

SCHOOL BOARD BYLAWS

Public Comments at School Board Meetings

At regular School Board meetings and public hearings, the School Board shall accept comments from members of the public on matters relevant to PreK-12 public education in Virginia Beach and the business of the School Board and the School Division. Members of the public have multiple methods to communicate with the School Board and are encouraged to communicate with the School Board outside of meetings. The School Board reserves the right to limit, discontinue or otherwise alter the methods by which public comments will be accepted during School Board meetings.

A. When public comments are accepted at Presentations to the School Board Meetings

The School Board shall, in open session at regular School Board meetings, accept public comments during a School Board meeting when the agenda for that meeting includes a public comment section on matters germane to the business of the School Board. Public comment shall be conducted under the agenda topics "Hearing of Citizens and Delegations on Informal Meeting and Non-Agenda Items" and "Hearing of Citizens and Delegations on Formal Agenda Items" at each regular School Board meeting at such time as the School Board determines. Speakers shall have the opportunity to speak one time on either Formal Agenda or Non-Agenda items at each meeting. During "Hearings of Citizens and Delegations on Formal Agenda Items" speakers may only address items on the Formal Agenda for that meeting. School Board Workshop items are considered Informal Meeting items. Public comments are not accepted at School Board committee meetings. Public comments are generally not accepted at special, emergency, retreat, or abridged meetings of the School Board.

B. Arrangements for public speakers Advance Request Procedure

1. Signing up to speak.

Members of the public may sign up to speak for public comment sections of School Board meetings as designated in the meeting agenda or otherwise noted by the School Board. When not otherwise designated by the meeting agenda or notice, members of the public must sign up to speak during public comment sections by noon on the day of the meeting.

2. Responsibility for preparations for public speakers.

The School Board authorizes the School Board Clerk and the Superintendent or their designees to determine how speakers may sign up, the order of speakers, the accommodations that can be provided to speakers seeking accommodations to address the School Board, the methods for in person speakers to address the School Board, the methods for speakers to address the School Board electronically or telephonically, and other reasonable or necessary decisions to allow speakers to address the School Board during public comment sections. The School Board Chair with the assistance of the Superintendent or their designees are authorized to maintain order and decorum for all members of the public who are in the location of the meeting.

~~Citizens wishing to speak during the Hearing of Citizens and Delegations on Informal Meeting and Non-Agenda Items or Hearing of Citizens and Delegations on Formal Agenda Items portion of a regular School Board meeting are encouraged to sign up with the Clerk by noon on the day of the regular meeting. Citizens shall be called to speak in the order in which they have signed up with the Clerk; however, the School Board reserves the right to alter the order of speakers. The time available for the hearings of citizens and delegations at a School Board meeting on either Non-Agenda or Formal Agenda items is set by the Standing Rules but may be altered by the School Board.~~

C. C. Time Limitations on public comments

When the School Board Meeting accepts public comment during a meeting, the following rules or procedures will apply:

1. Once the public comment section of an Agenda has begun the School Board may suspend Public Comments at 8:00 p.m. to handle other matters on the Agenda and then resume Public Comments later in the meeting. The Chair or designee, with the consensus of the School Board Members present, may choose to extend the public comments past 8:00 p.m. for a short period of time if doing will conclude the public comments for the meeting.
2. Public speakers may address the School Board only one time during a meeting.
3. Public speakers signed up to speak during a School Board meeting may be allotted up to three (3) minutes to address the School Board.
4. Priority will be given to students currently enrolled in the School Division to address the School Board during public comment sections of the agenda and the School Board Clerk or designee is authorized to develop procedures to affect this priority.
5. The Chair or designee will be the only Member of the School Board who will address a public speaker. During public comments, the School Board does not answer questions, accept items from speakers or otherwise respond to public speakers.
6. Public speakers must limit comments to the School Board to matters directly related to PreK-12 public education in Virginia Beach or the business of the School Board and the School Division.
7. Public speakers may not violate decorum and/or order rules or other required safety or health mitigation requirements when addressing the School Board.

8. Public speakers may not cede or switch their assigned positions in the order of speakers, cede any portion of their time or allow other speakers to address the School Board during the speaker's time.
9. After being warned, public speakers whose allotted time has concluded, who have been ruled out of order, who are in violation of decorum rules, or who are in violation of safety or health protocols must leave the podium and discontinue comments. The Chair or designee may determine that a public speaker's failure to leave the podium or discontinue comments is a breach of order and decorum and may direct the Superintendent, staff members, the sergeant at arms or their designees to escort the public speaker from the podium. The Chair and Superintendent or their designees are authorized to take all appropriate actions to address the breach of order and decorum or violation of law or regulation. Citizens addressing the School Board shall limit their remarks to four (4) minutes unless otherwise modified by the Chair. The Chair shall, with assistance from the Clerk, consistently monitor and enforce the limitation.
10. Any comments by the Chair or designee or the speaker regarding issues of order or decorum will not extend a speaker's allotted time to address the School Board.
11. Public speakers who are ruled out of order and/or in violation of decorum rules or safety or health protocols will forfeit any remaining time to address the School Board.
12. School Board Members who disagree with the determination of the School Board Chair may make a motion with a second to vote to overrule the Chair or designee's decision regarding a specific speaker. Such motion must be made directly after the Chair or designee's decision. Only one motion per speaker will be allowed.

13. Other forms of public comment will not be accepted during meetings from any person who has not been called up and is at the podium or who has been called to speak electronically or telephonically.

D. Public comments at Public Hearings

When the School Board has scheduled a public hearing for the purpose of receiving public comment, the School Board shall accept comment only on the topic(s) for which the public hearing was called. The School Board Chair or the Superintendent or their designees may create procedures to address how public comments will be accepted during the public hearing and will not be required to follow the same procedures used for public comments during other meetings. Rules regarding decorum and order and applicable safety and health protocols will be followed.

~~the orderly presentation of speakers. All other Bylaws applicable to individuals or groups appearing before the School Board shall apply to public hearings.~~

Legal Reference

Code of Virginia § 22.1-79, as amended. Powers and duties.

Related Links

School Board [Bylaw 1-48](#).

School Board Bylaws [Appendix B](#).

Adopted by School Board: July 21, 1992

Amended by School Board: August 16, 1994

Amended by School Board: September 19, 1995

Amended by School Board: August 17, 1999

Amended by School Board: February 20, 2001

Amended by School Board: December 3, 2002

Amended by School Board: December 2, 2008

Amended by School Board: August 2, 2016

Amended by School Board: March 27, 2018

Amended by School Board: September 9, 2020

Amended by School Board: May 11, 2021

Amended by School Board: July 20, 2021

Amended by School Board: September 28, 2021

APPROVED AS TO
LEGAL SUFFICIENCY

Kamala H. Larrick