



## POLICY

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MEETING OF: January 20, 2015

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TITLE: Governing Board Policy BEDB - Board Meeting Agenda Posting and Organization (Revision) and Policy BDAA - Procedures for Governing Board Members (Revision)

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ITEM #: 14

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Information:

Study: X

Action: X

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PURPOSE:

Because of the risk that current language in Policy BDAA may invite unintended discussions of non-agendized items in violation of the OML, the proposed revisions strike that portion of the policy that invites Governing Board members to "respond to criticism" made during call to the public. For the same reason (and because a mechanism for proposing future agenda items exists elsewhere), the proposed draft strikes the policy provision under which a Governing Board member may "ask that a particular matter be put on a future agenda" in response to Call to the Audience.

Policy BEDB is also attached for possible discussion and/or revision by the Governing Board.

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STATEMENT OF POLICY:

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KEY POINTS ABOUT THE POLICY:

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REPLACES WHAT POLICY:

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EXECUTIVE SUMMARY:

Elimination of Governing Board commentary in response to Call to the Audience with the exception of the provision that individual members may ask staff to review a matter.

Attorney General Opinion **199-006** notes that where a Governing Board uses an "open" call to the audience (i.e., one in which the public may comment on any matter, whether or not on the agenda), Governing Board members may not respond to or discuss the public comments made other than to ask staff to review the matter or to ask that it be placed on a future agenda. Because TUSD uses an "open" format for call to the audience, policy BDAA should be revised to eliminate board member responses so that we may ensure that there is no "discussion" of non-agendized matters and issues.

Julie Tolleson will be available to respond to questions.

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OTHER POLICIES IMPACTED:

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WHO HAS REVIEWED THE POLICY:

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LEGAL CONSIDERATIONS:

Arizona Agency Handbook § 7.7.2 ("If a matter raised during 'call to the public' is not on the agenda, the public body should not discuss it during the meeting being conducted, but rather should request that it be added to the agenda of a future meeting for discussion.").

See A.R.S. § 38-431.02(H) ("public body may discuss, consider or make decisions only on [specific] matters listed on the agenda").

For all Intergovernmental Agreements (IGAs), Initiator of Agenda Item provides the name of the agency responsible for recording the Agreement after approval:

For amendments to current IGAs, Initiator provides original IGA recording number:

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Legal Advisor Signature (if applicable)




BUDGET CONSIDERATIONS:

_____	District Budget
_____	State/Federal Funds
_____	Other _____
<u>Budget Cost</u>	<u>Budget Code</u>

INITIATOR(S):

Julie C. Tolleson, General Counsel		01/20/2015
Name	Title	Date

DOCUMENTS ATTACHED/ ON FILE IN BOARD OFFICE:

<u>ATTACHMENTS:</u>
Click to download
 <a href="#">Redline revisions BDAA</a>
 <a href="#">BDAA Clean Revised</a>
 <a href="#">Policy BEDB - Board Meeting Agenda Posting and Organization</a>