

## **BDA**

### **BOARD ORGANIZATION AND MEETINGS**

In accordance with Rochester City Charter, Section 32: School Board Meetings - The School Board shall meet not later than the second Thursday of each January immediately following municipal election. The date, time, and place of such meeting shall be set by a majority vote of the School Board at the December meeting immediately after said municipal election. Every member shall be notified of the meeting for organization, in accordance with RSA 91-A:2. This meeting shall be called to order by the Superintendent, who shall preside during and until the election of a Chairperson.

The School Board shall meet at least once in every other month at such hours, on such days of the week, and at such intervals as the School Board determines at its January meeting. Special Meetings of the School Board shall be held upon notice being delivered by the Superintendent of Schools to each School Board member, or delivered to an address within the City of Rochester previously specified by each School Board member to the Superintendent of Schools. The Superintendent of Schools shall call a Special Meeting of the School Board at the written request of the Chair of the School Board, or at the written request of a majority of the School Board. The School Board shall establish its own rules. A majority of the School Board shall constitute a quorum for the transaction of its business.

The School Board shall, at its first regular meeting in January following each regular municipal election, choose one of its members to be Chair for a term of two (2) years. The Chair shall preside at all meetings of the School Board, and may speak and vote in such meetings.

The School Board shall, at its first regular meeting in January following each regular municipal election, choose one of its members to be Vice-Chair for a term of two (2) years. The Vice-Chair of the School Board shall act as Chair in the absence of the Chair. Upon the School Board declaring the office of Chair of the School Board vacant, the Vice Chair shall serve as Chair for the balance of the unexpired term.

#### **Regular Board Meetings**

Unless otherwise altered, by Board action, regular meetings of the Board shall be held at the Council Chambers of City Hall on the second Thursday of each month, beginning at 7:00 p.m. All regular meetings shall be open to the public and the press.

All changes of regular meetings from normal dates shall be advertised at least two days prior to the date of the meeting.

#### **Member Participation and Attendance at Meetings**

In the case of an emergency, a member of the public body may participate in a meeting other than by attending in person at the location of the meeting only when attending in person is not reasonably practical. (RSA 91-A:2(a)). The reason for participation from some place other than the location of the meeting shall be stated in the minutes of the meeting. (RSA 91 -A:2, III(a)) Each member participating remotely, whether by phone, electronically, or otherwise, must be able to simultaneously hear each other member and speak to each other member during the meeting. The member participating remotely must also be audible or otherwise discernible to the

public in attendance at the meeting's location. (RSA 91-A:2, III(c)). One practical solution is participating by telephone, provided there is a speakerphone used in the meeting room that can be heard by the public.

Any member participating remotely must identify all other persons present at the place from which the member is participating. (RSA 91-A:2, III(c)).

A member participating in a meeting remotely is deemed to be present at the meeting for purposes of voting. All votes taken during a meeting in which any member participates remotely shall be by roll call vote. (RSA 91-A:2, III(e)). The Right-to-Know law does not explicitly require that every roll call vote be recorded member by member in the minutes. However, compliance with the roll call requirement should be documented.

No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern the meeting discussion contemporaneously at the meeting location specified in the meeting notice (RSA 91-A:2, III(c)). RSA 91-A:2 III(c) explicitly requires that when a member ins participating remotely each part of a meeting required to be open to the public shall be as audible or otherwise discernible to the public as it would be if all members were participating in person.

### **Emergency Meetings**

“Emergency” means that immediate action is imperative and the physical presence of a quorum is not reasonable practical within the period of time requiring action. (RSA 91-A:2, II).

The determination than an emergency exists shall be made by the chairperson or presiding officer of the public body. The facts upon which that determination is based shall be included in the minutes of the meeting. (RSA 91-A:2, III(b)).

In an emergency there still must be a location specified in the notice, which is available for public attendance. Therefore, as a practical matter, most emergency meetings will involve at least one member present at the public location. Other members may attend electronically, provided the requirements described herein are met.

Generally, a public body should plan to hold meetings in a space that is accessible to persons with disabilities and that will accommodate any reasonably anticipated public attendance. If necessary, the body should make provisions for amplifying the discussion between members and parties presenting to the public body.

### **Legal References:**

*RSA 91-A, Access to Public Records and Meetings*

*N.H. Code of Administrative Rules, Section Ed. 303.01(f), Substantive Duties of School Boards*

*Rochester City Charter, Section 32 RSA 91-A:2*

Adopted: April 8, 1993

Amended: June 12, 2008; February 14, 2013; June 13, 2013; March 9, 2017; October 10, 2020