Cherokee County School District

Agenda Request Form

Meeting Date	Agenda Item Number
March 16, 2023	C-1

Title

Modifications to School Board Policy BCBI - - Public Participation in Board Meetings on First Reading

Requested Action

School Board Consideration of Superintendent's Recommendation for Approval of Modifications to School Board Policy BCBI -- Public Participation in Board Meetings on First Reading

Summary Explanation and Background

After a thorough legal review and discussion at the School Board Training Retreat, the School Board Attorney has recommended that the Superintendent provide the attached, proposed modifications to School Board Policy BCBI - Public Participation in Board Meetings and the associated guidelines.

Priority Area

Organizational and Operational Effectiveness

Financial Impact

N/A

Exhibits: (List)

Policy BCBI; Guidelines

Source of Additional Information

Dr. Brian V. Hightower, Superintendent of Schools	770.479.1871
Abby Roach, School Board Attorney	770.479.1406
Mike McGowan, Chief of Staff	770.479.1871

The Cherokee County Board of Education welcomes ~~visitors at its meetings in order to hear any interested citizen of the School District pursuant to the guidelines outlined in this policy~~. comments from interested persons regarding the School Board's duties to:

1. Establish Policy with a focus on student achievement;
2. Maintain the School District's accreditation and the opportunities it allows the School District's students;
3. Set the School District's vision;
4. Approve budgets and manage the School District's finances; and,
5. Oversee the School District's implementation of School Board Policy.

Concerns regarding the School District's day-to-day operations should be resolved at the school or divisional level. Concerns not resolved at the school or divisional level should be presented to the Superintendent or the Superintendent's designee. The School Board, mindful of the law prohibiting its micromanaging of the School District's day-to-day operations, should not hear comments regarding those operations unless the concern was not resolved after consideration by the Superintendent.

Public Participation Session

~~As a part of the regularly-scheduled monthly School Board meeting an Open Session~~ A public participation session, not to exceed 30 minutes, ~~(which may be extended by majority vote of the School Board)~~ will be held at each regularly-scheduled board meeting. Each individual speaker is allotted three (3) minutes for comments, but the Chair may equally vary the time allotted for individual speakers and limit the number of speakers addressing a single topic to allow the comments of as many speakers as possible during the session. ~~conducted to hear from any interested citizen and/or student or employee of the School District~~.

A person seeking to speak during public participation must complete a registration form. The registration forms will be made available at least 30 minutes prior to the meeting and should be submitted before the meeting begins.

Rules of Conduct

1. Speakers should remember the purposes of the meeting are to transact business pertaining to the schools and review the School District's financial status.
2. The speaker will state his/her name and connection to the School District immediately after reaching the podium.
3. Disruptive comments or conduct are prohibited. The School Board will look to O.C.G.A. § 16-11-39 and other relevant laws to determine whether comments/conduct are disruptive.
4. Comments from any member of the public not recognized to speak are prohibited.
5. Remarks will end when the speaker's allotted time has ended.
6. Speakers must comply with the Family Educational Rights Privacy Act (20 U.S.C. § 1232g) and other student privacy laws.

Violation of this policy may end the violator's participation in the meeting.

~~**Procedures for Speaking Before the School Board during the Public Participation Session**~~

~~Individuals desiring to appear before the School Board must first complete a sign-in questionnaire which will be available prior to the meeting. The questionnaire is intended to record the speaker's name, address, email address, phone number and other information to allow the School District to follow up with the speaker, if necessary. The Superintendent of School's designee will provide the questionnaire to prospective speakers and be available to answer questions regarding procedures. Any materials the speaker desires the School Board to receive related to his/her remarks will be given to the Superintendent's designee at this time for distribution to the School Board.~~

~~Speakers will be called to speak randomly by the Chair and receive three minutes to speak before the School Board. The total time allocated for the Public Participation Session will not exceed 30 minutes. The Chair may equally vary the individual speaker's allocated time in order to as allow as many speakers as possible during the 30-minute session. Speakers may not gain an additional opportunity to speak by reserving or dividing their allotted time for another speaking occasion and may not pass their allotted time to other speakers. The Chair will ask the Superintendent to designate an official timekeeper.~~

~~Speakers should conduct themselves professionally. The School Board will not allow comments determined to be disruptive. Comments from the floor will not be recognized. Any persons creating a disruption may be asked to leave the meeting. Public comments that are obscene, profane or vulgar will not be allowed. Speakers determined to be disruptive by the Board Chair may be removed from the meeting after one warning.~~

~~If appropriate, the Superintendent will have a response communicated to the speaker.~~

~~**Agenda Item Participation**~~

~~Citizens and/or employees may sign up to address the School Board regarding any pending agenda item. When the agenda item is reached, the Chair will first entertain a motion followed by a second regarding the agenda item. The Chair will then solicit question and comments by members of the School Board. Unless the motion and second made are to table the agenda item, the Chair will then recognize the audience member to address the School Board for no more than three minutes. The Chair may limit the allocated time depending upon the number of audience members wishing to participate. In no event will Agenda Item Participation exceed 30 minutes.~~

~~**Prohibited Discussion Topics**~~

~~Public Participation and Agenda Item Participation Speakers may not address the following topics which are excluded by the Open Meetings Act (O.C.G.A. §§ 50-14-1 et seq.) or cause disruption. This includes, but may not be limited to, certain land, legal, student disciplinary or personnel items.~~

~~1. Real property acquisitions~~
~~2. Attorney/Client Privilege~~
~~3. Personnel or employees: because of the potential to disrupt a public meeting, speakers may not make unsubstantiated claims regarding a specific or identifiable employee or official.~~
~~4. Specific students: (See, for example, Family and Educational Rights Privacy Act, 20 U.S.C. § 1232g).~~

~~In addition, the following rules will be followed when appearing before the School Board.~~

~~1. The speaker will state his/her name and address (address only if response requested).~~
~~2. All remarks will be made to the School Board as a body and not to an individual School Board member.~~
~~3. The Board Chair or a majority of the School Board present may terminate public comments that are obscene, profane or vulgar.~~
~~4. No person will be allowed to disrupt or interfere with procedures.~~
~~5. Remarks will end when the speaker's allotted time has expired.~~
~~6. Questions from School Board members or the Superintendent may be asked for clarification; however, no person from the floor will be permitted to enter into any discussion either directly or through any member of the School Board.~~

~~Any person who willfully violates these guidelines may forfeit the remainder of his/her speaking time.~~

ADOPTED: August 2, 2001
REVISED: ~~July 21, 2022~~ March 16, 2023

Cherokee County Board of Education

CCSD Administrative Procedures Regarding Expected Behavior and Decorum of Visitors to Meetings

Pursuant to the School Board's Public Participation at School Board Meetings Policy (BCBI) these administrative guidelines are to be utilized by CCSD staff in policy application:

The Cherokee County Board of Education, pursuant to State law, conducts monthly public business meetings during which there is a public participation segment and opportunity for the public to address the School Board relative to business agenda items. While these monthly meetings are open to the public, they are not meetings with the public. In this public setting, comments from the audience are confined to the individuals who signed up to speak during the time designated for citizens to address the Board.

This School District is committed to ensuring the safety and well-being of everyone attending meetings of the School Board. As part of this commitment, CCSD continues to implement safety and security measures. Meeting attendees will pass through a metal detector and a security screening prior to entering the meeting. Meeting attendees are encouraged to arrive early to provide ample time to go through the security check-in and find seating prior to the beginning of the meeting.

Below you will find information about expected behavior and decorum of visitors as well as consequences for those who choose to disrupt proceedings:

- Visitors should silence their cell phones and electronic devices before the meeting begins.
- Visitors and speakers should not bring signs and posters into the building.
- Only the speakers who signed up to participate in the meeting will address the Board (Policy BCBI). The topic addressed must be identical to the one submitted CCSD Public Participation Speaker Sign-up Form. Speakers should not expect School Board Members to respond at this meeting to public comments or questions.
- Those in attendance should extend courtesy to School Board Members and to all speakers by listening respectfully and by refraining from making comments or sounds while others are speaking.
- ~~Disruptions will be addressed as they cannot be allowed to interfere with the official business of the Board of Education.~~
- ~~If an individual creates a disruption, he/she will be asked to stop the disruptive behavior by the Board Chair or by majority of the School Board in accordance with School Board Policy. Disruptive comments and otherwise unacceptable behavior will include, but is not limited to interrupting a properly-recognized speaker or School Board member; abusive, obscene, profane or vulgar language; threatening behavior or words; personal attacks on School Board members, School District employees, or other citizens; intimidation; or taunting.~~
- Those in attendance must comply with the School Board Policy BCBI. Disruptive comments and conduct that interfere with the conduct of official business are prohibited.
- ~~If the individual does not comply with that request and continues with the disruptive behavior after one warning, School District Police will be directed by the Board Chair or the majority of the School Board to remove the individual from the room~~ Any individual causing an actual disruption is subject to removal from the meeting as permitted by OCGA § 20-2-58.