

(ATTACHMENT 2) **ACTION ON RESOLUTION 1011R-018 BY DIRECTOR FALK TO REVISE BOARD RULE 1.02(1) TO RESCHEDULE SOME REGULAR MONTHLY BOARD MEETINGS AND THE BOARD'S ANNUAL ORGANIZATIONAL MEETING TO ACCOMMODATE SOME HOLIDAYS AND OTHER SPECIAL EVENTS**

BACKGROUND

1. At its meeting on September 30, 2010, the Board referred Resolution 1011R-018 by Director Falk to the Committee on Legislation, Rules and Policies:

WHEREAS, Board Rule 1.02(1) provides that “[r]egular meetings of the Board, except the April meeting, shall be on the last Thursday of each month. When any regular meeting day falls on a legal holiday, the meeting shall be held on the next business day”; and

WHEREAS, Under the provisions of this Rule, the regular Board meeting of October often has taken place during the annual Teachers’ Convention; and

WHEREAS, Under the provisions of this Rule, because the last Thursday of November more often than not falls on Thanksgiving Day, and the next day is not a business day in MPS, the regular November Board meeting more often than not moves to the following Monday, which has caused scheduling conflicts for many members of the Milwaukee Board of School Directors for many years; and

WHEREAS, Under the provisions of this Rule, the December regular Board meeting often falls within the Winter Break; and

WHEREAS, Because of these scheduling conflicts, the Board regularly has had to take action to suspend Board Rule 1.02(1) to change the dates of these meetings; and

WHEREAS, Chapter 119.10(2) of the Wisconsin Statutes dictates, in part, “Annually, no earlier than the 4th Monday in April and no later than the first Monday in May, the board shall hold its organizational meeting...”; and

WHEREAS, Board Rule 1.01(a) states, “The Milwaukee Board of School Directors...shall meet and organize annually by the election of a president on the fourth Monday of April, except that, when the fourth Monday is a legal holiday, the meeting shall be held on the next business day”; and

WHEREAS, Meeting on Mondays has traditionally presented scheduling conflicts for many members of this Board; now, therefore, be it

RESOLVED, That the Milwaukee Board of School Directors amend Board Rule 1.02(1) by adding the following subparagraphs (a) and (b):

(a) If, under the provisions of this Rule, a regular meeting should take place during Spring Break, Winter Break, or the annual Teachers’ Convention, that meeting shall be held on the preceding Thursday.

(b) Likewise, if the last Thursday in November is Thanksgiving Day, the regular November meeting of the Board shall be held on the preceding Thursday.

And be it

FURTHER RESOLVED, That the Milwaukee Board of School Directors amend Board Rule 1.01(a) as follows:

- (a) The Milwaukee Board of School Directors, hereinafter in these Rules referred to as "the Board," shall meet and organize annually by the election of a president on the fourth ~~Monday~~ Tuesday of April, except that, when the fourth ~~Monday~~ Tuesday is a legal holiday, the meeting shall be held on the ~~next business day~~ following Thursday.

And be it

FURTHER RESOLVED, That these revisions to the Board Rules take effect on January 1, 2011.

2. At its Organizational Meeting on April 26, 2011, the Board carried over consideration of Resolution 1011R-018 for consideration during the 2011-12 Board year.

ANALYSIS BY THE OFFICE OF BOARD GOVERNANCE

3. In accordance with Wisconsin Statutes, Chapter 119, The Milwaukee Board of School Directors is empowered to establish rules for its own governance. Board Rule 1.02, Regular Board Meetings, was last updated in June of 1999. Board Rule 1.01 has never been revised.
4. As currently stated, Board Rule 1.02(1) requires that any meeting that falls on a holiday be rescheduled for the following Monday. This results in scheduling conflicts for Board members because Monday is not a typical day for meetings of the Board or its Committees.
5. The proposed revisions eliminate scheduling conflicts by allowing for meetings to be held on a Tuesday or Thursday evening when the regularly scheduled meeting falls on a holiday.
6. If the Board adopts Resolution 1011R-018, Board Rule 1.01, Organizational Meeting, will need to be revised for the sake of consistency.

STATUTE, ADMINISTRATIVE POLICY, OR BOARD RULE STATEMENT

7. This item recommends revisions to Board Rule 1.02, Regular Board Meetings, and Board Rule 1.01, Organizational Meeting.
8. Board Rule 1.11, Amendments to the Rules, states:

Proposed amendments to the rules shall be presented at a regular Board meeting and shall be referred to the Committee on Legislation, Rules and Policies for its consideration and report thereon. The Committee's report with respect to such proposed amendment shall be presented to the Board and then held over until the next meeting, when it shall be considered and acted upon by the Board. A recorded affirmative vote of a majority of the members of the Board shall be necessary for the adoption, amendment, or repeal of rules, except as provided otherwise in article 1.14(3) of these rules.

IMPLEMENTATION AND ASSESSMENT

9. Upon adoption of the Resolution by the Board, the proposed revisions to Board Rule 1.02, Regular Board Meetings, and Board Rule 1.01, Organizational Meeting, will be made and published.

FISCAL IMPACT STATEMENT

10. This item does not authorize expenditures. There is no cost associated with revising this rule.

COMMITTEE'S RECOMMENDATION

Your Committee recommends that the Board adopt the resolution.

The Board, however, will have to hold any action on this item until its regular meeting in November 2011, in accordance with Board Rule 1.11, Amendments to the Rules, which states:

Proposed amendments to the rules shall be presented at a regular Board meeting and shall be referred to the Committee on Legislation, Rules and Policies for its consideration and report thereon. The Committee's report with respect to such proposed amendment shall be presented to the Board and then held over until the next meeting, when it shall be considered and acted upon by the Board. A recorded affirmative vote of a majority of the members of the Board shall be necessary for the adoption, amendment, or repeal of rules, except as provided otherwise in article 1.14(3) of these rules.