

# Elkton School District 34

Code: **BDDH**  
Adopted: 8/10/98  
Readopted: 1/08/18

## **Public Comment at Board Meetings**

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

It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others. Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings. Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids and services.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual. All auxiliary aids and/or service requests must be made with appropriate advance notice. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, alternative, equally effective means of communication will be used.

### **Audience**

During an open session of a Board meeting, members of the public are specifically invited to present concerns during the portion of the agenda so designated. At the discretion of the Board chair, further public comment may be allowed.

### **Request for an Item on the Agenda**

A member of the public may request the superintendent to place an item of concern on the agenda of a regular Board meeting. This request should be made to the superintendent for consideration at least five working days prior to the scheduled meeting.

### **Procedures for Public Participation in Meetings**

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

1. Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the chairman.

2. A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or for study.
3. Any person who is invited by the chairman to speak to the Board at a meeting should state his or her name and residence and, if speaking for an organization, the name and identity of the organization. A group of people with a common purpose should designate a spokesman to speak for the group.
4. Statements by members of the public should be brief and concise. The chairman may exercise discretion to establish a time limit on discussion or oral presentation by a visitor on any topic.
5. Questions asked by the public will, when possible, be answered immediately by the chairman or referred to other Board members or staff members present for reply. Questions requiring investigation may, at the discretion of the chairman, be referred to the superintendent for response at a later time.
6. At the discretion of the Board chairman, anyone wishing to speak before the Board, either as an individual or as a member of a group, on any agenda item or other topic, may do so by informing the Board Chairman.

### **Petitions**

Petitions may be accepted at any meeting of the Board. No action will be taken in response to a petition before the next regular meeting. Petitions will be referred to the superintendent for consideration and recommendation of appropriate action.

### **Comments Regarding Staff Members**

Speakers may offer objective criticism of school operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in board policy KL - Public Complaints for Board consideration of a legitimate complaint involving a staff member. The association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, his/her supervisor and the Board.

**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).

**Cross Reference(s):**

BDDA - Notification of Board Meetings

BDDF - of Board Meetings

KC - Community Involvement in Decision-Making