

AGENDA ITEM 9

CONSIDERATION AND POSSIBLE ACTION ON BOARD POLICY ON DECIDING DISCIPLINARY CASES VIA BALLOT SENT BY MAIL AS REVISED AT NOVEMBER 2022 MEETING.



SUBJECT: Mail Ballot – Hold Over for Closed Session	POLICY # ENF – 2011 - 01	DATE ADOPTED: June 16, 2011 June 14, 2015 DATE REVISED: June 14, 2015 February XX, 2023
DISTRIBUTION: All Staff	APPROVED BY: Board of Occupational Therapy	

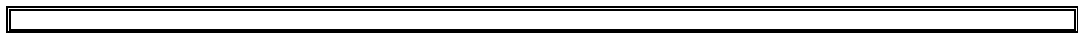
Current policy When voting on stipulated settlements or proposed decisions by mail, the matter(s) shall be held over for discussion in a future Closed Session meeting of the Board whenever two or more Board members vote to hold the matter for discussion or to reject (non-adopt) the proposed decision or stipulated settlement.



Background When voting on stipulated settlement or proposed decisions by mail, any vote cast to hold the matter over for discussion resulted in the matter being scheduled for a Closed Session discussion at the next regularly scheduled meeting of the Board. This process delayed the imposition of the discipline based on only one member’s vote.

In order to avoid this delay, in 2011 the Board updated its policy to require a majority vote of the members of the Board to hold over a matter for discussion in Closed Session at the next meeting.

In order to broaden the opportunity for needed Board member discussion, in 2015, the Board updated its policy to hold over a matter for Closed Session for discussion or to reject the proposed decision or stipulated settlement with a minimum of two votes.



Proposed policy **When voting on stipulated settlements and default decisions, it will require two votes to hold over for discussion in Closed Session. Proposed decisions will require one vote to hold over for discussion in Closed Session. All three of the aforementioned should not be mailed but brought before the Board during Closed Session if within six weeks of a meeting.**



Implementation Effective immediately.