

Rutherford County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Appeals to and Appearances Before the Board	Descriptor Code: 1.404	Issued Date: Click here to enter a date.
		Rescinds: 1.404	Issued: 01/15/09

1 ~~General~~ General

2 ~~All meetings of the Board of Education are open to the public. Notice of all regularly scheduled meetings~~
3 ~~shall be made to the local media for public announcement.~~ All meetings of the Board of Education are
4 open to the public. Notice of all scheduled meetings shall be made to the local media for public
5 announcement.

6 7 **APPEALS TO THE BOARD**

8 Any matter relating to the operation of the school system may be appealed to the Board. However, all
9 matters relating to the operation of the school system shall be channeled through the Director of Schools
10 before being brought before the Board of Education. If, after such procedure is followed, there is still
11 reason to address the Board, the matter shall be referred in writing to the Board of Education for its
12 determination and action.

13 **APPEARING BEFORE THE BOARD**

14 ~~These procedures are~~ This policy is not designed to restrict the scheduled appearances of citizens who
15 have regular business with the Board and whose presentations are provided for in the agenda.
16 Additionally, the Board may via motion, a second, and a vote, recognize speakers despite the below
17 requirements if a majority of the Board determines the speaker would be in the public's best interest.

18
19 ~~The Board shall determine whether it will hear the individual or group.~~

20 Making Application to Speak

21 Individuals may speak to the Board so long as all requirements contained in this policy are met.
22 Individuals who do not comply with this policy will be denied the ability to speak. In order to speak at
23 Board meetings with visitors on the agenda, individuals must complete a Public Participation Form
24 provided by the Board, accompanied with identification matching the speaker's name and stated address.
25 The form must be fully completed and turned in to the Board's Executive Secretary no later than ~~two (2)~~
26 working days prior to the meeting ~~thirty (30) minutes in advance of the Board meeting.~~ The individual
27 must provide proof of Rutherford County residency along with the Public Participation Form. ~~Each~~
28 person wishing to speak must submit an individual form. It is not permissible for multiple names to be

1 included on the same form. Those persons having complaints and concerns for which other resolution
2 channels are provided shall be directed through those channels by the director of school's office and/or
3 staff.
4

5 *Rules for Speakers*

6 The Board shall provide no more than ~~thirty-sixty (3060)~~ minutes for all individuals approved to speak
7 during public recognition.
8

9 If a speaker is approved, the speaker will have ~~three-four (34)~~ minutes to speak. The speaker should
10 introduce themselves to the Board by stating their name and subject of presentation for the record.
11 Visitors speaking to the Board shall address remarks to the chairman and may direct questions to
12 individual board members or staff members only upon approval of the chairman. ~~Delegations of~~
13 ~~speakers from the same organization should select one individual to speak on behalf of the delegation.~~
14 Speakers may not distribute materials, printed or otherwise, directly to Board Members during the
15 meeting. If a speaker wishes to distribute materials, the speaker should bring copies and hand them to
16 the Board's Executive Secretary for distribution. Posters and signs must not limit the visibility of other
17 ~~visitors, are also not allowed in the Board Room due to safety concerns and public access concerns related~~
18 ~~to visibility.~~
19

20 The following behavior and comments may result in having an attendee removed:~~in the Board Chair~~
21 ~~ending a speaker's time early and, if necessary due to ongoing interruption/lack of compliance with the~~
22 ~~Chair's directions, having the speaker removed:~~

23 ~~1. Repetitive comments already made by the speaker or other speakers;~~

24 ~~1. A speaker rRefusing to yield the podium when the speaking time allotted expires.;~~

25 ~~2. Intentional and prolonged interruption of a speaker's comments.~~

26 ~~2.—3. Intentional and prolonged interruption of comments by any Board member.~~

27 ~~3.—Using obscene or vulgar language or conduct, or statements intended to incite violence or breach~~
28 ~~the peace.~~
29

30 ~~This request should include names of persons to appear, their spokesperson, and the nature of the~~
31 ~~business. Visitors desiring to speak but not on the agenda must complete and submit a request form to~~
32 ~~the director of school's office at least fifteen (15) minutes in advance of the Board meeting.~~

~~Each person speaking shall state his or her name, address, and subject of presentation. The time allowed~~
~~for each person will be three (3) minutes. No person shall be allowed to make personal attacks on~~
~~members of the Board or employees of the school system. In addition, no person shall be allowed to~~
~~make obscene, profane and vulgar remarks or otherwise engage in actions that breach the peace of a~~
~~Board meeting.†~~

1 Individuals desiring additional information about any item on the agenda shall direct such inquiries to
 2 the Office of the Director of Schools.

3 The intent of these rules is to:

- 4 1. Allow everyone a fair and adequate opportunity to be heard;
- 5 2. Allow the Director of Schools to take direct action when policies have already been established
 6 by the Board on the subject of the request;
- 7 3. Provide adequate time for the Director of Schools or the Board to obtain necessary information
 8 and give thorough thought in situations where a policy does not exist, a change of policy is
 9 proposed, or an exception to policy is specifically requested; and
- 10 4. See that the time so devoted does not interfere with fulfillment of the regular agenda of the Board.

Legal Reference:

1. TCA 8-44-102; TCA 49-6-804(b)
2. OP Tenn. Atty. Gen. 95-126

Cross References:

- School Board Meetings 1.400
 Agendas 1.403
 Complaints About School Personnel 5.502