

## BOARD MEETINGS

## I. POLICY

## A. Board Meetings: Generally

1. Meeting. The term "meeting" means a deliberation among a quorum of the Board, or between a quorum of the Board and another person, during which public business or public policy over which the Board has supervision or control is discussed or considered, or during which the Board takes formal action. "Meeting" also means a gathering:
  - a. That is conducted by the Board or for which the Board is responsible;
  - b. At which a quorum of members of the Board is present;
  - c. That has been called by the Board; and
  - d. At which the Board members receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of the College District, about the public business or public policy over which the Board has supervision or control.

*Tex Gov't Code 551.001(4).*

"Deliberation" means a verbal exchange during a meeting between a quorum of the Board, or between a quorum of the Board and another person, concerning any issue within the jurisdiction of the Board or any public business. *Tex. Gov't Code 551.001(2).*

2. Social Function or Convention. The term "meeting" does not include the gathering of a quorum of the Board at a social function unrelated to the public business that is conducted by the Board, or the attendance by a quorum of the Board at a regional, state, or national convention or workshop, or press conference if formal action is not taken and any discussion of public business is incidental to the social function, convention, or workshop. *Tex. Gov't Code 551.001(4).*
3. Legislative Committee or Agency Meeting. The attendance by a quorum of the Board at a meeting of a committee or agency of the legislature is not considered to be a meeting of the Board if the deliberations at the meeting by the Board members consist only of publicly testifying, publicly commenting, and publicly responding to a question asked by a member of the legislative committee or agency. *Tex. Gov't Code 551.0035.*
4. Open to Public. Every meeting of the Board shall be open to the public subject to possible entry into executive session. The Board may, however, exclude a witness from a hearing during the examination of another witness in a matter being investigated and may enter into a closed meeting, as provided by law. *Tex. Gov't Code 551.002, 551.084, Ch. 551, Subch. D, Subch. E. [See BCB and BEC].*
5. Recording. All or any part of an open meeting may be recorded by any person in attendance by means of a tape recorder, video camera, or any other means of oral or visual reproduction. The Board may adopt reasonable rules to maintain order at a meeting, including rules related to the location of recording equipment and the manner in which the recording is conducted. These rules shall not prevent or unreasonably impair a person from exercising the right to record a

meeting that is open to the public. *Tex. Gov't Code 551.023.*

6. Minutes/Tape Recorder. The Board shall prepare and keep minutes or make a tape recording of each open meeting. The minutes shall state the subject matter of each deliberation and indicate each vote, order, decision, or other action taken. The minutes and tapes of open meetings are public records and shall be available for public inspection and copying on request to the College President or designee. *Tex. Gov't Code 551.021, 551.022.*
7. Notice Required. The Board shall give written notice of the date, hour, place, and subject(s) of each meeting it holds. *Tex. Gov't Code 551.041.*
8. Continued Meeting. If the Board recesses an open meeting to the following regular business day, the Board is not required to post notice of the continued meeting if the action is taken in good faith and not to circumvent Government Code Chapter 551. If an open meeting is continued to the following regular business day and, on that following day, the Board continues the meeting to another day, the Board body must give the required written notice of the meeting continued to that other day. *Tex. Gov't Code 551.0411(a).*
9. Inquiry During Meeting. If a member of the public or of the Board inquires at a meeting about a subject for which notice has not been given, the notice provisions do not apply to a statement of specific factual information given in response to the inquiry or a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda of a subsequent meeting. *Tex. Gov't Code 551.042.*
10. Time of Notice and Accessibility. Notice of a Board meeting shall be posted on a bulletin board at a place convenient to the public in the central administration office, **and either with the county clerk of each county in which the district is located or on the district's Internet website** for at least 72 hours before the scheduled time of the meeting. That notice or a notice posted at another Board-designated place shall at all times be readily accessible to the public for at least 72 hours before the scheduled time of the meeting. *Tex. Gov't Code 551.043(a), ~~551.051~~551.054; City of San Antonio v. Fourth Court of Appeals, 820 S.W. 2d 762 (Tex. 1991)*

If the College District is required to post notice of a meeting on the Internet, the College District satisfies the requirement that the notice must be posted in a place readily accessible to the general public at all times by making a good-faith attempt to continuously post the notice on the Internet during the prescribed period.

The College District must still comply with the duty to physically post the notice in the central administration office and if the College District makes a good-faith attempt to continuously post the notice on the Internet during the prescribed period, the physically posted notice must be readily accessible to the general public during normal business hours. *Tex. Gov't Code ~~551.043(b)~~551.043.*

11. Internet Posting. If the College District maintains an Internet Web site, in addition to the other place at which notice is required to be posted, the Board must also concurrently post notice of a meeting on the Internet Web site.

The validity of a posting of a College District that made a good-faith attempt to comply with the Internet posting requirements is not affected by a failure to comply that is due to a technical problem beyond the control of the College District.

*Tex. Gov't Code 551.056.*

12. Specificity of Agenda Notice. Agendas for all meetings shall be sufficiently specific to inform the public of the subjects to be deliberated at the meeting, setting out any special or unusual

matters to be considered or any matter in which the public has a particular interest. Deliberations or actions pertaining to top administrators are of particular public interest, and notice of those subjects must be worded with such clarity that the public will understand what the Board proposes to discuss or accomplish. *Cox Enterprises, Inc. v. Austin ISD*, 706 S.W.2d 956 (Tex. 1986); *Point Isabel ISD v. Hinojosa*, 797 S.W.2d 176 (Tex. App.-Corpus Christi, 1990, writ denied); *Atty. Gen. Ops. M-494 (1969), H-419 (1974), H-662 (1975), H-1045 (1977)*.

The terms "employee briefing" or "staff briefing" do not give adequate notice of the subject matter to be presented to the Board by employees or staff members. *Atty. Gen. Op. JC-0169 (2000)*

13. Emergency Meeting or Emergency Addition to Agenda. In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added to an agenda posted in accordance with law is sufficient if it is posted for at least two hours before the meeting is convened.

An emergency or urgent public necessity exists only if immediate action is required because of an imminent threat to public health and safety or a reasonably unforeseeable situation. The Board shall clearly identify the emergency or urgent public necessity or unforeseeable situation for each item in the notice of an emergency meeting and each item added in a supplemental notice.

*Tex. Gov't Code 551.045*

14. Catastrophe. A Board prevented from convening an open meeting that was otherwise properly posted under Government Code Section 551.041 because of a catastrophe may convene the meeting in a convenient location within 72 hours if the action is taken in good faith and not to circumvent Government Code Chapter 551. If the Board is unable to convene the open meeting within those 72 hours, the Board may subsequently convene the meeting only if the Board gives the required written notice of the meeting. ~~*Tex. Gov't Code 551.045*~~.

"Catastrophe" means a condition or occurrence that interferes physically with the ability of the Board to conduct a meeting, including:

- a. Fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm;
- b. Power failure, transportation failure, or interruption of communication facilities;
- c. Epidemic; or
- d. Riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence.

*Tex. Gov't Code 551.0411(b), (c)*

15. Special Notice to News Media. The College District shall provide special notice of each meeting by telephone, facsimile transmission, or electronic mail to any news media that has requested it and agreed to reimburse the College District for the cost of providing the special notice. When an emergency meeting is called or an emergency item added to an agenda, the Board Chairman shall notify by telephone, facsimile transmission, or electronic mail any news media who have previously requested special notice of all meetings. *Tex. Gov't Code 551.047, 551.052*
16. Quorum. A majority of the Board (e.g., four members of a seven-member Board or five members of a nine-member Board, regardless of the number of vacancies) constitutes a quorum for meetings of the Board. *Tex. Gov't Code 551.001(6), ~~311.013(b)~~*

17. Secret Ballot. No vote shall be taken by secret ballot. *Atty. Gen. Op. H-1163 (1978)*
18. Meeting by Conference Call. The Board may hold a meeting by telephone conference call only if the meeting is a specially called meeting and immediate action is required, and the convening at one location of a quorum of the Board is difficult or impossible. ~~Each part of the telephone conference call meeting that is required to be open shall be audible to the public at the location specified in the notice of the meeting.~~ The telephone conference call meeting is subject to the notice requirements applicable to other meetings. The notice must specify as to the location of the meeting, the location where meetings of the governmental body are usually held.

Each part of the telephone conference call meeting that is required to be open shall be audible to the public at the location specified in the notice of the meeting, broadcast over the Internet, and recorded and made available to the public in an online archive located on the Internet website of the entity holding the meeting. The location shall provide two-way communication during the entire telephone conference call meeting and the identification of each party to the telephone conference shall be clearly stated prior to speaking. ~~The telephone conference call meeting is subject to the notice requirements applicable to other meetings. The conference call meeting shall be tape recorded and made available to the public.~~ *Tex. Gov't Code 551.121.*

19. Meeting by Videoconference Call. If a College District does not extend into three or more counties, a meeting may be held by videoconference call only if a quorum of the Board is physically present at one location of the meeting. If the College District extends into three or more counties, a meeting may be held by videoconference call if the member of the Board presiding over the meeting is physically present at the location of the meeting that is open to the public during open portions of the meeting. A meeting held by videoconference call is subject to the notice requirements applicable to other meetings conducted pursuant to the Open Meetings Act, as well as the notice requirements applicable to meetings by videoconference call. *Tex. Gov't Code 551.127.*
- a. Locations. If a meeting is to be conducted by videoconference call, the Board must make available to the public at least one suitable physical space located in or within a reasonable distance of the geographic jurisdiction of the college that is equipped with videoconference equipment that provides an audio and video display, as well as a camera and microphone by which a member of the public can provide testimony or otherwise actively participate in the meeting. *Tex. Gov't Code 551.127(c).*
  - b. Notice. The notice of a meeting to be held by videoconference call must specify as a location of the meeting the location where a quorum of the Board will be physically present and specify the intent to have a quorum present at that location, except that the notice of a meeting to be held by videoconference call by the Board in a College District that extends into three or more counties must specify as a location of the meeting each location where a majority of the quorum of the Board will be physically present and specify the intent to have a majority of the quorum of the Board present at that location. The notice of the meeting must also specify where each participating member of the governmental body will be during the meeting. *Tex. Gov't Code 551.127(d)-(f).*
  - c. Public Access. Each portion of a meeting held by videoconference call that is required to be open to the public shall be visible and audible to the public at each location specified in the notice. Each location specified in the notice shall have two-way communication with each other location during the entire meeting. Each participant in the videoconference call, while speaking, shall be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at a location of the meeting. *Tex. Gov't code 551.127 (f), (h).*
  - d. Recording. The Board shall make at least an audio recording of the meeting. The recording shall be made available to the public. *Tex. Gov't Code 551.127(g).*

- e. **Quality of Audio and Video Signals.** The quality of the audio and video signals perceptible at each location of the meeting must meet or exceed standards specified by the Department of Information Resources. The quality of the audio and video signals perceptible by members of the public at each location of the meeting must:
  - (1) Meet or exceed the quality of the audio and video signals perceptible by the Board members participating in the meeting; and
  - (2) Be of sufficient quality so that members of the public at each location of the meeting can observe the demeanor and hear the voice of each participant in the open portion of the meeting.

*Tex. Gov't Code 551.127 (i)- (j).*
- f. **Remote Participation.** The Board may allow a member of the public to testify at a meeting from a remote location by videoconference call even if a Board member is not participating in the meeting from a remote location. *Tex. Gov't Code 551.127(f); 1 TAC 209.30-.33.*
- g. **Recess.** If a problem occurs that causes a meeting to no longer be visible and audible to the public, the meeting must be recessed until the problem is resolved. If the problem is not resolved in six hours or less, the meeting must be adjourned. *Tex. Gov't Code 551.127(f).*
- 20. **Internet Broadcast.** The Board may broadcast an open meeting over the Internet. If the Board broadcasts a meeting over the Internet, it shall establish an Internet site and provide access to the broadcast from that site. The Board shall provide on the Internet site the same notice of the meeting, within the time required for posting that notice, that the Board is required to post under the Open Meetings Act. *Tex. Gov't Code 551.128.*
- 21. **Attorney Consultation.** The Board may use a telephone conference call, videoconference call, or communications over the Internet to conduct a public consultation with its attorney in an open meeting of the Board or a private consultation with its attorney in a closed meeting of the Board.
  - a. Each part of a public consultation by the Board with its attorney in an open meeting must be audible to the public at the location specified in the notice of the meeting as the location of the meeting.
  - b. This section does not apply to a consultation with an attorney who is an employee of the College District. An attorney who receives compensation for legal services performed, from which employment taxes are deducted by the College District, is an employee of the College District.

*Tex. Gov't Code 551.129.*
- 22. **Passing Resolutions or Orders.** The Board shall proceed by and through resolutions or orders adopted or passed by the Board. The affirmative vote of a majority of all Board members shall be required to adopt or pass a resolution or order. The Board shall adopt such rules, regulations, and bylaws as it deems advisable. *Tex. Educ. Code 130.082(d).*
- 23. **Accommodations for Hearing-impaired Persons.** In a proceeding before the Board in which the legal rights, duties, or privileges of a party are to be determined by the Board after an adjudicative hearing, the Board shall supply for a party who is deaf or hearing impaired an interpreter who has qualifications approved by the Commission for the Deaf and Hard of Hearing.

For purposes of this requirement, "deaf or hearing impaired" means having a hearing impairment, regardless of the existence of a speech impairment, that inhibits comprehension of a proceeding or inhibits communication with others.

*Tex. Gov't Code 558.001, 558.003.*

B. Board Meetings: Closed Meetings

1. The Board may conduct a closed meeting for the purposes allowed by law or described in the following provisions.:
  - a. Attorney Consultation. The Board may conduct a private consultation with its attorney only when it seeks the attorney's advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirement for open meetings. *Tex. Gov't Code 551.071.*
  - b. Real Property. The Board may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. *Tex. Gov't Code 551.072.*
  - c. Prospective Gift. The Board may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the College District if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. *Tex. Gov't Code 551.073.*
  - d. Personnel Matters. The Board is not required to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. However, the Board may not conduct a closed meeting for these purposes if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. *Tex. Gov't Code 551.074.*

The closed meeting exception for personnel matters does not apply when the Board discusses an independent contractor who is not a College District employee, such as an engineering, architectural, or consultant firm, or when the Board discusses a class or group of employees, not a particular employee or employees. *Atty. Gen. Op. MW-129 (1980), Atty. Gen. Op. H-496 (1975).*
  - e. Employee-Employee Complaints. The Board is not required to conduct an open meeting to deliberate in a case in which a complaint or charge is brought against a College District employee by another employee and the complaint or charge directly results in the need for a hearing. However, the Board may not conduct a closed meeting for this purpose if the employee against whom the complaint or charge is brought makes a written request for an open hearing. *Tex. Gov't Code 551.082.*
  - f. Personally Identifiable Student Information. The Board is not required to conduct an open meeting to deliberate a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation.

Directory information about a College District student is considered to be personally identifiable information about the student for this purpose only if a parent or guardian of

the student, or the student if the student has attained 18 years of age, has informed the College District that the directory information should not be released without prior consent.

This exception does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age.

*Tex. Gov't Code 551.0821.*

- g. Security Devices. The Board is not required to conduct an open meeting to deliberate the deployment, or specific occasions for implementation, of security personnel, devices or a security audit. *Tex. Gov't Code 551.076.*
- h. Assessment Instruments. The Board shall conduct a closed meeting to discuss or adopt individual assessment instruments or assessment instrument items. *Tex. Educ. Code 39.030(a).*
- i. Emergency Management. The Board is not required to conduct an open meeting to deliberate information confidential under Government Code Sections 418.175-418.182, relating to Homeland Security. However, the Board must make a tape recording of the proceedings of a closed meeting held to deliberate the information. *Tex. Gov't Code 418.183(f).*
- j. Economic Development Negotiations. The Board is not required to conduct an open meeting:
  - (1) To discuss or deliberate regarding commercial or financial information that the Board has received from a business prospect that the Board seeks to have locate, stay, or expand in or near the College District and with which the Board is conducting economic development negotiations; or
  - (2) To deliberate the offer of a financial or other incentive to such a business prospect.

*Tex. Gov't Code 551.087.*

- 2. Procedures for Closed Meetings. If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. *Tex. Gov't Code 551.101.*
- 3. Vote or Final Action. A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. No votes can be taken in closed session. *Tex. Gov't Code 551.102.*
- 4. Certified Agenda or Tape Recording. The Board shall either keep a certified agenda and/or make a tape recording of the proceedings of each closed meeting, except for private consultation with the College District's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. The presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a tape recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. *Tex.*

*Gov't Code 551.103.*

Closed meetings may not be recorded by an individual Trustee against the wishes of a majority of the Board. *Zamora v. Edgewood ISD, 592 S.W.2d 649 (Tex. App.-San Antonio, 1979).*

- a. Preservation. The Board shall preserve the certified agenda or tape recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or tape recording while the action is pending. *Tex. Gov't Code 551.104(a).*
  - b. Public Access. A certified agenda or tape recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. *Tex. Gov't Code 551.104 (b)(c).*
5. Prohibitions.
- a. No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a tape recording of the closed meeting is being made. *Tex. Gov't Code 551.145.*
  - b. No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public. It is a defense to the foregoing provision that the individual had good reason to believe disclosure was lawful or that disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or recording. *Tex. Gov't Code 551.146.*
  - c. No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. It is a defense to the foregoing that the Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board's attorney. *Tex. Gov't Code 551.144.*

## II. OTHER ITEMS PERTAINING SPECIFICALLY TO THE WCJC BOARD OF TRUSTEES

### A. Place of Meeting

Unless otherwise determined by the Board, Board meetings shall be held at the Hutchins Memorial Board Room located in the Hutchins Memorial Building, 911 Boling Highway, Wharton, Texas.

### B. Time of Meeting

Regular meetings of the Board shall be held on the third Tuesday of each month at 6:30 p.m., unless otherwise provided by the Board.

### C. ~~Special or Emergency Meetings~~

~~The necessity for special and emergency meetings of the Board shall be as determined by the Board, and for purposes stipulated in the notice for the meeting.~~



**DC.** Agenda Preparation

1. The agenda shall be prepared under the direction of the College President with the advice and consent of the Chairman of the Board. Any Board member may place an item on the agenda by submitting a written request at least seven (7) days prior to the meeting.
2. The College President must be notified of all agenda items.

**ED.** Notice to Members

Members of the Board shall be given notice of regular and special meetings at least seventy-two (72) hours prior to the scheduled time of the meetings and at least two hours prior to the time of an emergency meeting.

**FE.** Executive Session

Notice of all meetings shall provide for the possibility of a closed or executive session during a meeting, as provided by law.

**GF.** Order of Business

1. The order of business for regular Board meetings shall be as follows. The order of business may be changed by consent of a quorum of the Board.
  - a. Roll call, establishment of quorum, call to order;
  - b. Pledge of Allegiance;
  - c. Read and approve minutes of previous meeting;
  - d. Citizen's comments;
  - e. Financial report;
  - f. ~~Consent agenda; Reports to the Board shall be as determined by the Board from time to time;~~
  - g. Reports from committees of the Board;
  - h. ~~Consent agenda; Reports to the Board shall be as determined by the Board from time to time;~~
  - i. Matters relating to formal policy;
  - j. Other business; and
  - k. Adjournment.
2. The Board may enter executive session at any time during the meeting, as permitted under the Open Meetings Act.

**HG.** Calling Special Meetings

The Chairman of the Board may call a special meeting at the Chairman's discretion or on request by five or more members of the Board.

#### HH. Calling Emergency Meetings

1. The Chairman of the Board shall call an emergency meeting when the Chairman or five or more members of the Board determine that an emergency or urgent public necessity warrants the meeting.
2. Emergency meetings shall be called only for bona fide emergencies that cannot reasonably be postponed until a special or regular meeting.

#### II. Rules of Order

The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

#### KJ. Voting

Voting shall be by voice vote or show of hands, as directed by the Chairman. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. Secret ballots are not permitted.

#### LK. Minutes

1. Board action shall be carefully recorded by the Secretary or Assistant Secretary. When approved, these minutes shall serve as the legal records of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Chairman and the Secretary of the Board.
2. The official minutes of the Board shall be retained on file in the office of the College President and shall be available for examination during regular office hours.

#### ML. Discussions and Limitation

1. Discussions shall be addressed to the Chairman of the Board and then the entire membership of the Board. The Chairman may request participation from staff. Discussion shall be directed solely to the business currently under deliberation, and the Board Chairman shall halt discussion that does not apply to the business before the Board.
2. The Board Chairman shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. The Chairman may also call for a temporary adjournment of the meeting when decorum requires this action. Aside from these limitations, the Chairman shall not interfere with debate so long as members wish to address themselves to an item under consideration.

#### NM. Public Participation

1. The board shall solicit the advice and counsel of citizens in planning and operating the District.
2. A citizen shall seek solutions to concerns, questions, and problems by following the District's complaint procedures. [See Board Policy 012].

#### ON. Agenda Request

1. A citizen's request to address the Board shall be made in writing through the College President's

office at least ten working days before the next scheduled Board meeting. The request shall be addressed to the Board as a whole and shall include the person's name, address, phone number, and the subject matter they wish to discuss. Time limitations may be implemented by the Board on presentations at meetings.

2. Complaints and concerns for which other resolution procedures are provided shall be directed through the appropriate channels per College Regulations.
3. If a citizen's request has been scheduled on the agenda, the Board shall make whatever response or take whatever action it deems appropriate to handle the matter. The Board is not required to make a response. Such response or action may include:
  - a. Providing an immediate response or taking immediate action;
  - b. Referring the matter to the College President for action or for further recommendations;
  - c. Referring the matter to a later meeting for further discussion or study;
  - d. Indicating that the matter will be taken under advisement;
  - e. No response.

**PO.** Delegations

1. Delegations of more than five persons shall appoint a spokesperson to represent their viewpoint before the board. Each person cannot speak individually in this circumstance.
2. The Board may permit persons who have not made prior written request an opportunity to address the Board. Persons not on the agenda who wish to speak to the Board shall complete a form at the beginning of the meeting stating their purpose. The Chairman may allot such speakers a reasonable length of time for their presentations, but the Board shall not take action on any item not listed in the official agenda.
3. If the matter should appropriately be handled through the complaint procedure, the citizen shall be informed of the policy. No complaint against an employee shall be heard unless complaint procedures are first followed, and the item is properly scheduled on the agenda. [See College Regulation 012.]

**QP.** Consultation

None of the above restrictions shall prevent the Board from consulting with personnel or vendors who may have information germane to the matters under consideration. Such persons shall be invited by the Board and may include attorneys, architects, real estate professionals, professional educators, physicians, construction professionals and the like. These individuals may attend executive sessions at the initiation of the Board.

(POLICY APPROVAL: 7-24-89, Board of Trustees, amended 10-16-12, amended 6-24-14)

Board of Trustees, Revised 10-23-07  
 BAM  
 10-16-12  
 BAM  
 6-24-14  
 BAM  
 8-29-16