Board Meeting Compliance Checklist

The following is provided as a tool to assist charter school governing boards in evaluating their adherence to best practices and legal requirements relating to board meeting procedures. It should in no way be construed as legal advice or a formal legal opinion on behalf of the author or CSI. Use of this information does not create an attorney-client relationship, nor is the creation of such relationship intended by the provision of this information. This information does not constitute a formal administrative opinion on behalf of CSI. CSI recommends that each school contacts its attorney to obtain legal advice with respect to any particular legal issue.

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| **School:** | **Date of Meeting:** | | | |
| **Reviewer/Secretary:** | **# of Board Members Currently Serving: \_\_\_\_**  **# of Members Required for a Quorum per Bylaws: \_\_\_** | | | |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **ITEM** | **Y** | **N** | **N/A** | **NOTES** | | **Open Meetings/Transparency** | | | | | | A notice and agenda were posted online at least 24 hours in advance of the Board/committee meeting |  |  |  |  | | Board has its Board and committee meeting calendars posted on school’s website |  |  |  |  | | School Board membership and contact information for the Board or Board Chair are posted on website |  |  |  |  | | A notice and agenda were posted online at least 24 hours in advance of the Board/committee meeting |  |  |  |  | | | | | |
| **ITEM** | **Y** | **N** | **N/A** | **NOTES** |
| **Board Meeting Protocol** | | | | |
| A quorum was present. - # of Members Present: \_\_\_\_\_\_\_\_ |  |  |  |  |
| The Board meeting was held in the time, location, and manner posted in its meeting notice and prior notice was timely posted. |  |  |  |  |
| The Board Chair called the meeting to order and adjourned the meeting. |  |  |  |  |
| The Board voted to approve the agenda or used a motion to make agenda changes. |  |  |  |  |
| The meeting was limited to the items on the agenda. |  |  |  |  |

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| **ITEM** | **Y** | **N** | **NOTES** |
| Minutes were recorded. |  |  |  |
| Motions were made, seconded, and voted upon for all action items. |  |  |  |
| Voting was via roll call or unanimous consent while in public session (i.e., no secret voting or voting in executive session). |  |  |  |
| Communication was respectful and productive. Public Comment, if any, was well moderated by the Board Chair within established time limits. |  |  |  |

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| **Topics Discussed** | | | |
| **ITEM** | **Y** | **N** | **NOTES** |
| Committee Reports |  |  |  |
| Financial Report |  |  |  |
| Academic Achievement Update |  |  |  |
| School Operations/Facilities Update |  |  |  |
| Policies or Procedures Revisions |  |  |  |
| Training, Professional Development, or Strategic Planning |  |  |  |
| Evaluation of Progress Toward Annual Goals |  |  |  |
| Amended By-Laws or Articles of Incorporation |  |  |  |
| Discussion of Material Changes to Charter Contract, Use of Educational Service Provider, or Educational Program |  |  |  |
| Other (use notes field to specify) |  |  |  |

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| **Executive Session □ The Board did not enter into Executive Session.** | | | |
| **ITEM** | **Y** | **N** | **NOTES** |
| The Board properly entered into Executive Session, stating the specific statutory citation(s) and sufficient detail to understand the matter(s) to be discussed. |  |  |  |
| At least 2/3 of the present board members voted to enter Executive Session. |  |  |  |
| No voting or other public business appeared to occur in Executive Session. Executive Session was properly recorded. |  |  |  |
| An electronic record (audio/video) of the executive session is made and the electronic record is maintained for at least 90 days following the executive session |  |  |  |
| For executive sessions for the purpose of receiving legal advice, the proper certifications are made before turning off the electronic record to receive legal advice and turning the electronic record back on once legal advice has been received; the times of these certifications are included in the minutes |  |  |  |

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| **Conflict of Interest □ No conflict of interest was considered or observed.** |
| **Conflict of Interest Notes**  *Did there appear to be any potential conflicts? If the Board considered conflicts, were material facts disclosed? Did conflicted Board members properly recuse from discussion and abstain from voting? Any other comments or concerns?* |

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| **Other Issues □ No other items were considered or observed.** | | | | |
| **ITEM** | **Y** | **N** | **N/A** | **Notes** |
| There is evidence of improper political/lobbying/fundraising activities. |  |  |  |  |
| The School has lost its nonprofit status. |  |  |  |  |
| Board amended bylaws or articles of incorporation |  |  |  |  |
| Board composition is incorrect (not enough board members; new board members in attendance; no parent members) |  |  |  |  |
| Board discussed material changes to its contract (expansion, replication, use of an EMP, material change to educational program) |  |  |  |  |
| Board discussed matters that may indicate noncompliance |  |  |  |  |

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| **General Notes and Comments for Follow Up** |
| **Additional Observations or Items Follow Up:** |
| **Suggested Areas for Growth or Improvement, including Board Self-Assessment at the End of the Meeting:** |

**Permissible Topics for Executive Session:**

(a) The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the local public body has a personal interest in such purchase, acquisition, lease, transfer, or sale;  
  
(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an executive session of the local public body is not sufficient to satisfy the requirements of this subsection (4).  
  
(c) Matters required to be kept confidential by federal or state law or rules and regulations. The local public body shall announce the specific citation of the statutes or rules that are the basis for such confidentiality before holding the executive session.  
  
(d) Specialized details of security arrangements or investigations, including defenses against terrorism, both domestic and foreign, and including where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law;  
  
(e) (I) Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.  
  
 (II) The provisions of subparagraph (I) of this paragraph (e) shall not apply to a meeting of the members of a board of education of a school district:  
  
 (A) During which negotiations relating to collective bargaining, as defined in section 8-3-104 (3), C.R.S., are discussed; or  
  
 (B) During which negotiations for employment contracts, other than negotiations for an individual employee's contract, are discussed.  
  
(f) (I) Personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. With respect to hearings held pursuant to the "Teacher Employment, Compensation, and Dismissal Act of 1990", article 63 of title 22, C.R.S., the provisions of section 22-63-302 (7) (a), C.R.S., shall govern in lieu of the provisions of this subsection (4).  
  
 (II) The provisions of subparagraph (I) of this paragraph (f) shall not apply to discussions concerning any member of the local public body, any elected official, or the appointment of a person to fill the office of a member of the local public body or an elected official or to discussions of personnel policies that do not require the discussion of matters personal to particular employees.  
  
(g) Consideration of any documents protected by the mandatory nondisclosure provisions of the "Colorado Open Records Act", part 2 of article 72 of this title; except that all consideration of documents or records that are work product as defined in section 24-72-202 (6.5) or that are subject to the governmental or deliberative process privilege shall occur in a public meeting unless an executive session is otherwise allowed pursuant to this subsection (4);  
  
(h) Discussion of individual students where public disclosure would adversely affect the person or persons involved.