

REVISED BYLAWS 0164.4, 0165, 0165.1, 0165.2, 0165.3, 0165.4, 0165.6,
REVISED CODES – VOL. 25, NO. 2

0164.4 Meeting of the Board Defined

As used in these by-laws, "meeting" means a gathering of a majority of Board members for the purpose of taking "official action" as defined at I.C. 5-14-1.5-2(d) on public business. The term "meeting" does not include the following:

- A. A social or chance gathering not intended to avoid the principles of the Indiana Open Door law set forth in I.C. 5-14-1.5-1.
- B. An on-site inspection of a project, program, or facility of applicants for incentives or assistance from the Board.
- C. Traveling to and attending meetings of organizations devoted to betterment of government.
- D. A caucus as defined at I.C. 5-14-1.5-2(h).
- E. A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.
- F. An orientation of members of the Board on their role and responsibilities as public officials, but not for any other official action.
- G. A gathering of Board members for the sole purpose of administering the oath of office specified in I. C. 20-26-4-2 to a Board member or members.

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- H. Collective bargaining discussions that the Board engages in directly with the exclusive representative of a bargaining unit consisting of Board employees. This exception from the definition of a "meeting" of the Board applies only when the Board has not appointed an agent or agents to conduct collective bargaining on behalf of the Board. A committee appointed by the Board or the Board President to conduct collective bargaining shall not constitute a "governing body" subject to the Open Door Law (I.C. 5-14-1.5-2((b)(3) and (c)(8)).

0165

Notice of Board Meetings

The Board will give notice of regular, special, and emergency Board meetings to Board members, news media, and the general public in compliance with Indiana law on the organization and operation of the governing body of a ~~school corporation~~ Career Center and the Open Door Law.

As used in this bylaw, "legal holiday" means a day listed in I. C. 1-1-9-1.

Notice of any meeting of the Board shall also contain the following statement:

"The Board's meeting site is fully accessible to all persons. Any person requiring further accommodation should contact _The Director_____ with the ~~School Corporation's~~ Career Center's administrative office at __317-888-4401_____ [phone]."

0165.1

Notice of Regular Meetings

~~The Board shall cause to be posted at the Corporation's Administrative Building, and in such other places as it may direct, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall also contain the name and address of the Corporation and its telephone number.~~

~~The notice shall also contain the following:~~

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~~"The meeting site is fully accessible. Any person requiring further accommodation should contact _____, at the School Corporation's central office."~~

~~Upon the written request of an individual, organization, firm, or corporation, and upon the requesting party's payment of a yearly fee of not more than the estimated reasonable cost for printing and postage of each notice as shall be determined annually by the Board, the Corporation shall send to the requesting party by first class mail a copy of any notice required by the Bylaws. The news media shall be entitled to receive, at their request, copies of such notices free of charge.~~

As used in this bylaw, "regular meeting" means a meeting of the Board held in compliance with a schedule of meetings approved by the Board at its annual organizational meeting. Notice need not be given to a Board member for holding or taking any action at a regular meeting.

Public notice of regular Board meetings will be given only once a year by posting a copy of the notice at the administrative offices of the ~~School Corporation~~Career Center and delivering notice to all news media which submit an annual written request for such notice for the next calendar year to the Board on or before December 31 of the preceding calendar year.

In addition to notice of regular meetings to the news media, the Board shall give public notice to persons who give the Board a written request for notice of meetings not later than December 31 of the preceding calendar year. The Board shall give this notice by e-mail or by publishing notice of regular meetings on the Board's Internet website at least forty-eight (48) hours in advance of the meeting excluding Saturdays, Sundays, and legal holidays.

Changes in the Date, Time, or Place of a Regular Meeting and Notice Required; Notice of Executive Sessions and Reconvened Meetings

Additional notice of a regular meeting shall be given by the Board if the date, time, or place of a regular meeting is changed. Notice to the public of a change in the date, time, or place of a regular Board meeting, executive session, or any rescheduled or reconvened meeting shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting is to convene by posting a copy of the notice at the administrative offices of the ~~School Corporation~~Career Center and delivering notice to all news media which submit an annual written request for such notice for the next calendar year to the Board on or before December 31st of the preceding calendar year. With the exception of executive sessions, this requirement does not apply to reconvened meetings where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes of the meeting if there is no change in the agenda.

Notice to the news media under this section shall be given by depositing the notice in the United States mail with first class postage prepaid, transmitting the notice by e-mail, or transmitting the notice by facsimile (fax).

0165.2

~~Change of Regular Meetings~~Notice of Special Board Meetings

~~After the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting and forty eight (48) hours, excluding weekends and holidays, prior to the date of such meeting, the meeting notice shall state the date, time, and place of the rescheduled meeting, as well as the name, address, and telephone number of the Corporation.~~

A "special meeting" of the Board is a meeting other than a regular meeting on a schedule of regular meetings established at the Board's annual organizational meeting. At a special meeting, the Board may take any action permitted at a regular meeting. Executive sessions are excluded from this definition.

Authority to Call a Special Meeting

A special meeting of the Board must be held when called by the President or Superintendent. The call must be evidenced by a written notice specifying the date, time, and place of the special meeting. Special meetings must be held at the regular meeting place of the Board.

Notice to Board Members of Special Meeting

A copy of notice of a special meeting shall be served upon each member of the Board so that it is received by the Board member at least seventy-two (72) hours before the special meeting is to convene. This notice shall be given by delivering written notice to the member personally or by mail or telegram. Notice may be given by e-mail or facsimile if the member agrees to receive notice in this form. If each member of the Board has waived notice of the special meeting, notice of the meeting to Board members is not necessary.

Waiver of notice of a special meeting by a Board member may be given by the member's presence at the special meeting or the member's execution of a written waiver of notice of the date, time, and place of the special meeting, executed either before or after the special meeting. If waiver of notice of a special meeting is executed by a Board member after the meeting, the waiver also must state in general terms the purpose of the special meeting. If a waiver specifies that the waiver was executed before the meeting, third persons are entitled to rely on the statement.

Notice to the Public and News Media of Special Meeting

Notice to the public and news media of a special meeting shall state the date, time, and place of the special meeting and the business to be transacted, as well as the name, address, and telephone number of the ~~School Corporation~~Career Center's administrative office. This notice shall be given at least forty-eight (48) hours before the special meeting convenes, excluding Saturdays, Sundays, and legal holidays.

0165.3

Special Meetings Notice of Emergency Meetings

~~A notice of any special meeting shall be posted at least forty-eight (48) hours, excluding weekends and/or legal holidays before said special meeting at the Administrative Office Building and such other places as the Board may determine.~~

~~Said notice shall state the date, time, and place of such special meeting and the business to be transacted thereat, as well as the name, address, and telephone number of the Corporation. A copy of said notice shall be served upon each member of the Board at least seventy-two (72) hours before said meeting by delivering the notice to the member personally or sent by mail or telegram.~~

~~I.C. 20-26-4-3~~

The Board may meet to address an actual or threatened emergency involving injury to person or property or actual or threatened disruption of the operation of the ~~School Corporation~~ Career Center. The notice requirements of the Open Door Law do not apply to a Board meeting, convened to address an emergency, but news media which have requested notice of meetings must be given the same notice as is given to Board members without charge, and the public must be notified by posting a copy of the notice at the administrative offices of the ~~School Corporation~~ Career Center and on the ~~School Corporation~~ Career Center's Internet website.

0165.4

~~Recess~~Notice Requirements Established by Other Statutes

~~Public notice of the date, time, and place of any rescheduled or reconvened meeting shall be given at least forty-eight (48) hours before the meeting. This requirement does not apply to reconvened meetings where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the minutes thereof, and there is no change in the agenda.~~

~~I.C. 5-14-1.5-5~~

Any notice requirement for a Board meeting or hearing before the Board established by the Open Door Law (I. C. 5-14-1.5) or this bylaw shall not serve to shorten or otherwise modify the content or timing of notice required by another statute or policy. For example, I. C. 5-3-1.2 establishes a ten (10) day minimum notice period for public hearings held by the Board on certain contract matters.

I.C. 20-26-4-3 Notice of meetings to Board members

I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings

0165.5

Series of Meetings (Gatherings)

Members of the Board may not participate in a series of meetings (gatherings) if the series consists of at least two (2) gatherings and the series of gatherings meets all of the following criteria:

- A. one (1) of the gatherings is attended by at least three (3) Board members but less than a quorum and the other gathering includes at least two (2) Board members
- B. the sum of the number of different members attending any of the gatherings at least equals a quorum of the Board
- C. all gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days
- D. the gatherings are held to take official action on public business

A Board member attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

I.C. 5-14-1.5-3.1

[+] 0165.6 **Waiver of Notice**

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~~If notice of a meeting is required and each member of the Board has waived notice of the meeting, notice of the meeting to members of the Board is not required. Waiver of notice of a meeting by a Board member is provided by:~~

- ~~A. the presence of the Board member at the meeting; or~~
- ~~B. the execution of a written notice by the Board member waiving the necessity of notice. The waiver may be executed before or after the meeting. If the waiver is executed after the meeting, the waiver must state the purpose of the meeting in general terms.~~

~~I.C. 20-26-4-3~~

~~[NOTE: This option may only be applied to waiver of notice to members of the Board. It is not possible to waive notice to the media or to the public.]~~

0166

Agenda

The Superintendent shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting.

- [] Individual Board members may include items on the agenda upon the concurrence of the Board President.

Each agenda shall contain the following statement:

"This meeting is a meeting of the School Board in public for the purpose of conducting the School ~~Corporation~~Career Center's business and is not to be considered a public community meeting. There will be time for public participation as indicated by agenda item # ____."

The agenda of the regular meeting and/or special meetings shall be accompanied by a report from the Superintendent on information relating to the ~~Corporation~~Career Center with such recommendations as s/he shall make.

The agenda of each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally the agenda should be mailed no later than ____ days prior to the meeting, or delivered so as to provide time for the member to study the agenda. The agenda for a special meeting shall be delivered at least ____ days before the meeting, consistent with the provisions calling for the special meeting.

Prior to the meeting, a copy of the agenda shall be posted at the entrance to the meeting location.

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The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any meeting by a majority vote of the members present.

I.C. 5-14-1.5-4

0166.1

Consent Agenda

The School Board shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

- A. minutes of prior meetings
- B. bills for payment
- C. hiring of personnel
- D. resolutions that require annual adoption, such as bank signatories, Indiana High School Athletic Association membership, etc.
- E. resignations and leaves
- F. _____

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

0167 **Conduct**0167.1 **Voting**

All regular and those special meetings of the Board at which the Board is authorized to take official action shall be conducted in compliance with the Indiana Open Door Law (I.C. 5-14-1.5). Except with respect to the approval or modification of a contract, no action shall be valid unless approved at a public meeting of the Board by a majority vote of a quorum of the Board and a proper record made of the vote. Board action to approve or modify a contract shall require an affirmative vote of a majority of all members of the Board. A Board member must be physically present in order to cast a valid vote.

A Board member who is not physically present at a meeting of the Board, but who communicates with members of the Board during the meeting by telephone, computer, videoconferencing, or any other electronic means of communication that permits the member to hear and be heard by the Board members and public present at the meeting, may participate in any Board discussion, but may not participate in a vote taken at the meeting and may not be considered to be present at the meeting for purposes of the existence of a quorum.

The minutes of a meeting must state each member who was physically present, each member who participated by using electronic means of communication, and each member who was absent.

Abstentions shall not be counted as votes, but shall be recorded in the minutes of a meeting and are deemed to acquiesce in the outcome of the vote. In situations in which a specific number of affirmative votes are required and abstentions have been recorded, the motion shall fail if the specified number of affirmative votes have not been cast. In the case of a tie vote in which a member abstains, the motion shall fail for lack of a majority.

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All actions requiring a vote

- () shall be conducted by roll call
- () may be conducted by voice, show of hands, or roll call

provided that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.

I.C. 5-14-1.5
I.C. 20-26-4-8

0167.2

Executive Session

The Board may meet in an executive session, one closed to the public (except the Board may admit those persons determined to be necessary to carry out the purpose of the executive session) after giving proper notice, for the following purposes:

- A. where authorized by Federal or State statute
- B. discussion of strategy with respect to collective bargaining, initiation of litigation, litigation which is pending or has been threatened in writing, implementation of security systems, purchase or lease of real property, or school consolidation, providing that the strategy is necessary for bargaining or competitive reasons, and the meeting does not include the competitive bargaining adversaries.
- C. for discussion of the assessment, design, and/or implementation of school safety and security measures, plans, and systems
- D. to receive information about, and interview, prospective employees

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- E. with respect to any individual over whom the Board has jurisdiction, receive information concerning the individual's alleged misconduct, and to discuss, prior to determination, that individual's status as an employee, student, or independent contractor who is a physician or a school bus driver
- F. discussion of records classified as confidential by Federal or State statute
- G. discussion, before any placement decision, of an individual student's abilities, past performance, behavior, and needs
- H. discussion of an employee's job performance evaluation
- I. when considering the appointment of a public official, to develop a list of prospective appointees, to consider applications and make one (1) initial exclusion of prospective appointees from further consideration
- J. training of Board members by an outside consultant on performance of their role as public officials and/or discussion with or between county officials, Board members, and an outside consultant concerning the performance of Board members
- [] In keeping with the confidential nature of executive sessions, no member of the Board shall disclose the content of discussions that take place during such sessions.

I.C. 5-14-1.5-5/6, 5-14-1.5-6.1

0167.3

Public Participation at Board Meetings

The School Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on ~~Corporation~~Career Center matters.

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- [] Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than _____ days prior to the meeting and include:

- () name and address of the participant;
- () group affiliation, if and when appropriate;
- () topic to be addressed.

Such requests shall be approved by the Superintendent and the Board President.

To permit fair and orderly public expression, the Board may provide a period for public participation

- () at every regular meeting of the Board
- () at those public meetings of the Board during which action may be taken

and publish procedures to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the procedures of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- () Public participation shall be permitted
 - () as indicated on the order of business.
 - () before the Board takes official action on any issue of substance.
 - () at the discretion of the presiding officer.
- () Anyone having a legitimate interest in the actions of the Board may participate during the public portion of a meeting.

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- () Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- () Participants must be recognized by the presiding officer
 - () and will be requested to preface their comments by an announcement of their name,
 - () address,
 - () group affiliation, if and when appropriate.
- () Each statement made by a participant shall be limited to _____ minutes duration.
- () No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- () All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- () The presiding officer may:
 - () prohibit public comments which are frivolous, repetitive, or harassing;
 - () interrupt, warn, or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 - () request any individual to leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;
 - () request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;

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- () call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
- () waive these rules.
 - () with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.
- () The portion of the meeting during which the participation of the public is invited shall be limited to _____, unless extended by a vote of the Board.
- () Tape or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:
 - 1. No obstructions are created between the Board and the audience.
 - 2. No interviews are conducted during the Board meeting.
 - 3. No commentary is made that would distract either the Board or members of the audience.

I.C. 5-14-1.5-1

0167.4

Adjournment

The Board may at any time recess or adjourn to an adjourned meeting at a time, date, and place announced before the adjournment takes place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon. However, a meeting may not be recessed or adjourned for the purpose of conducting an executive session.

0167.5 **Use of ~~School Corporation~~Career Center Electronic Mail by Board Members**

Each Board member shall have the option to be assigned a ~~School Corporation~~Career Center e-mail address for their use in communicating about ~~School Corporation~~Career Center business. A ~~School Corporation~~Career Center e-mail account shall not be used in a manner which suggests Board or ~~school corporation~~Career Center endorsement of the content of the message and may not be used to communicate concerning a campaign for partisan or ~~School Corporation~~Career Center office.

Board members may include their ~~School Corporation~~Career Center e-mail address in communications with the public about matters of ~~School Corporation~~Career Center business but shall not be used to support a campaign for election/re-election to the Board.

A list of students, employees, parents, voters, or persons expressing interest in favor or in opposition to any action by the Board shall not be passed on to a non-school user or used for commercial or campaign purposes. As used in this bylaw, "campaign purposes" includes messages in support of or opposition to a school referendum.

If a Board member sends an e-mail message to a ~~School Corporation~~Career Center employee, the Superintendent shall be sent a copy of the message at the time the original message is sent.

E-mail messages to and from Board members using their ~~School Corporation~~Career Center e-mail account are subject to production in response to an Indiana Access to Public Records Act ("APRA") request and each e-mail message from a Board member using their ~~School Corporation~~Career Center account shall include a warning that messages to and from Board members using a ~~School Corporation~~Career Center e-mail address shall be subject to production in response to a request under that Act.

Information about a specific identified or identifiable student such as information concerning an appeal of an expulsion

() shall not

() may

be sent in or attached to a message to Board members.

0168 **Minutes**

0168.1 **Open Meeting**

The Board shall designate a person to keep minutes of each meeting showing the date, time, place, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. The minutes shall also state the name of each member who was physically present at the meeting, was not present at the meeting but participated by using a form of communication described in Bylaw 0167.1, or was absent. These minutes must be approved by the Board and endorsed by the Secretary at the next meeting. The minutes shall include all votes taken at the meeting. Proposed minutes shall be available for public inspection within a reasonable period of time after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. The minutes shall be available for inspection at the Superintendent's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The official minutes shall be bound together by years and kept in the office of the School Board.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at regular meetings.

The minutes shall show the general substance of all matters proposed, discussed, or decided and a record of all votes taken, by individual, if there is a roll call.

I.C. 5-14-1.5-4

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0168.2

Executive Session

The minutes of an executive session shall show the date, time, and place of the session; the members either present or absent; and the identification of the subject matter considered by specific reference to the enumerated instance(s) for which public notice was given. The Board shall certify in the minutes that it discussed no subject matter in the executive session other than the subject matter specified in the public notice.

I.C. 20-26-4-3 Notice of meetings to Board members

I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings

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