



Book	Policy Manual
Section	0000 Bylaws
Title	PUBLIC PARTICIPATION AT BOARD MEETINGS
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0169.1 - **PUBLIC PARTICIPATION AT BOARD MEETINGS**

The Chair of each School Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct. The limited purpose of this forum is to allow citizens to speak on matters directly related to the business of the Board in a setting appropriate for K-12 students and adults.

In addition to the parliamentary rules of Robert's Rules of Order, hereby incorporated by reference, the Chair shall be guided by the following rules:

- A. Any citizen may address the Board directly concerning matters directly related to the business of the Board.
- B. Individuals who wish to be heard by the Board on a topic which is not on the agenda for the meeting shall be scheduled for an appearance only at the public hearing during the regularly scheduled Board meeting each month. The purpose of the public hearing portion of the Board meeting, however, is to allow the public to address matters directly related to the business of the Board and not for resolving individual grievances or disputes. Although the Board will not take official action on any public hearing presentation, staff may be requested, if appropriate, to take a speaker aside and respond to his/her concerns.
- C. Citizens who wish to speak to a topic on the agenda may be scheduled to appear at any Board meeting for which the topic is listed as an item.
- D. Any person who wishes to address the Board, prior to addressing the Board, must complete a District authorized speaker form with the speaker's correct legal name and must disclose whether the speaker has pending litigation against or involving the District or Board, has filed a notice of claim against the Board, or has a pending employee grievance, administrative appeal, or any other litigation against or involving the Board. The disclosure is only required if the speaker intends to address these matters during the meeting. Speakers must also disclose on the speaker form whether they are a lobbyist as defined by Policy 8150. A speaker's failure to provide accurate information on the form will preclude the speaker from addressing the Board.
- E. Where a large number of individuals have signed up to speak according to this policy, the individuals may select a group spokesperson to address the Board on behalf of those individuals.
- F. Citizens scheduled to speak shall be called by the Chair at the appropriate time during the meeting. Each individual shall state for the record their name, address (the address may be given orally or in writing, at the speaker's option), organization or persons represented and whether s/he is being compensated for the appearance. Substitutions for scheduled speakers will not be allowed except in exceptional circumstances.

as determined by the Chair.

G. Decorum

The following rules of decorum are designed to promote the orderly and efficient conduct of public meetings without regard to viewpoint.

1. Citizens' remarks should be directed to the presiding officer or the Board as a whole and not to individual Board members. Speakers must make any comments directed to Board members, the Superintendent, or District staff through the Board Chair. Personal insults made against individual Board members, the Superintendent, or District staff are prohibited as unrelated to Board business.
 2. Speakers commenting on agenda items shall confine their comments solely to the agenda item being discussed. During the public hearing, speakers must limit their remarks to matters directly related to the business of the Board. Unless it is an agenda item, speakers are prohibited from discussing their own pending court cases and filed claims or complaints against the District or District personnel. Similarly, employees are prohibited from discussing any disciplinary matter that affects them individually unless it is an agenda item.
 3. To maintain order and ensure that each meeting is accessible and appropriate for its intended audience, including students in grades K-12, speakers and audience members may not use any form of profanity, engage in boisterous behavior, or make abusive comments or threats. Comments that are pornographic in nature or otherwise depict or describe sexual conduct are also prohibited. For purposes of this policy:
 - a. abusive comments include, but are not limited to, those that a reasonable person would determine: (i) are intended to cause intimidation, humiliation, or distress; (ii) would result in substantial physical harm or substantial psychological harm as a result of intimidation, humiliation, or distress; or (iii) exploit someone's known physical or psychological disability; and
 - b. threats include, but are not limited to, comments meant to frighten or intimidate one (1) or more specified persons into believing they will be harmed by the speaker or someone acting at the speaker's behest.
 4. Any action or noise that causes or creates an imminent threat of a disturbance or disruption, including but not limited to, clapping, applauding, heckling, shouting comments from the audience, or verbal outbursts in support or opposition to a speaker or his/her remarks is prohibited. No signs or placards shall be allowed in the Board meeting. Persons exiting the Board meeting shall do so quietly.
 5. The Chair may notify and warn speakers that their comments have gone beyond the subject matter for which they had signed up to address, address matters that are not directly related to the business of the Board, constitute defamatory remarks or personal insults against individuals, or otherwise violates this policy and/or State and Federal laws and regulations. Persons in the audience may also be notified and warned that their conduct violates this policy.
 6. The Chair may turn off the microphone or recess the meeting if a speaker or audience member persists in violating this policy after being given a warning. Speakers or audience members who persist in violating this policy after being given one (1) warning may also be removed from the meeting and/or barred from further appearance before the Board for the balance of the meeting.
 7. Personal cellular telephone conversations while in the room when the Board meeting is being conducted is not permitted. Such conversations are permitted only during meeting breaks or recess. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the chambers to answer incoming cell phone calls.
- H. Citizens may be heard on consent agenda items before the Board votes on those items. After the consent agenda is determined by the Board pursuant to Board Bylaw 0165.1, Agendas, the Board chair shall call on speakers who have signed up to speak to those items and provide them the opportunity to speak.
- I. Citizens may be heard on matters on the consent agenda or not on the Board agenda at the regularly scheduled meeting of the Board each month at the public hearing which shall begin no later than approximately 6:30 p.m. The Chair may begin calling speakers who are present immediately following the

conclusion of the regular agenda. The public hearing shall not conclude before 4:30 p.m. unless all of the speakers signed up to speak are present and have been given the opportunity to speak.

- J. The Board may prohibit public participation on official acts that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if allowing public speakers would cause an unreasonable delay in the ability of the Board to act. The Board may also prohibit public participation on ministerial acts, including but not limited to, approval of Board minutes and bid-opening lists. The Board may allow public comment on ceremonial proclamations and resolutions.
- K. Whenever a public speaker's comments raise legal issues that may adversely impact the Board, the Board's parliamentarian may provide a verbal instruction or guidance to the Board.

L. Scheduled Public Hearings

1. To appear under "Scheduled Public Hearings", citizens must present a written request to the Superintendent no later than 4:30 p.m. of the Monday preceding a regular Wednesday Board meeting. Forms to be used in submitting these requests are available at all Region Offices, the Office of Citizen Information at the Board Administration Building, and on the District website. The request shall contain the following information:
 - a. correct legal name, address, and telephone number of person who is to appear;
 - b. organization or persons represented and whether the person to appear is being compensated; and
 - c. topic to be presented.
2. The Superintendent shall provide to each Board member a list of the persons scheduled to speak.
3. Any one speaker or spokesperson for a group shall be permitted to speak no more than three (3) minutes at the Scheduled Public Hearings no matter how many issues that individual addresses, nor more than a total of ten (10) minutes during the Board meeting, (including time on agenda items and, later, on consent or non-agenda items), except in unusual circumstances determined and approved by unanimous vote of Board members present at the meeting. If a speaker signs up to speak to an item passed on consent or a non-agenda item, then the speaker will be given additional time during the public hearing that the speaker would have been given had they addressed the item during the regular meeting, provided such additional time does not exceed a total of ten (10) minutes for the entire meeting.
4. Speakers may not refuse to yield the podium when the Chair has advised that their time is up.
5. The total time allotted for the public hearing shall not exceed one and one-half (1 1/2) hours. The time limit on the public hearing portion of the regular Board meeting may be extended by a majority vote of the Board.
6. Pursuant to the rules of parliamentary procedure, the Board may reconsider any item that passed on consent during the scheduled public hearing.
7. Speakers will be recognized in the order the requests were received.
8. Any person who feels that the subject matter has not been adequately covered in the time allotted may present additional information in writing.

M. Procedures when not scheduled under Scheduled Public Hearings

1. A person in this category seeking consent to speak must submit, either before or during the meeting, a written request to the Board Chair.
2. The request must state the person's correct legal name, address, and subject.
3. Board members present at the meeting must vote by a majority for the person to be heard.
4. If the request is approved, the Board Chair shall allot the individual a maximum of three (3) minutes time.

N. Appearances on Board Agenda Items

1. Procedures to be scheduled under "Requests to Speak to Agenda Items"

- a. Any person who wishes to address the Board on an item or items on the agenda may be scheduled under "Requests to Speak to Agenda Items" by presenting a written request to the Superintendent. In the case of a special Board meeting, the deadline shall be noon on the last business day preceding the date of the meeting.
- b. The total time allotted for all individuals who request to be heard on the same agenda item shall be determined by majority vote of the Board members present at the meeting. Any one speaker or spokesperson for a group shall be permitted to speak no more than two (2) minutes on any one agenda item, nor more than a total of ten (10) minutes during the Board meeting, including speaking time during a public hearing, regardless of the number of agenda items to be addressed, except in unusual circumstances determined and approved by unanimous vote of Board members present at the meeting. Additional comments may be presented in writing.

2. Procedures when not scheduled under "Requests to Speak to Agenda Items"

Persons not scheduled in advance to speak to agenda items may request approval of the Board to be heard, as follows:

- a. Before or during the meeting, the person must write their correct legal name, address, and number of agenda item in which interested on a slip of paper and hand to the presiding officer before the item is considered by the Board.
- b. Receive approval to be heard by a majority vote of Board members present at the meeting and voting.
- c. The presiding officer may designate a particular time prior to Board action on the agenda item for such persons to be heard.
- d. If Board approval is granted for the person to be heard, the Chair shall allow a maximum of two (2) minutes. Additional comments may be presented in writing.

O. Public Hearings on Specific Topics

The Board may schedule a meeting designed solely as a public hearing on a specific document or proposal which is to be the subject of later Board action, either to comply with State statutes or to hear citizens on an issue of great public interest. Persons desiring to address the Board at public hearings shall follow and be governed by the procedures for a special Board meeting.

P. Conference Sessions/Workshops of the Board

Citizens may be heard at any conference session or workshop for a specified amount of time that the Board determines in advance of the session or at the beginning of the session.

Q. Quasi-Judicial Proceedings

Board actions at every stage of proceedings for the suspension, dismissal or other discipline of staff members, charter school terminations/nonrenewals, and for the expulsion or assignment of specific students, are quasi-judicial proceedings conducted pursuant to Board Bylaw 0133. Citizens shall not be heard in these cases. All aspects of student expulsion proceedings shall be closed to the public pursuant to F.S. 1006.07(1)(a), unless the parents elect to have the hearing held in compliance with the Sunshine Law.

R. Tape or video recordings are permitted under the following conditions:

1. No obstructions are created between the Board and the audience.
2. No interviews are conducted in the meeting room while the Board is in session.

3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

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Legal

F.S. 286.011

F.S. 286.0114

F.S. 877.13

F.S. 1001.372

Roberts, Henry Martyn, 1998, Robert's Rules of Order (as amended)