



Board Meetings

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 a quorum of the Board as the ESD'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 the majority of members of the Board is required to transact any business.

All regular, and special or 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. All Board meetings, including Board retreats and work sessions, will be held within the ESD boundaries. The Board may attend training sessions outside the ESD boundaries but cannot deliberate or discuss ESD business. 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.

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 Meeting Law.

1. Regular, Special and Emergency Meetings

Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the organizational meeting in July and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

No later than the next regular meeting following July 1, the Board will hold an organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings.

Special meetings can be convened by the Board chair, upon request of three Board members or by common consent of the Board at any time to discuss any topic. In cases where a quorum of the Board is not present to conduct a regular Board meeting, a special meeting may be scheduled for another date to conduct Board business. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board 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 necessitated by the emergency may be discussed or acted upon at the emergency meeting.

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 ESD business. This includes electronic communication. Electronic communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

Electronic communication 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 superintendent to each Board member (e.g., an article on student achievement or to share a report on ESD progress on goals) so long as that information is also being made available to the public;
- e. Individual responses to questions posed by community members, subject to other limitations in Board policy.

E-mails sent to Board members will have the following notice:

Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on ESD business are governed by Public Records and Meetings Law.

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 members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with the state law for public meetings, including notice and minutes. Generally, the Board will not take official action during work sessions, although there is no legal prohibition to do so.

5. Executive Sessions

Executive sessions may be held during regular, special or emergency meetings for a reason permitted by law.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)

[ORS Chapter 193](#)

[ORS 174.104](#)

[ORS 334.100](#)

[ORS 433.835 to -433.875](#)

[ORS Chapter 192](#)

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 (2006).

Americans with Disabilities Act Amendments Act of 2008.

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

Cross Reference(s):

ACA - Americans with Disabilities Act

BDB - Special and Emergency Board Meetings

BDC - Executive Sessions