

**PUBLIC INPUT AT SCHOOL BOARD MEETINGS**

**FILE: BEDH**

**TITLE: Procedures for Providing Public Input and Public Comment at School Board Meetings**

**POLICY:**

- (1) Public Input Period Prior to Pre-Agenda Meeting (Non-Agenda Items).
  - (a) A “Pre-Agenda Meeting” is held just before a regularly scheduled Board meeting to address any changes to the agenda for that regularly scheduled Board meeting. Members of the public shall be able to address The School Board of Orange County, Florida (“Board”) on items *not* on the agenda for a regularly scheduled Board meeting (non-agenda items) prior to the Pre-Agenda Meeting during a “Public Input Period.” Note that this Public Input Period is not required by law, but is rather provided as a means by which the public can address the Board on topics that are not on the agenda but that are relevant to the work of the Board.
  - (b) The Public Input Period shall begin approximately forty-five (45) minutes to one (1) hour prior to a regularly scheduled Board meeting and conclude no later than thirty (30) minutes after commencing, unless otherwise extended by vote of the Board, provided the extended period of time concludes prior to the beginning of the regularly scheduled Board meeting. In the event of a disruption to this Public Input Period, or in the event there are any safety concerns, the Board Chair may conclude the Public Input Period early, even if all speakers have not had the opportunity to speak. Once the Pre-Agenda Meeting has commenced, the Public Input Period shall be considered concluded.
  - (c) The Public Input Period only occurs prior to a Pre-Agenda Meeting for a regularly scheduled Board meeting and is not available during any other meetings of the Board, including, but not limited to, work sessions, committee meetings, executive sessions, or closed sessions. In the event there are no members of the public that wish to address the Board during the Public Input Period, the Board may immediately commence the Pre-Agenda Meeting at which time the Public Input Period shall be considered concluded.
- (2) Public Comment Period for Items on the Agenda.
  - (a) In accordance with Section 286.0114, Florida Statutes, members of the public shall be given a reasonable opportunity to be heard on a proposition before the Board. Section 286.0114(3), Florida Statutes, provides that provides that the public’s opportunity to be heard does *not* apply to “[a]n official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations.” The Board has established this Policy to maintain orderly conduct in a public meeting regarding the amount of time, manner, and place in which an individual can address the Board.

- (b) The “Public Comment Period” typically occurs during the Public Hearing portion of the agenda, on an action item/proposition before the Board, during a Rule Development Workshop held in accordance with Chapter 120, Florida Statutes, and/or at the beginning of any regularly scheduled Board meeting prior to the Board taking official action on a particular agenda item.
- (3) Allotted Time For Speakers.
- (a) During the Public Input Period Prior to Pre-Agenda Meeting, each speaker shall have up to three (3) minutes to address the Board within the thirty (30) minutes allotted for the Public Input Period. In order to accommodate more speakers, the Chair may reduce the amount of time for each speaker. Because there is a time limit on the Public Input Period Prior to Pre-Agenda Meeting, members of the public who wish to speak may not all have an opportunity to do so.
  - (b) During the Public Comment Period for Items on the Agenda, the time limitations for each speaker shall be as follows: if 1-20 speakers have signed up to speak, each would be allotted three (3) minutes; if 21-40 speakers have signed up to speak, each would be allotted two (2) minutes; and if 41+ speakers have signed up to speak, each would be allotted one (1) minute. In the event there are 41+ speakers, the Board has established the following priority for those who have signed up to speak:
    - (i) Priority 1 – reserved for parents/legal guardians, students, and employees;
    - (ii) Priority 2 – reserved for individuals who reside in Orange County, Florida;
    - (iii) Priority 3 – reserved for individuals who do not reside in Orange County, Florida.
  - (c) No speaker shall have more than three (3) minutes per meeting to address the Board during any Public Input Period or Public Comment Period. No speaker may transfer or designate his or her time to another speaker. However, an organization may designate a single speaker to speak on behalf of a group of attendees; no additional time shall be provided to the designated speaker.
  - (d) By motion and vote of the Board, the limitations on time in this provision may be waived or amended.
  - (e) The current practice of providing a telephonic option during any Public Input Period or Public Comment Period shall remain in place. The Board, by motion and vote, may discontinue the telephonic option.
  - (f) If the allotted time for any Public Input Period Prior to Pre-Agenda Meeting expires, those who signed up to speak but did not get a chance to speak will need to return to a subsequent Pre-Agenda Meeting or regularly scheduled Board meeting, as applicable, and sign up to speak. No preference in the speaking order will be given in subsequent meetings for those that were unable to address the Board.

(4) Signing Up To Speak.

Speakers shall complete a Public Input Period or Public Comment Period card prior to addressing the Board and may sign up to speak prior to the start of the meeting. The Superintendent is authorized to establish reasonable timeframes and procedures governing the sign up process within the parameters of this Policy. The order of the speakers will be based on the order of issuance and subsequent submittal of completed cards to the Board Clerk. Certain contact information regarding the speaker shall be completed including a mailing address, email address, and telephone number, provided, however, the Board may waive any requirement in this section by consensus.

(5) Relevant Topics.

- (a) Except as otherwise indicated in this policy, speakers may only address the Board on topics that are related to the work of the Board.
- (b) The Public Input Period shall be reserved for any speakers wishing to address topics not on the Board's agenda for that meeting (non-agenda items). Speakers wishing to address items or issues on the regular Board meeting agenda will be asked to return and address the Board during the Public Comment Period for such regularly scheduled Board meeting for the agenda item in question.
- (c) The following topics or speakers are not permitted during the Public Input Period or Public Comment Period:
  - (i) Solicitations or Procurement Items. As defined in Board Policy KCE, no vendor or lobbyist may address the Board on solicitations or procurement items that are in the blackout period during the Public Input Period or Public Comment Period.
  - (ii) Quasi-judicial Matters. Speakers may not address the Board on any quasi-judicial matters that may come before the Board during the Public Input Period or Public Comment Period.
  - (iii) Student or Employee Discipline Matters. Speakers may not address the Board on any issues or items pertaining to student or employee discipline or any other pending or ongoing investigations until all possible appeals have been exhausted and the matter is deemed concluded.
  - (iv) Labor Matters. No speaker, whether an individual or a speaker on behalf of a union or other organization, shall address the Board during the Public Input Period or Public Comment Period on topics that are the subject of labor negotiations. Such items will be referred to the bargaining process and will not be addressed by the Board.
  - (v) Other Matters. The public's opportunity to be heard does not apply to an official act in certain emergency situations, in an act involving no more than a ministerial act such as the approval of

minutes and ceremonial proclamations, and/or in a meeting that is exempt from Section 286.011, Florida Statutes.

(6) Code of Civility.

The Board has adopted a Code of Civility which requires all participants to engage in meaningful but civil communications. Speakers addressing the Board during the Public Input Period or Public Comment Period shall refrain from making disparaging remarks about any individuals and shall abide by the Code of Civility. Speakers shall therefore be prohibited from using loud or offensive language, inappropriate gestures, profanity, or any other language that, in the discretion of the Board Chair, or designee, is intended to bully, belittle, tease, or demean another individual or that is otherwise abusive or obscene. The Board Chair, or designee, in an effort to maintain orderly conduct and proper decorum in a public meeting, may remove a speaker that fails to abide by this provision. See also Board Policy KFA.

(7) Recordings, Preservation, Broadcast, and Rebroadcast.

The Board reserves the right to record, preserve, broadcast, and/or rebroadcast, including live streaming, any portion of the Public Input Period. However, this provision does not require the Board to record, preserve, or otherwise broadcast or rebroadcast any portion of any Public Input Period.

All regularly scheduled Pre-Agenda meetings and/or Board meetings, included, but not limited to, the Public Input Period or Public Comment Period, may be recorded, broadcast, and/or rebroadcast, including live streaming, at the Board's discretion.

(8) Materials for Distribution.

Copies of any written materials may be submitted during the Public Input Period or Public Comment Period. It is recommended that at least eleven (11) copies be provided to the Board Clerk for distribution to all members of the Board, the Board Clerk, the Superintendent, and the General Counsel.

(9) Visual, Audio, and/or Demonstrative Aids.

Members of the public shall not be permitted to use visual, audio, and/or demonstrative aids in the Board chambers, including, but not limited to, PowerPoints, video clips, audio files, signs, posters, banners, flags, or noise makers, unless otherwise permitted by the Board.

(10) Except for sections reserved for the media, members of the public may not stand and/or congregate in the back of the Board chambers. Likewise, members of the public shall not congregate in the lobby outside of the Board chambers.

(11) Notification of Conduct at Meeting.

In the event of a disruption, prior to removal from the meeting, the public shall be informed that it is unlawful to knowingly disrupt or interfere with a Board meeting and that any such action may result in a misdemeanor

offense of the second degree. This includes individuals who advise, counsel, or instruct students, members of the public, or Board employees on techniques for disrupting a Board meeting. District Police and/or local law enforcement are authorized to assist with anyone who disrupts or interferes with a Board meeting. See also Board Policy KFA.

(12) Entry into Board Chambers.

The Board reserves the right to restrict entry into the Board chambers for those individuals who have disrupted or interfered with a Board meeting.

**SPECIFIC AUTHORITY:** Sections 286.0114 and 1001.41(5), Florida Statutes

ADOPTED: 07/28/2011

REVISED: 12/13/16; 4/12/2022