

**BOARD MEETINGS
PUBLIC PARTICIPATION**

**UNITED STATES
CONSTITUTION**

The School shall take no action abridging the freedom of speech or the right of the people to petition the Board for redress of grievances. *U.S. Const. Amend. I, XIV.*

When the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819, 828 (1995); City of Madison v. Wis. Emp. Rel. Comm'n, 429 U.S. 167, 176 (1976); Pickering v. Bd. of Educ., 391 U.S. 563, 568 (1968).*

**TEXAS
CONSTITUTION**

Citizens have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. *Tex. Const. Art. I, Sec. 27.*

PUBLIC COMMENT

A Board shall allow each member of the public who desires to address the Board regarding an item on an agenda for an open meeting of the Board to address the Board regarding the item at the meeting before or during the Board's consideration of the item.

**LENGTH OF PUBLIC
COMMENT**

A Board may adopt reasonable rules regarding the public's right to address the Board under these provisions, including rules that limit the total amount of time that a member of the public may address the Board on a given item.

Except as permitted by this policy and the procedures on public comment.

**MEETING
MANAGEMENT**

When necessary for effective meeting management or to accommodate large numbers of individuals wishing to address the Board, the presiding officer may make adjustments to public comment procedures, including adjusting when public comment will occur during the meeting, reordering agenda items, deferring public comment on non-agenda items, continuing agenda items to a later meeting, providing expanded opportunity for public comment, or establishing an overall time limit for public comment and adjusting the time allotted to each speaker. However, no individual shall be given less than one minute to make comments.

**ADDITIONAL TIME
FOR TRANSLATION**

If the Board does not use simultaneous translation equipment in a manner that allows the Board to hear the translated public testimony simultaneously, a rule adopted that limits the amount of time that a member of the public may address the Board must provide that a

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member of the public who addresses the Board through a translator must be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the Board.

**LIMIT ON
PARTICIPATION**

Audience participation at a Board meeting is limited to the public comment portion of the meeting designated for that purpose. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

SIGN UP

A person or representative of a group or organization shall be required to sign up prior to the beginning of the meeting.

On the day of the Board meeting, the sign-up sheet for public comment shall be available in the location on the notice of the Board meeting prior to the beginning of the meeting. Speakers shall indicate the agenda item or topic on which they wish to address the Board.

No person shall be permitted to sign up for another person nor shall anyone be permitted to exchange time or to yield time to persons not signed up. Public comment to the Board shall be available on a first-come, first-served basis.

When individuals signs up to speak, they must identify if they are speaking on their own behalf or on the behalf of an organization, and they must name the organization that they represent.

**COMPLAINT
PROCEDURES**

Citizen complaints shall be handled according to Policy GF. The Board may determine that an item brought before the Board should be handled according to procedures for citizen complaints in Policy GF before the Board shall respond to an item.

The presiding officer or designee shall determine whether an individual addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the individual shall be referred to the appropriate policy to seek resolution:

- Employee complaints: DGBA
- Student or parent complaints: FNG
- Public complaints: GF

PUBLIC CRITICISM

The Board may not prohibit public criticism of the Board, including criticism of any act, omission, policy, procedure, program, or service.

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This does not apply to public criticism that is otherwise prohibited by law.

Gov't Code 551.007

**RESPONSE TO
COMPLAINTS**

There is no requirement that the Board negotiates or even responds to complaints. However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance. Professional Association of College Educators v. El Paso County Community (College) District, 678 S.W.2d 94 (Tex. App.—El Paso 1984, writ ref'd n.r.e.).

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

DISRUPTION

It is a criminal offense for a person, with intent to prevent or disrupt a lawful meeting, to substantially obstruct or interfere with the ordinary conduct of a meeting by physical action or verbal utterance and thereby curtail the exercise of others' First Amendment rights.

Penal Code 42.05; Morehead v. State, 807 S.W. 2d 577 (Tex. Cr. App. 1991)

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.

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