Polling of the Prince William County School Board

I. The Virginia Freedom of Information Act permits the “polling” of the members of a public body, i.e., separate contact with the members of the School Board to ascertain their position with respect to the transaction of public business, provided that such contact does not constitute a meeting. The School Board recognizes that this practice should be used infrequently and limited to only those urgent situations where the results of the poll are necessary for the School Division to carry out business operations until such time as the School Board convenes its next scheduled meeting and can vote in public on the subject of the poll. **Polling is not to be used to predetermine the outcome of an anticipated School Board decision prior to a public vote or to accommodate poor planning practices.**

II. In the event the Chairman At-Large of the School Board (or in his or her absence, the Vice Chairman) on their own initiative or at the request of a fellow Board member or the Division Superintendent (Superintendent), believes that some urgent matter or emergency requires Prince William County School Board guidance during the interim period between scheduled Prince William County School Board meetings, the Chairman At-Large (or in his or her absence, the Vice Chairman) may initiate a poll, or the Superintendent (or in his/her absence, the Deputy Superintendent) may request permission from the Chairman At-Large to initiate a poll of the Prince William County School Board members in order to obtain guidance on the matter in question. In the absence of the Chairman At-Large, the Superintendent may request permission from the Vice Chairman; or in the absence of the Vice Chairman, the Superintendent may request permission from any two members of the Prince William County School Board. The Superintendent and Division Counsel shall be given prior notice of any poll to be conducted by the School Board, and shall be included in any written or electronic communications through which the poll is requested or conducted and promptly advised of the outcome of the poll.

III. Polling Procedures.

A. At the direction of the School Board Chairman At-Large (or in the absence of the Chairman At-Large, at the direction of the Vice Chairman), or in the absence of both, at the direction of any two Board members upon the request of the Superintendent, the Clerk of the School Board (Clerk) shall give prior notice of any poll to the Superintendent and Division Counsel and shall promptly make separate contact in person, by telephone, or by electronic communication with all Board members to advise them that a poll will be conducted.
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Polling of the Prince William County School Board (continued)

B. The Clerk shall inform each member of the Board of the substance of the poll and the reasons therefore and, if available, shall provide each Board member with any materials relating to the subject of the poll in writing or by electronic means.

C. The Clerk shall inform the Board members, and any written or electronic communications shall specify, the date and time for Board members to respond to the poll.

D. If, on the date and time the poll responses are due, a majority of a quorum of the Board members responding has communicated the same position on the subject(s) of the poll, then the poll may be considered concluded and results released to appropriate staff members.

E. The Clerk shall record the results of the poll as soon as practical, and a report of the results of the poll shall be sent to all the School Board members, the Superintendent, and Division Counsel. The poll is not a formal vote and the matter which is the subject of the poll must be voted on in open session of the School Board to become official.

F. The subject of the poll shall be presented to the School Board for official action at the next regularly-scheduled School Board meeting. If the poll is unanimous, the item to be voted on may be placed on the consent agenda. If the poll was not unanimous, the item shall be placed on the regular agenda. In either case, the agenda must inform the public of the subject matter of the poll, must contain the motion which was the basis of the poll and reflect the respective votes of the School Board members when they vote on the subject of the poll in the open meeting.

G. This procedure is intended to provide an avenue for School Board guidance in unusually urgent situations and on time-sensitive matters that require direction between scheduled Board meetings or which arise when the School Board is not meeting on a regular basis. Staff shall exercise diligence in anticipating sensitive or time-critical issues and obtain guidance under normal procedures whenever possible.
Polling of the Prince William County School Board (continued)

The School Board, the Superintendent (or designee), and the Clerk and Deputy Clerk of the School Board are responsible for implementing and monitoring this policy.

This policy and any related regulation shall be reviewed at least every five years and revised as necessary.

Legal Reference: Va. Code § 2.2-3710 (B).

Adopted: October 21, 1992
Reviewed/Revised: November 28, 2018