

|              |  |
|--------------|--|
| Book         | Policy Manual  |
| Section      | POLICIES FOR THE BOARD, JUNE, 2023                     |
| Title        | Copy of Copy of PUBLIC PARTICIPATION AT BOARD MEETINGS |
| Code         | po0167.3   |
| Status       |  |
| Adopted      | March 21, 2006   |
| Last Revised | September 20, 2022                                     |

### 0167.3 - PUBLIC PARTICIPATION AT BOARD MEETINGS

The School Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on School Corporation matters.

To permit fair and orderly public expression, the Board may provide for oral public comment at every regular in-person meeting of the Board, including those where one or more but less than fifty percent (50%) of the Board members are participating remotely or virtually. and publish procedures to govern such participation in Board meetings. A member of the public who is physically present at a regular in-person meeting of the Board, including a meeting of the Board, including a meeting in which some Board members may be participating electronically under I.C. 5-14-1.5-3.5 and Bylaw 0164.5, **Member Participation in Meeting Through Electronic Means of Communication**, shall be allowed to provide oral comment in accordance with the procedural rules established by the Board below. Public comment is limited to items on the Board's agenda. The Board shall provide for oral public comment at Board meetings held remotely or virtually during a 'Disaster Emergency' pursuant to Indiana law. When oral public comment is permitted on a topic, it shall occur before the Board takes final action on the topic.

The presiding officer of each Board meeting shall administer the established procedures of the Board for conducting oral public comment. These procedural rules for oral public comment at Board meetings are reasonable rules to maintain order at the meeting, allow the Board to operate without disruptive behavior and permit the Board to operate in an efficient manner so the business of the Board can be conducted and completed timely.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business. Provided, however, that public participation may be prohibited at any meeting that must be conducted remotely or virtually due to a disaster emergency declared by Federal, State, or local officials unless the Board has elected to allow oral public comment at such Board meetings above.
- B. Participants **must shall** be recognized by the presiding officer and **will shall** be requested to preface their comments by an announcement of their name, **address**, and group affiliation, if and when appropriate.
- C. Each statement made by a participant shall be limited to five (5) minutes duration.
- D. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- E. All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- F. The presiding officer may:
  1. prohibit public comments which are harassing;
  2. interrupt, warn, or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
  3. request any individual to leave the meeting when that person behaves in a manner that is disruptive to the orderly conduct of the meeting;
  4. request the assistance of law enforcement officers in the removal of a person who is willfully disruptive when that person's behavior interferes with the orderly conduct of the meeting;
  5. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;

6. waive these rules with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

G. The portion of the meeting during which oral public comment is held shall be limited to five (5) minutes unless extended by a vote of the Board; provided, however, that every person who is physically present and has followed the reasonable rules set forth above shall be permitted an opportunity to provide oral public comment by dividing the total time for oral public comment by the number of persons providing oral public comment.

#### **ELECTRONIC RECORDING OF BOARD MEETING BY THE PUBLIC**

Digital, audio or video recordings are permitted. The person operating the recording device ~~should~~ **shall** contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:

- A. No obstructions are created between the Board and the audience.
- B. No interviews are conducted during the Board meeting.
- C. No commentary is made that would distract either the Board or members of the audience.

**Grow v. Bartholomew Cons. Sch. Corp., 22-FC-124 (PAC Opinion Oct. 18, 2022)**

Revised 10/13/20

Revised 3/15/22

© Neola 2022

|       |  |
|-------|--|
| Legal | I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings |
|       | I.C. 20-26-4-3 Notice of meetings to Board members   |