

Policy

OPEN MEETINGS FOR NON-BOARD COMMITTEES

The Board acknowledges that in many instances the Board's work is informed and aided by recommendations provided to it by groups of individuals with expertise or a stake in the particular subject. In some cases, those committees are created by and given a function through official action or policy of the Board. At other times, committees are created administratively to assist the school administration in its work. In some cases, a committee or group of individuals meeting for a particular purpose will be considered a governmental body and must conduct its work according to the open meetings law. The board is committed to compliance with the open meeting law. Each group must evaluate whether it is subject to open meetings requirements. This policy does not apply to committees of the Board, which are covered by Board bylaws (Policy 0155).

Definitions

"Committee" – A group with a defined set of individual members operating as a collective body to meet for the purpose of developing recommendations, reviewing materials, considering District policy or performing a particular function which has been given to that body by the Board, such that it operates as a governmental body. A group that otherwise meets the definition of "committee" is a committee for the purposes of this policy regardless of its use of a different name or description (i.e. a working group), or by virtue of the fact that the committee's actions are merely advisory to the Board or the administration.

"Governmental Body" – means the Board and each standing committee of the Board, as well as any committee as that term is defined in this policy.

"Meeting" – means the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power, or duties delegated to or vested in the body. If one-half (1/2) or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power, or duties delegated to or vested in the body. The term does not include any social or chance gathering or conference which is not intended to avoid the open meetings law requirements, if applicable.

Evaluating a Group's Status as a Committee

In determining whether a group is a committee, the following factors shall be evaluated:

- A. How was the group created?
 1. By Board policy?
 2. By official action or resolution of the Board or of a committee of the Board?
 3. By the District Administrator?
 4. Informally at the building or department level?

Policy

- B. Was the group given a function by State or Federal Law?
- C. Was the group's membership established, such that there is an identifiable set of members?
- D. Were the members chosen by the Board, District Administrator, or by other means?
- E. Were the characteristics of the members established by policy or law?
- F. Were the members selected because they have expertise in the area or are a part of a constituent group?
- G. Will the group hold regular meetings?
- H. Is there a defined meeting schedule?
- I. Is the group performing recurrent/ongoing work or a single project?
- J. Will the work of the group be reported to the Board or to the District Administrator, either directly or indirectly?
- K. Will the group take votes and report collective action?
- L. Is the work of the group related to a core function or duty of the Board (e.g., curriculum development, budget development, student conduct policy, etc.)?
- M. Has the group identified a chairperson and/or other persons with group functions (e.g., secretary to take minutes, clerk to assure notices are given, etc.)

No one element is dispositive as to whether the group is a "committee" for purposes of this policy. The purposes of the group and how it carries out that purpose should be reviewed as a whole. If taken as a whole and the group is created by official action, has a set membership, performs a specific function given to it when created, and issues a collective work product, then the group is presumptively a committee.

Committees

Any group that is formed or that meets as a defined or readily determinable collection of individuals to further a function of the School District should consult with the building principal or District Administrator to determine whether the group constitutes a committee pursuant to this policy. The District Administrator is authorized to consult with legal counsel as deemed necessary. This policy is not intended to require application of the open meetings law to all groups of individuals who meet to discuss school functions. The Board recognizes that meetings occur frequently between school and District staff and that not all such meetings implicate open meetings requirements. When a group does meet the definition of a committee, however, that committee must satisfy the requirements of the open meeting law.

Open Meeting Law Requirements

It is the Board's policy that committees shall adhere to Wisconsin's open meeting law, including the following obligations:

- A. All meetings shall be held at a location in the District sufficient to provide for the opportunity for members of the public to attend.

Policy

- B. All meetings shall be noticed at least twenty-four (24) hours in advance of the meeting, unless such notice is impossible or impracticable, and emergency circumstances necessitate the meeting, in which case no fewer than two (2) hours' notice shall be given.
- C. Notice shall be posted in locations in the District where meeting notices are typically posted; however, publication of notice is only required as expressly provided by the Board or the District Administrator.
- D. Notice shall identify the subject matter for discussion, along with any contemplated action, with enough specificity so as to inform the public or the purpose of the meeting.
- E. Any contemplated closed session must specify the authority for meeting in closed session and identify the subject matter to be discussed with sufficient specificity without compromising the purpose for closing the meeting.
- F. Actions shall be taken in open session, unless it would violate the purpose for which closed session was held.
- G. A majority of the identified members of the group must be present for the group to take any action in furtherance of its collective purpose.
- H. Written minutes of each meeting shall be kept which identify at a minimum, the date, time, and location of the meeting, the identity of the members present and those absent, the time on the agenda and whether the items were discussed during the meeting, any action taken during the meeting, and the time the meeting concluded.

Each committee may determine the manner and formality of its meetings. No specific form of parliamentary procedure is required, provided that any action officially taken can be recorded and a tally of votes noted.

Meeting of School District Staff

While the Board acknowledges the importance of following the open meetings law and maintaining access for the general public, it also recognizes that frequent, and often impromptu, meetings of School District staff occur throughout the day and are an important part of the delivery of a collaborative and comprehensive educational program to students. Nothing in this policy shall be construed to prohibit interaction and consultation among staff in the day-to-day performance of job responsibilities.

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19.82 et seq., Wis. Stats.