

POLICY TITLE:	Public Participation in Board Meetings Minidoka County Joint School District # 331	POLICY NO: 176.00 PAGE 1 of 3
----------------------	---	--

All regular and special meetings of the Board shall be open to the public, but any person who disturbs good order may be required to leave. The Board of Trustees encourages ~~all citizens~~ ~~members of the~~ ~~f the~~ District community to express their ideas and concerns. The Board may offer the ability to attend their meeting remotely, including the ability to submit patron input electronically ahead of time at a time and in a manner identified by the Board. The comments of the community will be given careful consideration. In the evaluation of such comments, first priority will be District students and their educational program. Public input on agenda items shall not be on any subject that would compel the Board to enter into executive session. The Board shall make a determination as to whether or not the desired subject matter requested for public input is appropriate in relation to the Board’s agenda and/or if a matter would require executive session.

NOTICE

~~**DUE TO THEIR SENSITIVE NATURE, COMMENTS OR COMPLAINTS ABOUT PERSONNEL OR INDIVIDUAL STUDENTS WILL ONLY BE HEARD IN EXECUTIVE SESSION. ADDITIONALLY, OTHER TOPICS YOU WISH TO ADDRESS MAY ONLY BE APPROPRIATE FOR EXECUTIVE SESSION. IN SUCH INSTANCES, THE BOARD WILL DETERMINE IF YOUR COMMENTS ARE APPROPRIATE FOR OPEN OR EXECUTIVE SESSION AND WILL NOTIFY YOU ACCORDINGLY.**~~

Due to their sensitive nature, comments and complaints about personnel or individual students cannot be heard in open session. Additionally, other topics may only be appropriate for executive session and all grievance processes shall be followed before the Board may entertain such subject matter. The Board shall determine whether a public comment is appropriate in open session and notify the commenter if it is not.

“A PERSON WHO DISRUPTS THE EDUCATIONAL PROCESS OR WHOSE PRESENCE IS DETRIMENTAL TO THE MORALS, HEALTH, SAFETY, ACADEMIC LEARNING OR DISCIPLINE OF THE PUPILS OR WHO LOITERS IN SCHOOLHOUSES OR ON SCHOOL GROUNDS, IS GUILTY OF A MISDEMEANOR”

Any complaint about the District, including instruction, discipline, District personnel policy, procedure or curriculum, should be referred through proper administrative channels before it is presented to the Board for consideration and action. All complaints should be resolved through proper channels in the following order:

1. Teacher or Staff
2. Principal or Supervisor
3. Director or Administrator
4. Superintendent

5. Board of Trustees

Please also see District Policy No. 410.00 Complaints Concerning District Employees.

Members of the public will not be recognized by the Chairman as the Board conducts its official business except during the Board’s scheduled comment period during a regular meeting or public hearing of the board, and only on subjects identified on the Board’s agenda. when the Board schedules an interim public comment period on a particular item.—The Board will listen to the public but, at the same time, expects the public to listen and speak only at the appropriate time and when properly recognized.

At each regular and special meeting of the Board, the agenda may provide time for public comment before the Board. Persons wishing to address the Board will be required to submit a “REQUEST TO ADDRESS THE BOARD” Form 176.00F. Forms are available from the Board Clerk and will be available at each meeting.

The Board shall ensure that members of the following groups, listed in no particular order, are given priority to participate in Board meetings:

1. Students who attend a District school;
2. Parents/guardians of such students;
3. District employees; and
4. People who reside within the District.

Attendees who do not belong to any of these groups will only be allowed to speak after members of the groups listed above have provided comments and only if there is still time available within the public comment period at the discretion of the board.

Total time allotted for public comment will not exceed thirty minutes. Public participation will be limited to the time allotted on the agenda. Each speaker will identify oneself and be brief. Ordinarily, comments shall be limited to three (3) minutes per individual. A speaker can supplement their comments with additional information provided in writing if they wish. In unusual circumstances, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than three (3) minutes. Public comment will be taken on matters scheduled on the agenda. Should a large number of the public wish to speak on the same issue or topic, members of the public are encouraged to select a representative(s) to summarize their position. If speaking for a group, the presenter will be allowed five (5) minutes. Additionally, the Board Clerk will accept written comments for distribution to the Board. The Board may decline to hear repetitive comments. The Chair may also deny an individual the opportunity to address the Board if the individual has previously addressed the Board on the same subject within the past two months.

Written materials for Trustees must be submitted to the Board Clerk. The written material must include the name, address, and telephone number of the person submitting it. A copy of the materials that meet these requirements may be forwarded to Trustees if received by noon Friday preceding the Board meeting. Materials should not be sent directly to Trustees. Materials may be presented or mailed to the Board clerk at 310 10th St. Rupert, ID 83350 or emailed to the Board clerk.

If a topic is being considered by a committee established for that purpose, the Chairman may refer the public comment to that committee.

~~Because of the issues, and the confines of the~~ Because of the diversity of issues that may be commented on and confines of the Open Meeting Laws, Trustees will not respond to public comment, not engage in discussion with individuals or entities presenting public input. Instead, issues may be recorded and referred to the proper staff person for follow-up and/or considered by the Board in addressing the pending agenda items through open discussion or voting. The Chairman may interrupt or terminate an individual's statement when it is too lengthy, abusive, obscene, repetitive, or irrelevant or threatening to any individual. These restrictions shall be applied narrowly and equally, regardless of the speaker's opinions or viewpoint. The Board of Trustees as a whole shall have the final decision in determining the appropriateness of all such rulings. The Chairman may also deny an individual the opportunity to address the Board if the individual has previously addressed the Board on the same subject within the past two months.

Nothing in this policy shall prohibit the removal of any person who, in the judgment. of the Board Chair, willfully disrupts a meeting to the extent that orderly conduct is seriously compromised. Defamatory or abusive remarks are always out of order, and any person may be removed from the meeting if they are engaging in illegal conduct. The presiding officer may terminate the speaker's privilege of address, if after being called to order, the speaker persists in improper conduct or remarks.

If a special meeting has been held to obtain public comment on a specific issue, the Chairman of the Board may not recognize speakers wishing to comment on the same topic at a regular meeting of the Board.

**LEGAL REFERENCE: Idaho Code § 33-512 (11) Governance of Schools
 § 74-206 Executive Sessions When
 Authorized**

ADOPTED: August 20, 2007

**AMENDED/REVISED: November 18, 2013, April 18, 2016; September 20, 2020;
December 19, 2022**

REFER TO: 176.00F