

**Oakridge School District No. 76
BOARD OF DIRECTORS**

**WORK SESSION
January 04, 2021**

The meeting of the Board of Directors of Oakridge School District No. 76 was convened at 5:30 p.m. remotely by virtual Zoom webinar and called to order by Chair Weddle.

In addition to the Chair, those present were Vice Chair Hardy, Directors Edmunds, Martin and McPherson. Also present was Superintendent Doland, Confidential Secretary Jayme Martin, OSBA Board Specialists Janet Avila-Medina and Kristen Miles.

A. Board Development with OSBA on Public Comment at Board Meetings

1. Ms. Avila-Medina stated the Attorney General's Public Records and Meetings Manual says, "The right of public attendance guaranteed by the Public Meetings Law does not include the right to participate by public testimony or comment" (Rosenblum, 2019, p. 155). The public has the right to attend and listen to the board meetings but they do not have the legal right to participate or comment, that is the board's decision and they can adopt a policy that allows public to make comment. The Oakridge School Board does have a public comment policy BDDH. Ms. Avila-Medina read from the policy, "Members of the public also are encouraged to share their ideas and opinions with the Board when appropriate." "During a session of a Board meeting open to the public, members of the public may be invited to present comments during the designated portion of the agenda. At the discretion of the Board Chair, further public comment may be allowed." She asked the board what they feel it means by the designated portion of the agenda. Chair Weddle shared that at the last Regular Board Meeting, public comment had been moved to the end of the meeting, where previously public comment had been at the beginning and the end. He said it got to be too much sometimes. Ms. Avila-Medina asked why the board had moved public comment and if it had been helping. Superintendent Doland stated it was at the advice of the District's legal counsel due to an online survey the attorney had conducted since the meetings were now held virtually. The survey found that an hour set aside for public comment was extreme. Ms. Miles stated in her experience working statewide, that having two sections of public comment was not typical and an hour set aside for them is quite a lot of time. OSBA's advice as well, would be to shorten that period of public comment. It was a good thing that we changed public comment so we could get more done at board meetings ensuring they don't go as long. Director Edmunds stated they used to only have one section of public comment, but added a second section to ensure that anyone who wanted to comment on what was discussed during the meeting would have a chance to. She stated she prefers it to be at the end of the meeting. Ms. Miles stated there are pros and cons to having public comment before and after the meetings. The pro to public comment set before the meeting would be, the public could see what was on the agenda and voice their opinions prior to any vote. She stated,

just as Director Edmunds had shared, the benefit to having it after the meeting is so the public could share how they feel about what was discussed in that meeting. Ms. Miles stated there was no right answer to whether public comment should be at the beginning or the end. It just depended on the board and how they felt. Ms. Avila-Medina asked the board whether they liked it at the beginning or the end better. Chair Weddle expressed his preference was at the end. Director Martin stated he didn't have a preference either way, but he preferred only having one public comment section and not two. Chair Weddle said they can't really tell yet whether it is better at the end or not as there has only been one meeting since public comment was moved.

Ms. Avila-Medina moved to the next part of the policy, "requests for items on the agenda". She read, "A member of the public may request the superintendent consider placing an item on the agenda of a regular Board meeting. This request should be made in writing and presented to the superintendent for consideration at least seven working days prior to the scheduled meeting." She asked Superintendent Doland if the public do in fact ask her to place an item on the agenda, and if so do they know to do it in writing, and how are they made aware of the process that should be followed. Superintendent Doland responded that since she has been Superintendent, she has not received this type of request and as far as the public being made aware of the process, the policies are on the District website, but that it could be called out more on the Board specific page.

Ms. Avila-Medina continued with the policy, reading, "The Board will establish procedures for public comment in open meetings. The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best interests of the individual, the district and the patrons." Ms. Avila-Medina asked if there was in fact a procedure or "AR" for this policy. Director Edmunds stated there was a pamphlet at the board meetings that spelled out how the board meetings were conducted. She stated that could be something we could look at again. Superintendent Doland said we could also put the pamphlet up on the website. Ms. Miles stated that it is unusual for the public to directly request items be added to the agenda. Typically that is brought forward in discussions with the principals, or the superintendent. Then the ones responsible for setting the agenda add items based off of the discussions that have been had. Ms. Miles stated it was neither good nor bad to allow the public to request items on the agenda, but it was a little uncommon.

Ms. Avila-Medina continued from the policy, reading, "Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the Board Chair". She stated this is setting parameters and being specific on where public comment is placed, but it could be more specific about the duration and the limit per person making comment. She gave the example of someone speaking too long and how to handle that. She advised creating an AR that gave procedure on what exactly was expected and how to handle it. OSBA suggests 3 minutes per person for public comment. Ms. Miles added that some boards have a limit of 30 minutes for public comment and divide it up. Some boards have only 3 minutes per person. And some boards use both methods. They allow a total of 30 minutes and each person gets 3 minutes to speak and when the 30 minutes runs out, they are done with public comment. Sometimes a group of people want to speak so the board will allow one member of their group to give the overall message of what their group wants to say, instead of hearing from each individual member of the group. Ms. Avila-Medina states this helps to use the time in the most effective way.

Ms. Avila-Medina read from the policy, "A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or study." Ms. Avila-Medina asked the Board about this part of the policy. Chair Weddle stated sometimes a member of the public will attend every board meeting to talk about the same issue. He explained the Board tries to give a chance to the ones that haven't spoken in the last meetings a chance to speak by going off a public comment sign up list, and granting those that haven't spoken a chance to comment. Ms. Miles stated historically very few people were showing up for board meetings to make public comment. She stated when there are lots of people that want to give public comment, the time has been extended or the amount of time allotted per person was shortened to allow for more people to be able to speak. She stated there can be any limitations placed on the public comment that the board desires as it was mentioned at the beginning that the public does not have a legal right to speak. She said that since it was not established in the policy that individuals who had already given public comment in the past few meetings were not going to be able to give comment, some rules and guidelines needed to be adopted, published and made available to the public. She stated it would be completely appropriate to ask members of the public that if they have made comment in the past meetings, to know that others will be called on first, or that the board asks them to allow others to go first.

Ms. Avila-Medina moved on in the policy, "Statements by members of the public should be brief and concise. The Board chair may use discretion to establish a time limit on discussion or oral presentation by visitors." She asked the Board Chair about this part. Chair Weddle stated that brief and concise was limited to the three minutes. Now with public comment only being once in the meeting this allows for only 30 minutes which then allows for at least 10 people to speak. Superintendent Doland added that it had been asked of the public to submit their comments in writing before the meeting and all of those become part of the meeting minutes and are posted. Ms. Miles stated that was a great idea. Saying if we run out of time for public comment, those submitted in writing, are still getting their voice heard. Speaking at a board meeting is not the only way the public can give input. Allowing the public to submit written comment guarantees the Board will certainly see them and take them into consideration. This is potentially a really good solution to too many people wanting to make verbal comment and not having enough time. Ms. Avila-Medina stated this will also help with equity and will alleviate those feelings of one member of the public getting chosen over the other to speak.

Ms. Avila-Medina moved to "Comments Regarding Staff Members. Speakers may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a legitimate complaint involving a staff member. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, their supervisor and the Board." She stated what this portion is emphasizing is that the public can comment and criticize the District's operations and programs, but they can't single out one person. They can't state a staff member's name or position, such as Principal or Superintendent, nothing that can identify that individual. For complaints there is a policy and a procedure that the public can utilize.

Director Edmunds stated when the Board adopted this policy from the sample from OSBA, but after going through it, the Board should relook at this policy and fine tune it to fit our specific needs. Ms. Miles added that they were looking through the Public Comment policy before the meeting and realized it was in OSBA's model policy and it may work for some but probably a lot of it could be updated and changed. There is a way to look at it to see which parts are working for Oakridge School District and which parts are not working as well as which parts are never used. The petition part is not common and if it is never used, you are not required to keep that language in the policy. That would be a great project for the board to take on. Director Martin stated the Board should have a Work Session and establish an AR for this policy. Ms. Avila-Medina stated an AR would be great for this policy as well as a possible script for how to address situations during public comment. Director Edmunds stated she agreed there needs to be an AR for this policy as well as edit the current Public Comment policy. Ms. Miles stated someone from OSBA Policy department could help in reworking the policy. Chair Weddle asked Superintendent Doland and Board Secretary Martin to arrange a Work Session with OSBA Policy Department.

Ms. Avila-Medina spoke on Public Correspondence and Public Inquiries. Vice Chair Hardy stated it had been decided that whenever any of the board members received any type of correspondence, it would be forwarded to the Board Chair who is spokesman for the Board representing all. OSBA advised the Board should not be giving in depth responses. Ms. Avila-Medina suggested a response statement. In some situations the Board simply cannot answer the questions that are being asked of them. Those questions need to be forwarded to the Superintendent. So a general response would be appropriate in these circumstances. Chair Weddle replied that he does do a general statement explaining he has read their letter and he will be forwarding it on to the Superintendent. He spoke about this being tied to not replying to public comment either due to not seeing both sides of the situation and needing more information before responding. Ms. Miles stated that is exactly what they would recommend. She explained there is a process in place for any types of complaints that would be brought to the board. This process has many things at interest but one of them being equity. She explained if a board member were to engage with a member of the public because they knew them, and not someone else because they did not know them, then the one that knew that board member would have inequitable access to the board. The same is thought of regarding public comment. If the board were to engage with someone during public comment, but not someone else, there would be an equity issue. She stated this is also the same with any correspondence with the public. Ms. Miles suggested explaining to the public that there are roles, responsibilities, and processes in place. She gave an example of what she did when she was board secretary saying there was one board email that she was in charge of. Members of the public would write to this one email and she would then either respond or send it to a different department for them to respond, always copying all board members so they were aware of the questions and comments being sent and that there was follow up. Sometimes the Board Chair would respond saying, "Thank you for writing. I know our staff are on top of this, and someone will get back to you." Ms. Miles stated the board can certainly respond because it is important for the public to hear directly from the Board but in some situations, not all information can be put forth, or some information is confidential and the public simply does not have a right to some answers they are seeking. Director Martin stated currently the Board is getting a lot of emails ranging from a simple question to bargaining agreement issues that the Board has no right in answering. Another issue he feels that is happening

right now is emails are not getting answered or acknowledged and the public is getting frustrated. He feels that the public are now "Board Shopping" to get some sort of answer. He stated he liked the idea of having only one Board email that one person was responsible for. Director Martin felt the citizens and staff needed to be educated with the process for the future. Ms. Miles stated this was really important that the public is made aware that even though it may not be directly from the board, someone will be responding to them. She stated no one in the public knows what the Board does. They feel like board members can take individual action, run on an agenda and advance that personal agenda as part of your board role, but that is simply not true. But there is no information out there really for the public to necessarily know that. There is a recommendation to Boards to create an educational piece for the public as part of community engagement stating the Board's roles and responsibilities. Explaining the public may not get what they want out of Board members because it is not the Boards role. The Board's role is policy, budget governance, hiring and evaluation of the superintendent. Anything else falls under the role and responsibilities of the superintendent. OSBA has held Board 101 for communities before where the community will ask questions and the OSBA members will respond on exactly the way the Board operates, the guidelines they have to operate under, roles and responsibilities, and restrictions the public may not be aware of. Educating the public can, a lot of times, diffuse their frustrations. A lot of the frustrations could be around feeling ignored when there is an expectation that the Board cannot meet because it is not their role. There might be a way to educate the public simply by adding an educational piece to the agenda of the board. Ms. Avila-Medina added part of community engagement is building that trust with the community. Therefore, if the Board could be upfront and talk about the processes and procedures, it will build that trust and the community could feel like they are being heard. Director Edmunds liked the idea of having OSBA do a Board role 101 with the community during one of the Board Meetings and asked Chair Weddle and Superintendent Doland to work on getting that arranged. Superintendent Doland stated she could work on that.

Ms. Avila-Medina asked if there were any other trainings the Board would like to have. Director Edmunds stated community engagement and conflict resolution trainings would be a priority for her. Chair Weddle agreed. Ms. Avila-Medina stated she and Ms. Miles could work on getting those together.

B. Policy ACB-AR - All Students Belong (2nd Read/Action)

Superintendent Doland explained this is a 2nd reading of the policy, Bias Complaint procedure. Superintendent Doland made the changes that were discussed in the previous work session. She asked for clarification regarding step two of the procedure to either make a decision or determine responsibility about the event within 10 days of receiving the complaint. Chair Weddle stated if it were to say make a decision, that puts all responsibility on the administrator, but determine responsibility, more input can be had and does not necessarily have to be the full responsibility of the administrator. Director Martin stated he liked it to be a communal decision including the principal, superintendent and possibly an outside investigator if necessary. Superintendent Doland clarified that this part would be at the building investigation level. The building principal would be making a decision of those involved or determining responsibility of the parties involved. Chair Weddle preferred "determine responsibility" wording. Director McPherson stated she also preferred "determine responsibility" because the administrator could then prepare for the next step being

educating and corrective action piece of the investigation. Director Martin and Vice Chair Hardy liked "determine responsibility". Superintendent Doland stated in order to take corrective action, you do have to determine the responsibilities of the parties involved. All Board members agreed the wording would read "determine responsibility".

Director Edmunds moved to approve Policy ACB-AR with the changes made. Vice Chair Hardy seconded the motion. The motion carried with all directors voting yes.

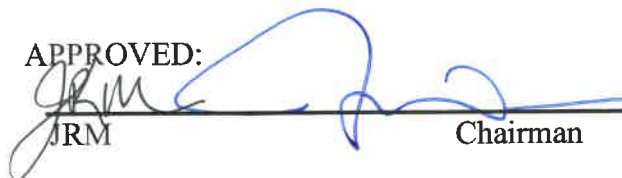
C. Policy BBF-Board member Standards of Conduct- Operating Principals


Superintendent Doland reminded the Board there had been discussion about using the 2nd version of this policy and making it into operating principles for the board. She suggested adding it as an agenda item onto a future Work Session. Chair Weddle agreed.

Chair Weddle suggested to the rest of the Board to reach out to each other to discuss any thing that might be going on or bothering someone. He reminded them they could not meet as a group, but could meet on a one on one basis and that could possibly help.

D. Adjourn

Meeting adjourned at 6:49pm.

APPROVED:  JRM Chairman

 Superintendent