PUBLIC COMMENT AT BOARD OF DIRECTORS MEETINGS

The primary purpose of School Board meetings is to conduct the business of the Board related to school policies, programs, and operations. The Board encourages residents to attend Board meetings so that they may become acquainted with the operations and programs of the schools and cordially invites any interested member of the public to attend and participate as provided in this policy.

The Board recognizes the value of public comments on school and educational matters. To permit fair and orderly expression of public comments at Board business meetings, while still allowing the Board to conduct its business efficiently, the Board has established the procedure below for regular business meetings.

At special, emergency, or workshop meetings, public comments will be limited to the topic(s) of the particular meeting.

In addition to speaking during the designated public comment portion of the agenda at Board meetings, members of the public are welcome to submit written comments on school and educational matters to the Board and Superintendent.

The following rules apply to public participation in Board business meetings:

1. The Board includes a public comment period, not to exceed 15 minutes on the agenda of its regular business meetings. Individual speakers will be given equal amounts of time to speak during public comment period, limited to a maximum of three (3) minutes per speaker. Individuals may not relinquish a portion of their allotted time to another speaker. The time limits in this paragraph may be modified at a particular meeting at the discretion of the Board Chair.

2. Pursuant to the provisions of policy BEDD- Conduct of Board Meetings-Procedural Rules, any member of the Board may move to modify the time limits in this paragraph during a particular meeting. Any such motion shall require a second to proceed to a vote. The final authority on such a seconded motion is the majority of the voting members, provided a quorum is present, and always subject to applicable law.

3. The Board will hear public comments from residents of the school unit first. If there is time remaining in the public comment period once all residents have had the opportunity to speak, the Board will permit comments from non-residents. Individuals who wish to speak are required to fill out the sign-in form available at each Board meeting, prior to the beginning of the public comment period, and review a copy of this policy. Each individual will be required to state their name and town/city of residence before beginning their remarks.

4. In order to make efficient use of meeting time, the Board requests that groups or organizations be represented by designated spokespersons.

5. Individuals shall stand behind the podium during their allotted time for comment. Speakers will not be permitted to approach the Board or walk or stand elsewhere around the room during their comment period. Speakers must be recognized by the Board Chair, and all public comments should be addressed to the Board Chair.

6. The Board Chair is responsible for ensuring the orderly conduct of Board meetings and for ensuring compliance with this policy, including the following rules of order:

a. Speakers are expected to follow rules of common etiquette and decorum for the forum – a school business meeting at which students may be present – and are required to refrain from (i) using indecent and/or obscene language, (ii) engaging in disruptive conduct, including but not limited to inciting criminal conduct, shouting, threatening others using words or by other actions, making defamatory comments, exceeding the allotted time limits, talking over or interrupting others, offering repetitive comments, and offering comments on matters unrelated to school or education matters. For purposes of this policy, the following definitions apply:

   Indecent – the remark is uttered before 10:00 p.m. and describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards.

   Obscene – the remark appeals to the prurient (i.e., shameful, morbid, or unwholesome fascination with sex, nudity, or excretory functions) interest; depicts or describes sexual conduct in a patently offensive way; and, taken as a whole, lacks serious literary, artistic, political or scientific value.

b. Discussion of personnel matters is not permitted during the public comment period due to the privacy, confidentiality and due process rights of school unit employees. For purposes of this policy, "discussion of a personnel matter" means any discussion, whether positive or negative, of the job performance or conduct of a school unit employee (whether the employee is named directly or, in the judgment of the Board Chair, the identity of the employee can be reasonably identified due to the content of the remarks).

c. Discussion of matters involving individual students are also not permitted during the public comment period due to the privacy, confidentiality, and due process rights of the school unit's students.

d. All concerns about personnel matters and/or student matters should be directed to the Superintendent or another appropriate administrator outside of Board meetings, in accordance with RSU 5 Policy KEB- Complaints About School Personnel, so that they can be addressed through an alternative channel and in a manner consistent with privacy, confidentiality, and due process rights of the individuals involved.

e. The Board Chair will stop any public comment that is contrary to these rules.

f. Individuals who disrupt a Board meeting may be asked to leave in order to allow the Board to conduct its business in an orderly manner. The Board Chair may request the assistance of law enforcement if necessary to address disruptions or safety concerns.

Legal Reference: 1 MRSA § 405
20-A MRSA § 1001 (20)
20-A MRSA § 6101

Cross Reference: BE - Board of Directors Meetings
BEC – Executive Session
BEDB – Agenda
BEDBA – Agenda Format
BEDD – Rules of Order
KE – Public Concerns and Complaints
KEB- Complaints About School Personnel

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