularly scheduled Board meeting.

Quorum and Adoption of Formal Action

Eight Members of the Board shall constitute a quorum where the Student Member is entitled by law to vote. No Motion or Resolution may be declared adopted without the concurrence of eight voting Members of the Board. In cases where the Student Member of the Board of Education may not vote by statute, a Motion or Resolution may be declared adopted with the concurrence of seven voting Members of the Board.

When there are two or more vacancies on the Board, the affirmative vote of the Members of the Board for the passage of a motion by the Board shall be seven Members when the Student Member is voting; or, six Members when the Student Member is not voting.

When the Chair has called a meeting to order after establishing that a quorum is present, the continued presence of a quorum is presumed.

The Chair may declare the absence of a quorum or a Member may make a point of order before taking any vote or stating the question on any new motion. The right to vote is limited to the Members who are actually present at the time the vote is taken in a meeting. During debate and/or discussion of an Agenda item that requires a vote and during voting, no Member should leave the meeting chambers so that the transaction of business is hampered.

Board of Education Member Comment at Board of Education Meetings

Board of Education Members shall be permitted two rounds of comments on each resolution or discussion item. During the first round of comments, each Board Member shall have a maximum of five minutes. During the second round of comments, each Board Member shall be limited to a maximum of three minutes. Additional rounds of comments shall only be permitted by a majority vote of the Board.

Public Comments by members of the public attending Board Meetings will follow procedures established in Board Policy 8345 - Public Participation at Board of Education Meetings.

Parliamentarian

The Board shall observe Robert's Rules of Order, most recent Edition, and shall govern deliberations of the Board on all matters, except in those instances where they conflict with Board Bylaws, Policy or State law. The Board's Counsel and Board Executive Director shall provide advice and counsel on parliamentary procedures required by the Board Chair.

Rules of Order

Recognition. A Member who wishes to be recognized will so indicate by raising a hand or pressing the signal light. The Chair will recognize Members in the order in which they seek recognition, provided that no Member may speak twice until each Member who desires to speak has had one opportunity.

Voting. On all matters where there was discussion among Board Members immediately prior to the taking of a vote, voting on motions will be by roll call. Voting Members' names will be called alphabetically with the Chair voting last. The Chair will state the questions and the Executive/Administrative Assistant will call the roll. Members will vote aye, nay, or abstain. Upon completion of the roll call, the Executive/Administrative Assistant will announce the result.

Calling the Question. During the debate, the Chair shall keep a list of those wishing to speak. If the question is called during the course of the debate, while there are still names on the list, the Chair shall allow all those on the list to speak. The Chair shall not, however, add any new names to the list after the question has been called. The prohibition against adding names to the list after the question has been called shall not apply to points of order, points of special privilege, or other exceptions to the rules governing debate as set forth in Robert's Rules. After the names on the list have spoken, the Chair will announce a vote on the Motion to Call the Question, without any further debate or discussion. If that Motion passes, a vote shall be immediately taken on the main Motion. If the Motion to Call the Question fails, discussion and debate may continue.

Minutes and Records

The minutes of Board meetings shall be carefully recorded by the Executive/Administrative Assistant. The minutes of public meetings shall include the record of all actions taken by the Board and shall be maintained electronically. The minutes of all meetings shall be approved by a vote of the Board. The minutes shall include, at minimum, the following information:

1. Type of meeting: Regular, Special, Executive Session, and Emergency
2. Date and time of meeting and location;
3. Members present and absent;
4. Whether the minutes of previous meetings were corrected and/or approved;
5. Each agenda item and any action, including informal action taken and/or requests made by the Board, (i.e., reading of adopted resolution read into the record by a Board Member);
6. for each item where the Board takes action, all main motion(s) and seconder of motions; secondary motions and seconder of such motions; whether the motion(s) was debated or amended; and, the voting by roll call and number of votes on each side;
7. All points of order or personal privilege;
8. Names of speakers appearing before the Board; and
9. Hour of adjournment.

When approved, these minutes serve as the legal record of official Board actions. The Executive/Administrative Assistant shall serve as the Custodian of Board minutes of all Board Meetings, including Executive Session minutes, and shall keep, or cause to be kept, complete records of all Board actions for a period of four (4) fiscal years.

Copies of the minutes of Board actions taken during business meetings will be available to Members of the Board as part of the Agenda before the meeting at which they are to be approved. Corrections in the minutes may be recommended prior to or at the meeting at which they are to be approved. The minutes of Executive Sessions are approved by Board Members during Executive Session and these minutes shall be maintained only by the custodian of the Board minutes.

Copies of videotapes and audiotapes of public Board of Education meetings for a period of four (4) fiscal years will be made available to the press and public upon request as required by law under the Maryland Public Information Act (MPIA) and Freedom of Information Act (FOIA). The cost of duplication for each videotape and each audiotape must be paid in advance by the organization or party making the request. The Board of Education directs the CEO to adopt Administrative Procedures to implement this policy and ensure that the charge is sufficient to cover the cost of duplication.

See also: Board Policy 8344 – Opening of Meeting with Prayer; Board Policy 8361 - Tapes of Board of Education Meetings; Board Policy 9361 – Meetings - Time and Place; Board Policy 9362 – Construction of Agenda; Board Policy 9363 – Notification of Members; Board Policy 9366 – Order of Business: Parliamentary Procedures

Bylaw Adopted
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