

Purpose of Policy

This Policy augments the Board By-laws and explains the requirements for public meetings of the Board of Trustees.

Target Population

The target population for this policy is the Board of Trustees, Executive Leadership Team, and the public.

Policy Description

All Board meetings will be open to the public except those portions that are executive sessions. The Board will make reasonable efforts to ensure that all meetings are held in an appropriate facility that can adequately accommodate all members of the public who wish to attend. The Chief Executive Officer, or designee, will attend all Board meetings. Members of the Chief Executive Officer's staff may attend Board meetings at the Chief Executive Officer's discretion. The Board may also request that additional people attend.

Regular Meetings of the Board of Trustees

Regular Board meetings will be held once per month and take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified. The schedule of regular Board meetings shall be posted on the Board of Trustees webpage.

When the Board schedules a meeting on at least one week's notice, it will give or electronically transmit public notice of the time and place to the news media and conspicuously post the notice on the Board of Trustees webpage and in the UPREP Main Office at least 72 hours before the meeting. Notice of other meetings will be given or electronically transmitted, to the extent practicable, to the news media and conspicuously posted at one or more designated public locations at a reasonable time before the meeting. All meetings shall be posted on the Board of Trustees webpage at least 24 hours prior to the meeting date/time if practicable.

Any Board meeting may be adjourned to a future date and time if approved by a majority of the Board present. Further, if a meeting date falls on a legal holiday, interferes with other area meetings, or Board member attendance will be less than a quorum, the Board will select a date for a postponed meeting at the prior regular meeting, and the Board President shall inform the remainder of the Board by email. The School Attorney or other designee of the Board will provide the Board members written notice of the time of and agenda for each regular meeting before the meeting.

UPREP records available to the public under the Freedom of Information Law, as well as any proposed resolution, rule, regulation, policy, or amendment scheduled to be discussed at a Board meeting will be made available upon request, to the extent practicable at least 24 hours before the meeting. Copies of these records may be made available for a reasonable fee. These records will be posted on the UPREP's website to the extent practicable at least 24 hours before the meeting. Such records shall, to the extent practicable, also be posted on the Board's webpage within 24 hours of the meeting.

Agenda Setting

The Chief Executive Officer will prepare a proposed meeting agenda during the week before the regular meeting and review it with the Board President. The agenda will then be distributed to Board members no later than the Monday before the regular meeting. Board members may submit requests to place matters on the agenda to the Chief Executive Officer and President. Whenever individuals or groups wish to bring a matter to the attention of the Board, they will submit a written request to the Chief Executive Officer.

Quorum/Action by the Board

Unless a greater proportion is required by law, a majority of the entire Board of Trustees shall constitute a quorum for the transaction of any business or of any specified item of business. Except as otherwise provide by statute or the Board's bylaws, the vote of a majority of the Board present at the time of the vote, if a quorum is present at the time of the vote, shall be the act of the Board.

Recording Meetings

The Board allows public meetings to be photographed, broadcast, webcast, or otherwise recorded by means of audio or video, in a non-disruptive manner, and it supports the use of this technology to facilitate the open communication of public business.

Public Comment

The Board may designate a specific portion of its meeting agenda for public comment for a period of up to 30 minutes on agenda items only. The public is not permitted to discuss topics unrelated to UPREP, matters unrelated to the agenda and/or matters involving specific individuals. Each speaker will be allowed up to three minutes. The Board may request, but will not require, speakers identify themselves. The Board is not required to allow speakers to cede their remaining time to other speakers. Written comments may be directed to the Board.

All speakers must conduct themselves in a civil manner. Obscene language, harassing language, defamatory statements, and threats of violence are prohibited. All participants are required to comply with the UPREP *Code of Conduct*.

Executive Session

Upon a majority vote of members present, taken in an open meeting pursuant to a motion identifying the area or areas of the subject or subjects to be considered, the Board of Education may conduct an executive session for discussion of the below enumerated purposes

only. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting. The name of the person who called for the Executive Session will appear in the minutes of the public meeting.

- a) Matters that will imperil the public safety if disclosed.
- b) Any matter that may disclose the identity of a law enforcement agent or informer.
- c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed.
- d) Discussions regarding proposed, pending or current litigation.
- e) Medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation.
- f) Preparation, grading or administration of examinations.
- g) Proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session.

No formal action or vote in matters enumerated above may be taken by the Board during an Executive Session. The Board shall reconvene in open session to take final action on matters discussed in executive session, and to adjourn the meeting.

Special Meetings

Any member of the Board may call for a special meeting. A reasonable and good-faith effort will be made by the Chief Executive Officer or the Board president, as the case may be, to give every member of the Board at least five days' notice of the time, place, and purpose of the meeting. In an emergency, however, the members may waive the five-day notice requirement and may meet with at least 48 hours' notice. Notice may be given by personal delivery in writing, telephone, facsimile, email, or in-person verbally.

All special meetings will be held at the regular meeting place of the Board and in accordance with all applicable provisions of the Open Meetings Law. Public notice of the time and place will be given, to the extent practicable, to the news media, and it will be conspicuously posted in one or more designated public locations at a reasonable time before the meeting.

Use of Video Conferencing

The Board may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of the Public Officers Law provided that a minimum number of

trustees are physically present in a public location to fulfill quorum, under the following conditions.

- a) Trustees shall be present in the same physical location or locations where the public can attend, unless such member is unable to be physically present due to extraordinary circumstances. Extraordinary circumstances shall include:
 - a. Disability
 - b. Illness
 - c. Caregiving responsibilities
 - d. Travel/Significant Distance from Physical Location
- b) Members of the Board participating must be able to be seen, heard, and identified while the meeting is being conducted, including, but not limited to any motions, proposals, resolutions, and any matter formally discussed for voted upon.
- c) The minutes of the meeting shall include which members, if any, participated by video conference.
- d) Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the Board's webpage within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
- e) Members of the public may view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation as in person participation.
- f) UPREP shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act.

If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location(s) for the meeting where the public can attend.

The in person participation requirements shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county or city pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.