

Book	Policy Manual
Section	POLICIES FOR THE BOARD, NOVEMBER 2022
Title	Copy of Copy of PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING AND PUBLIC MEETING BEFORE RATIFICATION OF TENTATIVE AGREEMENT
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3120.11 – PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING AND PUBLIC MEETING BEFORE RATIFICATION OF TENTATIVE AGREEMENT

The School Board establishes the following policy for the public hearing that State law requires be held prior to the commencement of collective bargaining with the exclusive representative of the School Corporation's teachers.

- A. Before the Corporation may negotiate privately with the exclusive representative of its teachers regarding teacher compensation, a public hearing shall be held that meets the following criteria:
1. The public hearing shall not take place prior to the expiration of the current collective bargaining agreement;
 2. The Corporation employer and the exclusive representative shall jointly determine the time and place of the public hearing;
 3. Written notice of the public hearing that meets the requirements of the Open Door Law shall be provided to the public;
 4. The public hearing shall be held in a room large enough to accommodate the number of attendees reasonably expected to attend;
 5. One representative from both the Corporation employer and the exclusive representative shall host the public hearing;
 6. At the public hearing, the parties should begin the meeting with an opening statement explaining the purpose and procedure of the meeting;
 7. The parties must then take public testimony, either written or oral, to discuss matters relating to teacher compensation and collective bargaining in the Corporation and preserve the testimony to provide it to the Board;
 8. The Corporation employer and/or the exclusive representative do not need to comment or answer questions during the public hearing.
- B. The Corporation shall not engage in collective bargaining with the exclusive representative of the Corporation's teachers until after a public hearing is held that meets the requirements of Section A above.
- C. A public hearing need not be held in the second year of a two (2) year contract if the parties do not open the contract for bargaining in the second year of the budget biennium.

Board members may not participate in the public hearing by means of electronic communication. Caution should be taken when multiple Board members attend the public hearing as it could then constitute a Board meeting.

Members of the public may not participate in the public hearing by means of electronic communication.

In addition to the public hearing described above that is required prior to the commencement of collective bargaining, the Board must conduct a public meeting to discuss a tentative collective bargaining agreement at least seventy-two (72) hours before it is ratified by the Board. The Board must allow for public comment **by board members who are physically present** at the meeting at which a tentative collective bargaining agreement is ratified. ~~Board members or the public may participate in this public meeting by means of electronic communication.~~

Board members may not participate in the public meeting by means of electronic communication unless otherwise authorized by Bylaw 0164.6.

Members of the public may not participate in the public meeting by means of electronic communication.

A ratified collective bargaining agreement shall include a provision specifying the date on which the public hearing and the public meeting described above occurred as well as an attestation signed by both parties attesting that the public hearing and the public meeting described above occurred on the dates specified in the ratified collective bargaining agreement. The Board shall indicate as part of the attestation whether Board members or members of the public were allowed to participate in the public hearing or public meeting by means of electronic communication.

Not later than fourteen (14) business days after the parties have reached an agreement, the Board shall post the contract upon which the parties have agreed on the Corporation's website.

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