

**Banning Lewis Ranch Academy (BLRA)
Board of Directors School Board Meetings, Policy Adoption, and
Document Retention and Access**

Scope and Purpose: All regular and special meetings of the Board shall be open to the public. This policy addresses the requirement of public input at open Board meetings while addressing the need to conduct board business in an orderly and timely fashion. This policy applies to any public comment at any Board meeting which meets the definition of an open meeting.

The articles of this policy are guidelines, in accordance with or beyond the minimum requirements of the Colorado Revised Statutes and at a minimum all notices, records and communications will conform to the *Colorado Open Records Act, Colorado Open Meetings Act, Colorado Sunshine Law,* and the *BLRA By-laws* and *Charter School Contract*.

<p>Section 1 School Board Meeting Notification Section 1.1 Notice of Regular Meetings Section 1.2 Notice of Agenda</p>
<p>Section 2 General Rules of Orderly Conduct</p>
<p>Section 3 Audience Participation at Board Meetings Section 3.1 General Guidelines for Audience Participation/Public Comment Section 3.2 Formal Presentations to the Board Section 3.3 Resolution of Issues</p>
<p>Section 4 Board Meeting Minutes</p>
<p>Section 5 Policy Adoption Section 5.1 Policy Adoption Responsibility Section 5.2 Policy Adoption Procedures</p>
<p>Section 6 Public Document Retention and Access Section 6.1 Public Document Access Section 6.2 Public Document Process Section 6.3 Public Document Fees Section 6.4 Access Denial</p>

SECTION 1 SCHOOL BOARD MEETING NOTIFICATION

SECTION 1.1 NOTICE OF REGULAR MEETINGS

It is the intent of the Board to establish dates of regular Board meetings for the school year and to post these dates on the BLRA website. Notice of the next upcoming meeting shall be posted on the website a minimum of 24 hours before the meeting. Special or working sessions of the Board may be called and will be posted in advance, on the website, a minimum of 24 hours before the meeting but may be shorter in cases of emergency.

The notice must include all items to be taken up at the meeting in such a manner as to apprise the public of the nature of the public business. Except for meetings that provide for public comment, there can be no discussion of any item not on the agenda. Nor can there be action on any item not on the agenda.

SECTION 1.2 NOTICE OF AGENDA

All board meeting agendas will be posted on the school website, and when possible, posted on the front door of the schools, visible from the outside, at least 24 hours in advance of the meeting. It is the responsibility of the Board Secretary to prepare the agenda and to ensure it is posted at the schools and online on the BLRA website.

SECTION 2 GENERAL RULES OF ORDERLY CONDUCT

Robert's Rules of Order, newly revised will be used as a guideline for meetings.

Defamatory or abusive remarks are always out of order. Undue interruption or other interference with the orderly conduct of the Board business shall not be allowed. The presiding officer may terminate the speaker's privilege of address if, after being called to order, he/she persists in improper conduct or remarks, and any person who disrupts order may be required to leave in accordance with the law.

SECTION 3 AUDIENCE PARTICIPATION AT BOARD MEETINGS

SECTION 3.1 GENERAL GUIDELINES FOR AUDIENCE PARTICIPATION/PUBLIC COMMENT

The Board welcomes interested citizens at its meetings and encourages the constructive participation of those present. The Board encourages members of the public to exercise their First Amendment rights in a responsible fashion as outlined below, but no further action or discussion is allowed at that time by the Board.

Because the Board desires to hear the viewpoints of all community members and needs to conduct its business in an orderly and efficient manner, it shall schedule one or more periods during each meeting for brief comments and questions from the public. The Board may also schedule an interim public discussion period on a particular item.

All audience participants that wish to speak must place their name on the public comment signup sheet before the meeting commences. The Board shall set a time limit on the length of any public discussion period and/or a time limit for individual speakers. Unless otherwise indicated in the meeting agenda the time limit for each speaker shall be set at three minutes. When there are a large number of speakers to be heard, the presiding officer may shorten the time.

- Comments and questions at a regular meeting may deal with *any topic related to the Board's governance on policy and procedure, of the school, or matters within the purview of the respective public body*. Comments at special meetings must be related to the call of the meeting.
- Speakers may offer comments *related to school operations and programs as concern them*. But in public session, the Board *will not hear personal complaints against any person connected with the school*.
- A member of the public who has concerns about any individual or individuals connected with the school (vendors, directors, staff, volunteers, etc.) may contact the Board secretary so that, if required, arrangements can be made to properly address the concern while respecting the privacy requirements of the individuals involved.
- The Board President shall be responsible for recognizing all speakers who shall properly identify themselves, for maintaining proper order and for adherence to any time limits set.
- Unless permission is granted by the Board President 24 hours prior to the meeting, in addition to a signed statement from the commenting/authored party, there shall be no proxy statements read on behalf of others during public comment.
- No person shall engage in disruptive, discourteous, belligerent, impertinent, threatening, disparaging, or otherwise uncivil behavior, and must follow the guidelines noted above. The President may limit or end the comments of any person who engages in this conduct.
- Members of the public will not be recognized by the Board President during Board meetings except as noted in this policy.

SECTION 3.2 FORMAL PRESENTATIONS TO THE BOARD

Members of the public wishing to make formal presentations before the Board should make arrangements in advance with the Board Secretary so that such presentations may be scheduled on the agenda. Additionally, members of the public who wish to make a formal presentation that relates to the operations of the school, should inform the school administrations of such presentations for informational purposes and input. Requests for formal presentations (notwithstanding of public comment) must be submitted to the Board two weeks prior to the scheduled Board meeting for approval.

SECTION 3.3 RESOLUTION OF ISSUES

Questions asked by the public shall be assigned to a Board Director or referred to staff members present for a reply at a future date. The Board will not attempt to resolve issues during the Board meeting. Issues or questions raised by the public that meet the criteria of Board governance (either via written request to the Board of Directors or during public comment), which the Board deems requires an investigation, will be assigned a Board action number, point of contact, and suspense date. The Board may require a written statement be submitted for inquiry.

SECTION 4 BOARD MEETING MINUTES

Meeting minutes will be taken at all regular and special school board meetings. After the minutes are approved by the Board (at the following regular meeting), they will be made available to the public by the Board Secretary, through posting the approved meeting minutes on the BLRA Board website each month. Typically, meeting minutes are approved and published the following month.

SECTION 5 POLICY ADOPTION

SECTION 5.1 POLICY ADOPTION RESPONSIBILITY

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility and discretion of the Board.

SECTION 5.2 POLICY ADOPTION PROCEDURE

The Board shall adhere to the following procedure in considering and adopting policy proposals to ensure that they are well examined before final adoption.

First meeting - The proposal shall be presented as a discussion item in the discussion section of the board meeting.

Second meeting - The proposal shall be presented as an action item and the proposal shall be presented for a vote.

During the meetings or in the interim time between the first and second meeting of a policy proposal, the views of the public and staff will be considered, via requests by communications in the audience section of the meeting or by written requests to the Board. The presiding officer may also elect to open the discussion session to the audience for constructive comments regarding the proposed policy.

Amendments may be proposed by Board members only. An amendment will not require that the policy go through an additional reading except as the Board determines that the amendment needs further study and that an additional reading would be desirable.

Under unusual circumstances, the Board may temporarily approve a policy to meet emergency conditions. However, the above procedure is required before the policy shall be considered permanent.

SECTION 6 PUBLIC DOCUMENT RETENTION AND ACCESS

SECTION 6.1 PUBLIC DOCUMENT ACCESS

All public documents approved by the Board will be retained as required by Colorado Revised Statutes 2016, Title 24, Article 72- Public Records. BLRA's By-Laws and Charter Contract shall be posted on the BLRA website for public access at all times. All Board materials are available to the public, once they have been considered at a Board meeting, unless explicitly restricted by the Board. It shall be the policy of BLRA to make all public records available for public inspection at reasonable times in accordance with the Colorado Open Records Act (the Act). This policy only applies to existing records or documents. The law does not require additional research or the creation of new records, nor explanation, interpretation, or analysis of any foregoing record or document.

SECTION 6.2 PUBLIC DOCUMENT PROCESS

Requests to Banning Lewis Academy under the Colorado Open Records Act (“CORA” or the “Act”) must be submitted by using the electronic form provided on the website. E-mail submissions to individual staff members or directors at Banning Lewis Academy will not be accepted. Please anticipate a response from CORA@blracademy.org to all properly submitted requests in accordance with the timelines prescribed under the Act.

1. All requests for public record(s) maintained by BLRA shall be specific enough to allow BLRA to efficiently identify the requested record and respond to the request.
2. To clarify and facilitate the processing of a request to inspect and/or obtain copies of records, BLRA requires that the request be made via mail, in person, or submitted via the CORA email link located on the Banning Lewis Academy website.
3. Upon request for records transmission by a person seeking a copy of any public record, the custodian shall transmit a copy of the record by United States mail, other delivery service, facsimile, or electronic mail. No transmission fees may be charged to the record requester for transmitting public records via electronic mail.
4. After review and determination that a request is complete and valid, all requests for public records will be forwarded immediately to the appropriate designee for processing.
5. A request is considered received by BLRA the day it is determined to be complete and valid. The three business-day response time begins the first working day following the date of that determination. Should a working day during the processing period fall on a weekend, holiday, non-working school day, or outside operating business hours, the processing day(s) will fall to the next business day of the school.
6. BLRA has no duty to create a public record that does not already exist.
7. BLRA will make every effort to make the record available within three working/business days as required by the Act but can issue an extension up to seven working days, if extenuating circumstances exist, as described in the Act.
8. The custodian shall notify the record requester that a copy of the record is available but will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed unless recovery of all or any portion of such costs or fees has been waived by the custodian.
9. Upon either receiving such payment or making arrangements to receive such payment at a later date, the custodian shall send the record to the requester as soon as practicable but no more than three business days after receipt of, or making arrangements to receive, such payment.
10. In every instance, the manual or electronic functions necessary to extract, collage, organize, retrieve, copy, or otherwise manipulate the information and data necessary to produce the record or allow for its inspection shall be performed by the designee, and appropriate fees will apply.
11. The custodian may deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest.

6.3 PUBLIC DOCUMENT FEES

Staff time

First hour: No Charge

Additional Time: \$30/hour

Materials

Copies: \$0.25/page

For payment

Please send a check or money order to Banning Lewis Preparatory Academy at 9433 Vista Del Pico Blvd. Colorado Springs, 80927 c/o CORA request: Records Custodian

SECTION 6.4 ACCESS DENIAL

The custodian may deny a request for any of the reasons outlined in § 24-72-204, C.R.S. For a complete list of the types of records that BLRA may withhold or deny inspection to, please refer to that section of statute

Adopted: Approval February 3, 2009

Revised:

Revision 1 - 20 March, 2012

-Revised for individual board member email accounts

Revision 2 - April 2017

-Updated **File:** BLRABODPOL-School_Board_Meeting_Policy

Revision 2 - December 2020

-Policy title updated to “ Board of Directors School Board Meetings, Policy Adoption, and Document Retention and Access”

-Policy updated in Section 1 to expand and clarify meeting notification

-Policy updated in Section 3 to clarify guidelines and expectations around audience participation/public comment at Board meetings; including simplification, merging, or expanding on subsections to streamline understanding

-Policy updated in Section 4 to clarify expectations on meeting minutes

-Policy updated to relocate verbiage of records request to applicable section

-Policy updated in Section 6 to expand on existing verbiage/provisions around public document retention and access, including expansion of information for relevant subsections

-Policy updated in general with other limited grammatical or clarifying adjustments.

CROSS REF.: **Files:** BLRABODPOL-School_Board_Meeting_Policy; BLRABODPOL- Policy X School_Board_Meeting_Policy