

Lebanon Community Schools

Code: **BDDH**
Adopted: 06/16/09
Readopted: 02/04/10
Revised: 03/08/18, 04/14/22
Orig. Code: BDDH

Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's community members to attend Board meetings to become acquainted with the program and operation of the district. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas, and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment. The public meeting law is a public attendance law, not a public participation law. The right of the public to attend does not include the right to participate by giving testimony or comment.

The Lebanon Community School Board recognizes members re vital to the success of the school system. Therefore, the Board extends to community members the right to make comments at the designated place on the agenda. Comments should follow the guidelines as described in the policy.

Board members should refrain from responding to audience comments.

Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with the Board policy BD/BDA – Board Meetings.

Procedures for Oral Public Comment

The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. Public comment is limited to its designated place on the agenda and while time allows and should be made in an orderly manner and civil tone.
2. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will complete and submit the Intent to Speak form to the Board secretary prior to the Board meeting.¹ If attending virtually, the Intent to Speak form must be submitted 24 hours prior to the meeting. A request to give public comment in-person or electronically does not guarantee time will be available.

¹ When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

3. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda.
4. A person speaking during the public comment portion of the meeting should state their name, whether they are a resident of the district, and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
5. A person giving public comment is limited to an established time limit of three minutes. Statements should be brief and concise. The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and equitable manner. Time limits will be determined based on the number of commenters and the amount of time available for public comment. If a person has more comments than time allows or is unable to comment due to constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed.
6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

The Board will not hear public comment at Board work sessions.

Topics raised during the public comment portion may be considered for inclusion as agenda items at future Board meetings.

Comments Regarding Staff Members

A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations or programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board Policy KL - Complaints for consideration of a legitimate complaint involving a staff member. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board.

END OF POLICY

Legal Reference(s):

[ORS 165.535](#)
[ORS 165.540](#)
[ORS 192.610 - 192.690](#)
[ORS 332.057](#)
[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2017); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

Americans with Disabilities Act Amendments Act of 2008.

Baca v. Moreno Valley Unified Sch. Dist., 936 F. Supp. 719 (C.D. Cal. 1996).

Leventhal v. Vista Unified Sch. Dist., 973 F. Supp. 951 (S.D. Cal. 1997).