

Types of Board Meetings

Open Meetings

A gathering of a majority of Board members in which deliberation of an issue within the jurisdiction of the Board's policy making duties takes place is a Board meeting. A gathering for the purpose of social or ministerial action will not constitute a Board meeting where there is no discussion of policy or no intent to avoid the purpose of the open meetings law. Meetings of the Board will be conducted in an open meeting unless a Closed Session is authorized by law or the meeting is exempt from the open meetings law.

The term "open meeting" means that the meeting is open to the public to observe and listen to the proceedings of the meeting. The term "open meeting" does not mean the public may join in the Board's discussion.

Annual Meeting

Each year after August 31 and prior to the organizational meeting of the Board of Directors in odd-numbered years, the Board will hold its annual meeting. At the annual meeting, the Board will examine the financial books and settle the secretary's and treasurer's statements for the fiscal year ending the preceding June 30. As part of the annual reports, the treasurer will present affidavits from depository banks. The Board may also appoint the Board's legal counsel at the annual meeting.

Regular Meetings

Regular meetings of the Board of Directors will generally be held at 5:30 p.m. on the second and fourth Monday of each month, unless otherwise scheduled by the Board or established by law. Public notice of the meetings will be given.

Special Meetings

Special meetings may be determined by the Board of Directors, called by the President, or called by the Board Secretary upon written request of at least four members of the Board. Should a special meeting be called, public notice will be given. Only the purpose or issue for which the special meeting was called may be discussed and decided in the meeting. The Board will strictly adhere to the agenda for the special meeting and action on other issues will be reserved for the next regular or special Board meeting.

Emergency Meetings

Emergency meetings are held when the Board of Directors must act immediately and cannot wait the required 24-hour notice period for a special meeting. If the special meeting called is an emergency meeting and the Board cannot give public notice in its usual manner, the Board will give public notice of the meetings as soon as practical and possible in light of the situation. Emergency meetings will only be held when an issue cannot wait twenty-four hours necessary for a special meeting. The reason for the emergency meeting and why notice in its usual manner could not be given will be stated in the minutes. Only the purpose or issue for which the meeting was called may be discussed and decided in the meeting. The Board will strictly adhere to the agenda for the meeting and action on other issues will be reserved for the next regular or special Board meeting.

Closed Sessions

Closed sessions may be held only for reasons defined in Chapter 21.5 of the Code of Iowa. Closed sessions take place as part of an open meeting. The item for discussion in the closed session will be listed as part of the tentative agenda on the public notice. The motion for a closed session, stating the purpose for the closed session, will be made and seconded during the open meeting. In order to go into closed session, when six or seven members of the Board are present, an affirmative roll call vote of five members shall be necessary. In the event only four or five members of the Board are present, an affirmative roll call vote of all members shall be necessary. A recording and detailed minutes shall be kept by the Board Secretary. The minutes and recording will be sealed and will not be public records open to public inspection. The minutes and recording will only be available to Board members or opened upon court order in

an action to enforce the requirements of the open meetings law. Real estate related minutes and recordings may be made public after the real estate transaction is completed. All documentation shall be kept for one year from the date of the meeting and disposed of by the Board Secretary according to the Code of Iowa and Board Regulation 202.10. Final action on matters discussed in the closed session will be taken in an open meeting.

Exempt Meetings

The Board may also hold an Exempt Meeting for the following: negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration; to discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law; to conduct a private hearing relating to the recommended termination of a teacher's contract. The private hearing however, in the teacher's contract termination will be recorded; and to conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the administrative law judge regarding the termination of an administrator's contract.

Since gatherings of this type are exempt from the open meetings requirements, they can be held without public notice, be separate from an open meeting, be held without recording the gathering or taking minutes, and be held without a vote or motion.

Work Sessions

The Board may hold work sessions in order to acquaint members of the Board with information concerning the operation of the District or to allow time for planning and thoughtful discussion. Topics for discussion and study will be announced publicly in conformance with the provisions of the Open Meetings law. No official action will be taken at a Work Session.

Legal Reference: Iowa Code §§ 20, 21, 22 and 27 and 279
1982 Op. Att'y Gen. 162.
1980 Op. Att'y Gen. 167.
1976 Op. Att'y Gen. 384, 514, 765.
1972 Op. Att'y Gen. 158.
1970 Op. Att'y Gen. 287.

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