

Public Participation in Board Meetings Option #2 for Review December, 2021

Board Meetings

Change	01.421	Public Participation in Open Meetings
Change	01.45	Board Meeting Agenda

Public Participation in Open Meetings

The Board shall conduct its meetings in a manner which engenders public confidence and provides for full discussion of the issues and for the input and exchange of ideas in a reasonable manner to the end that appropriate decisions will be reached.

PUBLIC ATTENDANCE

The Board shall comply with the Kentucky Revised Statutes in the conduct of its meetings. All regular and special Board meetings shall be open to the public and the news media. The public shall be given notice of the time and place of Board meetings via the news media. No person may be required to identify himself or herself in order to attend any such meeting.¹

EXCEPTION

The Chairperson shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such presentation. The Board, as a whole, shall have the final decision in determining the appropriateness of all such rulings. The Chairperson may impose conditions upon attendance at a given meeting only if such conditions are required for the maintenance of order.¹

PUBLIC PARTICIPATION/~~COMMENTS~~~~SPEAKERS~~

~~Members of the public shall be given the opportunity to share~~ ~~may be given time to voice opinions or express concerns at every Board meeting, either through comments addressed to the Board during a meeting or through written comments shared with Board members and the public.~~ Recognizing its responsibility to conduct the business of the District in an orderly and efficient manner, the Board shall require reasonable controls for public presentations to the Board. If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Board Chair may, prior to publication of the meeting notice required under KRS 61.823:

1. Remove Agenda Item VII and/or Agenda Item XIV permitting persons to address the Board from a Board Business Meeting agenda; or
2. Remove Agenda Item IV and/or Agenda Item VI permitting persons to address the Board from a Board Work Session Meeting agenda.

Persons wishing to address the Board must first be recognized by the ~~Chair~~Chairperson. ~~The Chair may require the name and address of the speaker to be provided.~~

~~Members of the public may be given time to voice opinions or express concerns. The Chairperson may require the name and address of the speaker to be provided.~~

Public viewpoint shall be recorded in the minutes if the speaker provides the Board secretary with a copy of his or her remarks.

1. Any person wishing to present a matter to the Board shall register with the secretary of the Board at least fifteen (15) minutes prior to the start of the meeting. The speaker's name, contact information, and subject of the presentation shall be stated at that time.

Public Participation in Open Meetings

2. Any materials presented to the Board shall be forwarded prior to or following all Board meetings to the Assistant Secretary to the Board for dissemination purposes.
3. Speakers shall be limited to a maximum of three (3) minutes each and may not share these minutes with any other speaker; however, a person with a medically recognized

PUBLIC PARTICIPATION/SPEAKERS (CONTINUED)

disability who is entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA) shall be given an additional minute to speak. The ~~Chair~~ Board shall reserve the right to limit, extend or terminate discussion on any subject.

4. Discussion of personnel matters is not permitted, as the Board has no legal authority regarding such matters, and such discussion is not appropriate. If a person begins to discuss a personnel matter, the Chair shall immediately terminate the speaker's remarks.
5. At a public Board meeting, no person may orally initiate charges or complaints against an individual District employee. Discussion of a District employee by name or position is not permitted, in order to ensure confidentiality and fairness for the employee. If a person discusses a District employee by name or position in their remarks to the Board, the Chair shall immediately terminate the speaker's remarks.
6. Undue interruption or other interference with the orderly conduct of Board business cannot be allowed. Defamatory or abusive remarks are always out of order. The Chairperson may terminate the speaker's participation if, after being called to order, the speaker persists in improper conduct or remarks.
7. Speakers before the entire Board are not allowed to use props, displays, or any other objects during their presentations. However, informational handouts may be given to the Assistant Secretary to the Board and distributed in accordance with Board Policy.
8. Persons within the audience are allowed to have signs in the Board chambers that are no larger than 8 ½ x 11 inches. However, such signs may not be attached to any sort of stick and must be displayed in a manner that does not inhibit others from viewing the Board meeting.
9. Speakers may not engage in electioneering or the endorsement of any commercial product or service.

NEWS MEDIA REPRESENTATIVES

All news media representatives will be encouraged to attend Board meetings. Prior to each meeting, the Superintendent shall notify the media as to the major business to be conducted and the time and place of the meeting. News media coverage, including but not limited to recording and broadcasting, shall be permitted and encouraged at all regular and special Board meetings. In accordance with Kentucky open meetings laws, news media shall not be permitted to attend

Public Participation in Open Meetings

executive sessions of the board. The Board, through the Superintendent/designee, shall make available meeting announcements and reports to keep the public informed as to the plans and activities of the school system.

REFERENCE:

¹[KRS 61.840](#)

RELATED POLICIES:

01.45; 10.2

Adopted/Amended: 1/5/2021

Order #: 2021-7

Board Meeting Agenda**AGENDA PREPARATION AND DISSEMINATION**

The Superintendent shall consult with the Board Chairperson to ensure that an agenda is prepared for all regular and special meetings of the Board. For special meetings, the Board shall consider only those matters that are listed on the agenda.

There are two types of regular meetings of the Board:

1. Board Business Meetings; and
2. Board Work Session Meetings.

The Board Business Meeting format includes agenda items necessary for the Board to conduct the regular business of the District, including action items, information items, and a consent calendar. The Board Work Session Meeting format is designed to permit the Board to receive information and have in-depth discussions regarding key issues confronting the District, to better inform subsequent decisions and actions, and also includes a consent calendar for items necessary for the Board to conduct the regular business of the District.

Board members may review and offer suggestions for future Board meeting agendas during the Board Planning Calendar portion of regular Board Business meetings. Board members may also suggest topics for inclusion via e-mail to the Board Chairperson, with copy to the Superintendent. Board input is considered and coordinated as the Superintendent and Board leadership develop subsequent Board Planning Calendars and Board Meeting Agendas. In some instances, the Board Chairperson and Superintendent may determine that a requested topic is best addressed through a written report to Board members rather than through inclusion on the Board Meeting Agenda.

Agenda Items and related presentations and supporting or background material shall be provided to the Board members on or before the Tuesday seven (7) days preceding the regular meeting except if significant extenuating circumstances preclude it. Any Item added to the Agenda after that date shall note the necessity for immediate action in the rationale for that Item.

Items may be placed on a proposed special called meeting agenda at the direction of the Chairperson and shall be placed on the proposed agenda if requested in writing by three (3) or more Board members.

The agenda of a regular meeting may be amended at the meeting upon affirmative vote of at least four (4) members. However, once the agenda for a special called meeting is posted and delivered to Board members and requesting media, it may only be amended when a new notice and reposting of the agenda, as amended, is completed prior to the twenty-four (24) hour period before the meeting as required by statute.

To reflect the Board's focus on advancing student achievement, the agenda for regular meetings shall be developed in accordance with the following requirements:

1. The agenda may include a student presentation, performance, or other demonstration of student learning.
2. The Board shall recognize the achievements and contributions of students, staff, schools/councils, or community members.

Board Meeting Agenda**AGENDA PREPARATION AND DISSEMINATION (CONTINUED)**

3. The Board shall receive communications from citizens and schools/councils.
4. Each meeting shall contain opportunities for dialogue among Board members and Superintendent concerning student achievement issues, including the impact of student learning and support services and an analysis of progress indicators and data.
5. Each Board Business meeting shall contain an opportunity for Board members to report on noteworthy events pertaining to the work of schools and the District. Reports are expected to be brief, and other opportunities for sharing information with fellow Board members and the public will be made available to Board members for more extensive communications.
6. The agenda for Board Business meetings shall reflect a regular schedule of reports to the Board on the status of District finances, programs, and services.
7. To the extent practicable, standard and/or recurring business shall be organized under the Consent Calendar.

BOARD BUSINESS MEETING AGENDA FORMAT

- I. Moment of Silence
- II. Pledge of Allegiance
- III. Recognitions and Resolutions
- IV. Approval of Meeting Agenda
- V. Minutes
- VI. Superintendent's Report
- VII. Persons Requesting to Address the Board on Action Items, or Consent Calendar Items to be voted upon separately at Board member request
- VIII. Action Items
- IX. Information Items
- X. Consent Calendar
- XI. Board Planning Calendar
- XII. Committee Reports
- XIII. Board Reports
- XIV. Persons Requesting to Address the Board (if necessary)
- XV. Executive Session (if necessary)

Board Meeting Agenda**BOARD BUSINESS MEETING AGENDA FORMAT (CONTINUED)**

XVI. Action Item (if necessary)

XVII. Adjournment

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

Members of the public shall be given the opportunity to share opinions or express concerns at every Board Business meeting, either through comments addressed to the Board under Agenda Items VII and XIV, or through written comments shared with Board members and the public. If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Board Chair may, prior to publication of the meeting notice required under KRS 61.823, remove Agenda Item VII and/or XIV permitting persons to address the Board.

PERSONS ADDRESSING THE BOARD AT A BOARD BUSINESS MEETING

The following shall apply regarding persons addressing the Board at a Board Business Meeting:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
- ~~2.3.~~ Current District students wishing to address the Board shall be placed at the front of the lists of speakers under Agenda Items VII and XIV.
4. A maximum of forty-five (45) minutes shall be allocated for Agenda Item VII for people to address the Board regarding Action Items, or Consent Calendar Items to be voted on separately at Board member request. Speakers who are unable to be accommodated under Agenda Item VII, due to the time limitation may address the Board under Agenda Item XIV.
5. A maximum of forty-five (45) minutes shall be allocated for Agenda Item XIV for:
 - a. Speakers unable to be accommodated under Agenda Item VII due to the time limitation;
 - b. Speakers on non-agenda items.

BOARD WORK SESSION MEETING AGENDA FORMAT

- I. Approval of Meeting Agenda
- II. Minutes
- III. Work Sessions
- IV. Persons Requesting to Address the Board on Consent Calendar Items to be voted upon separately at Board member request
- V. Consent Calendar
- VI. Persons Requesting to Address the Board (if necessary)

Board Meeting Agenda**BOARD WORK SESSION MEETING AGENDA FORMAT (CONTINUED)****VII. Adjournment**

As applicable, the policy, statute or regulation that authorizes each business item and a short synopsis of each item shall appear on the agenda.

Members of the public shall be given the opportunity to share opinions or express concerns at every Board Work Session meeting, either through comments addressed to the Board under Agenda Item IV and VI, or through written comments shared with Board members and the public. If necessary to permit the Board to conduct its business in an orderly and efficient manner, the Board Chair may, prior to publication of the meeting notice required under KRS 61.823, remove the Agenda Item IV and/or VI permitting persons to address the Board.

PERSONS ADDRESSING THE BOARD AT A BOARD WORK SESSION MEETING

The following shall apply regarding persons addressing the Board at a Board Work Session Meeting:

1. Persons addressing the Board shall comply with provisions of Board Policy 01.421.
2. All persons who wish to address the Board regarding items on the Board Agenda shall be permitted to speak prior to persons wishing to speak regarding non-agenda items.
3. Current District students wishing to address the Board shall be placed at the front of the lists of speakers under Agenda Items IV and VI.
4. A maximum of forty-five (45) minutes shall be allocated for Agenda Item IV for people to address the Board regarding Consent Calendar Items to be voted on separately at Board member request. ~~Speakers who are unable to be accommodated under Agenda Item IV due to the time limitation may address the Board under Agenda Item VI.~~
5. A maximum of forty-five (45) minutes shall be allocated for Agenda Item VI for :
 - a. Speakers unable to be accommodated under Agenda Item IV due to the time limitation;
 - b. Speakers on Work Session items non-agenda items.

CONSENT CALENDAR ITEMS

Routine matters and recommendations of the Superintendent that the Board has had an opportunity to review and about which no opposition is expected will be voted on as a single item in a Consent Calendar. Any Board member may request an agenda item to be removed from the Consent Calendar for consideration as a separate item. To assist in the conduct of orderly and effective Board meetings, the Board member should make every effort to submit the request prior to the meeting via e-mail to the Board Chairperson, copying the Superintendent.

Depending on the reason for the request and whether Board action is time-sensitive, the Board Chairperson may:

Board Meeting Agenda

CONSENT CALENDAR ITEMS (CONTINUED)

1. Remove the item from the agenda entirely, and add it to the agenda of the next regularly scheduled Board meeting as an Action Item; or
2. Remove the item from the Consent Calendar so the Board may consider it as a separate item during the current Board meeting.

BOARD MEMBER REQUESTS FOR INFORMATION REGARDING AGENDA ITEMS

To assist in the conduct of orderly and effective Board meetings, to the degree possible, questions by Board members regarding Board agenda items and clarification of recommendations to the Board should be dealt with prior to the meeting. Board members should submit requests for information regarding Board agenda items to the Superintendent as early as possible to allow the Superintendent and staff adequate time to prepare a response prior to the Board meeting.

DISTRICT EMPLOYEES/MEMBERS OF THE PUBLIC

District employees and members of the public may address the Board during the period set aside by the Board without submitting an item for the agenda. No action shall be taken during this portion of the meeting on issues raised by employees or the public unless deemed an emergency by the Board.

Employees' concerns dealing with a grievance/communication issue must first be addressed in keeping with the Board's established policies and procedures.

REFERENCE:

[KRS 160.290](#)

RELATED POLICIES:

01.421
01.44
01.5
03.16/03.26

Adopted/Amended: 1/5/2021
Order #: 2021-7