

3358: 14-1-06 Meetings of the board of trustees.

- (A) The board of trustees may convene for specific types of meetings:
- (1) Regular meetings will be convened by the chairperson at a time and place established by the board of trustees during its annual organization meeting. During regular meetings, the board of trustees may consider action on items duly presented before the board of trustees. During the regular meeting in February, the board of trustees will elect its officers and consider action of an organizational nature.
 - (2) Special meetings may be convened by the chairperson or the college president or by a majority vote of the members of the board of trustees to consider action on specific items for which the meeting was called. A notice of the meeting, including a list of items to be considered, shall be conveyed to the members of the board of trustees at least three working days in advance of the meeting.
 - (3) Special emergency meetings may be convened by the chairperson or the college president or by a majority of the members of the board of trustees to consider action on specific items for which the meeting was called. Items to be considered must be of an emergency nature. A notice of the meeting, including a list of items to be considered, shall be conveyed to the members of the board of trustees as far in advance of the meeting as practicable.
- (B) The board of trustees may hold an executive session only at a regular or special meeting, in accordance with section 121.22 of the Ohio Revised Code, for the sole purpose of any of the following matters:
- (1) Personnel - to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official or [to consider] the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the employee, official, licensee or regulated individual requests a public hearing.

However, the law does not allow a public body to hold an executive session to consider the discipline of an elected official for conduct related to the performance of the elected official's duties or to consider that person's removal from office.

- (2) Purchase or sale of property - a public body may adjourn into executive session to consider the purchase of property of any sort – real, personal, tangible or intangible. A public body may also adjourn into executive session to consider the sale of real or personal property by competitive bid if disclosure of the information would result in a competitive advantage to the person whose personal, private interest is adverse to the general public interest. No member of a public body may use this exception as subterfuge to provide covert information to prospective buyers and sellers.
- (3) Pending or imminent court action – a public body may adjourn into executive session with the public body’s attorney to discuss pending or imminent court action. Court action is pending if a lawsuit has been commenced. Court action is imminent if it is on the brink of commencing.

A public body may not use this exception to adjourn into executive session for discussions with a board member who also happens to be an attorney – the attorney should be duly appointed counsel for the public body. Nor is a general discussion of legal matters a sufficient basis for invoking this provision.

- (4) Collective bargaining matters - a public body may adjourn into executive session to prepare for, conduct or review collective bargaining strategy.
- (5) Matters required to be kept confidential - a public body may adjourn into executive session to discuss matters that federal law, federal rules or state statutes require the public body to keep confidential.
- (6) Security matters - a public body may adjourn into executive session to discuss details of security arrangements and emergency response protocols for a public body or public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.
- (7) Any other matters that may be provided for in future amendments to the Ohio Revised Code.

- (C) Any regular or special meeting or executive session may be adjourned for the purpose of considering specific items or issues at a later date(s) established by the board of trustees. The reconvened, adjourned session shall be open to the public unless the adjourned meeting was an adjourned executive session which was closed to the public since the items being considered were those specifically permitted to be discussed at a meeting closed to the public.
- (D) By a majority vote of board of trustees membership present at a regular or special meeting, the board of trustees may decide to hold a public hearing or a discussion session at which time the public may be invited to participate in the discussions of specific programs, proposals, issues, or problems. The purpose, time, and place of such hearings or sessions shall be given to the various agencies of public information.
- (E) Meetings of the board of trustees shall be held in an appropriate location designated by the board of trustees.
- (F) The president of the college shall deliver, at least three working days prior to each regular meeting, unapproved minutes of previous meetings.
- (G) Unless in conflict with these rules of procedure or the laws of the state of Ohio, "Roberts Rules of Order" as revised shall govern the procedure of all board of trustees meetings.
- (H) A resolution, rule, or formal action of any kind by the board of trustees is valid only when adopted in a regular or special meeting of the board of trustees. A resolution, rule, or formal action adopted in an open meeting of the board of trustees that results from deliberations in meetings of the board of trustees not open to the public is invalid unless the deliberations were for the purpose specifically authorized above and were conducted at an executive session of the board of trustees held in compliance with these regulations.
- (I) All regular and special meetings of the board of trustees shall be open to the public.
- (J) A majority of the board of trustees shall constitute a quorum. Less than a quorum may adjourn any meeting to a future date.

- (K) The following matters shall be considered non-administrative and require a majority vote of the whole membership of the board of trustees: election of officers; approval of contracts, bonds, notes, and agreements; approval of fiscal operating budget and revisions thereof; appointment of a president; amendment or repeal of college policy; approval of student fee schedules; approval of salary programs; approval to propose operating levy to citizens; and suspension of rules during a meeting.
- (L) All matters not listed in paragraph (k) above will be considered administrative and require a majority vote of those present when a quorum is in session.
- (M) The order of business of regular meetings of the board of trustees shall be determined by the chairperson of the board of trustees and/or the college president.
- (N) Any policy or procedure related to conducting regular or special meetings of the board of trustees not required by law may be suspended by a majority vote of the board of trustees, but such suspension shall be in effect only during the meeting at which such suspension was voted.
- (O) The minutes of regular or special meetings of the board of trustees of the Northwest state community college shall be recorded and open to public inspection after adoption by the board of trustees. The minutes of executive sessions need only reflect the general subject matter of discussion. If the minutes of the board of trustees show that all meetings and deliberations of the board of trustees have been conducted in compliance with the above regulations, any instrument executed by the board of trustees purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with the Ohio Revised Code insofar as title or other interests of any bona fide purchases, lessees, or transferees of the property are concerned.
- ~~(P) Individuals or groups who wish to be heard relative to an item not appearing on the agenda of a meeting of the board of trustees shall file such a request, in writing (including email), with the executive administrative assistant to the president of the college at least forty eight hours prior to the meeting. The request must state the purpose and topic which the~~

~~individual or group wishes to present. The hearing will be held at a time of the meeting deemed appropriate by the chairperson. Individuals or groups who wish to be heard relative to an item appearing on the agenda must make such a request, in writing (including email), to the executive administrative assistant to the president of the college within forty-eight hours prior to the call to order of the meeting. The chairperson of the board of trustees may, on certain occasions within his/her authority, ask for and grant public participation on issue(s) being considered by the board of trustees without prior written request having been made.~~

Effective: 03/16/2015

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

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