

Public Participation in Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites district community members to attend Board meetings to become acquainted with the programs and operation of the district. Members of the public are also encouraged to share their ideas and opinions with the Board when appropriate.

Public Participation in Open Meetings

The Board will establish procedures for public participation in open meetings. The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best interests of the individual, the district, and the community. The information will be easily accessible and available to all patrons.

At the discretion of the Board chair, anyone wishing to speak before the Board during the public comment portion of a meeting, either as an individual or as a member of a group, on any agenda item or other topic, may do so by providing the Board secretary with a completed registration card. Such registration cards will be provided prior to the start of the Board meeting.

Statements by members of the public should be brief and concise. The chair may use discretion to establish a time limit on discussion or oral presentation by visitors. A spokesperson should be designated to represent a group with a common purpose.

Speakers may offer objective criticism of district operations and/or programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to policy KL - Public Complaints and administrative regulation KL-AR - Public Complaint Procedure for Board consideration of a legitimate complaint involving a staff member. Complaints regarding budget, programs, or other district issues also should be handled by first following the steps outlined in policy KL and administrative regulation KL-AR. Copies are available at Board meetings and online on the district website.

Undue interruption or other interference with the orderly conduct of Board business cannot be allowed. Defamatory or abusive remarks are always out of order. The Board chair may terminate the speaker's privilege of address if, after being called to order, the speaker persists in improper conduct or remarks.

Executive Session

Closed executive sessions are reserved specifically for the following purposes:

1. To consider the employment of a public officer, employee, staff member, or individual agent. The exception contained in this paragraph does not apply to:
 - a. The filling of a vacancy in an elective office.

- b. The filling of a vacancy on any public committee, commission or other advisory group.
 - c. The consideration of general employment policies.
 - d. The employment of the chief executive officer, other public officers, employees, and staff members of any public body unless the vacancy in that office has been advertised, regularized procedures for hiring have been adopted by the public body, and there has been opportunity for public input standards, criteria, and policy directives to be used in hiring chief executive officers shall be adopted by the governing body in meetings open to the public in which there has been opportunity for public comment.
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member, or individual agent, unless such public officer, employee, staff member, or individual agent requests an open hearing.
 3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
 4. To conduct deliberations with persons designated by the governing body to negotiate about real property transactions.
 5. To consider records that are exempt by law from public inspection.
 6. To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
 7. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
 8. To review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, (the Board) the employment-related performance of the chief executive officer (the superintendent), an administrator, employee, or staff member, unless the person whose performance is being reviewed requests an open hearing.

The standards, criteria, and policy directives used in evaluating chief executive officers shall be adopted by the Board in meetings open to the public in which there has been opportunity for public comment.

An executive session for the purposes of evaluating a chief executive officer or other officer, employee, or staff member shall not include a general evaluation of agency goals, objectives, operations, or programs.

9. To carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange, or liquidation of public investments.
10. Pursuant to ORS 192.660 (2), labor negotiations shall be conducted in executive sessions unless either side of the negotiators requests open meetings. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

END OF POLICY

Legal Reference(s):

[ORS 165.535](#)
[ORS 165.540](#)

[ORS 192.610 to -192.690](#)

[ORS 332.057](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2017); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

Americans with Disabilities Act Amendments Act of 2008.

Baca v. Moreno Valley Unified Sch. Dist., 936 F. Supp. 719 (C.D. Cal. 1996).

Leventhal v. Vista Unified Sch. Dist., 973 F. Supp. 951 (S.D. Cal. 1997).