

ORANGE COUNTY  
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: February 11, 2013

AGENDA ITEM No. 13-02-18

ACTION ITEM: (Y/N) Y

SUBJECT: Public Participation at Board Meetings Policy #2310 – 1<sup>st</sup> Reading Approval

INFO. CONTACT: Marcie Holland/Patrick Rhodes PHONE: 919-732-8126

ATTACHMENTS: 1. Public Participation at Board Meetings Policy #2310.

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**PURPOSE:** The purpose of this agenda item is to provide the board an opportunity to approve on 1<sup>st</sup> Reading Approval revisions to Board Policy #2310, Public Participation at Board Meetings.

**BACKGROUND:** The Orange County Schools Board of Education Policy Subcommittee met on January 11, 2013. Members of the Subcommittee Donna Coffey, Brenda Stephens and Debbie Piscitelli are supported by the board attorney and administrative staff.

Board of Education Policy #2410 states "It is through the development and adoption of written policies that the Board shall exercise its leadership in the operation of the school system; it is through the study and evaluation of reports concerning the execution of its written policies that the Board shall exercise its control over school operations."

During the January 11 meeting, the Policy Subcommittee recommended a revised Policy #2310 be presented for 1<sup>st</sup> Reading Approval on January 28, 2013. This agenda item was tabled at the January 28 meeting and is being brought back for presentation. The revised policy is attached for full board discussion and approval.

**FINANCIAL IMPACT:** There is no financial impact associated with this agenda item.

**RECOMMENDATION:** The Superintendent recommends the Board of Education approve the revised Policy #2310, Public Participation at Board Meetings, for 1<sup>st</sup> Reading Approval.

# PUBLIC PARTICIPATION AT BOARD MEETINGS *Date Reviewed/Approved: 10/04/2004 Policy Number: 2310*

*Rescinds Policy Number: BCBI, BCBI-R, BCBA, KCA Issued: 02/28/1979, 02/28/1979, 02/28/1979, 02/28/1979*

Board meetings are conducted for the purpose of carrying on the official business of the school district. The public is cordially invited to attend board meetings to observe the board as it conducts its official business. However the board reserves the right to meet in closed sessions, according to the provisions of the Open Meetings Law and to adjourn or recess a meeting at any time to discuss such matters as are properly considered in closed sessions.

The Board of Education, as an elected representative body of the school district, also wishes to provide a forum for citizens to *address the Board with public comments*. To provide an opportunity for input while conducting an orderly meeting, individuals or groups may be heard by the Board in accordance with this policy.

## **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 10 working days prior to the meeting.

The request should include:

- The name and address of the person or persons making the request;
- The organization or group, if any, represented; and
- 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. Additional items may be added to the agenda by the board on a two-thirds vote of the board members.

The superintendent will 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, will accept or deny a request for inclusion on the agenda for any reason determined appropriate by the superintendent and chairperson.

The superintendent will explain any other processes available for addressing the concerns.

The superintendent will notify the requesting party of the response to the request. The board may, by majority vote and notwithstanding prior denial by the superintendent, consent to hear a presentation where the appeal to speak is made immediately prior to or during the course of the meeting.

The chairperson will establish the amount of time for individual or group presentations.

## **PUBLIC PARTICIPATION AT BOARD MEETINGS**

The Board will provide an opportunity in open session believes in hearing the public comments about issues on the Board's *open session* agenda is important. Therefore, the opportunity will be provided at every regularly *scheduled* monthly meeting for the community members, students and employees to address the Board. All public comments will be heard in open session except comments concerning student or personnel matters, which will be heard in closed session to ensure protection of confidential student and employee information. *Public comments should not address any specific student or personnel matter. Complaints concerning any specific employee or student are not permissible during public comments.* Specific references to employees of the school will not be permitted in open session.

~~Except in cases of emergency, information received during presentations will not be acted upon at the time it is received. Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S. 143-318.7.~~

No profane or vulgar language will be permitted or personal abuse against any person. The Board vests in its Chairman or other presiding officer authority to terminate the remarks of any individual when he/she does not adhere to the rules established above.

A person wishing to address the Board on an open session item on the agenda for that meeting must sign up prior to the Board's regular meeting by signing his/her name and address and the agenda item on which he/she wishes to speak.

The Board Chair will recognize the speaker. Comments will be limited to three minutes. When the three minutes end, the speaker must stop speaking immediately. Yielding time to another speaker will not be permitted. The Board will not have a discussion with any speaker.

~~It is the Board's intent, where appropriate, to respond to questions and comments within ten working days.~~

**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 district official responsible for the program or facility or to the superintendent. The superintendent or designee will make available this board policy and other relevant grievance procedures to any individual or group submitting a complaint.~~

*Citizens may not interrupt, disturb, or disrupt a Board of Education meeting and will be subject to the provisions of G.S. 143-318.17.*

*Nothing in this policy shall prevent the Board from limiting public comment at any Board meeting.*

Legal References: G.S. 143-318.10, -318.17, and 115C-36