

Agendas: Law and Policy

Generally

VSBA frequently receives questions about the agendas for school board meetings. Many people assume that the law provides an answer to their questions regarding agendas. Virginia law, however, says very little about meeting agendas for public bodies, including school boards.

Before delving into the questions, it may be helpful to mention what little law there is on the topic of agendas. Virginia law requires “at least one copy of the proposed agenda” to be made available for public inspection at the same time the document is furnished to members of the public body. Va. Code § 2.2-3707.

The law does not address who prepares the agenda or how an agenda can be changed. In the absence of law on those issues, school boards usually address them in policy based on parliamentary procedure or best practices.

Preparing the Agenda

Board members, school staff, and members of the public often ask who is responsible for preparing the agenda for school board meetings. In the absence of Virginia law on this issue, most boards have created a local rule which appears in their policies.

VSBA sample Policy BDDC says “[t]he preparation of the proposed agenda is the responsibility of the School Board chair with the assistance of the superintendent.” This policy language reflects the practical reality that someone needs to create the proposed agenda. The chair and the superintendent know what issues need to be dealt with at each meeting. By collaborating on the proposed agenda, they can ensure that time-sensitive matters are dealt with on a schedule that meets the relevant deadlines. They can also ensure that matters which need extensive study or background information are presented to the board when staff has had time to assemble all the necessary information and board members have had time to study that information. Finally, they can allocate topics between board meetings so that individual meetings do not become marathon sessions that exhaust everyone involved.

Of course, other people can provide suggestions or make requests to the chair and superintendent to have items placed on the proposed agenda. In a division which has adopted the policy language quoted above, requests and suggestions should be addressed to the chair and/or superintendent, who make the decision whether to include suggested items on the proposed agenda and, if so, when to schedule them.

Adopting the Agenda

As noted above, Virginia law refers to the “proposed agenda”. Most school boards, as well as other public bodies, make the adoption of the meeting agenda one of the first things done at each meeting. Prior to the board adopting the agenda it is the “proposed agenda”. After it is adopted, it is “the” agenda for the meeting. The agenda for a meeting is adopted by a majority vote.

Changing the Agenda

Another question that board members ask frequently is whether an agenda can be changed after it has been adopted. Virginia law does not address that question, but the rules of parliamentary procedure do. Roberts Rules of Order says that once an agenda has been adopted, it can be changed by a two-thirds vote of the board. Roberts Rules of Order Newly Revised 11th ed. § 41. That requirement highlights the importance of adopting an appropriate agenda rather than relying on the ability to change it later in the meeting.

Conclusion

Agendas are important because they let board members, staff, and the public know what topics will be considered at each board meeting. Because there is very little Virginia law regarding agendas, it is especially important for every school board member to be familiar with their board's policy regarding agendas.

If you have any questions about this Policy Page, please contact Elizabeth Ewing at 434-295-8722 or ewing@vsba.org.