

## Meeting Conduct

### Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

### Parliamentary Procedure

The Board will ordinarily use Roberts Rules of Order (latest revised edition) to govern the conduct of Board meetings subject to the following:

- Rules and procedures adopted by the Board in conflict with Roberts Rules of Order shall take precedence.
- Any laws or regulations of the State of California in conflict with Roberts Rules of Order shall take precedence.
- The Chair may make such exceptions as appear necessary to facilitate the orderly conduct of business. Any ruling of the Chair is subject to approval of the Board.

The Board of Education shall act by majority vote of its membership. The presiding Officer has full privileges of the body.

### Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, the abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

Provided the Board typically has five members and there are no more than two vacancies on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

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### Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting, except that if the meeting is conducted using remote public participation or with a Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide comment through the use of a third party internet website or online platform may be required to register as required by the third party provider.

In order to conduct District business in a safe and orderly manner, the dais area is prohibited to the public. The stairs that lead to the dais area must be kept clear at all times. Additionally, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2). Speakers requesting to add media presentations (i.e. videos, photos, PowerPoints, etc.) to their public comments, must submit the media presentation to the Public Information Office by 4 p.m. the day before a board meeting. The District has the right to deny the request, if deemed inappropriate. Speakers must conclude presentation within the three minute-time allowance; no extension of time will be granted.
3. Without taking action, Board members or District staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

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4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3).
5. A person wishing to be heard by the Board shall complete and submit a public comment card. Public comment cards must be submitted prior to the start time of the meeting. Once the meeting begins, the Board shall not accept any additional public comment cards. Public comment cards will be available for speakers to complete starting one hour before the start of the meeting.

Any person who has timely submitted a comment card shall be given the opportunity to speak subject to the limitations set forth below.

The Board will limit the total time for public comment on agenda and non-agenda items, within the subject matter jurisdiction of the Board, to 60 minutes. The Board shall further limit the total time for public input on each item to 21 minutes. In general, individual speakers will be allowed three minutes to address the Board. If the number of speakers on any specific item will exceed the 21 minutes allotted for that item or if the total number of speakers will exceed the 60 minutes, the Board President may reduce each speaker's allotted time to accommodate more speakers. The microphone will be turned off when the time limit has been reached. In exceptional circumstances when necessary to ensure full opportunity for public input, the Board president may, with Board consent, adjust the amount of time allowed for public input. Any such adjustments to the total time of public comment or to the individual speaker time shall be done equitably so as to allow a diversity of viewpoints. The president may also ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint. A speaker's allotted time cannot be deferred to another speaker.

A member of the public shall only be permitted to submit one public comment at each meeting. On the public comment card, a speaker may identify multiple agenda items or items relevant to the business of the Board about which they intend to speak within the allotted amount of time.

Speakers whose comments do not relate to the topic(s) that the speaker indicated are subject to having the microphone turned off at the direction of the presiding officer and forfeiting the right to speak at the remainder of that day's meetings.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation

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equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:
  - a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
  - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)
  - c. The Board shall not prohibit public criticism of District employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.
7. The Board president shall not permit actual disruption of Board meetings. Actual disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board and remove the individual from the meeting.

The Board President or designee may remove an individual for actually disrupting the meeting. Prior to removal, the individual shall be warned that their behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the Board president, or designee, may then remove the individual from the meeting. (Government Code 54957.95)

When an individual's behavior constitutes the use of force or a true threat of force, the individual shall be removed from a Board meeting without a warning. (Government Code 54957.95)

*Disrupting* means engaging in behavior during a Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law, or engaging in behavior that constitutes use of force or a true threat of force. (Government Code 54957.95)

*True threat of force* means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat. (Government Code 54957.95)

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Additionally, the Board may order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When disruptive conduct occurs, the Board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. The Board may direct the Superintendent or designee to contact local law enforcement as necessary.

## Recording by the Public

Members of the public may record an open Board meeting using handheld audio or video recorder, handheld still or motion picture camera, cell phone, or other handheld device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. Members of the public are prohibited from bringing selfie sticks (hand-held extension poles for cameras and mobile devices), folding tripods, and monopods into the Board meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6.)

## Prohibited Items

For safety and security reasons and to ensure that visibility is not disrupted for staff and attendees, members of the public are not permitted to bring flags, signage, placards, posters, banners, and/or other objects that could be disruptive or used as weapons to Board meetings. This prohibition applies to handheld flags, signs, placards, posters or banners as well as those items mounted on sticks or poles.

To avoid disruption and maintain decorum, all noisemakers are prohibited from Board meetings.

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Legal Reference: Education Code, Sections 5095; 32210; 35010; 35145.5; 35163; 35164;  
35165  
Election Code, Section 18430  
Code of Civil Procedure, Section 527.8  
Government Code, Sections 54953.3; 54953.5; 54953.6; 54954.2;  
54954.3; 54957; 54957.9; 54957.95  
Penal Code, Section 403

Policy Adopted: 12/04/1956

Policy Amended: 09/29/1960; 7/01/1969; 11/18/1969; 11/20/1973; 01/18/1977; 03/19/1985;  
04/16/1985; 11/05/1996; 03/16/1999; 06/24/2003; 12/12/2017;  
11/19/2019; 02/07/2023; 05/02/2023; 8/8/2023

Formerly BP 9444, BP 9445, BP 9446, & BP 9450