

## PUBLIC PARTICIPATION AT BOARD MEETINGS

Board meetings are conducted for the purpose of carrying on the official business of the school system. All meetings of the **[School unit name]** Board are open to the public. The public is cordially invited to attend and participate in Board meetings as provided in this policy. This policy applies only to meetings of the full Board, not to meetings of Board subcommittees.

Although Board meetings are not public forums, the Board will provide appropriate opportunities at its meetings for members of the public to express opinions and concerns related to the matters concerning education and the **[School unit name]** schools. The intent is to allow a fair and adequate opportunity for the public to be heard while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.

The Board will designate a portion of its agenda as an opportunity for public participation. During the time allotted for public participation, members of the public may speak on any subject directly related to the operations of the schools, except for personal matters or complaints concerning specific employees or students, which shall be addressed through established policies and procedures.

**[OPTIONAL ADDITIONAL LANGUAGE: Public comment may also be invited just prior to Board discussion of individual [OR: specific] agenda items requiring Board action.]**

**[NOTE: 20-A MRSA §1001(20), as enacted in 2019, states,**

**“School board meeting public comment period. A school board shall provide the opportunity for the public to comment on school and education matters at a school board meeting. Nothing in this subsection restricts the school board from establishing reasonable standards for the public comment period, including time limits and conduct standards. For purposes of this subsection, “school board meeting” means a full meeting of the school board and does not include meetings of subcommittees.”**

**Because the “public comment period” language is so ambiguous, MSMA suggests that best practice is to *not* limit public comments to specific agenda items on which the board will be voting. To do so might save the Board time, but opens the Board to challenges that it is not complying with the intent of the statute.]**

NEPN/NSBA Code: BEDH

Members of the public may address the Board within the guidelines provided in this policy. The Chair shall be responsible for maintaining proper order and compliance with these guidelines.

The following guidelines shall apply to public participation at Board meetings.

- A. Citizens and employees of the school unit are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.
- B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak.
- C. In the event of a sizeable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.
- D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves as they begin talking.
- E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.
- F. All speakers are to address the Chair and direct questions or comments to particular Board members or the Superintendent only with approval of the Chair. Requests for information or concerns that require further research may be referred to the Superintendent to be addressed at a later time.
- G. Members of the Board and the Superintendent may ask questions of any person who addresses the Board but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.
- H. No complaints or allegations will be allowed at Board meetings concerning any person employed by the school system or against particular students. Personal matters or complaints concerning student or staff issues will not be considered in a public meeting but will be referred through established policies and procedures.

- I. In order to make efficient use of meeting time, the Board discourages duplication or repetition of comments to the Board. The Board requests that groups or organizations be represented by designated spokespersons.
- J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.
- K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance as necessary to restore order.

An agenda shall be published in advance of each meeting in accordance with Board policy. Copies will be posted and/or available prior to regular meetings, at **[Identify locations where agenda is available, i.e., Superintendent's Office, in each school, town hall, public library and/or other appropriate public facilities, and on the school unit's website]**. Anyone desiring additional information about an agenda item should direct such inquiries to the Office of the Superintendent.

Opportunity for public participation at Board subcommittee meetings is not required but may be permitted in accordance with the Board's policy and/or rules pertaining to the operations of subcommittees **[OR: may be permitted at the discretion of the subcommittee chair]**.

Legal Reference: 1 MRS § 401 et seq.  
20 MRS §1001(20)

Cross Reference: BEC – Executive Session  
BEDA – Notification of Board Meetings  
BEDB – Agenda  
BEDD – Rules of Order  
KE – Public Concerns and Complaints

Adopted: \_\_\_\_\_

**PLEASE NOTE** MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.