

POLICY TITLE: Policy Concerning Public Appearances at Board Meetings

Meetings of the Board of Trustees of the Canyon-Owyhee School Service Agency (COSSA) shall be open to the public with the exception of executive sessions; those meetings called for the purpose of discussing personnel or student problems of a personal nature. The Board of Trustees welcomes the attendance of students, teachers, parents, and the general public to its meetings

Items for Board consideration shall be cleared through the Director's office 5-working days prior to the regular Board meeting. Subsequent items may be placed on an agenda by the chairperson at the beginning of any Board meeting.

Due to their sensitive nature, comments or complaints about personnel or individual students will only be heard in executive session. Additionally, other topics **described in Policy 1500 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**

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~~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 schools or on school grounds, is guilty of a misdemeanor.~~

Process for appearance before the COSSA Board of Trustees

The public is welcome to attend meetings of the COSSA Board of Trustees. Regular Board meetings are normally held the third Monday of each month in the Board Room of CRTEC, 109 Penny Lane, Wilder, Idaho, at ~~6~~**5:00** p.m. Additionally, Special Meetings are held from time to time on an as-needed basis. Such meetings are held in the same location and are posted in accordance with Idaho Law. **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.**

During all regular meetings and board public hearings, The Board of Trustees encourages all citizens of the Agency to express their ideas and concerns on agenda items. The comments of the community will be given careful consideration. In the

evaluation of such comments, the first priority will be COSSA students and their educational program. Desired public input on agenda items shall not be regarding any subject matter 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.

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. Such electronically provided input shall be provided to the Trustees and made a part of the minutes.

Any complaint about the Agency on these or other topics; including instruction, discipline, Agency 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; then
5. Board of Trustees.

Please also see District Policy No. 4110 Public Complaints and Suggestions.

Complaints or grievances on topics that may only be considered in executive session will only be heard by the Board in accordance with the applicable grievance or complaint policy. Such executive session may be arranged in advance and included on the agenda as described in Policy 1500 and Procedure 1500P.

Rules and Process for Public Comment

Members of the public will not be recognized by the Chair 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 subject matters identified on the Board's agenda. The Board will listen to the public but, at the same time, expects the public to listen and speak only when properly recognized.

At each regular meeting of the Board the agenda shall provide time for public comment before the Board on agenda items or at public hearings of the Board. At special meetings of the Board, the Board may accept public comment. All public comment will be accepted before the Board addresses action items on District business, including items in a consent agenda. Persons wishing to address the Board at a regular meeting or public hearing on agenda items will be required to submit a "Request to Address the Board" form. 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 an Agency school;
2. Parents/guardians of such students;
3. Agency employees; and
4. People who reside within the COSSA districts.

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 comment and only if there is still time available within the public comment period.

To be efficient and effective, long board meetings will be avoided. As such, total time allotted for public comment will not exceed 30 minutes. Public participation will be limited to the time allotted on the agenda. Each speaker will be limited to 5 minutes. Public comment will only be taken on action items scheduled on the Board's agenda at a regular meeting of the Board or during a Board public hearing. Should a large number of members of the public wish to speak on the same issue or topic, members of the public are encouraged to select one or more representatives to summarize their position. Additionally, the Board clerk will accept written comments on agenda items for regular meetings and Board public hearings for distribution to the Board. The Board may decline to hear repetitive comments.

Written comments for Trustees must be submitted to the Board Clerk. The written comments must include the name, address, and telephone number of the person submitting it. A copy of the materials that meet these requirements will be forwarded to Trustees if received by **5:00 p.m. the Wednesday** preceding the Board meeting. Materials should not be sent directly to Trustees. Materials may be presented or mailed to the Board clerk at 109 Penny Lane, Wilder, or emailed to the Board clerk at lowrym@cossaschools.org.

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

Because of the diversity of issues and the confines of the Open Meeting Laws, Trustees will not respond to public comment nor 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 Chair may interrupt or terminate an individual's statement when it is too lengthy, abusive, obscene, repetitive, irrelevant, threatening to any individual, or if they are going off-topic from an item listed on the agenda. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Nothing in this policy shall prohibit the removal of any person who, in the judgement 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 Chair of the Board may choose not to recognize speakers wishing to comment on the same topic at a regular meeting of the Board.

Request to Address the Board:

~~If a patron or employee of the COSSA consortium wishes to address the Board on a specific matter, they may request to be placed onto the published Agenda for the meeting at which they wish to appear. The following steps are the process which a patron should follow to appear before the Board.~~

~~1. At least 5 working days before the regular Board meeting at which the patron/employee wishes to appear, the individual will contact the Chief Executive Officer, or in his/her absence, the Clerk of the Board, with a request to be added to the meeting agenda. That request will be made in writing, which includes delivery by email or fax.~~

~~2. The patron/employee making the request must identify themselves fully by name and address — there are no instances where any matter may be raised “anonymously” at a public hearing.~~

~~3. If the patron/employee making the request intends to be represented by an attorney, the request to be placed onto the agenda must be made at least two weeks (10 working days) before the regular Board meeting at which the patron/employee wishes to appear. This extra time is to arrange for the Board's attorney to also be present.~~

~~4. The request — which becomes an item on the meeting Agenda — must be specific enough that any other member of the public reading the published Agenda will understand the issue being raised. All items on the Agenda are meant to be openly discussed at the public Board meeting, and other members of the public may not be excluded from the conversation unless the matter is of a personal nature (see paragraph 5 below).~~

~~5. If the patron/employee raises a matter of a personal nature dealing with a student, staff member, Board member, or another patron, the patron/employee initiating the matter may request that the issue be discussed in Executive Session. However, adjournment into Executive Session is governed by Idaho Codes 74-206(b) and 74-~~

~~206(d), and the matter must fit one of the allowed categories before the Board may (not will – there are no guarantees) allow the closed meeting.~~

~~6. Ultimately, the decision as to whether or not to add the requested matter to any Agenda will be left to the Board.~~

~~7. Decisions made by the Board of Trustees are final. If the patron/employee remains convinced that they have been wronged, the patron/employee may file a petition to bring the matter before a district judge. The costs of filing the petition and any attorney fees are the responsibility of the patron/employee.~~

Public Input:

~~Additionally, there are times when the Board's Agenda for a Regular or Special Meeting may include a component for Public Input. During such time, a member of the public may have the opportunity to speak to a matter that is scheduled on the Board's Agenda for that evening.~~

~~A patron cannot raise a matter in Public Input which should be a matter raised in Executive Session. Whether or not an Executive Session will be held will be left to the sole discretion of the Board.~~

Concerns or Complaints:

Grievances raised by COSSA staff members will be processed in accordance with COSSA Board Policy 5250, Certified Grievance Procedures, or COSSA Board Policy 5800, Classified Grievance Procedures

Patrons who have a complaint are asked to address that complaint with the COSSA Chief Executive Officer in an effort to resolve the complaint at a level below the Board of Trustees. If an individual has not attempted to resolve such complaint or concern with the Chief Executive Office at the time appearing before the Board, the likely end result will be directing the patron to first follow up with such individuals. The Board does recognize that not all issues will be able to be resolved by the Chief Executive Officer and that a matter of complaint or concern may eventually reach the level of the Board for potential resolution.

LEGAL REFERENCE:

IC § 33-510	Annual Meetings – Regular Meetings – Board of Trustees
IC § 33-512(11)	Governance of Schools
IC § 74-206	Executive Sessions – When Authorized

Cross References

Code	Description
1500	Board Meetings
2425	Parental Rights
4110	Public Complaints
5250	Certified Grievance Procedures
5800	Classified Grievance Procedures
	COSSA Employee Handbook

POLICY HISTORY:

Adopted: 1992, Revised: 5-21-12

Revised Policy 104 and Reissued as Policy 4105: July 15, 2019

Reissued: March 15, 2021

Revised: TBD