

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: 12/15/22
		Rescinds: 1.404	Issued: 02/24/22

1 **APPEALS TO THE BOARD**

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

7 **APPEARING BEFORE THE BOARD**

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

12 *Making Application to Speak*

13 Individuals may speak to the Board so long as all requirements contained in this policy are met.
14 Individuals who do not comply with this policy will be denied the ability to speak. In order to speak at
15 Board meetings with visitors on the agenda, individuals must complete a Public Participation Form
16 provided by the Board. The form must be fully completed and turned in to the Board's Executive
17 Secretary no later than noon (12:00 p.m.) of the day of the meeting. The individual must provide proof
18 of Rutherford County residency or employment with the Rutherford County Board of Education along
19 with the Public Participation Form and photo identification. Each person wishing to speak must submit
20 an individual form. It is not permissible for multiple names to be included on the same form. Those
21 persons having complaints and concerns for which other resolution channels are provided shall be
22 directed through those channels by the director of school's office and/or staff.

23 *Rules for Speakers*

24 The Board shall provide no more than thirty (30) minutes for all individuals approved to speak during
25 public recognition.

1 If a speaker is approved, the speaker will have three (3) minutes to speak. The speaker should
2 introduce themselves to the Board by stating their name for the record. Visitors speaking to the Board
3 shall address remarks to the chairman and may direct questions to individual board members or staff
4 members only upon approval of the chairman. Delegations of speakers from the same organization
5 should select one individual to speak on behalf of the delegation. Speakers may not distribute
6 materials, printed or otherwise, directly to Board Members during the meeting. If a speaker wishes to
7 distribute materials, the speaker should bring copies and hand them to the Board's Executive Secretary
8 for distribution. Posters and signs in excess of 18x24 inches in size are not allowed in the Board Room
9 due to safety concerns and public access concerns related to visibility.

10 The following behavior and comments may result in the Board Chair ending a speaker's time early
11 and, if necessary due to ongoing interruption/lack of compliance with the Chair's directions, having the
12 speaker removed:¹

- 13 1. Refusing to yield the podium when the speaking time allotted by the Board expires;
- 14 2. Using obscene or vulgar language or conduct, or statements intended to incite violence or
15 breach the peace.

16 Additionally, the Board Chair may remove any member of the audience that continues to disrupt the
17 business of the Board after an initial warning.

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

20 The intent of these rules is to:

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

Legal References

1. TCA 39-17-306

Cross References

- School Board Meetings 1.400
- Public Hearings 1.401
- Agendas 1.403
- Discrimination/Harassment of Employees 5.500
- Complaints and Grievances 5.501
- Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
- Student Concerns 6.305