

## **108: Public Participation in Board Meetings**

### **I. Purpose:**

- a. The Board recognizes the value to school governance of public comment on educational issues and the importance of involving members of the public in Board meetings.

### **II. Policy Statement:**

- a. All meetings of the Board, except executive sessions, shall be open to the public. All actions of the Board shall be taken openly. The public is invited to attend Board meetings and will be given limited time to voice opinions or problems on the Board agenda.
- b. The Board recognizes its responsibility to conduct the business of the School in an orderly and efficient manner and will therefore require reasonable controls to regulate public presentations and comments to the Board. A person wishing to be heard by the Board shall first follow the procedures as outlined below. The President is responsible for the orderly conduct of the meeting and shall rule on the time to be allowed for public discussion. The Board as a whole shall have the final decision in determining all rulings.
- c. Board of Directors Meeting Public Comments:
  - i. S/He shall identify himself/herself and proceed with his/her comments as the subject permits.
- d. Board of Directors Meeting Public Presentations:
  - i. Initiation of Request:
    1. Any citizen or citizen group desiring to make a presentation to the Board shall file a request in writing with the Head of School.
    2. The written request shall set forth the general nature of, and the grounds for, making a presentation.
    3. All parties who are to be part of the presentation must also be made known to the Board in the request.
    4. All presentations to the Board of Directors are public presentations unless otherwise excluded by the Delaware Freedom of Information Act.
  - ii. Procedure on Request:
    1. The Head of School shall docket any request received, after determination that it is a matter in the School's interest and within the purview of the Board for presentation before the Board at a regular meeting of said Board, which shall be no earlier than twenty (20) days after receipt of the request, except as the Head of School shall decide when an earlier hearing date may be acceptable.
    2. The Head of School shall notify the requesting party or parties that a written statement of the matter to be presented

must be filed with the Head of School at least ten (10) days prior to the presentation date. Failure to file such statement by the time specified will result in postponement of the presentation until the next regular meeting of the Board, or as accepted by the Head of School.

3. The written statement must clearly delineate the issues to be raised before the Board, and any issue not raised therein will be considered only by discretion of the Board President.

iii. Procedure at Board Meeting:

1. The President of the Board, or in his/her absence, the Vice President, shall preside during the presentation and make rulings on the admissibility of issues to be presented.
2. The Secretary of the Board shall note in the minutes of the Board the names of the parties appearing and their counsel if they are represented.
3. The Board may continue, adjourn, or postpone a presentation for good cause upon motion of parties or on its own motion.
4. Method of Proceeding:
  - a. The party or parties making the presentation may rest upon their statement and briefs.
  - b. The party or parties making the presentation will be subject to examination by the members of the Board or members of the Board's administrative staff as recognized by the president of the Board.
  - c. If a decision is called for, the Head of School shall present his/her recommendation to the Board.
  - d. The party or parties making a presentation may then have an opportunity for an appeal.
5. The Board, after considering the evidence presented and the arguments made for and against the proposition, shall reach a decision and so inform the parties in writing of that decision, if a decision is warranted.

III. Responsibility:

- a. It is the responsibility of the Board of Directors to conduct business openly and make the public aware of the policy to bring matters before them.

IV. Related Policies:

- a. Dependent on the type of presentation, other PCA Board Policies may apply.

V. Related Procedures and Documents:

- a. Delaware Freedom of Information Act:  
<http://delcode.delaware.gov/title29/c100/index.shtml>

Approval and Revision Dates:

APPROVED BY THE BOARD OF DIRECTORS AUGUST 20, 2003

REVISED AND APPROVED BY THE BOARD OF DIRECTORS ON JULY 23, 2019

## **PUBLIC PARTICIPATION IN BOARD MEETINGS**

### **1. Purpose**

The Board recognizes the value to school governance of public comment on educational issues and the importance of involving members of the public in Board meetings.

### **2. Authority**

All meetings of the Board, except executive sessions, shall be open to the public. All actions of the Board shall be taken openly. The public is invited to attend Board meetings and will be given limited time to voice opinions or problems on the Board agenda.

The Board recognizes its responsibility to conduct the business of the School in an orderly and efficient manner and will therefore require reasonable controls to regulate public presentations to the Board. A person wishing to be heard by the Board shall first follow the procedures as outlined below. S/He shall identify himself/herself and proceed with his/her comments as the subject permits. The President is responsible for the orderly conduct of the meeting and shall rule on the time to be allowed for public discussion. The Board as a whole shall have the final decision in determining all rulings.

### **Initiation of Request**

- 1. Any citizen or citizen group desiring to make a presentation to the Board shall file a request in writing with the Head of School.
- 2. The written request shall set forth the general nature of, and the grounds for, making a presentation and state if the hearing is to be public or private.
- 3. All parties who are to be part of the presentation must also be made known to the Board in the request.

### **Procedure on Request**

- 1. The Head of School shall docket any request received, after determination that it is a matter in the School's interest and within the purview of the Board for presentation before the Board at a regular meeting of said Board, which shall be no earlier than twenty (20) days after receipt of the request, except as the Head of School shall decide when an earlier hearing date may be acceptable.
- 2. The Head of School shall notify the requesting party or parties that a written statement of the matter to be presented must be filed with the Superintendent at least ten (10) days prior to the presentation date. Failure to file such statement by the time specified will result in postponement of the presentation until the next regular meeting of the Board, or as accepted by the Head of School.
- The written statement must clearly delineate the issues to be raised before the Board, and any issue not raised therein will be considered only by discretion of the Board President.

### **Procedure at Board Meeting**

- ~~1. The President of the Board, or in his/her absence, the vice president, shall preside during the presentation and make rulings on the admissibility of issues to be presented.~~
- ~~2. The Secretary of the Board shall note in the minutes of the Board the names of the parties appearing and their counsel if they are represented.~~
- ~~3. The Board may continue, adjourn, or postpone a presentation for good cause upon motion of parties or on its own motion.~~
- ~~4. Method of Proceeding:
  - ~~a. The party or parties making the presentation may rest upon their statement and briefs.~~
  - ~~b. The party or parties making the presentation will be subject to examination by the members of the Board or members of the Board's administrative staff as recognized by the president of the Board.~~
  - ~~c. If a decision is called for, the Head of School/Principal shall present his/her recommendation to the Board.~~
  - ~~d. The party or parties making a presentation may then have an opportunity for an appeal.~~~~
- ~~5. The Board, after considering the evidence presented and the arguments made for and against the proposition, shall reach a decision and so inform the parties in writing of that decision, if a decision is warranted.~~

~~APPROVED BY THE BOARD OF DIRECTORS  
AUGUST 20, 2003~~