



Kearsarge

REGIONAL SCHOOL DISTRICT

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BEDH - Public Comment & Participation at School Board Meetings

Introduction:

The School Board, as the representative body of the school district, wishes to provide an avenue for any citizen to express interest in the schools. Accordingly, the Board invites the public to attend any regular, special, or adjoined meetings or study sessions of the Board.

The Board schedules and posts meetings to conduct the business of the schools. These events are not public meetings. These meetings are Board meetings held in public and the Board closes the meeting to the public only during non-public sessions. The Board holds non-public sessions to discuss matters delineated by law, which are confidential by their very nature and regulated by District Policy BEC.

The intent of the rules of this policy are to:

School Board - Members

School Board - Meeting Schedule

MBC - Overview & Members

MBC - Agendas & Minutes

MBC - Meeting Schedule

ACAB - Discrimination / Harrassment of Employees Complaint Procedure

Annual Report

IMGG-R Therapy Dog Procedure

School Board - Agendas & Minutes

School Board Agenda, August 29, 2024

1. Allow a means of communication with the public;
2. Permit the Superintendent to take direct action or to recommend action to the Board;
3. Minimize the possibility of the Board making ill-advised, illegal, or improper rulings due to hasty action in the absence of adequate information and study, especially when a policy does not exist, a change in policy is proposed, or an exception to a policy is specifically requested; and
4. See that the time so devoted does not interfere with the scheduled business of the Board.

The Board desires citizens of the district to attend its sessions so that they may become better acquainted with the operation and programs of the schools and that the Board may have opportunity to hear the wishes and ideas of the public. All official meetings of the Board shall be open to the press and public. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time to discuss such matters as are properly considered in non-public session in accordance with RSA 91-A:3.

In order to assure that persons wanting to appear before the Board may be heard and, concurrently, conduct its meetings properly and efficiently, the Board adopts the following:

A. General Meeting Policy.

Meetings of the Board shall be open to the press and public.

The Board encourages residents to attend Board meetings so that they may become acquainted with the operation and programs of the schools. Additionally, the Board will provide opportunity for members of the public to provide input and comment at Board meetings consistent with the meeting and participation rules as described below.

This policy sets forth the standards and meeting rules that apply to the public in attendance at Board meetings, and to the opportunity for the public to provide comment at Board meetings.

B. Opportunity for Public Comment.

Consistent with RSA 189:74, the Board will provide the opportunity for members of the public to comment on school district matters at all regularly scheduled Board meetings. Emergency meetings, called under RSA 91-A:2, II, or meetings for which the sole purpose is to address one or more issues in non-public session under RSA 91-A:3, are exceptions and may not remain consistent with RSA 189:74.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, assure that the Board may conduct its business and meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings.

1. Members of the public shall not speak unless recognized by the Board Chair or other person presiding over the meeting (The term "Chair" shall apply to either the elected Chair or Acting Chair in this policy).
2. The Board will generally schedule the public comment period in the first half of its meetings.
3. The Board will provide a minimum of thirty minutes to hear public comment. Additionally, the Board may include additional public comment periods for specific agenda items, with a time limit for public comment specified on the pertinent agenda. If speakers do not fill the minimum thirty (30) minute public comment period, the Board will move to table the remainder of the time until later in the meeting.
4. Individual speakers will be allotted 3 minutes per person and each speaker will be permitted equal time. Speakers may not relinquish allotted time to another speaker. The Board may at the outset of the public comment period increase or decrease the individual time limit for all speakers (but may not decrease the aggregate time below thirty (30) minutes). The Board directs the Chair to enforce time limits as necessary.
5. The Board makes most meetings accessible online, in real time, with meeting links included on the meeting notice. Although the Board will allow public comment remotely, attendance in person in order to offer public comment is highly encouraged. The Board

cannot, and will not, assure that in all cases the technology will/can function adequately. If technological issues arise either before or during the meeting such that the comments are not reasonably audible at the meeting location, the Chair may terminate opportunity for remote public comment, or terminate the speaker's comment period.

6. The Board will provide opportunity for written public comment for persons unable to attend the meeting. Written comments that meet the requirements of this paragraph and other provisions of this policy, will either (a) be included in the materials publicly available at the meeting, (b) briefly be described in the minutes (in the same manner as comments made in person), or (c) attached to the minutes. In the event that public commentary does not exhaust the full 30 minutes reserved for this purpose, the Board may read the written comments aloud at the meeting, on a first received basis, until the comment period has expired.
7. The Board requests that members of the public providing written comments submit them to the Board secretary at least 48 hours prior to a Board meeting. Anonymous written comments will not be accepted as part of public comment, as RSA 91-A:2, II requires meeting minutes include the names of persons appearing at public meetings. Written comments including personally identifiable or other confidential information will only be disclosed/made public as required under RSA 91-A:4 and 5, and Board policy EH. Readers of this paragraph should not view it as a means of the Board to limit other correspondence to the school district, as this language only pertains to writings intended to be included as public comment at a school board meeting.
8. In order to comply with the official minute requirements of RSA 91-A:2, II, speakers shall identify themselves clearly for the record.
9. During periods of public comment, an individual may offer comments on agenda items or other District matters (e.g., operations, budget, and other issues directly relating to the District's school policies, programs and operations.) However, consistent with RSA 189:74, I, and in the interest of protecting personally identifiable or confidential information, comments (including complaints) regarding individual students, volunteers, or employees (other than the Superintendent) should be directed to the Superintendent or otherwise as provided under the complaint/grievance resolution processes set forth in School Board policy KEB.
10. The board will not tolerate defamatory statements, comments threatening bodily harm, or other unprotected speech.
11. The Board Chair may rule a member of the public who is expressing comments failing to adhere to the above provisions as "out of order." Repeated violations may result in the Chair terminating the speaker's privilege of addressing the Board. The Board Chair may also deem the speaker's violations a disruption and, as a result, address the

disruption as discussed in section C below.

12. Persons appearing before the Board are reminded that the public comment period is an opportunity for members of the public to provide their input to the Board but is not a question and answer session. Board members are without authority to answer – spontaneously on behalf of the Board. Thus, in most instances, Board response, if any, will be deferred pending consideration by the full Board.
13. In addition to the opportunity to offer input during the public comment period of a Board meeting, members of the public may also request initiatives or other such items placed on the Board’s agenda. The determination as to whether or not the matter is included on a Board meeting agenda will be consistent with Board Policy BEDB. Requests to have a matter placed on an agenda should be presented in writing to the Superintendent no less than fourteen days prior to the next Board meeting and must set forth the specifics of the subject to be addressed.

C. Meeting Disruptions.

The primary purpose of School Board meetings is to conduct the business of the Board as it relates to school policies, programs and operations. While members of the public have the right to attend and offer input during the public comment period of meetings, they do not have the right to disrupt them. Impermissible disruptions include, but are not limited to the following:

- Shouting or speaking out of appointed time while someone else has been recognized by the Chair;
- Obstructing the view of others with posters or otherwise;
- Refusing to terminate public comment after that speaker’s time has expired;
- Any other sustained or intentionally loud noises after the Chair has called for order; or
- Any other conduct intended to disrupt the meeting or person speaking.

If, after at least two warnings from the Chair, an individual continues to disrupt the meeting by words or actions, the Chair may direct the person to leave the meeting. Upon refusal, the Chair may request assistance from law enforcement officials to have the individual removed, with the potential for criminal charges. Interruptions may result in a recess, or, provided the thirty minutes for public comment has expired, and adjournment of the meeting.

See Also:

District Policy BEDB,

District Policy KEB

Legal References:

U.S. Constitution., 1st Amendment

RSA 91-A:2, Meetings Open to the Public

RSA 91-A:3, Non-Public Sessions

RSA 189:65, VII & VII-a - Definitions (Student and Teacher personally identifiable information)

RSA 189:74, School Board Public Comment Period

RSA 644:2, Disturbing the Peace

State v. Comely, 130 N.H. 688 (1988)

State v. Dominic, 117 N.H. 573 (1977)

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