

BOARD POLICY

Board Meetings, Public Participation In

The Garden Grove Unified School District Board of Education encourages citizens to attend Board meetings and welcomes their views on pertinent subjects related to the school district. Only items on the posted Board agenda, however, will be acted upon at any meeting of the Board.

Any person may attend any open Board meeting or other commission, committee, or advisory body that is established by formal vote of the Board. Attendance at such meetings shall not require the person to register by name, to provide other information, to complete a questionnaire, or to fulfill conditions precedent to that attendance. When board meetings are required to be conducted via audio conference, members of the public may participate via phone or computer. When local or state health and safety orders require additional precautions as prerequisites to entry at a Board meeting, these will be enforced.

Persons in attendance who wish to publicly address the Board on matters under consideration or within the Board's jurisdiction shall comply with those requirements established in section B, below.

Members of the public may request that a matter within the subject matter jurisdiction of the Board be placed on the agenda of a regular Board meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, at least 10 working days before any regular Board meeting.

The Board President and Superintendent shall decide whether an agenda item is within the Board's subject matter jurisdiction and appropriate for discussion in study, open or closed session, and whether the item will be placed on an agenda. If applicable, the Board president and Superintendent will place an item on the agenda, as appropriate, ensure placement conforms with the Brown Act and Roberts Rules of Order, and allow sufficient time to gather pertinent information. If the item is placed on the agenda through this process, the Superintendent shall notify the individual or group of the time and place of the meeting of the requested item.

A written request for Board consideration of a matter must include:

1. Contact information for the individual making the request (including, but not limited to, name, address, email address and/or telephone number of the person or persons wishing to speak and the name of the organization or group represented, if any);
2. Topic or title of the requested item;
3. Statement of action requested of the Board as well as pertinent background information leading to the request;
4. Relevant attachments and/or additional information appropriate for consideration; and
5. Date of Board meeting upon which the individual requests the item be agendized.

The following rules are designed to encourage public participation and facilitate oral presentations by members of the community.

A. Public Presentations at Board Meetings

Every agenda for regular Board meetings shall provide an opportunity for members of the public to directly address the Board on items of interest to the public and within the jurisdiction of the Board.

Every notice for a special meeting shall provide an opportunity for members of the public to directly address the Board on items before the Board in the special meeting.

B. Addressing the Board

Persons wishing to address the Board of Education prior to a closed session or during a public hearing or the public comments portion of the meeting must complete a "Request to Address the Board" card available at the guest registration desk identified at all Board meetings. The completed card must be submitted to the superintendent or designee prior to the start time of the meeting and no later than 6:59 p.m.

When meetings are required to be conducted via teleconferencing, members of the public who wish to address the Board during the public comments portion of the Board meeting or prior to the closed session shall be provided an opportunity to address the Board and offer comment in real time.

Public Comment Topics

Public comments for the closed session or public hearing portion of the Board meeting must relate to the topics being discussed as stated on the agenda.

Public comments for the public comment section of the Board meeting may be on any topic within the subject matter jurisdiction of the Board.

Upon recognition by the Board President, the person wishing to address the Board should move to the speaker's podium, and then proceed with the public comments.

The individual must be present when called upon to have an opportunity to provide the public comments.

Board members or district staff members may elect to 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, Board members or staff may ask a question for clarification, make a brief announcement, or make a brief report on their 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.

The Board will not take action on any item presented under Public Comments, except as agreed to by a majority of members present if the item is properly agendized at a future meeting.

C. Time Limit for Speakers

Persons addressing the Board shall limit their public comments to three minutes or less. This time limit applies to public comments at regular Board meetings, closed sessions, study sessions, and public hearings.

If two or more speakers wish to address the Board together, the group must include all names on the public comment request card and complete their remarks in the allotted three minutes or complete separate request cards and address the board separately, following the guidelines included in Administrative Regulation 8120.2. The Board may, at its discretion, when a large number of identified speakers request to be heard, shorten the allowable time to less than three minutes.

The time limit for public comments is 15 minutes per topic with a maximum of five speakers per topic, unless the time for individual speakers is reduced. The speakers will be selected in the order the public comment cards were received. When it appears that numerous persons will be speaking to a particular item representing opposite perspectives, the Board President may select alternate speakers to represent both perspectives.

To ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. If translation services are required, a request must be made to the Office of the Superintendent by 3 p.m. on the Friday prior to the Board meeting.

D. Closed Sessions

Closed sessions are reserved specifically and only to consider topics as permitted by law, which include the appointment, employment, or dismissal of a public officer or employee; to consider disciplinary action concerning a pupil of the district; to consider complaints or charges brought against an officer or employee by another public officer, person, or employee; and to consider employee negotiation matters including salary and/or fringe benefits or those matters defined in Section 54950-54962, Government Code.

E. Conduct and Remarks to the Board

1. Although the Board may inform the speaker of appropriate district complaint procedures, the Board may not prohibit criticisms of the district, its programs, and its employees. Board members and staff may or may not briefly respond to the concerns raised by the complainant at the meeting.
2. While the Board shall not prohibit public criticism of district employees, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board President shall inform the complainant of the appropriate complaint procedure for follow-up action to be taken. Complaints against employees will not be acted upon when presented solely in public comments.
3. The Board President shall not permit any disturbance or willful interruption of the Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person or persons at the meeting shall be grounds for the Board President to terminate the privilege of addressing the Board.
4. The Board may remove the disruptive individual(s) and order the room cleared of the public if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and staff will be allowed to remain. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.

F. No Smoking During Board Meetings

Smoking is forbidden at all Board of Education meetings. Smoking or use of tobacco products by any person is prohibited on all district property.

Ref: EC Sections 35020, 35035, 35145, 35145.5, 35161 Government Code Sections 54950-54962

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