



Meeting Minutes Duval County Public Schools

May 16, 2022, Board Member Meeting

Mr. Darryl Willie, Chairman
Dr. Kelly Coker, Vice-Chairman
Ms. Elizabeth Andersen
Ms. Lori Hershey
Mr. Warren A. Jones
Ms. Charlotte D. Joyce
Ms. Cindy Pearson
Dr. Diana Greene, Superintendent

ATTENDANCE AT THIS MEETING OF THE DUVAL COUNTY SCHOOL BOARD: Board Members Cindy Pearson, Charlotte Joyce, and Vice-Chairman Dr. Kelly Coker were present. Board Members Elizabeth Andersen, Lori Hershey, Warren A. Jones, and Chairman Darryl Willie were not present. Dr. Diana Greene, Superintendent, was also not in attendance. Mr. Ray Poole, Office of General Counsel, was present.

Call Meeting to Order

The meeting was called to order at 1:06 p.m.

Items to be Discussed

1. GOVERNANCE

Board Member Pearson explained that there were two items to discuss.

PUBLIC COMMENT

- A couple of Board Members wanted to have a conversation on the subject.
- Board Member Pearson brought it up in governance at the last meeting.
- Research was done using the resources of the Florida School Board Association (FSBA) and she watched a training video that FSBA had on public speaking.
- Policies at other school districts were looked at regarding public comment.
- Meetings were held with Ray Poole, Office of General Counsel, and Brian McDuffie, Executive Director, Office of Policy and Compliance. They came up with two basic ideas, A and B:
 - Option A – Hybrid
 - Includes the most ideas.
 - Some districts will set a definite time for public comment, and they will divide the number of speakers into a set time and that determines how much time each speaker would be able to speak, but it cannot exceed 3 minutes.

- Option B – Tiered Approach
 - Other districts have taken a tiered approach.

Discussion involved:

- The number of speakers that showed up for the May 3rd, Regular Board Meeting.
- The length of the comments and the number of people that left.
- The options offered in Option A (Hybrid) for public comment.
- Examples were shared on how other districts and organizations handle public comments during their meetings.
- The time speaker cards are to be collected.
 - Speaker cards are not to be collected before teachers' end time of the day per contract.
 - Board Members need to decide what time to start collecting cards and have the time added to the policy.
 - Add language on the speaker card designated for public comment: those who want to speak; those who waive in support and those who waive in opposition, but don't want to speak; and cards read in the order received.
 - There is to be one card per person, and they need to be in-person.
 - Speaker cards will be read for those not speaking.
 - Concern about the people in the overflow room not being seen when asked to stand regarding the option they selected on the speaker card.
 - Cards need to be filled out completely.
 - The use of color-coded speaker cards.
 - A stop time for collecting speaker cards.
 - Concern about having security when speaker cards are being collected and if the Communications Department has the staff available to collect the speaker cards.
- Clarification about the Board voting to extend public comment after 90 minutes and then using the tiered method.
- Concern was expressed that the Board needed to hear all the speakers, then the suggestion was made to use Option B, which talks about the tier process with no cap on time.
- Concern was expressed about the Board being able to get to the business part of the agenda. Suggestion was made of possibly suspending public comment at some point to allow agenda items to be addressed and then return to public comment.

BOARD POLICY 5.27, STUDENT ASSEMBLY

Board Member Pearson explained the purpose of this new policy.

Discussion involved:

- The need to balance students' 1st amendment rights and teachers' rights to teach.
- There is an approval process, which is two days in advance, and the students must complete the written application for approval.
- Board Member Joyce shared that she could not support students walking out during the school hours and expressed concern about staff shortages.
- Vice-Chairman Dr. Coker shared that she appreciated having the prior approval and that no principal should have anything happening on school grounds without their approval. She also added that staff is not available before school to monitor students.
- Mr. Poole shared information from the legal perspective regarding the 1st amendment and the possible problems with time restrictions.
- The suggestion was made about giving conditions for approval to the principals.
- The Chief of Staff, Sonita Young, would be communicating with certain principals to get their input about the policy prior to the Policy Review Meeting.

- Mr. McDuffie shared some excerpts from Board Policy 9.10, Distribution of Literature to Students, which also addressed some of the areas of concern that were being mentioned.

Board Member Pearson:

- Does not agree that having this board policy would create more assemblies.
- The existing policy is in the Student Code of Conduct, which is not being enforced.
- The new policy lets everyone know that TikTok doesn't dictate what happens during the school day.
- There is a two-day notice and approval process.
- The District is notified of the following: time, place, and manner of an assembly.
- Not wanting students to miss lunch, but lunchtime appeared to be the time that is available.
- Students who violate the Student Code of Conduct will be subject to appropriate discipline intervention.
- Principals don't have much to fall back on if students get up and walk out. Having a policy gives the principals the support they need to manage the situation.

Board Member Joyce spoke about intervention. She expressed her concern about the possible legal issues that could arise if principals deny an application for an assembly whether it takes place during school hours or not.

Vice-Chairman Dr. Coker reiterated her suggestion of putting criteria around what approval looks like for principals.

Board Member Pearson shared a potential revision to the policy and then requested Mr. Poole to explain what could possibly happen legally.

Board Member Joyce mentioned that parents do not want advocacy going on in their public schools by students or teachers. She added that this is going to come before the Board, become policy, be in the news, and will not look good for enrollment for the upcoming school year.

Board Member Pearson shared that it depends on the editorial spin that is put on it. She added that it is about getting control of what's gotten out of control, putting a fence around it, and supporting the administrators so they can enforce what is currently not being enforced.

Further discussion and input from the other Board Members will take place at the Policy Handbook Review meeting on Wednesday.

Adjournment

1. ADJOURNMENT

The meeting was adjourned at 2:36 p.m.

GC

Superintendent

Chairman