

Policy BDDH-1: PUBLIC PARTICIPATION AT BOARD MEETINGS

Status: DRAFT

Original Adopted Date: 03/03/1997 | **Last Revised Date:** 09/12/2022 | **Last Reviewed Date:** 09/12/2022

EXPLANATION

MSBA has modified this policy in accordance with Senate Bill 681 (2022). The changes to the Agenda Items section are part of the community engagement policy the board must create with input from the community. MSBA has included the required statutory language, but the district must still seek input from the community.

The board of education and district administration welcome community member engagement and support of the school district. The public is invited to communicate with the board of education and district administration through a variety of avenues, including attendance at all open meetings of the Columbia Board of Education. The process for addressing comments to the board for consideration at meetings is set out below.

The school board is acutely aware that board members are elected to serve the public, and the board seeks to conduct its business transparently. The district encourages the public to attend open school board meetings and other public meetings in person and, when available, virtually. In addition, there are some instances where members of the public may be provided the opportunity to speak at a school board meeting. As an extension of policy KC, Community Engagement, the board has created the following options for receiving input from students, employees and community members.

Grievance Policies and Procedures

The district has established several policies and procedures to assist students, parents/guardians, staff and the public in bringing concerns or grievances to the district. The board encourages the public to utilize these policies and procedures before bringing concerns to the board and may refer the public to these processes prior to taking action.

These policies include, but are not limited to:

AC, Prohibition against Illegal Discrimination, Harassment and Retaliation

ACA, Sexual Harassment under Title IX

DA, Fiscal Responsibility

GBM, Staff Grievances

IGBCA, Programs for Homeless Students

IGBE, Students in Foster Care

JGD, Student Suspension and Expulsion

KL, Public Concerns and Complaints

KLA, Concerns and Complaints Regarding Federal Programs

KLB, Public Questions, Comments or Concerns Regarding District Instructional/Media/Library Materials

There are additional legal processes created by law to address concerns about accommodating students with disabilities or concerns about a student's special education program.

Written Correspondence

Written correspondence may be directed to the board, through the superintendent, for consideration at a meeting.

Public Hearings

From time to time, the board will schedule a public hearing to receive input on matters of

community concern to the community, such as setting the district's tax rate. The public district will be provided notice of such these hearings as required by law and as determined necessary to inform the public.

Agenda Items

In accordance with law and the district's community engagement policy, district residents may place items on the agenda of a regularly scheduled board meeting as outlined in this policy. The agenda items must be directly related to the governance or operation of the district. The board will not hear resident-initiated agenda items at meetings other than the board's regularly scheduled meeting unless the board president grants an exception.

Residents who wish to place an item on the agenda must first meet with the superintendent or designee to attempt to resolve the issue unless the superintendent or designee waives such a meeting. The meeting will take place within 20 business days of the superintendent or designee receiving a written request to meet. If the superintendent or designee waives the meeting or does not meet with the resident within 20 business days, or if the resident is not satisfied with the meeting's outcome, the resident may submit a written request to the board secretary to add the item to the board agenda.

The board secretary will include the item on the next regularly scheduled board meeting's agenda, subject to the rules listed below, if the resident submits the request to the board secretary at least five days prior to the meeting. Otherwise, the board secretary will place the item on the agenda for the subsequent regularly scheduled meeting.

Rules

Individuals who wish to have an item placed on the agenda of a regularly scheduled meeting of the board of education shall comply with the following:

1. The individual must be a resident of the school district.
2. The board may move an agenda item to a different meeting with the consent of the resident.
3. The requested agenda item must be directly related to the governance or operation of the school district.
4. The resident must meet with the superintendent or designee in an attempt to resolve the issue prior to submitting a written request for the issue to be placed on the regular meeting agenda of the board of education. To schedule the meeting, the resident must submit a written request to the office of the superintendent. Thereafter, the superintendent or designee shall meet with the resident within 20 business days following receipt of the written request.

After such meeting, if the issue is not resolved or if the superintendent or designee fails to meet with the resident within the 20 business days following receipt of the written request, the resident may submit a written request to the board secretary asking that the issue be placed on the regular meeting agenda of the board of education.

If such written request is received by the board secretary at least five business days prior to the next regularly scheduled meeting of the board of education, the issue will be placed as an item on the agenda for such meeting, and the citizen will be afforded the opportunity to present the issue to the board of education as specified herein. If the board secretary receives the written request fewer than five business days before the next regularly scheduled meeting of the board of education, the issue will be placed on the agenda for the subsequent regularly scheduled meeting of the board, at which time the resident will be afforded the opportunity to present the issue to the board as specified herein. The citizen and the district may consent to the issue being placed on a meeting agenda other than the one specified herein above.

5. The requesting district resident will be authorized to present the agenda item. No other presenters will

be authorized. A maximum of three minutes shall be allocated for the presentation of the requested agenda item.

6. The board of education may refuse to hear or ~~may~~ delay hearing a requested agenda item if:
 - ~~†~~The board has heard an identical or substantially similar issue in the previous three calendar months; or
 - if the resident has previously violated the district's rule regarding conduct at meetings or on school property.
7. The board of education may delay hearing an agenda item if more than three resident-initiated agenda items are scheduled for the same board meeting. ~~If the hearing of a resident's agenda item is delayed, the resident may submit written materials to the office of the superintendent for distribution to the board of education as an alternate method of communicating with the board.~~ The delayed agenda item will be moved to the next regularly scheduled meeting. If a resident's item is delayed for this reason, the resident will be provided an alternate method of communication with the board, such as submitting written comments.
8. The board president will make the decision on whether to delay or refuse an agenda item and will communicate that decision to the resident and the other board members. Board members who disagree with the decision may communicate their concern to the board president, request that the agenda item be added, request that a special meeting be called, or make a motion at a meeting for the item to be included on a future meeting's agenda.
9. The board will place the agenda item in open or closed session in accordance with law and district policy.
10. The superintendent or designee may invite district staff or other relevant persons to be present during the discussion of the agenda item to address the item and answer questions.
11. The board will allow the resident five minutes to present their issue to the board unless the board president allots more time to the discussion.
12. Only resident(s) who met with or requested to meet with the superintendent or designee will be allowed to speak during this time.
13. If more than one resident seeks to speak on the same item at the same meeting, the board president, at their discretion, will determine the total time that will be devoted to the item and how the time will be shared between the residents. The board president will encourage residents to appoint a spokesperson or communicate their concerns through other means. If the board must limit the number of speakers, it will assign priority based on the order in which the requests were received.
14. Board members may ask the resident questions, seek additional information from the superintendent or designee, or otherwise discuss the topic.
15. The board may allow a resident additional time to speak upon the motion and vote of the board.
16. Any board member who wishes to devote more time to an agenda item may request that the item be put on the agenda for another meeting, which will be voted on by the board.
17. The board may discuss the public business content of presented agenda items but is not required to decide any matter of public business or formulate any public policy as a result of the discussion.
18. The process established herein cannot be utilized to avoid compliance with grievance, complaint and/or other resolution processes and procedures of the school district. Residents will be required to comply

with the appropriate statutes, rules, regulations, processes and procedures for resolution of grievances and complaints.

Public Comment

The board of education shall designate and set aside a specific period of time for public comments at each regularly scheduled meeting of the board of education. This comment period will take place prior to any board discussion and vote. Any response to a concern identified during a public comment will be facilitated by the district administration. The following guidelines will be applied to the public comment portion of the regularly scheduled meeting. The board encourages residents to utilize the process for placing items on the agenda but will also specifically designate time for district residents to provide public comments at regular meetings of the board. The following rules will apply to the public comment portion of the meeting:

1. Members of the public may comment at the board's regular meeting during the designated public comment period established by the board of education. Members of the public who wish to comment shall register in advance through the process identified by the school district and shall be limited to speaking on the topics specified through registration. A total of 30 minutes will be allotted for individuals to speak during the public comment period of a regularly scheduled board meeting.
2. Members of the public addressing action items will be permitted the first opportunity to speak. If time remains in the designated comment period, individuals registered for comment on school-related matters will be provided time to speak. The total comment period will not exceed 30 minutes.
3. Each person desiring to be heard should, when recognized by the president, step to the podium, speak into the microphone, and first state their name before commenting. No speaker substitutions will be allowed. Individuals who register may speak or may opt to forego the opportunity. In order to facilitate broader engagement, any individual who provides public comment at any regularly scheduled board meeting in two consecutive calendar months shall not be permitted to provide general school-related comment at a regularly scheduled board meeting during the next subsequent calendar month.
4. Comments by any one person are limited to three minutes, and each person will only be allowed to comment once during a regularly scheduled board meeting.
5. Only comments that are addressed to the subject matter designated during a registration will be received.
6. All speakers must provide their name and address prior to speaking.
7. If there is insufficient time for everyone to speak, the board will encourage participants to submit their questions in writing or utilize the process for putting an item on the agenda.
8. These guidelines may be suspended from time to time by motion and majority vote of the board.

Conduct at Public Meetings

The president may rule out of order any comments that are not addressed to the subject matter designated during registration. The president shall rule out of order all comments that are irrelevant, repetitious or derogatory of persons, businesses or organizations.

The board will not receive comments on disciplinary or other matters that are, or should be, the subject of preliminary administrative review and decision if the board will or could be involved, at any level, as a hearing panel or reviewing authority. The president shall rule such comments out of order.

Any person who is continuously called out of order by the president, who disrupts the board meeting or who, having been admonished by the president, continues to make remarks that are derogatory of persons, businesses or organizations, shall leave the board meeting room on direction of the president. Any person refusing to leave the board meeting room when so directed by the president may be removed by an officer

of the law. An order to leave the meeting room may be appealed to the board as a whole.

Grievance through Established Policy and Procedure

Students, employees and any members of the public are encouraged to utilize established policies and procedures for offering suggestions or addressing concerns and complaints prior to bringing the issue before the board. The board believes that many issues can be resolved by communication with teachers, administrators and other staff and may refuse to address an issue if the individual presenting it has not first attempted to resolve the matter through established procedures and policies.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§§ 162.058, 610.010-.030, RSMo.

Description

State Statute -
<https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==>

Cross References

GBM

STAFF GRIEVANCES -
<https://simbli.eboardsolutions.com/SU/g6plus8lNHr0PkDBZxP1uWcHg==>

HA

NEGOTIATIONS WITH EMPLOYEE REPRESENTATIVES -
<https://simbli.eboardsolutions.com/SU/nsE5djOkILB2EipluspDVdPcw==>

IGCD

VIRTUAL COURSES -
<https://simbli.eboardsolutions.com/SU/crLxC7BHEaslshsQIHYM2AplusJQ==>

IGCDA

FULL-TIME MOCAP VIRTUAL COURSES -
<https://simbli.eboardsolutions.com/SU/BdaTvBiArWplusHihEzBlgLKw==>

KC

COMMUNITY ENGAGEMENT -
<https://simbli.eboardsolutions.com/SU/E2ZrBS0mHo8TUJplus8FN9b5Q==>

KK

VISITORS TO DISTRICT PROPERTY/EVENTS -
<https://simbli.eboardsolutions.com/SU/yrxq9l8slshwCt0uXQGmcq2qg==>

KL

PUBLIC CONCERNS AND COMPLAINTS -
<https://simbli.eboardsolutions.com/SU/NCN430Ry5fNHhtvxaKwCcw==>