

### **B.8.1 (Policy) Board Meetings**

Responsible Department: Office of the Chancellor, Legal Services

Board Adoption: 8-18-09

Last Amended: 8-20-19

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#### **Transacting Business**

Official Board action shall be taken only in a manner, and at meetings, complying with the Texas Open Meetings Act (Texas Government Code Chapter 551). The affirmative vote of a majority of all Board members shall be required to transact business (see Texas Government Code 311.013). Each action of the Board supported by the majority is binding on the whole Board (see Texas Government Code 130.082(d)).

Problems presented to the Board require the collection and presentation of data pertinent to the solution of said problems. Only when such data have been considered and the Board has had ample opportunity to discuss the problem fully, should a decision be reached.

#### **Minutes**

Board action shall be carefully recorded by the Board Liaison or designee; when approved, these minutes shall serve as the legal record of official Board actions. The transcribed minutes of all meetings shall be approved by vote of the Board and signed by the Board Liaison or designee.

#### **Certified Agenda**

A certified agenda shall be kept of each and any “executive” or other closed session of the Board or any Committee, and the Presiding Officer shall certify that same is a true and correct reflection of matters therein deliberated. Such certified agenda shall include an announcement by the Presiding Officer of the times of commencement and conclusion of such closed session. No person shall divulge to any person the certified agenda of any closed session under penalty of law (see Texas Government Code 551.146), or the substance of matters discussed in closed session, other than internally to the extent appropriate to carry out their assigned duties, other than pursuant to lawful authority.

#### **Location**

Unless otherwise provided in the agenda for a meeting, Board meetings, including meetings of the Board as a Committee of the Whole, shall be held at the Multipurpose Conference Center/Board Room of the District Services Organization building located at 2222 N. Alamo St.

#### **Date and Time**

Regular voting meetings of the Board shall normally be held on the third Tuesday of each month, excepting only June and November. Meetings of the Board as a Committee of the Whole shall precede voting meetings and shall normally be held on the second Tuesday of each month. The Board shall convene in public at 6:00 p.m. At meetings of the Board meeting as a Committee of the Whole, the Board may discuss issues and proposals on the agenda, but may not take any voting action or pass any minute orders or resolutions, but may request changes in proposed minute orders or resolutions to be brought to the Board at a regular voting meeting.

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The Board may adjourn into a closed executive session conducted in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, and other state law, and shall reconvene in open session to address the remaining items on the agenda.

When necessary, the Board Chairperson may change the date or time of a regular meeting, *e.g.*, to accommodate Trustee conference attendance, College District holidays or an inability to gain a quorum. Anticipated conflicts will be resolved and an annual schedule published in advance. In the case of any differently scheduled regular meeting or of any special meeting, Trustees shall be contacted by the Board Liaison to determine their availability to attend. The posted agenda for that meeting shall reflect the changed date or time.

#### **Special Meetings**

The Chairperson of the Board may call special meetings of the Board at the Chairperson's discretion and shall do so if requested by three Trustees, provided that the date selected should enable most Trustees to attend, although in cases of acute need the availability of a simple quorum on the date selected shall suffice.

#### **Notice and Agenda**

Prior to each Board meeting including meetings of the Board as a Committee of the Whole, the Chancellor, at the direction of the Chairperson or acting Chairperson of the Board, shall prepare and post an agenda at least 72 hours prior to the meeting commencement and furnish a copy of same to each Trustee for his/her guidance and information at or about the time of the posting.

The Chancellor or designee is charged to determine and submit all agenda items. However, the Chairperson or any three Trustees can place an item on the Board agenda by submitting it, in writing, to the Chancellor, at least ten working days prior to the meeting. If such inclusion is opposed by the Administration, the proposer may have the issue reviewed by the Board Chairperson for a final determination following the Chairperson's consultation with the Chancellor. If the Board Chairperson overrules the Chancellor, then the Board shall consider whether it wishes for that category of agenda item to be included in future agendas thereafter at its next regular meeting.

Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, as provided by law.

The order of business for all Board meetings, including meetings of the Board as a Committee of the Whole, shall be as set out in the posted agenda. At the meeting, the order in which agenda items are taken may be changed by the Chairperson.

#### **Meeting Procedures**

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 meeting by majority vote of the members present.

A trustee's motion and trustee's second shall be recorded by name along with results of the vote. A Call for Vote is required on items pertaining to the Tax Rate and the Tax Assessment Roll.

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#### **Consent Agenda**

When the agenda is prepared, the Board Chairperson in consultation with the Chancellor shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

#### **Discussion**

Discussions shall be addressed to the Chairperson of the Board and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board Chairperson shall halt discussion that does not apply to the business before the Board.

The Board Chairperson shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Chairperson shall not interfere with debate so long as members wish to address themselves to an item under consideration.

#### **Public Participation**

Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless recognized by the presiding officer.

The Board shall allot a portion of all Board and Board Committee meetings to hear persons who desire to make comments to the Board. Persons who wish to speak to the Board must sign up with the presiding officer or designee before the meeting begins and indicate the topics about which they wish to speak and whether they wish to speak when the agenda item to which their comments pertain is heard, or rather under a general public comment agenda item preceding non-ceremonial, non-honorific agenda items, during which speakers wishing to comment on a matter not reflected in any specific agenda item will be heard. The Chair shall determine the order of public comment and Board deliberation for each agenda item. The Board may react to public comments only during a specific agenda item due to requirements of law. The Chair shall not permit debate between speakers and Trustees, but may at discretion permit a single speaker a brief follow-up comment. No more than one hour shall be devoted to public comment at any single meeting, except that a majority of the Board may vote to expand or restrict this limit. The Chair may solicit a vote of a majority of the Board to further reduce time otherwise allotted to speakers to accommodate this limit.

No presentation shall exceed three (3) minutes unless the time is increased by majority vote of the Board. If ten (10) or more persons sign up to comment on a specific item, each such speaker may be limited to two (2) minutes by majority vote of the Board. The Board may use translation equipment in a manner that allows the Board to hear translated public testimony simultaneously.

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If a speaker needs a translator and the College District is not providing simultaneous translation equipment, the time limit upon that speaker's comments shall be doubled in order to ensure that the non-English speaker receives the same opportunity to address the Board as English-speakers.

Only persons recognized by the Board Chairperson may speak. A person's right to address the Board may be withdrawn if the person (1) uses abusive, indecent, profane or vulgar language or gestures, or language likely to incite a breach of the peace: (2) engages in a personal, verbal attack on any person, including a Board member or employee of the College District, (3) becomes boisterous or makes unreasonable noise, or (4) engages in conduct likely to prevent, interfere with, or otherwise obstruct a lawfully called meeting,. The Board Chairperson will give such a person one warning to stop the misconduct, and if the misconduct continues, the Board Chairperson may revoke the right to speak, order the person removed, or both. If the Chairperson does not enforce these requirements, any Board member may move for enforcement, and an affirmative vote by the majority will result in enforcement.

None of the above restrictions shall prevent the Board from consulting with personnel who may have information germane to the matters under consideration.

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the posted agenda.

The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy and procedure. If not, the person shall be referred to Procedure [B.8.1.1](#) to seek resolution. The Board Chairperson shall not allow employee or student complaints at Citizens to Be Heard without determining that the speaker has exhausted available administrative remedies.

Should student or faculty groups wish to interact with the Board regarding substantive issues already worked with the Administration, or should Trustees seek their input, the Board Chairperson, after consultation with the Chancellor, may schedule a brief special Board meeting before the commencement of a regular Board meeting, or an agenda item for a Board retreat, from time to time for that purpose.

It is a criminal offense for a person, with intent to prevent or disrupt a lawful meeting, to substantially obstruct or interfere with the ordinary conduct of a meeting by physical action or verbal utterance and thereby curtail the exercise of others' First Amendment rights. The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his/her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

A summary of the above information will be explained by the Board Chair at each Board and Board Committee meeting or otherwise made available to attendees.

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#### **Guest Broadcasting/Taping/Recording**

The Board encourages the press, the media, and all interested individuals to attend Board meetings and to videotape or record all or any part of the open proceedings. To this end, the College District and its staff shall seek to facilitate all reasonable requests related to videotaping or recording activities. In accomplishing these goals, the Board does not intend to prevent or unreasonably impair camera coverage or tape recording; however, persons using a tape recorder, video camera, or other means of sonic or visual reproduction shall abide by the following rules:

1. All equipment that requires setting up must be assembled at least 15 minutes prior to the start of the meeting.
2. No strobes, flash lighting, or other bright lights that would impair the conduct of the meeting shall be used, unless approval has been obtained from the presiding officer before the meeting.
3. The Board proceedings shall not be interrupted for the purpose of accommodating any individual's camera coverage or tape recording. Any interviews during the meeting shall be conducted outside of the meeting chamber.
4. The presiding officer at the meeting may stop the sonic or visual reproduction if the individual operating the equipment or the equipment is being disruptive or in any way interfering with the orderly conduct of the Board meeting.
5. Stationary equipment that requires setting up shall not be taken down during the course of the meeting, but may be removed during a recess or after the meeting is over.
6. No tape recorder or video camera shall be allowed in a closed session, except as may be authorized by the Board.

The following additional rules shall apply to Board meetings held at College District facilities:

1. Once a meeting has started, no one shall be permitted to operate a tape recorder, video camera, or any other means of sonic or video reproduction in the center aisle of the meeting room.
2. Once the meeting has started, no tape recorder, video camera or other means of sonic or visual reproduction shall be operated from the door behind the podium.
3. No tape recorder, video camera, or other means of sonic or visual reproduction shall be operated from the podium.

*Legal Reference - TACC Policy Reference Manual*

BD(LEGAL) - Board Meetings

BDA(LEGAL) - Board Meetings: Closed Meetings

BDB(LEGAL) - Board Meetings: Public Participation

SACSCOC – Section 2 – Core Requirements, 2.2 Board Meetings