

Procedure # 2000
Category: MSA Board
Title: PUBLIC COMMENTS AT BOARD MEETINGS
Date of Initial Approval: 05-17-2023
Revision/Reauthorization Dates:
Reviewers: MSA Board Executive and Policy Committees

I. PURPOSE

This procedure is to establish a clear and consistent procedure for individuals wishing to make public comments at MSA Board Meetings.

II. OVERVIEW

The MSA Board respects and values input from stakeholders of the Minnesota State Academies. However, when it relates to a specific student, staff, or to a specific matter, MSA must follow the Minnesota Government Data Practices Act (MGDPA) which prohibits comments about specific student or staff matters, even without naming them, in open session. Thus, such input must be heard by the appropriate personnel, such as the campus directors, superintendent, and/or human resources, and not during an open meeting of the MSA Board. To ensure proper adherence to the MGDPA, it is necessary to establish clear procedures and guidelines for public comments.

Individuals may also contact the board in writing, either by email or letters. Contact information is available on the MSA website.

Individuals making comments, either during public comments in meetings or via correspondence, must address their remarks with civility and respect. The time designated for public comments is not a time for debate on an issue. It is for the board to hear your comments and input on an issue facing the board at that meeting. The board may elect to ask clarifying questions to the individual or to the superintendent after each comment. As a general matter, the School Board will not act on any comments that were made during a meeting and do not relate directly to an agenda item for the meeting.

Public comment is not available during work sessions, closed sessions, or special board meetings of the MSA Board.

III. PROCEDURE

A. Individuals wishing to address the board must sign up in advance of the meeting, either via the sign-up form on the MSA website or emailing the Superintendent, the Superintendent's Executive Aide, or the MSA board chair. The individual must indicate their name, address/contact information, the group they represent, and the topic they wish to comment on. Individuals who do not sign up in advance may sign up for public comment in-person at the meeting but must do so at least 30 minutes prior to the beginning of the meeting.

B. Each speaker will have approximately 3 minutes to address the board. A

maximum of 30 minutes will be allocated during each meeting for public comments. If sufficient time is available after all speakers have completed their public comments, the chair may elect to allow last-minute requests for public comments.

- C. If a group or organization wishes to address the MSA Board on a topic, the board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
- D. Depending upon the number of individuals in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary to provide an orderly, efficient, and fair opportunity for those present to be heard.
- E. The board may vote to extend the length of public comments at a meeting as necessary.
- F. The order in which speakers will be called is as follows:
 - 1. Students.
 - 2. Speakers commenting on a specific agenda item in the current meeting.
 - 3. Other speakers addressing topics not listed on the agenda will be called in the order of names received, with preference given to those who have not spoken in the last three months.
- G. At the beginning of each speaker's public comment, the individual must identify themselves and specify the agenda item they are addressing.
- H. Speakers are encouraged to avoid repeating comments that other speakers have made. Redundant presentations are not helpful and can deprive other individuals of the opportunity to speak to the Board.
- I. ASL/English interpreters are available at all MSA board meetings. If interpretation in other languages is required, please contact **Kim Barron at kim.barron@msa.state.mn.us or 507-400-6088** to request an interpreter at least TWO WEEKS IN ADVANCE.
- J. The MSA board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.

IV. PROHIBITED CONDUCT:

- A. DO NOT include names of MSA employees, titles, or location names in your remarks for your own legal protection and the legal rights of staff. This includes identifiers such as school name, grade, or job title that would identify the individual publicly. Issues related to MSA employees should be made in writing, addressed to the MSA Human Resources Department, and may identify employees by name, title, location, etc. Personal attacks

(making abusive remarks on or relating to an individual instead of providing evidence related to issues being considered by the board) by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board for the remainder of the meeting. Repeated occurrences may result in long-term restrictions on that individual's privilege to address the board.

- B. The board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
- C. The following will not be allowed: slander, defamation, profanity, personal attacks, revelations of private data, or cheering, jeering, or other disruptive behaviors. The MSA board chair will stop these types of speech by calling the speaker or attendees out of order. If the speaker or attendee persists, they will be required to leave the meeting. Failure to abide by these rules could forfeit a person's right to speak at future meetings.
- D. Signage, placards, posters that obstruct the view or create a safety hazard are prohibited during board meetings.
- E. Speakers may not discuss or disclose any private educational data on any current or former student as defined in Minnesota Statutes section 13.32. As a result, speakers may not identify any current or former student while addressing the board. The only exception is that a parent who is speaking may choose to discuss private educational data on their own child.
- F. Speakers may not make allegations, charges, or complaints against any student or employee. If a person wishes to make an allegation or to file a charge or complaint against a student or employee, the person should make the allegation, charge, or complaint to the Superintendent in writing or in a private meeting, or to the individual designated in MSA policy to receive the allegation, charge, or complaint.
- G. Speakers may not make comments related to pending contract negotiations or to pending litigation to which MSA is a party, including grievance proceedings.
- H. Speakers may not campaign for or against a political candidate during any part of a school board meeting.
- I. Speakers may not promote or advertise products that are for sale or purchase, unless the Board has invited the speaker to present the product as an agenda item.
- J. Members of the public may not engage in conduct that materially and substantially disrupts any part of a board meeting, or that otherwise impedes the board's ability to conduct its business in an orderly and efficient fashion. The following are examples of conduct that is materially

and substantially disruptive or that otherwise impedes the board's ability to conduct its business in an orderly and efficient fashion:

1. Making comments that incite violence.
2. Making comments that reasonably instill fear.
3. Interrupting a speaker who has been recognized by the board chair.
4. Making comments from the audience when the person making comments has not been recognized by the board chair.
5. Interrupting the board chair or any other Board member or school official who is speaking.
6. Holding up a sign or displaying a banner, regardless of the content of the sign or banner;
7. Clapping, cheering, booing, vocalizing approval, or vocalizing disapproval for a speaker during the speaker's presentation, unless a board member or school official is presenting an award to a person or is describing an honor or award that a person received.
8. Addressing the audience rather than the board
9. Bringing a weapon into the meeting room or onto school property, except as allowed under Minnesota law.
10. Violating room capacity requirements
11. Violating any law or MSA policy

V. VIOLATIONS

- A. If a speaker violates any of established procedure or engages in any prohibited conduct, the board chair will rule the speaker out of order.
- B. If the speaker is presenting to the board, the board chair may require the speaker to immediately end their presentation.
- C. If the speaker persists in violating any procedure or rule, the speaker will be directed to leave the premises and not to return. A no-trespass order may be issued, and a referral may be made to law enforcement.
- D. If repeated disruptions occur during Public Comments to the board, the board chair may call a recess and order that the room be cleared until the meeting resumes.
- E. If repeated disruptions occur, any board member may make a motion to immediately end public comments to the board. If the motion passes, citizens may use alternative avenues of communication to share their views with the board, including written communications.
- F. If repeated disruptions occur during multiple meetings, the board may vote to suspend public comments to the board at meetings and to require that all public comments be in writing.

VI. USE OF SCHOOL PROPERTY

All properties, buildings, parking lots, grounds, and other spaces on the MSA campuses are considered to be school property. Individuals or groups may not use school property for any purpose that has not been authorized by MSA. Any use of school property must comply with MSA Policy 902, and all administrative procedures related to that policy.

References:

Minnesota Government Data Practices Act – Mn. Stat. 13 (MGDPA)