

Nerstrand Elementary School Policy 206
Independent Charter School District #4055
Adopted: 12/11/2023

206. Public Participation at School Board Meetings

I. Purpose

The charter school board recognizes the value of public participation in the decisions of school matters; however, the charter school board also recognizes the need to conduct orderly and efficient proceedings. The purpose of this policy is to provide procedures to allow open and orderly public discussion and to ensure protection of the due process and privacy rights of individuals under the law.

II. General Statement of Policy

- A. The charter school board establishes the procedures set forth in this policy to ensure efficient and orderly public participation at charter school board meetings. The charter school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.

- B. The charter school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

III. Right to Privacy

- A. Charter school employees have a right to privacy related to matters which may come before the charter school board, including, but not limited to, the following:
 - 1. Right to privacy of personnel data per Minn. Stat. § 13.43.
 - 2. Right to consideration by the charter school board of certain data treated as not public per Minn. Stat. § 13D.05.

- B. Charter school students have a right to privacy related to matters which may come before the charter school board, including, but not limited to, the following:
 - 1. Right to a private hearing per Minn. Stat. § 121A.47, subd. 5.

2. Right to privacy of educational data per Minn. Stat. § 13.32 and FERPA.
3. Right to privacy of complaints as provided by Minn. Stat. chapters 260E and 363A.

IV. Community Participation at Public Hearings

Public hearings are required by law concerning certain issues, but may also be held by the charter school board on charter school matters at the board's discretion. The charter school board may decide to hold certain types of public meetings where the public will not be invited to address the charter school board. The public will still be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

When the charter school board determines public comment at a hearing is appropriate, the board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions.

V. Procedures

A. Requests to address the charter school board

An individual or group who wishes to address the charter school board should indicate their desire in advance of the hearing by providing a written request to the clerk. Any request to address the charter school board made after the commencement of the hearing will be granted only at the charter school board's discretion.

1. Format of Request

The written request shall include the name and addresses of the person seeking to address the charter school board and a brief statement of the issue to be addressed. When a group seeks to address the board, the request should include the names and addresses of the individuals appearing, as well as that of the group represented. Groups should designate one spokesperson to address the board.

2. Requests on Matters Involving Data Privacy Concerns

If an individual or group seeks to address the charter school board on a matter which may involve data privacy concerns, preliminary allegations, or may be potentially libelous or slanderous in nature, the matter shall not be considered in public, but shall be processed as

determined by the charter school board in accordance with governing law.

B. Order of Speakers

The charter school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak and individuals who interfere with or interrupt speakers, the charter school board, or the proceedings may be directed to leave.

C. Time Limitation

The charter school board may limit the time for each speaker as needed.

D. Personal Attacks

Personal attacks by anyone addressing the charter school board are unacceptable and may result in the termination of that person's privileges to address the board.

E. Inappropriate Discussion

The charter school board chair shall promptly rule out of order any discussion by any person, including charter school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.

F. Efficiency

Individuals or groups addressing the charter school board should endeavor to keep their presentations concise and avoid repetition. If a particular issue has already been presented on, or similar comment made during the hearing, the speaker should move on to new issues or comments.

G. Limitations on Participation

Based on the number of persons seeking to address the charter school board, the board may impose additional limitations and restrictions as necessary to ensure an orderly, efficient, and fair hearing.