

**Public Participation in Board Meetings****M**

Page 1 of 4

**0167 – PUBLIC PARTICIPATION IN BOARD MEETINGS**

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public comment at every public meeting. The Board shall make and promulgate necessary and proper rules governing public participation in Board meetings, and shall retain the right to waive, amend or rescind any such rules in accordance with the Board's Bylaws and Policies.

**Public Comment Sessions:**

Public participation shall be permitted only as indicated on the order of business in Board Bylaw 0164 (Conduct of Board Meetings). The Board designates three classifications of public comment session: general purpose, limited purpose and special purpose.

1. A general-purpose unrestricted comment session shall be designated on the agenda of all Board meetings in accordance with the Open Public Meetings Act.
2. A limited-purpose public comment session shall be designated on any Board meeting agenda with action items. Comments made during the limited purpose session shall be restricted exclusively to items listed on the public Board meeting agenda for action.
3. A special-purpose comment period shall only be authorized when, in the judgment of the presiding officer, a specific agenda item is believed to generate outsized public interest. The special-purpose comment period shall coincide with the relevant section on the agenda, before any board vote on the specific item, and any such designation may be indicated on the posted agenda or may be verbally announced at any time during the Board meeting. Upon the designation of a special- purpose comment period, no public comments related to that agenda item may be made during any comment period dedicated to general agenda items.

All persons receiving permission to address the Board shall confine their remarks to those matters that properly relate to Board of Education business or which come under the jurisdiction or the authority of the Board. In any event that a speaker before the Board becomes abusive or disrespectful or otherwise resorts to statements which may be considered discourteous or libelous, the presiding officer may in the exercise of his/her judgment summarily terminate the time allotted to the speaker.

**Public Participation in Board Meetings**Virtual Meetings:

In the event the Board is conducting a virtual Board meeting, pursuant to Board Bylaw 0170 (Virtual Board Meetings), sufficient mechanisms shall be provided to ensure that the rights of the public to view and participate in the Board meeting and the right to submit public comments to the Board during the designated portions of the meeting agenda are maintained, to the greatest extent practicable.

Public participation during Board meetings shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by a statement of his/her full legal name, street address, municipality of residence, any applicable group affiliation, and the subject of their remarks;
2. Each statement shall be limited to a maximum of three minutes in duration, no speaker may yield remaining time to another speaker or to a subsequent comment period;
3. No participant may speak more than once during any public comment period and no participant may speak more than twice during the same meeting;
4. All comments, statements, or inquiries must be directed to the President of the Board of Education or other presiding officer. Any comments, statements or inquiries directed by a participant to another Board member, Superintendent, Business Administrator or district personnel shall be redirected to the presiding officer, who shall determine if such comment, statement or inquiry shall be addressed by the presiding officer on behalf of the Board, by the individual Board member, or by the Superintendent or Business Administrator on behalf of the district, acknowledging that not all comments, statements or inquiries can be addressed adequately at the time, and that an immediate response is not required;
5. All public comments shall be governed by the following rules of decorum:
  - a. Comments directed at members of the audience will not be permitted;
  - b. Public criticism of individual staff members will not be permitted;
  - c. Public comments regarding or identifying specific students, parents or community members will not be permitted;
6. The Board or committee reserves the right to immediately move into recess or move into executive session, as applicable, and/or adjourn the meeting any time the public does not accept directions from the presiding officer of the meeting;

**Public Participation in Board Meetings**

7. The Board is authorized to utilize video and audio recording devices at any meeting, is authorized to broadcast such recordings on television or via internet platforms, and the presiding officer is not obligated to specifically announce this information;
8. The use of recording devices, photography equipment, television cameras, and ancillary equipment by the public and press are permitted provided such intended use is disclosed to the presiding officer prior to the start of the meeting and if in the judgment of the presiding officer their activities do not interrupt or detract from the orderly conduct of the meeting; and
9. The presiding officer may:
  - a. Interrupt, warn, and/or terminate a participant's question, statement, or inquiry when the statement is too lengthy;
  - b. Interrupt, warn, and/or terminate a participant's question, statement, or inquiry when the statement is abusive, obscene, or may be defamatory;
  - c. Interrupt, warn, and/or terminate a participant's statement when such statement is in regards to a dispute that is subject to remediation by an alternate method provided for in the policies or contracts of the Board.
  - d. Direct district personnel to mute the participant's microphone upon the expiration of the allotted comment period, and/or if a violation of this policy occurs;
  - e. Expel any person from the meeting when that person does not observe reasonable decorum, refuses any lawful request of the presiding officer regarding the conduct of meetings, and/or willfully or repeatedly violates any Board policy, regulation or rule during the Board meeting;
  - f. Summon the assistance of law enforcement officers in the removal of a disorderly person when that person prevents or disrupts a meeting with an act that obstructs or interferes with a meeting;
  - g. Call for a recess or an adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting; and

**Public Participation in Board Meetings**

- h. Waive any of these rules and/or impose any necessary additional rules, at any point during the meeting, subject to Board consent, when necessary for the safety of Board members, district personnel or members of the public, protection of confidential and private information, or to maintain an orderly operation of the Board meeting, provided that any such rules shall be temporary in nature and shall expire at the end of the current Board meeting.

N.J.S.A. 2C:33-8

N.J.S.A. 10:4-12

Board Bylaw 0164 – Conduct of Board Meetings

Board Bylaw 0170 – Virtual Board Meetings

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