

Policy Committee Meeting Minutes

Tuesday, September 14, 2021

5:15 p.m.

District Office Board Room

Attendees: Peggy Kelland, Eddy Sloshower, John S. Morgan, John Lumia, Daren Lolkema, Alberta Pedro, Attorney Jim Drohan

The meeting was called to order at 5:15 p.m. by District Clerk Alberta Pedro. There was no one from the community in attendance.

1. **Nominate Chair of the Policy Committee** - John Lumia nominated Peggy Kelland as chairman of the Policy Committee. The nomination was seconded by John Morgan. There were no other nominations. Vote taken.
Yes: Peggy Kelland, Eddy Sloshower, John Morgan, John Lumia
Motion carried.
Peggy Kelland was elected chair of the Policy Committee.

Peggy Kelland welcomed everyone back to the Policy Committee and welcomed John Morgan as a new member of the committee, and hopes he finds it interesting.

The committee members agreed to enter an executive session to seek legal advice from counsel. The meeting went off the record.

The committee returned on record.

2. **New Business**

Policy	Discussion
1230 - Public Participation	<p>There were some suggestions to change the Public Participation policy to limit the speakers to residents, taxpayers, and staff. There have also been suggestions that people sign in in order to speak with their name and their town so we know where people are coming from.</p> <p>Mr. Sloshower indicated that he would be comfortable with adding sign-in sheets to handle agenda topics and other school-related items. The sheet would include their</p>

name and town, as well as the topic in which they wish to speak. The District Clerk would then provide the list to the Board President who would call the individual to the microphone. And another separate sheet for other district-related items for the second portion of the public comment section.

Committee members also discussed that the Board President could call the person to the mic and perhaps ask any speakers to sit toward the front of the audience so they can step to the mic promptly when they are called. It is hoped this gives the Board President more control over public comment. This process is similar to Town meetings.

Motion made by Eddy Sloshower to establish a sign in sheet with the person's name, town they live in, and agenda item they wish to speak about. The Board President would announce them to come to the microphone. The second public comment they should also sign in. If someone comes in late, they should still be given the opportunity to speak. Second by John Lumia.

The committee then began to edit the draft policy, as follows:

Public Participation

Early in the meeting, the public will be provided with an opportunity to address the Board concerning any agenda item. Individuals wishing to speak must **sign-in on the sheet provided for agenda items. Speakers must include their name and town/village of residence, along with the agenda item. The Board President will recognize the speaker. first be recognized by the President, then identify themselves, any organizations that they may be representing at the meeting and the agenda item that they wish to address.** Speakers may address only topics on the current meeting's agenda. **Speakers shall not address individuals by name or title during public comment.** Comments are limited to three minutes. Questions asked by the public requiring investigation may be referred to the Board or administrative staff for consideration and later response. A maximum of 30 minutes will be reserved during each regular meeting for this purpose. The Board may, in its discretion, extend or shorten this time, as appropriate.

The public will be provided with an additional opportunity at the end of the agenda to address the Board concerning topics relating to the business of the Wappingers Central School District, regardless of whether such topic is an agenda item, ~~provided that the topic is not related to specific personnel matters, or personal attacks on individuals.~~ **Individuals wishing to speak must sign-in on the sheet provided for school district related matters. Speakers must include their name and town/village of residence, along with the school district related topic upon which they wish to speak. The Board President will recognize the speaker. Individuals wishing to speak must first be recognized by the President, then identify themselves, along with any organization(s) that they may be representing at the meeting, and the topic that they wish to address.**

Speakers shall not address individuals by name or title during public comment. Comments are limited to three minutes. Questions asked by the ~~speaker public~~ requiring investigation may be referred to the Board or administrative staff for consideration and later response. A maximum of 30 minutes will be reserved for this purpose. The Board may, in its discretion, extend or shorten this time as appropriate.

During either public comment period, debate, responses, or dialogue with Board members or staff are not allowed. Any comments regarding specific student or personnel issues are not permitted. In the interest of civility and respect for different points of view, clapping, booing, or any disturbance or disruption during either public comment period is not permitted.

The committee agreed the script should be edited, as well.

The committee members agreed to enter an executive session to seek legal advice from counsel. The meeting went off the record.

The committee returned on record.

The District Clerk read the changes made so far. The committee agreed to continue with edits to the draft policy before voting on the motion.

The committee agreed that the Board would want to hear from staff (non-residents) during Public Hearings because their input is valuable to the Code of Conduct and Safety Plan.

The following changes was agreed to by the committee:

Public Hearings

Individuals or representatives of **interested** groups may present their views at public hearings called by the Board for a specific purpose. The Superintendent of Schools shall develop regulations governing the conduct of such public hearings.

The committee discussed whether the policy needed to be addressed if the public came to a board meeting with signs or t-shirts. It was confirmed that the community could bring signs.

Mr. Lumia shared the following from NYSSBA:

Can members of the public bring signs or wear shirts with printed messages to school board meetings?

*Yes. Signs and clothing bearing messages and other expressive conduct may be entitled to First Amendment protection. However, a school board can prohibit signs or clothing **containing speech that is not protected under the First Amendment, such as obscenities, defamatory statements and threats of violence.***

The committee then discussed whether the policy should only refer to the public or to district taxpayers/residents.

In the paragraph about *Placing Items on the Agenda*, it was felt that it should remain as “individuals” because there may be instances when a developer (who is not a resident/taxpayer) wants to address the Board about their project or a PILOT. Placing items on the agenda is a decision made by the Board Officers and Superintendent at the agenda setting meeting.

Eddy Sloshower confirmed that he wanted to strike “residents/taxpayers” and return back to “the public”. President Lumia indicated that he did not agree, but the majority ruled.

Vote taken.

Yes: Peggy Kelland, John Morgan, Eddy Sloshower, Daren Lolkema

No: John Lumia

Abstain: Alberta Pedro

Motion carried.

Chairman Kelland shared the comment period script sample crafted by NYSSBA Jay Warona. Committee members liked many of the suggestions and decided to edit the public comment script. Attorney Drohan advised that you want to make sure that everything is consistent between the script and that policy. There should be a blend of our current script and this sample, as follows:

Ladies and gentlemen, we are about to convene into the public comment period of our meeting. Although state law does not require us to hold a public comment period, we have chosen to do so because we believe it is crucial for us to hear from our community members about their concerns and issues.

The Board is here to listen. The public comment period is not designed to be a debate or dialogue. Please do not expect the Board to respond to your concerns and questions tonight. This is because we take your concerns and questions seriously and want to have sufficient time to process and research issues, if need be. We will have the proper staff member get back to you, as appropriate.

I also want to point out that under state and federal privacy laws we are unable to entertain any comments or questions about specific students or school personnel. We would ask you to go through the appropriate administrative channels.

A total of thirty minutes at the beginning of each Board meeting is set aside to allow for public comments on agenda items only. Public comment at the beginning of the meeting is limited only to items on the agenda. Persons who wish to participate in the public comment portion of the meeting must sign in with the District Clerk and provide their name, town, and specific agenda item about which you wish to speak. The Board President will call you to the microphone from the sign-in sheet. Individual comments on agenda items is limited to 3 minutes and are welcomed.

If you wish to address items relating to our school district that are not on tonight's agenda, another comment period is provided at the end of the meeting for that purpose. A second sign-in sheet is provided if you

wish to speak on non-agenda items pertaining to the school district related matters.

In the interest of civility and respect for different points of view, clapping, booing, or any disturbance or disruption during either public comment period is not permitted.

At this time, comments related to agenda items are welcome, and I now invite..... to speak.

At this time the public comment period has ended. If you wish to submit a comment in writing, please do so on the Public Comment Form at the desk with the District Clerk, or via email at wcsd.comments@wcsdny.org.

Board President Lumia asked the committee if they wanted the attorney to write a resolution about wearing masks for building usage. Chairman Kelland asked if the committee should talk with the Superintendent first. Mr. Morgan agreed. President Lumia felt the committee should make that decision; however, Chairman Kelland stated that the Superintendent is the one who has to implement it. Mr. Morgan felt that if the district has rules that apply and are enforced during the school day, then it should be consistent. Mr. Lumia thought that the Superintendent would be against it and not want any controversy. Mr. Lolkema shared that for events that are not related to the school, how would it be enforced, when there are no administrators or teachers there. For the sake of being consistent, it makes perfect sense but if it's a policy you can't enforce, then what is the point of the policy. It was suggested that you develop a risk statement or disclaimer... suggesting masks optional, enter at your own risk. Eddy Slosower was not in favor of drafting a resolution at this time. John Morgan is in favor of being consistent but believes this should be spoken with the Superintendent.

The committee members requested the attorney modify the mask requirement resolution approved by the Board on

	<p>August 30, since it has expired due to a modification in the Commissioner's regulations.</p> <p>The committee members asked the District Clerk to share the draft Public Participation policy with the Board for comment to be submitted to the Board President.</p> <p>The committee agreed by consensus that Policy 1230 be recommended to the Board at the First Reading and waive the Second Reading at the next Board of Education meeting.</p> <p>John Morgan asked if the sign in sheet could be implemented before the new policy is approved by the Board. Attorney Drohan indicated a resolution of board approval would be required before doing that.</p>
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3. Next Meeting Date

Chairman Kelland and the committee members confirmed the next Policy Committee Meeting will be on **Wednesday, October 6 at 5:00 p.m. in-person at the District Office**. The District Clerk distributed the materials and draft policies for the next meeting.

4. Adjournment

Motion to adjourn made by John Morgan, second by Eddy Slosower.

Vote taken.

Yes: Peggy Kelland, Eddy Slosower, John Morgan, John Lumia, Daren Lolkema
 Alberta Pedro

Motion carried.

The meeting was adjourned at 7:05 p.m.

**Please note that during the agenda setting meeting it was preferred that Policy 1230 remains the same at this time and the revised policy be postponed until a later time. Board President Lumia wished to contact all policy committee members to see if they would consent to table the changes at this time. All committee members provided their consent via phone or via email on 9/16/2021.*