

## **MEETING CONDUCT**

### **Meeting Procedures**

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared and delivered in advance to all Board members and to other persons upon request.

The Board president shall conduct Board meetings in accordance with (1) State law, (2) Board bylaws and procedures, and (3) Robert's Rules of Order that enable the Board to efficiently consider issues and carry out the will of the majority.

### **Quorum**

A majority of the number of filled positions on the Board constitutes a quorum.

Unless otherwise provided by law, affirmative votes by a majority of all the membership of the Board are required to approve any action under consideration, regardless of the number of members present.

### **Abstentions**

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. Board members who abstain shall provide a reason for abstention. When a member abstains, his/her abstention shall be considered to concur with the action taken by the majority of those who vote, whether affirmatively or negatively.

### **Board Meeting Documents**

The Board Meeting Agenda will be made available to the public at the time of the meeting, or in advance upon prior request. Documents distributed to the Board by those representing the District shall be made available to the public at the time of distribution. Documents distributed by members of the public to the Board shall be made available following the Board meeting as soon as is reasonably practicable, but no later than the following business day.

### **Public Participation**

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each item of business to be discussed at regular or special meetings.

2. At a time so designated on the agenda, members of the public may bring before the Board, at a regular meeting, matters that are not listed on the agenda. The Board may refer such a matter to the Superintendent or designee or take it under advisement, but shall not take action or engage in discussion at that time except as allowed by law. A matter directly related to school district business may be placed on the agenda of a subsequent meeting for action or discussion by the Board, as determined by the Board President and Superintendent. (See "Public Requests for Board Meeting Agenda Topics" section below.)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities.

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda.

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard it, the Board shall provide an opportunity for the public to speak.

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers are requested to limit comments to no more than three (3) minutes to address the Board on each agenda or non-agenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

6. The Board president may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts or omissions. In addition, the Board may not prohibit public criticism of district employees.

Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957.

#### Public Participation via Correspondence

If a member of the public who is not present at a Board Meeting instead submits a written statement to the Board requesting that it be read at a Board Meeting, then:

1. The receipt of the correspondence and the correspondent's name will be noted at the "Public Comment" section of the Board Meeting, but the statement will not be read at the Board Meeting.
2. A copy of the statement will be provided to each Board Member and the Superintendent.
3. The correspondence and correspondent will be referenced in the Board Meeting minutes.
4. A copy of the correspondence will be attached to the approved Board Meeting minutes, but not distributed to the public.

#### Public Requests for Board Meeting Agenda Topics

Members of the public may request to place matters directly related to school district business on an agenda of school district board meeting for Board discussion, pursuant to Government Code 3514.5. Such requests shall be made in writing to the Superintendent or an appointed representative. The Board President and Superintendent shall determine if the matter relates directly to school district business and, if appropriate, when the matter would reasonably be placed on an agenda.

Disruption of a Public Meeting

The Board of Education, while encouraging appropriate participation by the public in Board meetings, is committed to conducting Board business in a safe, secure, non-disruptive environment.

The Board President shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group shall be grounds for the President or chair to terminate the privilege of addressing the Board. The Board may remove disruptive individuals and order the room cleared if necessary; in this case, members of the media not participating in the disturbance shall be allowed to remain, and individual(s) not participating in such disturbances may be allowed to remain at the discretion of the Board. If deemed necessary to terminate a disturbance, the Board may recess the Board meeting and vacate the Board Room until order is restored. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda.

Penal Code 403 states: "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting, not unlawful in its character, other than such as is mentioned in Section 302 of the Penal Code and Section 29440 of the Elections Code, is guilty of a misdemeanor."

If a member of the public refuses to follow Board guidelines and/or behaves in a disruptive manner, the President of the Board shall:

1. Warn the person to curtail his/her disruptive behavior.
2. If the disruptive behavior continues, request the person again to end the disruptive behavior, and advise the person that to continue will be a disruption of the meeting in violation of Penal Code 403.
3. If necessary, again request the person to stop the disruptive behavior and advise that if he/she remains, he/she is deemed to be disturbing the public meeting according to Penal Code 403 and the Board will be forced to call a recess to have him/her removed.
4. As necessary, announce that because the person will not cease his/her disruptive behavior, the meeting is determined to be disturbed, and therefore, will be in recess until the disruptive person is removed.
5. If necessary, call for police assistance.

Recording by the Public

The Superintendent or designee shall designate locations from which members of the public may broadcast, photograph or tape record open meetings without causing a distraction.

If the Board finds that noise, illumination or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board.

Revised: August 12, 2009

(Revised: February 11, 2009)

(Adopted: February 28, 2007)

(Replaces: BB 9512 Public Sessions)

(Revised: 1984)

(Replaces: BB 9512.2 Disruption of a Public Meeting)

(Adopted: June 2004)

(Replaces: BB 9620 Order of Business – Parliamentary Procedure)

(Revised: 1984)

(Adopted: 1964)