



NEBRASKA DEPARTMENT OF EDUCATION

TO: Scott Swisher, Ed.D.
Deputy Commissioner of Education

FROM: Margaret Worth, General Counsel

SUBJECT: Proposed Revisions to State Board Policy B12, "Public Participation at Board Meetings."

Proposed Board Action:

Approve proposed revisions to State Board Policy B12, "Public Participation at Board Meetings."

Background Information:

The State Board of Education first adopted B12 in 1981. B12 has undergone four revisions: 1984, 1995, 2006 and 2013.

Estimated Cost:

N/A

Supporting Documentation Included:

Proposed revisions to State Board Policy B12.

For Additional Information on this item:

Contact Margaret Worth, (402) 471-0312 or margaret.worth@nebraska.gov

Public Participation at Board Meetings

The State Board of Education recognizes its obligation to help citizens of the state understand the operation of the Department of Education. The Board is also aware of the need for communication with citizens to permit the public to make its wishes known and to permit the Board to explain general policies governing the operation of the schools in the state. Therefore, in an effort to provide a procedure by which matters of statewide interest concerning the schools may be brought before the Board and to permit the Board to conduct its meetings in an orderly and efficient manner, the State Board of Education establishes the following procedures with regard to citizen participation in the meetings of the Board.

In addition, the published agenda of every regular meeting of the State Board shall contain an item identified as Public Comment Period. This period, ~~which may be fifteen minutes in duration,~~ may be available to any person who wishes to address the State Board on any subject within its authority. ~~The order of appearance during the Public Comment Period may be determined by the President from among those who indicate their presence and their desire to speak at the beginning of each such period. If more than three people wish to appear at any Public Comment Period, the President may select which three persons may appear. No appearance during any Public Comment Period may exceed five minutes unless an extension is granted by the President.~~

Each individual speaking to the Board will be required to complete a "Sign-in" card to identify him or herself. Persons speaking to the Board during Public Comment may hand out printed materials to the Board but may not use any other form of media. Each person may address the Board for up to five minutes.

Any citizen or spokesperson for a group of citizens may request ~~an appearance a~~ 10 minute appearance before the State Board of Education at any regular meeting or work session of the Board except when the Board declares itself to be in executive session, and may address the Board, provided a request for such address has been made to the Commissioner of Education or Board members in writing at least ~~ten~~ three days in advance of the meeting in order to permit such appearance to be placed on the published agenda. ~~Such appearance, if granted by the Board President, may be limited to ten minutes unless an extension is granted by the President or a vote by the majority of the Board.~~

If at any time persons appearing before the Board exceed the time limitations set forth in this Policy or on the agenda or become abusive in language or behavior, it shall be the responsibility of the President to declare that person out of order and to

refuse permission to continue to address the Board. Anyone refusing to be identified will be prohibited from speaking.

The Board President may designate agenda items where public comment may be taken on that agenda item. Fifteen minutes may be allowed for such comment on each designated item.

The Board President may also choose to allow public comment at any time during a meeting. A majority of members present and voting may also choose to allow, ~~public comment at any time. The President or majority of members present and voting may~~ terminate or reduce the time for public comment at any time.

Board Action History

- 11/15/81 – Prior BCBI
(No copies of prior version.)
- 12/7/84 – Prior 9322 BOP
(Same text as BCBI, except for deletion of statute references.)
- 12/8/95 – Prior B12
(Similar text in first 3 paragraphs, but appearance extensions may also be granted by majority, public comment period reduced from 30 to 15 minutes for items not on agenda [and from 6 to 3 persons], added agenda item public comment designations, and option for allowing additional public comment during meetings.)
- 9/7/06 – B12
(Added majority vote option for extending public comment period.)
- 3/5/2013 – B12
(Changed wording regarding the Public Comment Period.)

Cross-References

- 84-1412 – Public participation.
- 79-317(2) – Public participation.