POLICY REVIEW COMMITTEE MEETING MINUTES

Suffolk City Hall
Council Chamber Conference Room
442 W. Washington Street, Suffolk, VA 23434
October 12, 2023

Present:

Members

- ✓ Dr. Dawn Brittingham, ***School Board Member***
- ✓ Dr. Judith Brooks-Buck, ***School Board Member***
- ✓ Mrs. Phyllis Byrum, ***School Board Member***

Participants

- ✓ Dr. John B. Gordon III, ***School Superintendent***
- ✓ Wendell M. Waller, ***School Board Attorney***

Attendees

- ✓ Mrs. Heather Howell, ***School Board Vice-Chair***
- ✓ Mrs. Kimberly Slingluff, ***School Board Member***
- ✓ Members of the public

➢ **Meeting called to order.**

- Dr. Judith Brooks-Buck announced the special "Call" meeting to look at three specific policies — Sections 2-8.1, 2-8.2, and 10-5.1. Attorney Waller then explained the changes.
- Attorney Waller requested that the committee consider waving the second reading and having first reading and adoption because it would bring policies in line with the current practice of the School Board. The only language that is added to section 10-5.1 is the requirement that public speakers must fill out the "Request to Speak Form" and forward it to the Clerk.
- Dr. Brooks-Buck commented that members of the public have been required to fill out forms in order to speak, so it is not new. Attorney Waller then explained that when members of the public are allowed to speak during public comment it is considered a limited public forum.
- Dr. Brittingham stated her disagreement with the policy updates and commented that this change in policy could result in further litigation. She researched legal cases and information provided by the Virginia Municipal league regarding a limited public forum. She also referenced the case of Bach v. School Board of the City of Virginia Beach. She stated that Virginia Beach was trying to limit public speaking and was told that they cannot do that.
- Attorney Waller responded by informing the committee that we are **not** making any content or viewpoint restrictions with the proposed changes. He also addressed the case referenced by Dr. Brittingham and pointed out that the facts in Bach are clearly distinguishable from what is now before the Committee.
- Dr. Brittingham expressed her concerns regarding use of the "Request to Speak Form". Dr. Brittingham was of the opinion that this form is not a good idea.

- Dr. Brooks-Buck noted how different the public reaction is at City Council meetings when compared to meetings of the School Board. Dr. Brooks-Buck also referenced school board meetings held in Virginia Beach and that the public is only allowed to comment on matters pertinent to the board. Dr. Gordon addressed the concern that the form was not available, which was proven to be false at last month's school board meeting. The form is not asking anything different from what people were putting in their emails when requesting to speak. Mrs. Byrum reiterated that limited speakers to members of the Suffolk Community, gives our stakeholders and our students the opportunity to come forward and speak. We have a limited time that people can speak and if we don't have these parameters and allow anyone to speak, then time is taken away from our own citizens and students.
- Dr. Brittingham questioned whether we are not allowing people from surrounding areas to speak who may be business partners. Dr. Gordon reminded everyone that anyone who is a business partner with Suffolk Public Schools would often times be called upon to make a presentation to the School Board, and would be allowed to speak.
- Attorney Waller discussed current language in policy section 2-8.1. He expressed concerns with the wording of "expressive activity". This language has been removed from this policy in the updates and in place used the language that a person attending the meeting of the school board must not engage in disorderly, disruptive, or boisterous conduct, …. that interrupts the peace and good order of the meeting.
- The committee agreed to refer these policies to the full School Board for first reading and adoption.

➢ **Meeting was adjourned.**