

## **Billings Public Schools**

### **THE BOARD OF TRUSTEES**

#### Public Participation

##### A. Objective.

The Board recognizes and honors the constitutional right of the public to participate in its operations. The Board recognizes the value of public comment on educational issues and the importance of listening to members of the public in its meetings. The Board encourages members of the public to participate in and express opinions about issues important to the District.

The Board also honors its role in the operation of a public school system and wishes its meetings and decision making to serve as an example for the District's students. To that end, the Board expresses an operational principle of civility in its deliberations. The Board encourages a robust debate about school issues, but desires that debate to be respectful of members of the Board, of District employees and students, and of members of the public.

##### B. Meeting Rules and Procedures

To provide for the fair and orderly expression of public participation, the Board establishes these rules and procedures applicable to all Board meetings, including committee meetings, and other meetings in the District that are open to the public ("Meeting").

1. The Board requests before the beginning of every Meeting or before speaking, persons wishing to address the Meeting shall complete form 1441-F1 which shall be collected by the Clerk and delivered to the presiding officer. This form shall also be available on the District website and may be delivered to the Clerk by e-mail or other methods of delivery.
2. The agenda for each Meeting shall include an item at the beginning of the Meeting allowing public comment on any public matter that is not otherwise on the agenda of the Meeting and is within the jurisdiction of the Board. In addition, the Board will allow and encourages members of the public to comment on particular agenda items before Board action. The presiding officer of each Meeting is responsible for ensuring the opportunity for public comment on agenda items before action is taken.
3. Montana law does not ordinarily permit the Board to discuss or take action on a matter not on the Meeting agenda because the public has a right to reasonable notice of items before the Board. The Board, therefore, avoids giving substantive responses to comments made by the public. However, the Board Chair may, in response to public comments provide information about when the matter is scheduled for discussion or action by the Board and may refer

persons making public comments to a Board committee or District staff member to respond or provide information about the matter.

4. The presiding officer may control public commentary to ensure an orderly progression of the Meeting and may interrupt or terminate an individual's statements when appropriate, including statements that are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant.
5. Public comment shall be limited to five (5) minutes per person per agenda item unless additional time is requested and/or granted by the presiding officer with the concurrence of a majority of the Board or the committee. The presiding officer may reduce the five (5) minute limit and set a limit on the total time available for public comment on a particular item if necessary for the orderly progression of the Meeting.  
The presiding officer shall announce any limitations to be placed on public comment at the beginning of the particular agenda item. The Clerk shall keep and enforce public comment time limits.
6. Persons addressing the Board or a committee shall come to the podium and provide for the record that person's name and, if applicable, the person, firm, or organization the person represents.
7. Speakers shall address their comments to the presiding officer and the Board as a body and not to any individual member of the Board or District employees.
8. Speakers shall keep their comments germane to the particular item on the agenda. During the general public comment agenda item, Speakers shall keep their comments to matters which are within the jurisdiction of the Board or the committee.
9. Speakers shall refrain from irrelevant or unduly repetitious communications or other behaviors, which disrupt, disturb, or impede the orderly conduct of the Meeting, or incite violence.
10. Speakers are prohibited from using vulgar, discriminatory, profane, or impertinent speech, or personal attacks and personal accusations, which disrupt, disturb, or impede the orderly conduct of the Meeting, or incite violence.
11. Speakers and persons in the audience shall not delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
12. Audio/Visual (AV) equipment is reserved for Board or committee deliberations for clarity and understanding of issues to make decisions on matters that impact the District. Citizens may submit data, views, or arguments, orally or in written form, to the presiding officer or Clerk, prior to or during the Meeting. Citizens wishing to submit written information while at the podium shall hand the information to the Clerk.

13. Any person, including one with special needs, who may want to offer public comment on any matter, may provide a written statement for the record to the Clerk for distribution to the Board or committee in lieu of offering oral comment. The time limits set forth above shall apply to any oral presentation or reading of any such written statement.
14. Objects that are deemed by the presiding officer to be a threat or perceived to be a threat to persons at the Meeting or the facility infrastructure are not allowed and the object, or the person possessing the object, may be subject to search for weapons and other dangerous materials and may be directed to leave the building.
15. Speakers and persons in the audience shall refrain from creating, provoking or participating in any type of disturbance, which disrupts, disturbs, or impedes the orderly conduct of Board or committee business or which incites violence, including but is not limited to, unwelcome physical contact, or verbal, physical. or emotional abuse or intimidation.
16. Cell phones, pagers, smart phones, or other electronic communication devices shall be put in silence mode during Meetings. Persons who need to place or receive a telephone call are requested to leave the meeting room for that purpose.
17. Anything other than a prepared statement by the speaker and/or related supporting documents or items is prohibited at the podium.
18. Failure to comply with the rules of decorum which disturbs, disrupts, or impedes the orderly conduct of the Meeting shall, at the discretion of the presiding officer, be ruled out of order, and may result in the speaker's removal from the podium, removal from the Meeting, and/or possible arrest.

Cross References: 1420 Board Agendas, etc.

Legal References: Article II, Section 8, Montana Constitution Right of participation  
§§ 2-3-101, et seq., MCA Right of participation

Policy History:

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