

Public Participation in Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites community members to attend Board meetings to become acquainted with the program and operation of the ESD. Members of the public also are encouraged to share their ideas and opinions with the Board during the public comment portion of the meeting agenda.

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 aids¹ 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 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 consider an item for the agenda of a regular Board meeting. This request should be made in writing and presented to the Superintendent for consideration at least eight working days-prior to the scheduled meeting.

Procedures for Public Participation in Meetings

The Board will establish procedures for public comment in open meetings. The purpose of these procedures will be to inform the public how to effectively contribute in Board meetings for 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 Board meeting.

¹Auxiliary aids include, but are not limited to, such services and devices as qualified interpreters, assistive listening systems, note takers, readers, taped texts, Brailled materials and large print.

Presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the chair.

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 study.

Any person who is invited by the chair to speak to the Board during a meeting should state his/her name and address and, if speaking for an organization, the name and identity of the organization. A spokesman should be designated to represent a group with a common purpose. An individual that has submitted an Intent to speak card and has been invited to speak by the Board chair, will be allowed three minutes.

Statements by members of the public should be brief and concise. The chair may use discretion to establish a time limit on oral presentation by visitors.

Questions asked by the public will be referred to a staff member 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.

The Board chair should be alert to see that all visitors have been acknowledged and thanked for their presence and especially for any contributed comments on agenda issues. Similar courtesy should be extended to members of staff who have been in attendance. Their return for future meetings should be welcomed.

Petitions

Petitions may be accepted at any Board meeting. 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.

Comments Regarding Staff Members

Speakers may offer objective criticism of ESD operations, programs and services. The Board will not hear comments regarding any individual ESD staff member.

The Board chair will direct visitors 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.

END OF POLICY

Legal Reference(s):

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

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

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 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 School Dist., 973 F. Supp. 951 (S.D. Cal. 1997).