



|              |  |
|--------------|--|
| Book         | Policy Manual  |
| Section      | Volume 34, No. 2 - April 2022  |
| Title        | Revised Bylaw - Vol. 34, No. 2 - April 2022 - PUBLIC PARTICIPATION AT BOARD MEETINGS |
| Code         | po0167.3   |
| Status       | From Neola   |
| Adopted      | April 19, 1993   |
| Last Revised | June 17, 2013  |

### Revised Bylaw

#### 0167.3 - PUBLIC PARTICIPATION AT BOARD MEETINGS

The School Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on School Corporation matters.

#### ~~{OPTIONAL}~~ [OPTION MOVED BELOW FIRST LIST]

~~{ } Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than \_\_\_\_\_ ( ) days prior to the meeting and include:~~

- ~~A. ( ) name and address of the participant;~~
- ~~B. ( ) group affiliation, if and when appropriate;~~
- ~~C. ( ) topic to be addressed;~~

~~Such requests shall be reviewed by ( ) the Board President ( ) the Superintendent and the Board President ( ) the Superintendent or the Board President [END OF OPTION] and shall be placed on the agenda only if approved by ( ) the Board President ( ) the Superintendent and the Board President ( ) the Superintendent or the Board President [END OF OPTIONS]. The amount of time for agenda items for any person or group who have been approved for a presentation on the Board agenda shall be limited to \_\_\_\_\_ ( ) minutes. [END OF OPTION]~~

To permit fair and orderly public expression, the Board ~~may shall~~ provide ~~a period~~ for oral public participation ( ) comment at every regular in-person meeting of the Board, including those where one or more but less than fifty percent (50%) of the Board members are participating remotely or virtually, ( ) at those public meetings of the Board during which action may be taken [END OF OPTION] and publish procedures to govern such participation in Board meetings. A member of the public who is physically present at a regular in-person meeting of the Board, including a meeting in which some Board members may be participating electronically under I.C. 5-14-1.5-3.5 and Bylaw 0164.5, shall be allowed to provide oral comment in accordance with the procedural rules established by the Board below. [OPTION] ( ) Public comment is limited to items on the Board's agenda. ~~[END OF OPTION] [OPTION] ( ) The Board shall provide for oral public comment at Board meetings held remotely or virtually during a "Disaster Emergency" pursuant to Indiana law. [END OF OPTION] When oral public comment is permitted on a topic, it shall occur before the Board takes final action on the topic.~~

The presiding officer of each Board meeting ~~at which public participation is permitted~~ shall administer the established procedures of the Board for ~~its conduct. conducting oral public comment. These procedural rules for oral public comment at Board meetings are reasonable rules to maintain order at the meeting, allow the Board to operate without disruptive behavior and permit the Board to operate in an efficient manner so the business of the Board can be conducted and completed timely.~~

The presiding officer shall be guided by the following rules:

- ~~A. ( ) Public participation shall be permitted ( ) as indicated on the order of business. ( ) before the Board takes official action on any issue of substance. ( ) at the discretion of the presiding officer. [END OF OPTION] ( )~~ Provided, however, that public participation may be prohibited at any meeting that must be conducted remotely or virtually due to ~~an a~~

**disaster** emergency declared by Federal, State or local officials **unless the Board has elected to allow oral public comment at such Board meetings above.** ~~[END OF OPTION]~~

- B. ~~( ) Anyone having a legitimate interest in the actions of the Board may participate during the public portion of a meeting.~~
- C. ( ) Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- D. ( ) Participants must be recognized by the presiding officer ( ) and will be requested to preface their comments by an announcement of their name, ( ) address, ( ) group affiliation, if and when appropriate. **[END OF OPTIONS]**
- E. ( ) Each statement made by a participant shall be limited to \_\_\_\_\_ ( ) minutes duration.
- F. ( ) No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- G. ( ) All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- H. ( ) The presiding officer may:
1. ( ) prohibit public comments which are **frivolous, repetitive, or** harassing;
  2. ( ) interrupt, warn, or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
  3. ( ) request any individual to leave the meeting when that person behaves in a manner that is disruptive **of to** the orderly conduct of the meeting;
  4. ( ) request the assistance of law enforcement officers in the removal of a **disorderly** person **who is willfully disruptive or** when that person's behavior interferes with the orderly conduct of the meeting;
  5. ( ) call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
  6. ( ) waive these rules. ( ) with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business. **[END OF OPTION]**
- I. ( ) The portion of the meeting during which ~~the participation of the oral~~ public **comment** is ~~invited held~~ shall be limited to \_\_\_\_\_ ( ) minutes **[insert number of minutes]** unless extended by a vote of the Board; **provided, however, that every person who is physically present and has followed the reasonable rules set forth above shall be permitted an opportunity to provide oral public comment by dividing the total time for oral public comment by the number of persons providing oral public comment.**
- J. ~~( ) Digital, audio or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:~~
1. ~~No obstructions are created between the Board and the audience.~~
  2. ~~No interviews are conducted during the Board meeting.~~
  3. ~~No commentary is made that would distract either the Board or members of the audience.~~

**[START OF OPTION]**

**[ ] MEMBER OF THE PUBLIC PLACING AN ITEM ON THE BOARD AGENDA**

**Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than \_\_\_\_\_ ( ) days prior to the meeting and include:**

- A. **( ) name and address of the participant;**
- B. **( ) group affiliation, if and when appropriate;**
- C. **( ) topic to be addressed.**

Such requests shall be reviewed by ( ) the Board President ( ) the Superintendent and the Board President ( ) the Superintendent or the Board President [END OF OPTION] and shall be placed on the agenda only if approved by ( ) the Board President ( ) the Superintendent and the Board President ( ) the Superintendent or the Board President [END OF OPTIONS]. The amount of time for agenda items for any person or group who have been approved for a presentation on the Board agenda shall be limited as set forth above.

[END OF OPTION]

[START OF OPTION]

[ ] ELECTRONIC RECORDING OF BOARD MEETINGS BY THE PUBLIC

Digital, audio or video recordings are permitted. The person operating the recording device should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:

- A. No obstructions are created between the Board and the audience.
- B. No interviews are conducted during the Board meeting.
- C. No commentary is made that would distract either the Board or members of the audience.

© Neola ~~2021~~ 2022

Legal I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings  
I.C. 20-26-4-3 Notice of meetings to Board members