

2010 WASSA FALL WORKSOP

SCHOOL BOARD NOTICES AND AGENDAS

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Presented by:

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Shareholder, Labor and Employment

Mr. Strang chairs the firm's School Law Practice Group and is the Managing Shareholder of its Madison office.

Mr. Strang has extensive experience in school, labor and employment law issues, including labor relations, collective bargaining, family and medical leave, arbitration, employment policies and contract negotiations. He works with large and small private sector companies as well as public sector entities and practices at the agency, circuit court and appellate court levels.

Areas of Experience

- School Law
- Labor and Employment, including contracts, personnel policies, family and medical leave, collective bargaining, grievance arbitration, disability accommodation, wage and hour issues, unemployment and worker's compensation

Professional and Community Involvement

- State Bar of Wisconsin (Past Committees: Professionalism, Legislation, and Judicial Independence; Current Committee: Continuing Legal Education)
- State Bar of Wisconsin (Board of Directors, Labor & Employment Law Section 1998-2001)
- Wisconsin Academic Decathlon Board of Directors
- CESA Foundation Board of Directors
- Former President, Wisconsin School Attorneys Association
- General Counsel to the Wisconsin Technical College Boards Association

Articles, Publications and Lectures

- Contributing Author, "Public Sector Labor Law Relations in Wisconsin"
- Guest Lecturer, Wisconsin Association of School District Administrators, Wisconsin Association of School Superintendent's Assistants, and Association of Wisconsin School Administrators
- Chair, Annual State Bar of Wisconsin Employment Law Conference

Education

- J.D., University of Wisconsin-Madison, 1985
- B.A., University of Wisconsin-Madison, 1982

Admitted to Practice

- State of Wisconsin
- Wisconsin Supreme Court
- United States Court of Appeals for the Seventh Federal Circuit
- United States District Court for the Western District of Wisconsin

I. NOTICE REQUIREMENTS UNDER THE OPEN MEETINGS LAW

A. Public notice of all meetings (open and closed) must be noticed in the following manner:

1. As required by any other statute; and
2. To the public; to those news media who have filed a written request for such notice; and to the official newspaper, or if none exists, to a news medium likely to give notice in the area. Wis. Stat. § 19.84.

B. Methods Of Providing Notice

1. Direct Public Notice. Post in one or more public places or through sufficient newspaper publications.
2. Notice To The Media. Written or verbal notice to members of the news media.

C. Notice Contents

1. Time
2. Date
3. Place
4. Subject Matter

The notice must be in a form that is reasonably likely to apprise members of the public and the news media of the subject matter. For example, the Village Board for the Village of West Milwaukee was not required to provide notice of the names of the candidates for Commission vacancies on the Civil Service and Zoning Board of Appeals even if the Village Board knew that relatives of trustees were candidates for the vacancies. *State ex rel. Blonien v. Carl*, No. 98-0911 (Ct. App. 1999) (unpublished decision).

5. Matters intended for consideration at a closed session.

D. Notice Time Limits

1. Generally at least 24 hours prior to the commencement of the meeting, unless
2. For good cause such notice is impossible or impractical, but in no case less than 2 hours prior to the commencement of the meeting.

E. Public Comment

1997 Wisconsin Act 123 amended the Open Meetings Law to permit public notice of a meeting of a governmental body to provide for a period of public comment, during which the body may receive information from the public. Wis. Stat. § 19.84(2). During a period of public comment, a governmental body may discuss any matter raised by the public. Wis. Stat. § 19.83(2).

1. Governmental bodies are not required to designate a public comment period.
2. The statute only permits discussion and not other action by the governmental body. A governmental body should refrain from deliberating or taking action on items raised during public comment sessions and, if necessary, should place such matters on future agendas.
3. Governmental body members themselves may not bring up items not specifically designated on the agenda under a period of public comment. This may be interpreted as an attempt to circumvent the notice requirements of the Open Meetings Law.

F. Separate Notice

Separate notice of each meeting must be given to the public at a time and date reasonably proximate to the time and date of the meeting. Wis. Stat. § 19.84(4).

G. Sub-Units Of A Parent Body

Sub-units of a parent body, such as a committee, may meet during the meeting of the parent body during recess, or directly after such meeting to discuss or act on matters that were the subject of the meeting of the parent body without public notice required under Wis. Stat. § 19.84. However, the presiding officer of the parent body must announce the time, place and subject matter of the committee meeting in advance at the meeting of the parent body. Wis. Stat. § 19.85(6).

II. **CASE STUDIES INVOLVING NOTICE ISSUES UNDER THE OPEN MEETINGS LAW**

A. *State of Wisconsin ex rel. Brian L. Buswell v. Tomah Area School District*, No. 2005 AP 2998 (Sup. Ct. 2007).

In *State of Wisconsin ex rel. Brian L. Buswell v. Tomah Area School District*, 2007 WI 71, 301 Wis. 2d 178, 732 N.W.2d 804, the Wisconsin Supreme Court established a standard for determining how specific meeting notices must be; however, that standard is both flexible and situational.

1. Factual Background.

In June 2004, the Tomah Board of Education (“Board”) held two meetings regarding a new master contract with the Tomah Education Association (“TEA”). Prior to the June meetings, some community members expressed an interest in how the Board would hire athletic coaches and whether teachers would be given preference for those positions.

On June 1, 2004, the Board held a special meeting in closed session to discuss the new TEA master contract. The tentative agreement for the new contract included a hiring procedure for coaches that gave preference to TEA members over other applicants.

The public meeting notice for the meeting’s agenda stated:

Contemplated closed session for consideration and/or action concerning employment/negotiations with District personnel pursuant to Wis. Stat. §19.85(1)(c).

During the June 1 closed session, the Board did not direct its negotiations committee to seek further adjustments to the contract and indicated that it would consider ratification in a subsequent open session.

On June 15, 2004, the Board held a regular meeting preceded by a public notice stating, in relevant part: "New Business — Consideration and/or Action on the Following: TEA Employee Contract Approval." At that time, the Board ratified the TEA master contract in open session.

Following the June 15 meeting, Brian Buswell filed a complaint alleging that the June 1 meeting notice was not "reasonably likely to apprise members of the public" of the subject matter of the meeting. In addition, Buswell claimed that the June 15 meeting notice was deficient because it did not state that the Board would act upon the new hiring policy for coaches.

2. The Supreme Court's decision.

The Supreme Court's majority opinion first overruled *State ex rel. H.D. Enterprise, II, LLC v. City of Stoughton*, 230 Wis.2d 480, 602 N.W.2d 72 (Ct.App.1999). In that case, a City Council agenda item regarding the granting of a liquor license was found to provide sufficient public notice, because it used the word "licenses" under the agenda heading of "new business." The Supreme Court reasoned that, because it is declared policy of the state that the public is entitled to the fullest and most complete information regarding the affairs of government, a public meeting notice that only informs the public of the general topics to be discussed is not always "reasonably likely to apprise members of the public."

The Supreme Court replaced the *H. D. Enterprise* rule with what it referred to as a "reasonableness standard." This standard requires that a public entity account for the circumstances surrounding a particular issue to determine how much detail a notice must include. The Court indicated that, under this standard, factors such as the following need to be considered: (1) the time and effort that would be needed to provide more detailed notice and whether efficient operations of the entity would be compromised; (2) whether the subject is of particular public interest; and (3) whether the matter involves routine or novel issues, with routine matters requiring less specificity because the public can anticipate the matter to be addressed.

The Court then applied these three factors to the case before it, and determined that the notice for the June 1 closed session was not specific enough, but also concluded that the June 15 notice for the open meeting was sufficiently specific.

3. Considerations for school districts in applying the Tomah standard.
 - a. **Open and closed sessions covered.** This case applies to open as well as closed sessions and, consequently, broad open meeting agenda items that have been commonplace in the past will likely have to be reviewed to ensure that the public has adequate notice of what is likely to be discussed. For example the Attorney General previously found a notice provision that stated “report of the Village Administrator” to be deficient. The Court’s decision suggests that it may also find such notice insufficient, particularly where an administrator plans on discussing items that are unique or that are topics of public interest.
 - b. **Boilerplate rejected.** Closed session agendas will need to at least cite the correct statutory subsection for a closed session and provide specific information regarding the subject to be discussed in the closed session. Making a boilerplate reference to the statutory language contained in the subsection of the statute that is cited will generally not be sufficient.
 - c. **Content of closed session notice.** Closed session agendas generally must provide enough information so that a member of the public will understand why the matter is being discussed in closed session and why it properly falls under the statutory provision that has been cited. At the same time, closed session agendas cannot provide so much information that the confidential purpose of having a closed session is undermined.
 - d. **Burdens/governmental efficiency factor likely minimal.** The Court’s identification of the burdens associated with providing more detailed notice is a factor that should be relied upon with caution. First, it is not clear that reviewing courts will evaluate the burdens of providing more detailed notice in a manner that corresponds to that of school officials (indeed, in the context of public records cases, the courts have previously observed that responding to records requests is itself an important function of local government, and will likely see the formulation of meeting notices as similarly important). Second, this factor potentially has a

double-edge, because when a public body cannot show that definable burdens or impositions on government efficiency are associated with providing notice on a particular matter, this may bolster claims that notice was not specific enough. Therefore, public bodies should assume that assembling meeting notices is an important, team effort that requires active participation by directors and administrators, and specific schedules for providing input.

e. **Factors to consider.** Although the Court does not define how one determines whether a subject is a routine matter or, alternatively, a matter of particular public interest, we can identify factors and inquiries that help to apply this standard. They might include:

- (1) Does the subject routinely appear as part of every board agenda or is it a special policy issue to be debated and resolved? It seems logical to conclude that ministerial, routine matters may not be "matters of particular public interest" to the same extent as policy issues confronting the board.
- (2) Is the subject one that has had substantial media coverage?
- (3) Is the issue a matter that has resulted in an appreciable level of communication from the public to administrators or the board?
- (4) Does the matter involve significant expenditures?
- (5) Is the issue one that has been presented by groups that have or are likely to have substantial constituencies?
- (6) Is the board considering making changes in existing policy that have a relatively broad impact on students, or technical college constituents?
- (7) Is it possible that final action might be taken on the matter at the meeting in question?
- (8) Does the board enjoy broad discretion on the issue under consideration?

- (9) Can the board reasonably anticipate the course of the board's discussion and action? The Court's opinion must be considered in light of already-established principles under the Open Meetings Law, such as the prohibition against walking quorums, negative quorums, etc. As a result, existing prohibitions against communications outside of public meetings will, in at least some cases, make more specific notice difficult to provide, because board members are expected to have their debates at the meeting itself, after public notice of the meeting already has been provided.
- (10) Can members of the public understand how an issue under consideration might relate to them by reading the notice for the meeting? The corollary to this point is that notices that identify possible board action are, by their nature, generally more specific and more illuminating to members of the public that read the meeting notice.

NOTE: These factors and inquiries cannot be considered in isolation and certainly do not capture all of the issues that may arise in evaluating the sufficiency of public notice, but can help to determine whether matters are routine or, alternatively, matters of particular public interest.

B. Notice of Open Meetings: City of Lake Geneva, (Letter of March 5, 2004, to Charles Rude).

The City of Lake Geneva asked the Attorney General to consider a practice that it observed in its open meeting notices, where city council agenda items were entitled, e.g., "staff comments," "alderman comments," and "mayor comments." These individuals were given an opportunity to comment about forthcoming events and other informational matters under these agenda provisions. The City was careful to take no action, have no "action discussion," or vote of any kind on matters that were raised under these headings. The Attorney General was asked whether this practice violates the open meeting law.

The Attorney General noted that every public notice of a meeting must provide the "subject matter of the meeting ... in such form as is reasonably likely to apprise members of the public and the news media thereof." The Attorney General indicated that, because the most complete information "compatible with the conduct of governmental business" is required, "the notice should be specific." Accordingly, the Attorney General reasoned

that when a member of a governmental body knows in advance of the time a public meeting notice is given that a matter come before the body or when the chief presiding officer of the governmental body is aware of such matters, those matters must be included in the meeting notice.

Consequently, when descriptions of the subject matter of a meeting are given through a public meeting notice, the public is entitled to "the best notice that can be given at the time the notice is prepared." While noting that a subject matter designation such as "licenses" had been interpreted to be sufficient notice to the public that a liquor license would be considered, general subject matter designations such as "miscellaneous business," "agenda revisions," or "such other matters as are authorized by law" would not be acceptable. The Attorney General concluded that "it is my opinion that the practice you describe is, at best, at the outer edge of lawful practice, and may well cross the line to become unlawful."

1. The Attorney General's Opinion places a premium on advance board member communications. Superintendents or their assistants may wish to consider contacting board members before board meetings to determine if they are aware of specific matters that should be added to the agenda (e.g., e-mail). However, bear in mind that this procedure should allow for any final meeting notice to be completed and posted no less than 24 hours prior to the meeting (2 hours for any emergency additions to the agenda) and, in addition, comply with any established board procedures in formulating meeting notices (e.g., board chair determination of what is to be included in particular meeting agendas).
2. School districts that make an effort to provide meeting notices to the local newspaper may need to take greater care to advise the newspaper that the meeting agenda may be supplemented after the notice is published in order to comply with the open meetings law. School districts may even consider footnoting the meeting notice that appears in the newspaper (some notices must be submitted a substantial period of time before the meeting itself in order to meet the newspaper's publishing deadlines) and specifically state that the meeting notice may be supplemented. However, care should be taken with the specific language used. For example:

This meeting notice may be supplemented in order to comply with Wisconsin's open meetings law. If this notice is supplemented, the final notice will be posted and provided to the media no later than 24 hours prior to the meeting or no later than 2 hours prior to the meeting, for good cause where 24 hours notice is impossible or impractical.

3. Public comments sections of meetings do not provide flexibility under the Attorney General's opinion. Directors are also electors and citizens, and some might ask whether this means that a board member can simply raise issues during the "public comment" section of a board meeting (and, thereby, avoid the reasoning of the Attorney General's opinion).

However, the Attorney General specifically noted that the public comments section of meetings is authorized by statute to allow governmental bodies to hear from the constituents they serve, but also noted that these statutes make such an allowance:

...because citizens do not have access to the body's process for creating meeting notices. The members of governmental bodies and the officials of the governmental unit are not so limited. They have regular opportunities to suggest meeting subjects to the presiding officer responsible for establishing the agenda.

The Attorney General concluded that allowing members of the body and governmental officials to present nonspecific "informational items" is "even more troublesome," because information "by definition relates to a particular subject matter." Therefore, she concluded that there is "no good reason" why a board cannot include specific agenda items that are known to board members at the time the agenda is formulated.

C. Attorney General Opinion On Whether Administrative Team Meetings Are Subject To The Notice Provisions Of The Open Meetings Law. (*Informal Opinion to Joe Tylka* of June 8, 2005).

1. The Attorney General's reasoning.

The Attorney General has also been asked to determine whether "certain meetings between the Superintendent ... and the District's Management Team" are covered by Wisconsin's Open Meetings Law.

The District's school board had directed the superintendent to formulate recommendations to address the District's budget deficit. According to the requestor, the superintendent held two meetings with the management team as a result of that directive, although it was conceded that the management team regularly meets on a bi-weekly basis for other purposes.

The Attorney General indicated that two factors would have to be present to conclude that the management team's meetings qualified as meetings of a "governmental body" under the Open Meetings Law: (1) the group must constitute a collective body, rather than a mere assemblage of individuals, and (2) there must be a directive creating the group in question.

The Attorney General noted that the superintendent viewed the management team's meetings as meetings of "administrative staff," rather than meetings of a separate governmental body that has been vested with identifiable governmental powers and duties. However, she also observed that the management team engaged in an advisory process that resulted in a written memorandum, collectively issued, that made joint recommendations directly to the board regarding the District's budget deficit. Noting that the management team did not merely consult with the superintendent, but also acted as a collective body to formulate budget recommendations, the Attorney General concluded that it is "more likely than not" that a court would find the management team acted "as a separate, collective, advisory body to the board."

Turning to the second issue, the Attorney General noted that, when an individual governmental official creates an advisory body pursuant to properly delegated authority, that advisory body is treated as if it had been directly created by the governmental body itself. However, she also noted that, in this case, the superintendent reported that no such directive had been given to him by the Board of Education. Instead, the superintendent maintained that the initiative to develop budget recommendations for the board originated with the members of the management team. She concluded that, if this were the case, the meetings in question were likely not held pursuant to a "rule or order," and thus would not be subject to the Open Meetings Law.

2. Issues to consider in evaluating open meetings issues for administrative meetings.
 - a. How is the administrative agenda formulated?
 - (1) Is the agenda item placed before the administrative team at the board's initiative or by board direction to the president?
 - (2) Is the agenda item before the administrative team by the president?

- (3) Is the agenda item before the administrative team through the contributions of members of the administrative team?
- (4) Is the agenda item before the administrative team through public input or based on pending student issues?
- b. What is the subject being considered by the administrative team?
 - (1) Does the subject fall within the board's statutory powers or duties?
 - (2) Is the matter within the decisional authority of the administration to decide and implement without delegation of authority from the Board of Education?
 - (3) Has the matter traditionally been identified, decided, and implemented by the administration?
- c. Has the board committed to a clear policy/management distinction in governance?
- d. Who dictates the timetable on which a particular issue is considered by the administrative team?
- e. Is the issue resolved by means that suggest collective decision making?
 - (1) Does the administrative team vote on its decision?
 - (2) Does the administrative team reach or attempt to reach consensus on the issue in order to resolve it?
 - (3) Does the president take input from the administrative team, but independently decide how an issue is to be resolved?
- f. Is the discussion meant to be an exchange of ideas as opposed to formulation of policy or decisions?
- g. Is the provision meant to be addressed for the professional development of the participants?
- h. How is any resulting report to the board "packaged"?
 - (1) As an effective recommendation?

- (2) As a report?
- (3) As notification of decisions that the administrative team has made or is implement?

III. NOTICE OF A CLOSED SESSION

A. Written And Oral Notice Requirements

1. The public notice must apprise the public of any closed session.
2. The chief presiding officer must announce to all present the intention of going into a closed session. Wis. Stat. § 19.85(1).
3. The chief presiding officer must state the specific exemption or exemptions, by number, which allow such a closed meeting.
4. A motion, with a second and roll call vote as to closing the session, must be recorded so as to ascertain the vote of each member.
5. A majority vote is required.
6. If notice has been given of the intent to reconvene into open session in the announcement for the meeting at which the closed session is held, the chief presiding officer should also announce the estimated time at which the reconvened open session will commence.

B. Exemptions To The Open Meetings Law That Must Be Part Of A Closed Session Notice.

A closed session may be held for any of the following purposes:

1. **Judicial or Quasi-Judicial Matters.** Deliberations concerning a case which is the subject of any judicial or quasi-judicial trial or hearing before the governmental body. Wis. Stat. § 19.85(1)(a).
2. **Discharge/Discipline.** Considering dismissal, demotion or discipline of a public employee provided the public employee is

given actual notice of the evidentiary hearing prior to the final action being taken and the notice contains a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. Wis. Stat. § 19.85(1)(b).

3. **Compensation and Evaluation.** Considering the employment, promotion, compensation or performance evaluation of a public employee. The discussion must pertain to a specific employee, as contrasted with general policies which do not involve specifically identified employees. Wis. Stat. § 19.85(1)(c).
4. **Crime Prevention.** Considering specific applications of probation or parole or considering strategy for crime detection or prevention. Wis. Stat. § 19.85(1)(d).
5. **Competitive or Bargaining Reasons.** Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session. Wis. Stat. § 19.85(1)(e).

Once a tentative agreement has been entered into with a bargaining unit, the governmental body must conduct its vote as well as its deliberations leading up to the vote on final ratification in open session. 81 Op. Att'y Gen. 139 (1994).

6. **Personnel Matters.** Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where Wis. Stat. § 19.85(1)(b), applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. Wis. Stat. § 19.85(1)(f).

7. **Conferring With Legal Counsel.** Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Wis. Stat. § 19.85(1)(g).

Once the governmental body has convened in closed session, it may discuss or consider only those subjects specifically allowed by the statutory exemptions and is limited to matters that the presiding officer has announced would be the subject of the closed session.

C. **Notice Of Any Subsequent Open Session**

No governmental body may commence a meeting, subsequently convene in closed session and thereafter reconvene again in open session within 12 hours after completion of a closed session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session. Wis. Stat. § 19.85(2).

IV. PUBLIC RECORDS NOTIFICATION

- A. An elected official is the legal custodian of his or her records and the records of his or her office, but may designate an employee of his or her staff to act as the legal custodian. Wis. Stat. § 19.33(1).
- B. The chairperson of a committee of elected officials or the designee of the chairperson, is the legal custodian of the records of the committee. Wis. Stat. § 19.33(2).
- C. When a legal custodian is not otherwise identified by law, a governmental entity must designate in writing one or more positions occupied by an officer or employee of the governmental entity as a legal custodian to fulfill the duties of the governmental entity.

In the absence of a designation the governmental entity's highest ranking officer and the chief administrative officer, if any, are the legal custodians for the governmental entity. Wis. Stat. § 19.33(4).

- D. A governmental entity must provide the name of the legal custodian and a description of the nature of his or her duties to all employees of the governmental entity entrusted with records subject to the legal custodian's supervision. Wis. Stat. § 19.33(4).
- E. A governmental entity must adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof.

The notice must include the identification of each position in the governmental body that is considered a "local public office" position. This requirement is not applicable to members of any local governmental body. Wis. Stat. § 19.34(1). (See Appendix A).

V. NOTICE OF MINUTES/PROCEEDINGS

A. Publication

1. Statutory requirement.

Must publish school board meeting minutes in a newspaper published in the school district, if any, or publicize by school district-wide distribution prepared and directed by the school board and paid out of school funds within 45 days of the school board meeting. Wis. Stat. § 120.43(4), makes the following requirement applicable to unified school districts:

Wis. Stat. § 120.11(4):

The proceedings of a school board meeting shall be published within 45 days after the meeting as a class 1 notice, under ch. 985, in a newspaper published in the school district, if any, or publicized by school district-wide distribution prepared and directed by the school board and paid out of school funds. If there is no newspaper published in the school district, the proceedings shall be posted or published as the school board directs. For the purpose of publication, the proceedings shall include the substance of every official action taken by the school board at the meeting and a statement of receipts and expenditures in the aggregate. The school board shall make a

detailed record of all receipts and expenditures available to the public for inspection at each school board meeting and upon request.

2. If there is no newspaper published in the school district, the proceedings shall be posted or published as the school district directs. Wis. Stat. § 120.11(4).
 3. For the purpose of publication, the proceedings shall include the substance of every official action taken by the school board at the meeting and a statement of the receipts and expenditures in the aggregate. Wis. Stat. 120.11(4).
- B. Copies of minutes of each school board meeting should be sent to each school board member and administrator as soon as practical to allow for prompt review. Corrections in the minutes may be made prior to or at the next meeting when the minutes are to be approved.
- C. It is the school board president's responsibility to ensure minutes of meetings are properly recorded, approved and signed. Wis. Stat. § 120.15(5).
- D. Specific entries from closed session minutes must be provided to the public once their content is no longer confidential. Atty Gen. Op., March 30, 1981.

VI. NOTICE OF SPECIAL SCHOOL BOARD MEETINGS

- A. A special school board meeting shall be held upon the written request of any member. Wis. Stat. § 120.11(2). The request shall be filed with the school district clerk or, in the clerk's absence, the school district president who shall notify in writing each school board member of the time and place of the special meeting at least 24 hours before the meeting.
- B. The notice shall be delivered personally or left at the usual place of abode of the school board member or shall be mailed by first class mail to the usual place of abode of the school board member so as to arrive at least at least 24 hours before the special school board meeting. (See Appendix B).
- C. A special school board meeting may be held "without prior notice" if all school board members are present and consent, or if every school board member consents in writing even though he or she does not attend. (See Appendix C).

VII. NOTICES CONCERNING ANNUAL MEETINGS

- A. Notice Of Annual Meeting – Wis. Stat. § 120.08(1)(c).
 - 1. Class 2 notice under ch. 985 published by clerk.
 - 2. Last insertion not more than eight (8) days nor less than one (1) day before the annual meeting.
 - 3. Notice for annual meeting adjourned for more than thirty (30) days.
 - 4. Notice must include statement of special subject or item from a proper petition.

- B. Agenda For Annual Meeting
 - 1. Prepared by school board.
 - 2. Petition to include subject on the agenda – Wis. Stat. § 120.09.
 - a. Filed sixty (60) days prior to annual meeting.
 - b. Signed by one hundred (100) electors.
 - c. Proper subject or item for annual meeting.

VIII. CONCLUSION

APPENDIX A

PUBLIC RECORDS NOTICE

NOTICE TO EMPLOYEES:

The _____ has been designated as the legal custodian of records for the _____. Wis. Stats. §§ 19.33(1) and (4). The legal custodian is vested by the _____ with full legal power to render decisions and to carry out the duties of the _____ under the public records and property law.

Requests for access to records should be referred to the legal custodian.

The legal custodian will determine whether a record of the _____ must be made available for inspection and/or copying by a requestor and/or whether the record request may be denied.

NOTICE TO PUBLIC:

The _____ has designated the _____ as the legal custodian of the public records and property of the _____.

The public can obtain information and access to records, make requests for records, or obtain copies of records in the custody of the _____ at the following place and times. Wis. Stat. § 19.34(1).

Place: _____

Time: _____ a.m. to _____ p.m.

The _____ is authorized by law to impose a fee on the requester that does not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established by law. A list of fees is available at _____, Wisconsin _____.

LOCAL PUBLIC OFFICE HOLDERS:

The term "local public office" for purposes of the _____'s public records policy, means any of the following:

- A. _____
- B. _____

APPENDIX B

NOTICE TO BOARD MEMBERS

OF

SPECIAL MEETING

BOARD OF EDUCATION

_____ SCHOOL DISTRICT

Dear Members of the Board:

The Board of Education for the _____ School District will hold a special meeting, commencing at _____ p.m., on _____, in the _____ School District, [Insert Room], located at [Insert Address].

The Board will convene the meeting and, immediately thereafter, the Board will entertain a motion to convene in closed session, pursuant to Wis. Stats. §§ 19.85(1)(c), (e), (f), and/or (g), as appropriate, to discuss an employment matter and related personal information concerning an employee, to consider one or more proposals of the employee's bargaining representative to voluntarily resolve any pending or future dispute with said employee and/or to reach a voluntary settlement, if appropriate, and/or to confer with legal counsel regarding imminent litigation. The Board may take action in closed session, if appropriate.

Sincerely,

_____, Board President

Board of Education

APPENDIX C

_____ **SCHOOL DISTRICT**
CONSENT TO HOLDING OF SPECIAL BOARD MEETING

I hereby consent to the Board of Education for the _____ School District holding a special school board meeting on _____, ____ at _____ p.m.
