

Multnomah Education Service District

Code: **BDDH**
Adopted: 9/20/94
Revised/Readopted: 4/17/01; 9/20/05, 2/19/08;
10/19/10; 11/21/17

Public Participation in Board Meetings

All Board meetings, with the exception of executive sessions, shall be open to the public. The Board invites community members living within the MESD boundaries to attend Board meetings to become acquainted with the programs and operation of MESD. Members of the public also are 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 shall be given an equal opportunity to participate in Board meetings. Primary consideration shall be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary¹ aids and services.

Auxiliary aids and services for persons with disabilities shall 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 shall be used.

Audience

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

Request for an Item on the Agenda

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

Procedures for Public Participation in Meetings

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

Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the chair with the consent of the Board. A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require

¹Auxiliary aids include, but are not limited to such services and devices as qualified interpreters, assistive listening systems, translators, note takers, readers, audio recordings, Braille materials and large print.

that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or study.

Any person who is invited by the chair to speak to the Board during a meeting should state his/her name and, if speaking for an organization, the name and identity of the organization. A spokesperson should be designated to represent a group with a common purpose.

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.

Questions asked by the public, when possible, shall be answered immediately by the chair or referred to staff members for reply. Questions requiring investigation may, at the discretion of the chair, be referred to the superintendent for response at a later time.

At the discretion of the Board chair, 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 providing the Board secretary with a completed registration card prior to the Board meeting in order to allow the chair to provide adequate time for each agenda item.

Petitions

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

Criticisms of Staff Members

Speakers may offer objective criticism of MESD operations and programs. The Board shall not hear comments regarding any individual MESD staff member. The Board chair shall 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.

END OF POLICY

Legal Reference(s):

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

[ORS 192.610 to -192.690](#)
[ORS 334.100](#)

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).

MESD Policy Cross Reference(s):

BBA - Board Powers and Duties
BBF - Board Member Standards of Conduct
BD/BDA - Board Meetings/Regular Board Meetings
BDB - Special and Emergency Board Meetings
BDC - Executive Sessions
BDDB/BDDC - Board Meeting Agenda Original Adopt
BDE - Public Hearings
DBG - Budget Hearing
IB - Freedom of Expression
KAB - Parental Rights
KC - Community Involvement in Decision Making
KGB - Public Conduct on MESD Property
KJ - Signs and Banners
KJA - Materials Distribution
KK - Visitors to District Facilities**
KL - Public Complaints
KLD - Public Complaints about MESD Personnel