

PUBLIC COMMENT & PARTICIPATION AT BOARD MEETINGS**A. General Meeting Policy**

The primary purpose of School Board meetings is to conduct the business of the Board as it relates to school policies, programs and operations. The Board encourages residents to attend Board meetings so that they may become acquainted with the operation and programs of the schools. All official meetings of the Board shall be open to the press and public. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time. The Board also reserves the right to enter non-public session at any time, in accordance with the provisions RSA 91-A:3.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, assure that the Board may conduct its business and meetings properly and efficiently, the Board adopts as policy the standards and meeting rules that apply to the public in attendance at Board meetings, and to the opportunity for the public to provide comment at Board meetings.

B. Opportunity for Public Comment

1. Consistent with RSA 189:74, the Board will provide the opportunity for members of the public to comment on school district matters at all Board meetings with the exception of emergency meetings called under RSA 91-A:2, II, or at meetings for which the sole purpose is to address one or more issues in non-public session under RSA 91-A:3.
2. The Board will provide 30 minutes divided into two 15-minute periods to hear public comment. The first 15-minute period shall be at the beginning of each regular Board meeting for items on the agenda. The second 15-minute period shall be at the end of each regular board meeting for other District matters. Each period may be extended by a majority vote of the Board, but the aggregate public comment time will not be less than 30 minutes. Individual speakers will be allotted three (3) minutes per person. Speakers may not relinquish allotted time to another speaker. For specific meetings and/or specific agenda items, the Board may at the outset of the public comment period increase the individual time limit for all speakers.
3. Speakers are requested to sign up prior to the meeting for the appropriate public comment period. Although such pre-registration is not required as a condition for offering public comment, the Chair will recognize speakers on a first-come basis using the list as the starting point. If a person declines to speak or is not present at the time called, the Chair will move to the next name on the list.
4. In order to comply with the minute requirements of RSA 91-A:2, II, speakers shall identify themselves clearly for the record.
5. Except as otherwise provided in this policy, members of the public may offer comments on agenda items or upon other District matters of public concern. However, consistent with RSA 189:74, I, and in the interest of protecting personally identifiable information (“PII”) as well as other confidential information, comments (including complaints) regarding individual students, volunteers, or employees (other than the Superintendent) should be directed to the Superintendent or otherwise provided under the complaint/grievance resolution processes set forth in School Board Policies **KE-Public Complaints and/or KEB-Public Complaints about School Personnel**.

6. Obscene language, defamatory statements, comments threatening bodily harm, or other unprotected speech will not be tolerated.
7. Comments which do not adhere to the above provisions or which disrupt the official business of the Board may be ruled out of order by the Chair. Repeated violations may result in the Chair terminating the speaker's privilege of address, and possibly deeming the violations a disruption to be treated as discussed in section C below. Persons appearing before the Board are reminded that the public comment period is an opportunity for members of the public to provide their input to the Board but is not a questions and answer session. Members of the Board are without authority to answer spontaneously on behalf of the Board or act independently as individuals in official matters. Thus, in most instances, any board response will be deferred pending consideration by the full Board.
8. In addition to the opportunity to offer input during the public comment period of a Board meeting, members of the public may also request initiatives or other such items to be placed on the Board's agenda. The determination whether or not to include the matter on a Board meeting agenda will be made consistent with Board Policy BEDB. Requests to have a matter placed on an agenda should be presented in writing to the Superintendent no less than fourteen days prior to the next Board meeting and must set forth the specifics of the subject to be addressed.
9. With the aim of maintaining focus on the issues in discussion, it is desired that all speakers strive to adhere to ordinary norms of decorum and civility.

C. Meeting Disruptions

The primary purpose of School Board meetings is to conduct the business of the Board as it relates to school policies, programs, and operations. While members of the public have the right to attend and offer input during the public comment period of meetings, they do not have the right to disrupt them.

Impermissible disruptions include, but are not limited to:

- Shouting or speaking while someone else has been recognized by the Chair;
- Obstructing the view of others with posters or otherwise;
- Refusing to terminate public comment after that speaker's time has expired;
- Any other sustained or intentionally loud noises after the Chair has called for order; or
- Any other conduct intended to disrupt the meeting or person speaking.

If, after at least two warnings from the Chair, an individual continues to disrupt the meeting by words or actions, the Chair may direct the person to leave the meeting. Upon refusal, the Chair may request assistance from law enforcement officials to have the individual removed, with the potential for criminal charges. Interruptions may result in a recess, or, provided the thirty minutes for public comment has expired, an adjournment of the meeting.

Legal References:

U.S. Const., 1st Amendment

RSA 91-A:2, Meetings Open to Public

RSA 91-A:3, Non-Public Sessions

RSA 189:65 VII & VII-a Definitions (Student and Teacher personally identifiable information)

RSA 189:74, School Board Public Comment Period
RSA 644:2, Disturbing the Peace
State v. Comely, 130 NH 688 (1988)
State v. Dominic, 117 NH 573 (1977)

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

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