

Charter School Board Meetings: Common Questions and Tips

❑ Can a board member participate in a meeting via cell phone?

Yes, but only under certain circumstances. Assuming your bylaws accommodate telephonic participation, a board member may participate from a fixed, publicly accessible location. The meeting notice must describe the telephonic participation and identify the location, including a full address and room number, as may be applicable. The location must have technology, such as a speakerphone, to enable the public to participate, and the agenda must allow public participation from that location. A quorum must be physically present within the jurisdiction.

❑ Can the board add an additional agenda item after the meeting notice deadline?

Yes, but only under certain circumstances. If two-thirds of the members present (or all members if less than two-thirds are present) make a factual finding that there is need for immediate action and the need “came to the attention of the local agency subsequent to the agenda being posted.” This exception requires urgency. The board may not consider the additional item if the board or the staff knew about the urgency before the agenda was posted.

TIP: If no urgency (i.e., the matter was inadvertently not noticed), you could notice the item as a separate special meeting at same date, time and place, so long as you comply with the 24-hour notice period for a special meeting.

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- ❑ **Do we have to post Board agenda on our school website?**

Yes, if you have one. This is a new requirement for 2012. If the charter school has an internet website, board agendas must be posted on it *in addition* to the publicly accessible location(s) where you already post agendas.

- ❑ **Some of our board members are designated as “non-voting”. Is that OK?**

No. You’re either a board member or you’re not. Other persons who are staff to the board, such as principals or business officials, may participate in board meetings, but they are not “board members” if they do not have a right to vote. You may need to revise your bylaws and conduct your meetings accordingly.

- ❑ **Are board committees subject to the Brown Act?**

Usually. Decision making and advisory committees are subject to the Brown Act when created by the board, charter, or bylaws, except for non-standing advisory-only committees composed solely of less than a quorum of board members.

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