

# RULES OF THE MILWAUKEE BOARD OF SCHOOL DIRECTORS

## BOARD RULE 1.06 QUORUM AND MEETING PRESENCE

### (1) PURPOSE

- (a) It is the policy of the Board that the district be transparent and accountable to the public.
- (b) Every meeting of the Board or of any of its committees shall be held in a public place that is reasonably accessible to members of the public at all times, unless otherwise expressly provided by law.

### (2) NOTICE

- (a) All meetings of the Board or any of its committees shall be properly noticed.
- (b) Whenever there is a reasonable probability that a quorum of the Board or any of its committees may meet, public notice shall be given.

### (3) DEFINITION OF QUORUM

- (a) A quorum of the Board exists when a majority of the membership of the Board or of any of its committees is present in the same location, or in the case of a virtual meeting (see below), when such a majority is present via videoconferencing, teleconferencing, or other technological means.
- (b) A meeting of less than the majority of the members of the Board may constitute a “negative quorum” if those participating constitute a sufficient number to block action by the Board.

### (4) PRESENCE IN A QUORUM

- (a) A member is present in a quorum when he or she is physically in attendance.
- (b) A member may be present in a quorum if, as provided under these rules, he or she attends or participates remotely by the use of any form of technology that allows for interactive communication.
- (c) Board members shall refrain from knowingly forming a quorum unless proper notice has been given.

### (5) DEFINITION OF MEETING

- (a) A meeting of the Board or its committees shall occur whenever
  1. the number of members present constitutes a quorum, and
  2. the members present exercise the responsibilities, authority, powers, or duties delegated to or vested in the body.
- (b) The presence of a member in a meeting shall be such that the member’s participation can be accessed and monitored by all other meeting participants and by members of the public.
- ~~(c) Participation by use of technology shall be at the discretion of the Board’s President or committee chairperson. Such participation shall be allowed only in instances of
  1. personal illness or disability;
  2. inclement weather;
  3. emergencies;
  4. military service; or
  5. geographic distance.~~
- ~~(c) The definition of a meeting does not include any social or chance gathering or conference which is not intended to avoid the open meetings law, so long as no board business is conducted.~~
- ~~(d) Participation by use of technology shall be allowed only when a quorum of the body is physically present at the meeting.~~
- ~~(e) The definition of a meeting does not include any social or chance gathering or conference which is not intended to avoid the open meetings law, so long as no Board business is conducted.~~

**(6) ABSENCE OF CHAIRPERSON IN QUORUM**

(a) Should a quorum be assembled at the hour and place designated in the meeting notice, the chairperson or, in the absence of the chairperson, the vice-chairperson shall assume the chair and declare the meeting in order.

(b) Should a quorum be assembled at the hour appointed, and the chairperson and vice-chairperson be absent, a member selected by those present shall serve as chairperson during the meeting or until the chairperson or vice-chairperson shall appear.

**(7) RESTRICTIONS ON BUSINESS TO BE CONDUCTED BY QUORUM**

(a) No business shall be conducted in the absence of a quorum except that the members present may vote to adjourn.

(b) No business shall be conducted by a quorum when public notice has not been given.

(c) Board members shall not act in a manner that creates or alludes to a walking quorum, wherein a series of gatherings, conversations, or communication among separate groups of members results in participants agreeing, tacitly or explicitly, to act in sufficient number so as to reach a quorum. Walking quorums can be created by a series of one-on-one conversations in person, by telephone, or by successive messages transmitted digitally.

**(8) MEETING PRESENCE THROUGH THE USE OF TECHNOLOGY****(a) Remote Participation by an Individual Board Member through Use of Technology**

(1) Participation by individual board members by use of technology shall be at the discretion of the Board's President or committee's chairperson. Such participation shall be allowed only in instances of:

- a. personal illness or disability;
- b. inclement weather;
- c. emergencies;
- d. military service; or
- e. geographic distance.

(2) The form of technology used to conduct the meeting shall be such that:

- a. the public is able to monitor the participation of the member participating remotely;  
and
- b. the Chair and Board Clerk are able to confirm the identity of each member who is participating remotely.

(3) Individual participation by use of technology shall be allowed only when a quorum of the body is physically present at the meeting.

**(b) Remote Participation by the Board or a Committee as a Whole through Use of Technology (Virtual Meetings)**

A quorum of the Board or any of its committees may meet virtually (i.e., through videoconference, teleconferencing, or other technological means) when situations exist that make it dangerous for members to assemble in one place. Such situations may include:

1. natural disaster;
2. regional or national emergency;
3. a public health emergency as declared by local health officials or the state or federal government;
4. civil unrest.

History: Revised 11-19-15  
 Legal Ref: W.S. 119.10 (4), W.S. 19.81-98  
 Cross Ref: Board Rule 1.05 Public Notice