

Policy 2310 Policy 2310 - Public Participation at Board Meetings

CURRENT Policy with current policy committee proposals in un-bolded red font **New Language 9.16.25 is in Bold Red Font** Expectations have been unclear in the past. If the board incorporates this process into its policy, it will give both board members and law enforcement the clarity needed to act consistently.

Policy Code: 2310 Public Participation at Board Meetings

Board meetings are conducted for the purpose of carrying on the official business of the school system. The public is cordially invited to attend board meetings to observe the board as it conducts its official business.

The board of education, as an elected representative body of the school system, also wishes to provide a forum for citizens to express interests and concerns related to the school system. In order that the board may conduct an orderly meeting while providing an opportunity for input, individuals or groups may be heard by the board in accordance with this policy or subsections B.3.d or B.3.e of policy 2300, Board Meetings, which address public hearings and public participation meetings, respectively.

A. Requests to Place Item on the Agenda

In order that the board may fairly and adequately discharge its overall responsibility, citizens desiring an item to be placed on the agenda for a specific board meeting should direct written requests to the superintendent at least five days, excluding holidays prior to the Agenda Review meeting, which is typically one week prior to the regular board meeting.

The request should include: (1) the name and address of the person or persons making the request; (2) the organization or group, if any,

represented; and (3) a brief explanation of the nature of the item. Questions and/or materials to be presented to the board are to be submitted along with the request.

The superintendent shall confer with the chairperson of the board concerning whether to approve placing the requested item on the agenda and to determine the appropriate meeting for such discussion. The superintendent, with the consent of the board chairperson, shall accept or deny a request for inclusion on the agenda for any reason determined appropriate by the superintendent and chairperson.

The superintendent shall notify the requesting party of the response to the request prior to the Agenda Review. If the request is denied, the superintendent shall explain any other processes available for addressing the concerns. (See Section C, Reports of Complaints, below.) At the meeting, the board may, by majority vote and notwithstanding prior denial by the superintendent, add an item to the agenda before the agenda is adopted. After the agenda has been adopted, a two-thirds vote is required to add a new item to the agenda. The chairperson shall establish the amount of time for individual or group presentations.

B. Public Comment

1. Each month, the first part of at least one regularly scheduled board meeting will be set aside for citizens to address the board through public comment, or a call to the audience. Each speaker will receive three minutes to present comments; however, if more than 10 people sign up to speak, each speaker will be limited to two minutes. The maximum amount of time for public comment will be one hour. Speakers remaining at the end of the hour period may be recognized at the end of the board's agenda.
2. Individuals or groups who would like to address the board should sign in online prior to the meeting. A sign-up sheet also will be available at the meeting site one hour before the meeting. During the public comment period, the board chair will recognize speakers in the order in

which they signed in. If a speaker is unable to present all of his or her information within the specified time limit, the speaker may provide the board with the additional information in written form. If an unusually large number of people request to speak, a majority of the board may decide to request the designation of a spokesperson for each group of persons supporting or opposing the same positions. *At any time, the board may establish additional procedures to ensure that public comment sessions proceed in an efficient and orderly manner.*

3. Board members will not respond to individuals who address the board. ~~except to request clarification of points made by the presenter.~~

4. Except in cases of emergency, information received during presentations will not be acted upon at the time it is received. It will take unanimous vote of the board members present to take action on a presentation considered to be of an unusual or emergency nature at the time it is presented.

~~5. Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S. 143-318.17.~~

5. The Board values community input and is committed to ensuring all voices are heard in a respectful and orderly environment. In accordance with district policy and **Robert's Rules of Order Newly Revised 12th Edition**, the following guidelines apply to all speakers:

- Maintain civility and respect during your remarks. Shouting, personal attacks, or other disruptive behavior will not be permitted.
- Direct comments about specific Board members to the Board Chair, not to individual members directly.
- Adherence to these guidelines is required. Speakers who violate them may be asked by the Chair to rephrase or redirect their comments, in accordance with **Robert's Rules of Order Newly Revised 12th Edition**.

6. NHCS Board of Education remain committed to ensuring meetings can be conducted in a safe, orderly, and lawful manner while balancing the rights of the public.

North Carolina law directly addresses this issue.

- a. Disruptions by any person or persons of a public meeting will be subject to action in accordance with **N.C. General Statute §143-318.17**
- b. **Law enforcement officer will support the board by enforcing the chairman’s directives when attendees refuse to comply with school board meeting rules.**
- c. **GS §143-318.17 states any person who willfully interrupts, disturbs, or disrupts an official meeting is guilty of a Class 2 misdemeanor.**
- d. **GS §143-318.17 makes clear that “the presiding officer of the meeting may direct any law enforcement officer to remove that person.”**
- e. **During a clear violation of the law, such as disorderly conduct or disruption of an official meeting, law enforcement officer may act on their own initiative to remove individuals.**
- f. **In all other circumstances, law enforcement officer will act under the direction of the presiding officer of the meeting. That means the chairman (or other authorized board official) must identify the specific individual and issue a directive for removal. For example: “Officer, please remove the individual in the [description] who has refused to comply with the chair’s instructions.”**
- g. **There is no state statutory requirement for a set number of warnings (such as two or three) therefore a set number of**

waring will be not set out. When the presiding officer provides a clear instruction, the individual refuses to comply, and the board chair then directs law enforcement to remove that person, law enforcement officer will enforce that order promptly and professionally.

7. If the board does not hold a regular meeting during a month, the board will not provide a time for public comment at any other meeting held during that month, unless a majority of the board votes to allow public comment at the meeting or unless the purpose of the meeting is a public hearing.

C. Reports of Complaints

Complaints about the performance of school personnel, implementation of board policy, the quality of the educational program, or school facilities should be submitted initially for a response to the school system official responsible for the program or facility or to the superintendent. The superintendent or designee shall make available this policy and other relevant grievance procedures to any individual or group submitting a complaint.

Legal References: G.S. 115C-36, -51; ~~143-318.10~~, -318.17 **N.C. GS §143-318.17**

Cross References: Student and Parent Grievance Procedure (policy 1740/4010),

Responding to Complaints (policy 1742/5060), Role of Board Members in Handling

Complaints (policy 2122), Board Meetings (policy 2300), Board Meeting Agenda (policy 2330)