

Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's community members to attend Board meetings to become acquainted with the program and operation of the district. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas and opinions in a respectful manner with the Board during designated times on the agenda. The Board may conduct a meeting without public comment.

Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings. Comments may not warrant action by the Board.

Interpreters for individuals wishing to speak at Board meetings will be provided with 24 hours advance notice. Alternatively, community members may submit written comments in any language for translation.

An individual will only be allowed to participate in a single verbal comment. However, individuals may submit written comments on additional topics.

Procedures for Oral Public Comment

The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. We are committed to providing an opportunity for Banks School District citizens to make public comments. Public comment / input will be scheduled at regular Board Meetings and is limited to its designated place on the agenda, and while time allows. The Board will limit the public's participation to the public comment section of the agenda. There should not be cross-discussion between the Board and the public during other agenda items.
2. The board will not tolerate any audience comments from staff, students or community members that violate the Banks School District's anti-discrimination policies, including but not limited to statements that are false, untrue, racist, personally disrespectful or discriminatory towards or against the district, any person or group. If an individual makes a comment that violates District policy, the speaker will be told that their comment violates district policy and that they must refrain from making statements that violate District policy. If the speaker refuses to comply, the board may request that the individual leave the board room. If the meeting is taking place virtually, the speaker may be muted if their comments continue to violate District policy.
3. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will do so as directed prior to the Board meeting. A request to give public comment in-person or electronically does not guarantee time will be available.

4. A person giving public comment is limited to an established time limit of five minutes. Statements should be brief and concise. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed.
5. Each public speaker will identify themselves by name, will state if they are a resident of the district, and if speaking for an organization / group, the name of the organization / group. Each public speaker will submit a form with basic contact information to the Board Secretary before they are recognized to speak.
6. Groups with a common purpose will designate a spokesperson so the same issue is not repeated.
7. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda.
8. All public comment is to be directed respectfully to the Board through the Chair. Comments will not be directed at any individual board member.
9. Public comment is not a cross-discussion with the Board. However, the board may ask for clarifying questions of the commenter. The Board will not answer questions during the meeting, but will refer questions to the administration or board chair for answer at a later time.
10. All material an audience speaker wants to distribute to Board members must be submitted along with the request to speak submission. No materials will be accepted during or after the speaker's comments. Any material that violates District policy will not be distributed.
11. Comments and inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, although Board members may ask clarifying questions, keeping dialogue to a minimal amount of time. Comments and inquiries may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.
12. A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear complaints regarding any individual district staff members in public. All complaints must go through the structure detailed in Policy KL ("Public Complaints") and Procedure KL-AR ("Complaint Form"). The Board chair will direct the public commenter to the procedures in Board policy KL - Public Complaints for consideration of a legitimate complaint involving a staff member. Any 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, a supervisor and the Board.

The Board will not hear public comment at Board work sessions.

Procedures for Written Comment

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to schoolboard@banks.k12.or.us. Materials or comments submitted at least 72 hours in advance of a Board meeting will be provided to the Board before the Board meeting. Written materials or comments submitted may not warrant action by the Board.

END OF POLICY

Legal Reference(s):

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

[ORS 192.610 - 192.690](#)
[ORS 332.057](#)

[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

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).

Oregon House Bill 2560 (2021).