

PUBLIC PARTICIPATION AT MEETINGS (Policy Committee Suggestions from 3/23/22)

Code **BEDH** Issued **DRAFT/195/18**

~~Appearance of Individuals or Groups Before the Board~~

~~Purpose: To establish the basic structure for public participation in board meetings. The policy will not be used to circumvent the South Carolina Freedom of Information Act (FOIA).~~

The board values and encourages community involvement. Public participation at board meetings is one of many ways the community may ask questions. The board encourages the citizens of this community to appear and bring before the board any matter directed toward the improvement of the ~~school system~~ district and the agenda of the board. This policy provides for any individual or group to be heard on a subject pertaining to the policies or administration of the -school system.

Orderly conduct of a meeting does not permit spontaneous discussion from the audience. All persons who wish to participate will do so through established procedures. These procedures are designed to encourage participation and ensure the orderly management of the meetings. The board is committed to compliance with the South Carolina Freedom of Information Act (FOIA) as well as all other federal and state laws which regulate or affect board actions and policy.

Any individual desiring to speak is required to sign in by showing ID and filling out a form that includes the individual's name and address and the specific topic to speak on. If the form is not completed in its entirety the speaker will not be invited to speak. The board chair will recognize those who have signed in and wish to speak to an agenda topic, or non-agenda topic, during public participation. Each speaker will use the microphone provided and will begin their remarks by announcing their name and group, if any group is being represented. ~~The speaker will not be permitted to stray from the stated subject that was reported on the form.~~

The presentation should be as brief as possible, yet include all information considered important by the speaker. Unless the board chair allows additional time, each speaker will be limited to three (3) minutes. ~~Public participation will not exceed 60 minutes unless waived by a majority vote of the board.~~

If one spokesperson has presented a matter, it is not necessary for others to repeat the same ideas, but anyone may speak who has comments to add that are pertinent.

Persons appearing before the board are reminded, as a point of information, that the members of the board are without the authority to act independently as individuals in official matters; thus, questions may be directed to the board, but answers ~~must will~~ be deferred pending consideration by the entire board. At the discretion of the board chair, an individual board member may offer a ~~clarifying correction~~ statement. The ~~clarifying~~ statement is not to be considered the opinion or policy of the entire board. Any board member may request the administration provide an oral response to the questions asked, or statements made, during ~~current~~ public participation ~~or~~ at the next meeting of the board.

Questions asked during public participation will be given due consideration and care. Questions will be addressed as follows:

School District Five of Lexington and Richland Counties (see next page)

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- Questions from participants should be written down by the participant along with contact information and turned in to the administration or board chair after addressing the board.
- Questions will be reviewed and answered in a timely manner following the FOIA timeline.
- Questions requiring document research, document production, or the redaction of information will be considered a Freedom of Information Request and will be addressed through the district's FOIA process.
- Questions asked and answered in the last twelve (12) months will not be answered again but will be directed to the district's website for previous answers.
- Questions deemed inappropriate will not be answered. Factors that would make a question inappropriate include but are not limited to:
 - Asking a staff member to interpret the "will" or "mind" of the board is considered inappropriate. Decisions of the board are made after thoughtful and careful consideration of the entire board and only the board may speak to those matters.
 - Asking questions that would inappropriately identify a student or family will not be addressed. Matters pertaining to protected personnel records will not be addressed.
 - Asking questions that suggest illegal or unethical activity of a district employeestaff member or board member will not be addressed and will be considered inappropriate.

~~The privilege of addressing~~ In order that the board ~~does~~may ~~conduct the meeting in a civil and professional manner, comments from the public should~~ not include gossip, defamatory words, or abusive and vulgar language. The board reserves the right to terminate any presentation which violates the ability to make personal attacks on ~~any board member, district employee, or other member of the public. The board chair or presiding officer is authorized to terminate the remarks of any person should the chair determine that the speaker's remarks violate~~ the spirit or the letter of this policy. No political campaigning or commercial solicitations will be permitted during public participation. The board chair or presiding officer may direct or terminate a speaker whose remarks are not consistent with their completed form or who yell, use foul or obscene language, or disrupt the meeting in any way.

Note: For hearing procedures before the board, see KE, Complaints.

Adopted 1973; Revised 11/16/81, 1/21/85, 10/11/04, 5/22/06, 5/21/18, ^

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
1. Section 30-4-10, *et seq.* - South Carolina Freedom of Information Act.