

Policy BDDH-1: PUBLIC PARTICIPATION AT BOARD MEETINGS

Status: DRAFT

Original Adopted Date: 07/01/2007 | Last Revised Date: 11/20/2014

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.

Section 162.058, RSMo., requires the community engagement policy to include a process by which district residents can place items on board meeting agendas. The following components are required:

1. Agenda items must be directly related to the governance or operation of the district.
2. Residents may be required to meet with the superintendent before the item will be placed on the agenda.
3. The board may establish rules, such as limiting the number of speakers or the time allotted for presentation and discussion.

The board may refuse or delay adding an agenda item if the same or a substantially similar item was on the agenda in the previous three months; if the person requesting the agenda item has previously violated district rules regarding conduct at meetings or on district property; or there are more than three resident-initiated items already on the agenda.

The Agenda Items section of this policy states that residents must submit a request to add an agenda item "at least five days prior to the meeting." This timeframe is set by statute. The district is free to reduce the number of days' notice, but not increase it.

Public Comment

Given the new legislative mandate to allow residents to request agenda items, MSBA encourages districts to reconsider policies that allow for public comments by residents or patrons who do not use the agenda item process. Public comment is usually a time for meeting attendees to speak on items without advance notice to the board or the administration. It is best practice to first have the administrative staff hear, investigate and address concerns prior to those items being brought before the board.

This version of the policy includes this type of public comment. MSBA has taken the liberty of revising this section of the policy as well. If your district decides to continue to use this practice in addition to the agenda item requirement, please review the language carefully to ensure it reflects the district's practices. If you would like to consider the policy without public comment, contact your policy editor.

(Districts Designating a Public Comment Period)

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.

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

1. The board may move an agenda item to a different meeting with the consent of the resident.
2. The board may refuse to hear or delay hearing an agenda item if:
 - The board has heard an identical or substantially similar agenda item in the previous three calendar months; or
 - The resident has previously violated district rules regarding conduct at meetings or on district property.
3. The board may delay the hearing of a requested item if more than three resident-initiated agenda items are scheduled for the same meeting. 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.
4. 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.
5. The board will place the agenda item in open or closed session in accordance with law and district policy.

6. 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.
7. 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.
8. Only resident(s) who met with or requested to meet with the superintendent or designee will be allowed to speak during this time.
9. 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.
10. Board members may ask the resident questions, seek additional information from the superintendent or designee, or otherwise discuss the topic.
11. The board may allow a resident additional time to speak upon the motion and vote of the board.
12. 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.
13. 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.

To provide for full and open communication between the public and the board of education, the board authorizes the following avenues for the exchange of information, ideas and opinions:

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.

Written Correspondence

Written correspondence may be directed to the board, through the superintendent, for consideration at a meeting. Copies of all correspondence directed to the board will be made available to all board members. Statements of two pages or less are encouraged.

Agenda Items

Any member of the public who wishes to have an item placed on the agenda will present the request in writing to the superintendent or designee. The request must be submitted pursuant to board policy and received five business days prior to the scheduled meeting. The item will then be appropriately placed on the agenda. The board reserves the right to impose reasonable restrictions on the number of items to be considered, the number of spokespersons and the speaking time of spokespersons appearing before the board. If the meeting agenda is full, the board reserves the right to reschedule an item for the next regular meeting. The board may refuse to address an issue that has not gone through the appropriate grievance procedure. The board reserves the right to waive formalities in emergency situations, within the limitations of the law.

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.

Public Comment

At each regular meeting, a period of time, not to exceed 30 minutes, will be provided for district residents and employees to address the board of education on matters placed on the agenda for consideration. Names, addresses and the agenda item(s) that the speakers intend to address shall be requested. Five minutes will be allotted to each person except in instances wherein six or more persons have indicated a desire to speak, in which case remarks may be limited to three minutes and to one appearance, thus allowing a maximum number of participants to speak in the allotted time period. Speakers will not be permitted to participate in gossip, make defamatory comments or use abusive or vulgar language.

The board encourages residents to utilize the process for placing items on the agenda but will also specifically designate time for district residents and employees to provide public comments at each regular meeting of the board. The following rules will apply to the public comment portion of the meeting:

1. The board establishes a time limit not to exceed 30 minutes for the public comment period.
2. No individual will be permitted to speak more than once during this period.
3. The board will establish a uniform time limit of five minutes for each speaker except in instances wherein six or more persons have indicated a desire to speak. In that case, remarks may be limited to three minutes, thus allowing a maximum number of participants to speak in the allotted time period.
4. Speakers will not be permitted to participate in gossip, make defamatory comments or use abusive or vulgar language.
5. Discussion will be limited to items from the posted agenda.
6. Prior to speaking, all speakers must provide their name, address and the agenda item(s) they intend to address.
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.

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

Description

STAFF GRIEVANCES - <https://simbli.eboardsolutions.com/SU/NNvwlemvJsDGF5it0V27g==>

IGCD

VIRTUAL COURSES - <https://simbli.eboardsolutions.com/SU/Clbp9LmC0KEcZAmEoNAwbA==>

IGCD-AP(1)

VIRTUAL COURSES - (Enrollment Requests) - <https://simbli.eboardsolutions.com/SU/MbHPa3slshsXHLVP5A9RM6pZw==>

IGCD-AF(1)

VIRTUAL COURSES - <https://simbli.eboardsolutions.com/SU/GxplusUkCWzkSNM1MJPzh6VLA==>

IGCD-AF(2)

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

IGCD-AF(3)

VIRTUAL COURSES - <https://simbli.eboardsolutions.com/SU/WNaR36YZFGn5hclRhZ1J4w==>

IGCD-AF(4)

VIRTUAL COURSES - <https://simbli.eboardsolutions.com/SU/xyslshslshFdzcyHh1GdFWUplusgHpg==>

IGCDA

FULL-TIME MOCAP VIRTUAL COURSES - <https://simbli.eboardsolutions.com/SU/icu4xfplustDJLfdNWPYsMlw==>

IGCDA-AF(1)

FULL-TIME MOCAP VIRTUAL COURSES - <https://simbli.eboardsolutions.com/SU/ZpoP8ojmeqBYAvhBdnNVDg==>

| | |
|-----------|---|
| KC | COMMUNITY ENGAGEMENT - https://simbli.eboardsolutions.com/SU/6fhlGoWV3t8CHKi31hguqg== |
| KK | VISITORS TO DISTRICT PROPERTY/EVENTS - https://simbli.eboardsolutions.com/SU/J0Fslsh0Xyu5Zdll4U1YQVgaw== |
| KK-AP(1) | VISITORS TO DISTRICT PROPERTY/EVENTS - (Public Conduct on District Property) - https://simbli.eboardsolutions.com/SU/OQ1XTRxbCT2JhJqJlazV0A== |
| KK-AF(1) | VISITORS TO DISTRICT PROPERTY/EVENTS - https://simbli.eboardsolutions.com/SU/OogplusVuhHOu6SnK2TDM1kJg== |
| KK-AF(2) | VISITORS TO DISTRICT PROPERTY/EVENTS - https://simbli.eboardsolutions.com/SU/HVipJfSh10RQoQ5pKtjF4g== |
| KL | PUBLIC CONCERNS AND COMPLAINTS - https://simbli.eboardsolutions.com/SU/bmcjg2P4kP03NDyZA8fAfg== |
| KL-AF(1) | PUBLIC CONCERNS AND COMPLAINTS - PUBLIC COMPLAINTS - https://simbli.eboardsolutions.com/SU/plusD7gINMplusCtoV84nRfVISAA== |
| KLB | PUBLIC QUESTIONS, COMMENTS OR CONCERNS REGARDING DISTRICT INSTRUCTIONAL/MEDIA/LIBRARY MATERIALS - https://simbli.eboardsolutions.com/SU/slshOu7wz7VpqHJ2kNmT0pKCQ== |
| KLB-AP(1) | PUBLIC QUESTIONS, COMMENTS OR CONCERNS REGARDING DISTRICT INSTRUCTIONAL/MEDIA/LIBRARY MATERIALS - (Answering Questions/Concerns) - https://simbli.eboardsolutions.com/SU/DaDHFY7WVB1Qh5boLhbeaQ== |
| KLB-AF(1) | PUBLIC QUESTIONS, COMMENTS OR CONCERNS REGARDING DISTRICT INSTRUCTIONAL/MEDIA/LIBRARY MATERIALS - https://simbli.eboardsolutions.com/SU/zUdPMXgGIZpDFfqBjDlfg== |