



## Ohio Administrative Code

### Rule 3358:5-1-03 Board of trustees regular meetings and executive sessions.

Effective: February 7, 2022

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(A) Pursuant to section 121.22 of the Revised Code as amended by Amended Substitute Senate Bill 74 of the 111th General Assembly and by Amended Substitute Senate Bill 150 of the 117th General Assembly, the board of trustees of Clark state college reaffirms its policy of taking all official action in public meetings and of conducting deliberation of official business in open sessions unless the subject matter is specifically excepted by law.

(B) A duplicated calendar of regularly scheduled meetings noting the date, time, and place of such meetings is and shall continue to be available to all persons requesting a copy. In addition, the regular board meeting calendar is continuously posted on bulletin boards in the building housing the office of the board and on the colleges website. Tentative agendas are available upon individual request to the secretary of the board of trustees five days prior to the scheduled meeting. Any person may, upon request for notification of all meetings at which specifically identified public business is to be discussed and upon payment of a reasonable fee which the board may establish, obtain reasonable advance notification of all such meetings provided such person makes the request in writing.

(C) Pursuant to section 3345.82 of the Revised Code as amended by Substitute House Bill 110 of the 134th General Assembly, the following guidelines establish the rules and parameters in which trustees are permitted to attend a meeting of the board of trustees via means of electronic communication:

(1) At least one-third of the trustees attending the meeting shall be present in person at the place where the meeting is conducted.

(2) A trustee must be present in person at no less than one-half of the regular meetings of the board annually.

(3) A trustee who attends a meeting via means of electronic communication is considered to be



present at the meeting, is counted for purposes of establishing a quorum, and may vote at the meeting.

(4) All votes taken at the meeting are taken by roll call vote.

(5) Trustees who intend to attend a meeting via means of electronic communication must notify the chairperson and the secretary of the board of that intent not less than forty-eight hours before the meeting, except in the case of a declared emergency.

(D) The date, time, place, and purpose of special meetings will normally be announced at the preceding regular meeting. With the exception of an emergency requiring official action, no less than twenty-four hours advanced notice will be given to news media that have requested notification. In emergency situations, requesting news media will be informed immediately by the secretary of the board.

(E) The board of trustees reserves to its discretion the holding of executive sessions at regular and/or special meetings only after a majority of a quorum of the board of trustees determines, by a roll call vote, to hold such a session and only for the sole purpose of the consideration of any of the following matters:

(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of an employee, or to investigate charges or complaints against an employee, unless such employee requests a public hearing. The motion and vote by the board of trustees to hold an executive session pursuant to this paragraph shall state which one or more of the approved purposes listed in this paragraph are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at such meeting.

(2) To consider the purchase of property or the sale of property by competitive bidding.

(3) To confer with the board's attorney concerning disputes that are the subject of pending or imminent court action.

(4) To prepare for, conduct, or review negotiations with employees concerning their compensation or



other terms and conditions of their employment.

(5) To maintain confidentiality required by federal law, rules, or state statute.

(6) To discuss security arrangements where disclosure might reveal information that could be used for the purpose of violating the law, or avoiding prosecution for a violation of the law.

(F) If the board of trustees holds an executive session to consider any of the matters listed in paragraphs (E)(1) to (E)(6) of this rule, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those paragraphs are to be considered at the executive session.