



**Portsmouth City School Board
By Laws and Rules of Order and
Procedure**

Adopted November 12, 2015

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Mission Statement

The mission of the Portsmouth Public School Board is to challenge the minds, challenge the bodies, and challenge the dreams of all students while focusing on excellence.

Vision Statement

Visions:

I. Strong Board Leadership:

By 2017, the Portsmouth City School Board will be a leading force for community advancement.

II. Committed and Supportive Parents:

By 2017, all parents of the Portsmouth Public School Division students will be excited about and claim ownership of their children's education.

III. High Quality Graduates:

By 2017, all graduates of the Portsmouth Public School Division will be highly sought after by both employers and institutions of higher learning.

IV. Value Added Programs:

By 2017, the Portsmouth Public School Division will be recognized by educational organizations and institutions of higher learning for its innovative and effective programs.

V. Exemplary Student Citizens:

By 2017, all the Portsmouth Public School Division students will be socially responsible and respected as lights of inspiration for future generations.

VI. Facilities, Capital Projects, Maintenance, Technology:

By 2017, the Portsmouth City School Board will provide educational facilities - including technology - that contribute to the learning environment for students and provide safe and accessible facilities for students and staff.

PORTSMOUTH CITY SCHOOL BOARD

By-Laws and Rules of Order and Procedure

The purpose of the By-Laws and Rules of Order and Procedure is to enable the Portsmouth City School Board to transact business orderly and efficiently, to protect the rights of each individual and to consolidate existing practices into one set of by-laws and rules. By-Laws deal with the duties of members, conduct of meetings, procedures for adopting policies and regulations, internal Board operations and related matters.

Policies — A policy is a basic written statement of the intent of the School Board, which creates rights and responsibilities for the conduct of the division's business. Staff should familiarize themselves with and follow School Board Policies.

Regulations — A regulation is a written method of implementation of policy delegated by the Board to the Superintendent. Staff is responsible to the Superintendent for familiarizing themselves with division regulations.

Policies and regulations are continually updated during School Board meetings. Every attempt is made to maintain current School Board policies and regulations, with published changes made in a timely fashion.

*Legal Reference Code of Virginia § 22.1-78. **By-laws and regulations.** A school board may adopt by-laws and regulations, not inconsistent with state statutes and regulations of the Board of Education, for its own government, for the management of its official business and for the supervision of schools, including but not limited to the proper discipline of students, including their conduct going to and returning from school.*

The four basic tenets underlying the By-Laws and Rules of Order and Procedures are:

- A. Each item presented for consideration is entitled to full and free discussion;
- B. Only one subject has the attention of the Board at one time;
- C. Every member has rights equal to every other member, and
- D. The will of the majority rules and rights of the minority must be preserved.

The board shall observe Robert Rules of Order except as otherwise provided by these By-Laws and Rules of Order and Procedure or by law.

1- MEETINGS

Section 1-1 Annual Organizational Meeting

- A. The first meeting of the Board in January of each year shall be known as the Annual Organizational Meeting unless otherwise established by the Board.

Legal Reference Code of Virginia § 22.1-72. *Annual organizational meetings of school boards. Each school board shall hold its annual organizational meeting for the purpose of establishing its regular meeting schedule for the ensuing year as follows: (i) in January or July, if the school board serves a city or town constituting a school division, regardless of whether its members are appointed or elected or any combination thereof; (ii) in July, if the school board serves a county constituting a school division and its members are solely appointed; or (iii) in January or July, if the school board serves a county constituting a school division and its members are elected in whole or in part. A school board may also hold special meetings when necessary. Each school board shall fix its own procedure for calling and holding any special meeting.*

- B. The first order of business shall be the election of the Chairman for a term of one year. The School Board Attorney shall preside during the election of the Chairman of the School Board.
- C. The Chairman is to speak on behalf of the Board. Additionally, other Board members, after being contacted by the media, may speak only as an individual member and not representing the views of the Board.
- D. Following the election of the Chairman, the Board shall elect the Clerk and Deputy Clerk.
- E. The agenda then shall be as follows.
1. Elect the Vice-Chair for a term of one year.
 2. Establish dates, times and places for the Regular Meetings and the Public Work Sessions.
 3. Consider other appointments and items of annual business as appropriate.

Legal Reference Code of Virginia § 22.1-76. *Chairman; clerk; vice-chairman; deputy clerk; terms: compensation and bonds of clerk and deputy clerk; officers ineligible to serve as clerk and deputy; approval of division superintendent's designee.*

Section 1-2 Public Work Sessions

The School Board will hold a Public Work Session on the first Thursday of each month to allow the Superintendent to brief the Board and receive direction and guidance on matters of concern to Portsmouth City Public Schools. The Chairman shall provide the Board and the public an overview of all items on the agenda. This meeting shall be informational in nature and may be considered as preparation of the board for the Regular (monthly) Meeting. The date of the Public Work Session may be changed by a majority vote of the Board.

Section 1-3 Regular Meetings

There shall be a Regular Meeting of the School Board to transact business on the third Thursday of each month. The date of any Regular meeting may be changed by a majority vote of the Board.

Section 1-4 Special Meetings

- A. A special Meeting shall be held when called by the Chairman or when requested of the Chairman by at least two members. If the Superintendent desires a Special Meeting, he shall so inform the Chairman and the Clerk. The Clerk shall poll the Board members; and if at least two members consent to the meeting, the meeting shall be scheduled.
- B. A brief statement of the specific item or items of business to be considered in a Special Meeting shall be included in the call of the meeting. Business items not identified in the call of the meeting shall not be transacted at any Special Meeting unless the members present are in unanimous agreement to consider additional items of business.
- C. Following a Closed Meeting in which student disciplinary matters are discussed, the Board may convene in a Special Meeting to vote on such matters under the conditions established (*in Section 1-4 A*) above.

Section 1-5 Closed Meetings

- A. At any Regular Meeting, Special Meeting or Public work Session, the Board may enter into closed session in accordance with the provisions of the Virginia Freedom of Information Act.
- B. No Item considered in closed meetings and requiring a vote of the Board shall become effective until the Board reconvenes in an open meeting and until the item is submitted to a vote of the Board. The item shall be reasonably identified in the open meeting prior to the vote.
- C. Any member who believes that there was departure from the Virginia Freedom of Information Act during a closed meeting shall so state prior to the Chairman's call for the vote certifying compliance with the Freedom of Information Act indicating the substance of the departure that, in his or her judgment, has taken place. The statement shall be recorded in the School Board minutes.
- D. The Board, by majority vote, may permit non-members to attend a closed meeting if such persons are deemed appropriate or if their presence will reasonably aid the Board in its consideration of a topic which is a subject of the closed meeting.

Section 1-6 Public Hearings

The Board will conduct public hearings when required by law or when determined by the Board to be appropriate. There shall be notice in the form of advertisements of all Public Hearings in an appropriate local newspaper. This shall be arranged by the Clerk.

- A. A brief presentation which defines the issue before the Board shall be given by the Superintendent, a staff member and/or representative from the presenting body. The presentation shall summarize the facts concerning any issue. Board members may seek clarification during the presentation.
- B. There shall be a time limit of ten (10) minutes for the presentation, unless additional time is granted by the Board.
- C. After the presentation, the Chairman shall then solicit comments from the public. Each speaker must clearly state his/her name and address. Students will state their name and school attending. There shall be a time limit of five (5) minutes per speaker for such comment.
- D. Board members shall withhold their comments during the Public Hearing in order to ensure participation by the public without Board interference. Board members may ask questions of a speaker for the purpose of clarification or obtaining relevant information.
- E. After public comments have been received, the chair shall close the Public Hearing.
- F. When a Public Hearing has been closed by the Chairman, no further public comment shall be permitted. Board members, however, may ask clarifying questions prior to the making of a motion to dispose of the issue.
- G. Following the close of the Public Hearing, the Chairman may entertain a motion to dispose of the issue, and the Board may debate the merits of the issue.

Section 1-7 Notice of Meetings

- A. The public shall be notified in advance of all meetings of the School Board by advertising in the local newspaper and BoardDocs. The news media shall be notified of all meetings of the Board by means deemed advisable by the Clerk and in accordance with the Virginia Freedom of Information Act.
- B. Public notice of public hearings required by law shall be given in strict compliance with law.
- C. The Clerk shall notify each Board member of a Special Meeting or, at least, make a reasonable attempt to notify each member.
- D. Notice to the public of a Special Meeting, reasonable under the circumstances, shall be given contemporaneously with the notice provided to Board members.

2—RULES OF ORDER AND PROCEDURES FOR MEETINGS

2-1 Rules and Procedures for Setting the Agenda

- A. The proposed order of business shall be published in advance by the Clerk of the Board.
- B. The order of business and agenda items may be modified by a majority vote of the School Board.
- C. The Board Chairman, in consultation with the Superintendent, shall be responsible for preparing the agenda for all Board meetings. In preparing the agenda, Board members, may submit to the Chairman a request to have items considered allowing time to prepare necessary background materials. Board members may also add items to the published agenda upon request to the Chairman and an affirmative majority vote of the Board should any member object.
- D. Items of business to be included in the agenda may be suggested by any School Board member or staff member. All items of business included in the agenda should be presented to the Superintendent ten (10) days, but no later than two (2) days, prior to the Board meeting for which he/she wishes the item scheduled. The consideration of any item of business on the agenda shall be at the discretion of the Board Chairman, unless such additional item(s) is requested by at least two (2) members of the Board.
- E. Items which are requested to be placed on the agenda that have not been submitted within the prescribed deadline may be placed on the next meeting agenda for consideration unless otherwise changed by a majority vote.
- F. Nothing herein prohibits the School Board from adding items to the agenda. Any modification of the agenda shall be done before approval of the agenda. The agenda shall be approved by a majority vote. Members should use discretion in requesting the additional items on the agenda; however it is considered desirable to have all items identified on the published agenda.
- G. The format and/or agenda may be modified in advance to accommodate other items such as a Work Session, Public Hearing or other special items which are not part of the normal order of business. The format and/or the agenda may be revised before the beginning of a meeting to reflect any needs that arise after the advance packet is distributed to the Board.

2-2 Order of Business – Agenda

- A. The business of a Public Work Session shall be transacted in the following order unless the Board by consent of the majority vote suspends the rules and changes the order.

Information

- Call Letter
- Public Notice

Meeting Opening – 5:30 p.m.

- Call to Order
- Moment of Silence
- Pledge of Allegiance
- Mission Statement
- Attendance
- Approval of the Agenda
- Action Items (as necessary)
- Discussions
- Agenda Review for Regular Meeting
- Board Member's Reports
- Sub-Committee Reports
- Adjournment

- B. The business of the Regular Meeting of the School Board shall be transacted in the following order unless the Board, by majority vote, suspends the rules and changes the order.

Information

- Call Letter
- Public Notice

Early Session – 5:30 p.m.

- Discussions
- Closed Session

Meeting Opening – 7:00 p.m.

- Call to Order
- Moment of Silence
- Pledge of Allegiance
- Statement
- Mission Statement
- Attendance
- Approval of the Agenda
- Presentations
- Resolutions
- Adoption of the Minutes
- Public Comment
- Reports (Action will be taken as necessary)
 - Curriculum and Instruction
 - Human Resources
 - Budget and Planning
 - Superintendent's Report
- Board Members' Comments and Concerns

- Sub-Committee Reports
 - Adjournment
- C. Board members shall identify with reasonable specificity any item of New Business that he/she desires to discuss prior to the approval of the agenda.
- D. Except under extenuating circumstances, Board meeting materials, including the agenda and related items shall be available to each member of the board no later than the Friday prior to the Thursday Work Session or Regular Meeting of the Board via BoardDocs.
- E. The Superintendent and Clerk shall ensure that extra copies of the agenda are available to the public and the press in the School Board office. Copies shall also be available at each meeting.

2-3 Public Comment

- A. The Board shall welcome comment by the public and shall set aside a portion of the agenda at each Regular Meeting to receive such comment.
- B. The Chairman shall open the Public Comment and the Clerk will explain the procedures to be used for public comment.
- C. All requests from members of the general public to address the School Board shall be submitted to the Clerk prior to the call of order. Such requests shall be on registration forms provided by the Clerk and shall include the name of the speaker, his/her address and telephone number, the name of the group or organization, if any, on whose behalf he/she is speaking; and the subject of his/her proposed comment. The comments will be divided into two (2) separate categories. Non-agenda item comments; and specific agenda items scheduled for a Board vote that day. Non-agenda item speakers may contact the clerk via telephone, providing their name, address, city, telephone number, and subject matter up until 4:30 P.M. the day of the meeting or submit a non-agenda item card. Agenda item speakers may contact the clerk via telephone, providing their name, address, city, telephone number, specific agenda item number on the agenda, and subject matter up until 4:30 P.M. the day of the meeting or submit an agenda item card.
- D. A group having a common concern may be requested, but not required, to select a spokesperson to speak on behalf of the group.
- E. Each speaker shall clearly state his/her name and address. Students shall state their name and school attending.
- F. Every petition, communication or address to the Board shall be respectful language and is encouraged to be in writing.
- G. Each public speaker shall be allotted five (5) minutes for the purpose of presenting his/her views. The Clerk will time the speakers, and the Chairman shall notify them of their limit.

- H. Following Public Comment, member of the Board or Superintendent may ask questions, make statements, and seek clarification or discourse with the speaker as needed. Such discussion is to occur at the conclusion of the speaker's statement and is not part of the time limit. The Board is under no obligation to respond to a speaker's questions or issues.
- I. Any issue raised by the public which the Board wishes to consider may be placed on the agenda for a future meeting.

2.4 Consent Agenda

- A. At the Public Work Session preceding the Regular Meeting, the Chairman in consultation with the Superintendent may recommend items to be included in a Consent Agenda to be voted on in a block at the Regular Meeting.
- B. Upon request of any Board member, an item shall be removed from the Consent Agenda and considered separately.

2.5 Decorum and Order

- A. The Chairman, or in his absence, the Vice-Chairman, shall preside at all Regular Meetings, Public Work Sessions, Special Meetings and Public Hearings.
- B. The Chairman shall maintain the dignity of the meeting, preserve decorum and order, and shall rule out of order any person violating the rules of order and procedure, rules described in *Robert's Rules of Order*. They should:
 - 1. Confine their comments to matters germane to the business of the School Board of the city of Portsmouth.
 - 2. Refrain from words or statements which, from their usual construction and common acceptance, are construed as insults and tend to violence or breach of the peace.
 - 3. Refrain from obscenity, vulgarity, or other breaches of respect.
 - 4. Comply with the time limits for public comment.
- C. The Chairman shall decide all questions of order, without debate, which shall be subject to appeal to the Board by any member thereof. A question of order takes precedence over the question giving rise to it.
- D. There shall be a Sergeant-At-Arms at all School Board meetings. The Sergeant-At-Arms shall, under the direction of the Chairman, have charge of the meeting room and shall prevent or quell any interruption of the business of the Board by disorder within or without.
- E. When two (2) or more members of the Board wish to speak at the same time during the Public Work Session, the Chairman shall establish the order of the speakers. The Regular Work Session is determined by electronic recognition (RTS).
- F. Members of the Board must be recognized by the Chairman before speaking or making motions.
- G. Matters which are properly the subject of closed meetings under the Virginia Freedom of Information Act, such as those related to contracts; the performance of school personnel; individual student

concerns; acquisitions, transfer or dissolution of property, or potential litigation shall not be discussed in open session unless the School Board, by a majority vote of those present, determines that an open meeting is in the best interest of the school system and will not violate the rights of any person.

- H. Board members are encouraged to limit questioning of speakers or presenters to not more than five (5) minutes.
- I. No member may speak a second time on a motion until every member desiring to speak has spoken.
- J. The Chairman may speak in discussion without rising or leaving the chair and can vote on all questions. Comments by the Chairman should be made at the conclusion of discussion by Board members
- K. Board members shall treat all speakers/presenters with respect. Board members shall not engage in repetitive questioning or badgering.
- L. One or more of these By-Laws and Rules of Order and Procedure may be temporarily suspended by majority vote.

2-6 Quorum and Voting

- A. A majority of the members of the School Board shall constitute a quorum for the transaction of business. In the absence of a quorum, the Clerk shall, at any time appointed for the meeting, enter upon the record the names of the members present. The Board may adjourn upon recorded vote of a majority of those present.
- B. In the absence of a quorum, the Board shall not transact any business. The Board may consider items on the agenda for a Public Work Session or any other matters not requiring a vote at any meeting.
- C. Members of the Board are expected to make every reasonable effort to be present at all meetings. No member, after his or her name has been duly entered as present, shall be absent from the meeting place for a period longer than ten (10) minutes, without being denoted by the Clerk as absent.
- D. All questions, motions and matters submitted to the Board for decision shall be decided by roll-call vote. Other matters that do not relate to governance or policy (minutes, agenda, etc.) shall require only a voice vote. Any member may request a roll-call vote on any item. The Clerk shall announce and record the vote in each case.
- E. If there is an abstention, it shall be the responsibility of the Clerk to record the abstention in the minutes and so note it when announcing the vote. A Board member who abstains from voting should state the reason(s) for abstention, which shall be recorded in the minutes.

- F. If a tie vote occurs, the same motion may be voted at the next Regular Meeting. If a tie vote occurs the second time, the motion fails.
- G. Unless otherwise specifically required by law, or policy, all matters coming before the Board for vote shall be decided by a majority vote of the members voting (majority vote).

Legal reference Code of Virginia: **§ 22.1-73. Quorum.** *At any meeting of a school board a majority of such board shall constitute a quorum.*

3-GENERAL OPERATING POLICIES

3-1 Board Member Authority

Board members shall have authority only when acting as a Board officially in session. The Board shall not be bound in any way by any statement or action by an individual Board member except when such statement or action is pursuant to specific instructions or policies of the Board. The Board shall adhere to all powers and duties as prescribed by the laws of the Commonwealth of Virginia in accordance with Section 22.1-79 of the Code. A board member that violates the intent of the powers and duties as outlined in this section may be censured by the Board.

3-2 Expenses of Board Members

Each Board member shall be responsible for reporting all information for individual reimbursable expenses. Such information, including any receipts or documentation, shall be reported within two (2) weeks of the member incurring the expense.

3-3 Reports on Conferences/ Other Meetings

Each Board member who attends a meeting, seminar, conference or other event at Board expense or as a representative of the Board shall report to the Board concerning the activity at the Board's next Regular Meeting or Public Work Session. The board member should also present a written summary of his/her report to be distributed to the Board.

3-4 Retreat Agenda Items

Members shall submit to the Chairman and Superintendent at least two (2) weeks in advance of the retreat any item which the members of the board desire to have included for discussion or information at that meeting. The Chairman and the Superintendent shall include the item(s) on the retreat agenda or on the agenda for a future Board meeting.

3-5 Committees

The Board shall establish such advisory committees as it deems appropriate and appoint members thereto. Board members appointed to any committees shall make reports at each Board meeting as deemed necessary and/or appropriate.

3-6 Professional Development

In accordance with Section 22.1-254.13:5 of the Code of Virginia and School Board policy BHB and as part of service to the Board, School Board members shall participate annually in local, state, and national high quality professional development activities which relate to governance, including, but no limited to, personnel, policies and practices, curriculum and instruction, use of data in planning and decision making, and current issues in education. The central purpose of professional development is to enhance the quality and effectiveness of boardsmanship and leadership in a democratic society.

3-7 Board Self-Assessment

Near the beginning of each fiscal year or at the retreat held in the summer, Board members shall enter into Board Self-Assessment for the purposes of:

- Examining the effectiveness of its boardsmanship and governance
- Building unity and a positive public relations image for the benefit of the schools and the community the Board members were elected to serve.

3-8 Virginia School Board Association Code of Conduct for School Board Members

The VSBA has published a code of conduct for school board members. In support of this code each Board member is expected to sign annually and act accordingly.