



**Responsible Office:** Office of the General Counsel

## **BOARD POLICY 9100**

### **PUBLIC BODIES**

#### **PURPOSE**

The Board of Trustees (Board) utilizes advisory Public Bodies to engage diverse viewpoints; access expertise in particular fields of interest; improve their understanding of the needs of students, their families, and the community; and extend the reach of the Board. This Board Policy and any associated governing documents shall establish the guidelines for the creation and operation of Washoe County School District (District) Public Bodies.

#### **DEFINITIONS**

1. "Good standing" refers to members that comply with their explicit obligations to the Public Bodies, including attendance at two-thirds of meetings over the Public Bodies' calendar year and active participation in the business of the Public Bodies during meetings. Members in good standing shall not have been subject to any form of sanction or disciplinary censure by the District during their term.
2. "Public Body" has the meaning ascribed to it in Nevada Revised Statutes (NRS) Chapter 241, Meetings of State and Local Agencies, as applicable to the District.
3. "Quorum" has the meaning ascribed in NRS Chapter 241 as applicable to the District.
4. "Responsible Office" is the Office/Department within the District's executive branch of government that will assist the Public Body with administrative functions. The Responsible Office will serve as the staff liaison to the Public Body.
5. "Staff Liaison" is an employee that works to develop information and recommendations for consideration by the Public Bodies.
6. "Supporting material" means material that is provided to at least a quorum of the members of a Public Body by a member of staff to the Public Body and that the members of the Public Body would reasonably rely on to deliberate or take action on a matter contained in a published agenda. The term does not include materials:

- a. Submitted to the Public Body pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;
- b. Pertaining to the closed portion of such a meeting of the Public Body; or
- c. Declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.

## **POLICY**

1. The Board shall act to:
  - a. Create Public Bodies and their objectives;
  - b. Determine a timeline for the existence of Public Bodies. Public Bodies shall dissolve upon completion of their role or by action of the Board; and
  - c. Appoint the members of the Public Bodies.
2. Public Bodies shall operate in compliance with the following provisions:
  - a. Public Bodies shall comply with Nevada state laws and regulations;
  - b. The Board shall establish Public Bodies to advise or make recommendations related to a specific topic or objective;
  - c. Public Bodies do not establish policy or supersede the legal responsibility and authority vested in the Board unless otherwise provided in state law or Board Policy. The Board may not delegate legal responsibilities to public bodies;
  - d. The Superintendent shall assign each Public Body a Responsible Office, who will provide a staff liaison to the Public Body;
  - e. Staff Liaisons ensure that Public Bodies and their meetings fulfill the objectives of the Board of Trustees;
  - f. Public Bodies are not empowered to perform management functions or direct staff;
    - i. Public Bodies shall work with their Staff Liaisons to carry out their objectives.
  - g. Public Bodies and their individual members may not speak or act for the Board, Superintendent, or District. Expectations and authority will be created by the Board and shall not conflict with the authority delegated to the Superintendent. Decisions made by Public Bodies do not carry the authority of Board action; and

- h. The Board and Superintendent shall receive periodic updates as to Public Bodies meetings and their activities. Such updates may occur in the form of a presentation at a Board meeting or a written report.
    - i. Trustees may attend meetings of Public Bodies but shall not serve in a formal advisory or liaison role to the Public Bodies, unless otherwise provided by law or specific action of the Board.
3. Members of Public Bodies
- a. Appointment. When an opening on a public body occurs, whether the member leaves at the end of their term or an unexpected vacancy occurs and a mid-term replacement is needed, members of the Public Bodies shall be appointed by the Board through the following process. At all times during the application and selection process, the District shall seek to be fair and consistent.
    - i. The Responsible Office will post the availability of a position and begin the recruitment process at the earliest possible time and for a duration of at least two weeks. The Office of Communications and Community Engagement shall provide support to the Responsible Office in efforts to advertise and recruit for open positions. Every effort shall be made to fill open spots so that no public body meets with vacancies in membership;
      - 1) Recruitment efforts may include, but are not limited to, advertisement through the District's website and other social media, distribution through the news media, and recruitment utilizing District staff such as the Family School Partnerships Department and the Equity and Diversity Department.
    - ii. Upon the closing of the application process, the Responsible Office shall review the applications/resumes and other submitted materials for minimum qualifications. As necessary and appropriate, the expertise of individuals outside the Responsible Office may be sought in reviewing the applications/resumes of applicants;
    - iii. If the applicant pool exceeds five applicants for one position, the Responsible Office with the assistance of the Office of Human Resources may vet the applications/resumes based on standard Human Resource practices to limit the applicant pool to five;
    - iv. If the applicant pool is five or less applicants for one position, the Responsible Office shall not limit the applicant pool any further;

- v. The Responsible Office with the assistance of the Office of Human Resources shall interview the applicant pool and make a single recommendation to the Board. As necessary and appropriate, the expertise of individuals outside the Responsible Office may be sought during the interviews of interested applicants;
  - vi. At the Board's discretion, the Board may take action to ask the Responsible Office to forward its ranking of candidates for the Board's consideration and deliberation of more than one applicant;
  - vii. The Board will take action to approve an applicant to serve on the Public Body; and
  - viii. The District will endeavor to recruit applicants and appoint public body membership balanced by geographic area, race, ethnicity, gender, and a range of viewpoints which reflects the diversity of the Washoe County community.
- b. Reappointment. Members in good standing may be re-appointed without the District opening the position for recruitment or being required to submit a new application or be interviewed.
- i. Members seeking re-appointment must submit, for consideration by the Board, a letter of intent to return for an additional term on their Public Bodies; and
  - ii. Appointment and/or re-appointment of members to Public Bodies shall require the approval of the Board.
- c. Removal of Members from Public Bodies
- i. Except as otherwise limited by applicable law or ordinance, the Board may remove any of the appointed members of Public Bodies for cause based on the Board's reasonable discretion;
  - ii. Members of Public Bodies found to be in violation of a District policy, regulation, or other rule may be denied the opportunity to serve and/or be removed from Public Bodies by the Board, and, in exigent circumstances, the Superintendent may remove a member of a public body, which the Board must consider ratifying the Superintendent's action at the next available meeting ; and
  - iii. Poor attendance by members of Public Bodies, missing one-third of meetings in the Public Bodies' calendar years, may result in the removal or non-reappointment of said members.

- d. Member Terms
    - i. Unless otherwise determined and approved by the Board, members' terms shall be two years in length;
    - ii. Members shall not serve more than 3 consecutive terms without a one-year break in service; and
    - iii. Members, whose terms have expired, may continue to serve after the expiration of the terms until new appointments or reappointments are approved.
  - e. Exceptions to the above provisions related to "members of public bodies" may exist for committees which are subject to collective bargaining and/or state law. Such exceptions shall be defined in the associated Administrative Regulation to this Board Policy and may include the selection process for membership, committee composition, and member terms.
4. Unless specifically stated herein, Public Bodies are expected to conduct themselves with the same Board Governance principles as the Board.
  5. Recommendations from Public Bodies may first be vetted by the Superintendent to ensure the recommendations are operationally, financially, and/or academically feasible.
  6. The Board hereby directs the Superintendent to adopt an Administrative Regulation to implement and maintain the purpose of this Board Policy. The Superintendent shall include in the Administrative Regulation the following provisions:
    - a. Reporting of Public Bodies' meetings to the Board and/or Superintendent;
    - b. Creation and posting of meeting notices, including an agenda, and supporting documents;
    - c. Creation and maintenance of a meeting archive, including meeting minutes and audio recordings;
    - d. Identification of a staff member to serve as liaison to the Public Bodies, providing information and clarification to the Public Bodies as needed;
    - e. Recruitment of potential members with an emphasis on ensuring individuals are sought who are both qualified for the respective opening and who represent the diverse nature of Washoe County;
    - f. Selection and approval of Public Bodies members; and

- g. Training to ensure compliance with applicable state laws and regulations include Nevada’s Open Meeting Law and the Nevada Public Records Act.

**LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS**

1. This Board Policy reflects the goals of the District’s Strategic Plan and aligns/complies with the governing documents of the District, to include:
  - a. Board Policy 1500, Volunteers.
2. This Board Policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
  - a. NRS Chapter 239, Public Records; and
  - b. NRS Chapter 241, Meetings of Public Bodies.

**REVISION HISTORY**

Date	Revision	Modification
04/08/2014	1.0	Adopted: Merged Board Policies 9019, Committee Principles, 9020, Board Committees, and 1220, Advisory Committees
07/14/2015	2.0	Revised
10/25/2016	3.0	Revised: Align with Balanced Governance principles
01/10/2017	4.0	Revised: Merge language contained in draft policy related to community advisory committees
10/29/2019	5.0	Revised: Changed policy title from “Committees of the Board of Trustees”; added language related to the application, interview, and selection process for membership
10/25/2022	6.0	Revised: Update definitions
6/13/2023	7.0	Revised: Clarify definitions of Staff Liaison and “Good Standing” and shorten member term limit