

**IDEA PUBLIC SCHOOLS  
EMPLOYEE AND STAFF COMMENTS AND PARTICIPATION  
DURING BOARD MEETINGS**

**Limit on Participation**

**Public Comment**

### United States Constitution

IDEA Public Schools shall take no action abridging the freedom of speech or the right of people to petition the Board for redress of grievances. U.S. Const. Amend. I, XIV.

The Board may confine its meetings to specified subject matter, and may hold non-public sessions to transact business. When the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819 (1995); *City of Madison v. Wis. Emp. Rel. Comm'n*, 429 U.S. 167 (1976); *Pickering v. Bd. of Educ.*, 391 U.S. 563 (1968).

The Board may create a limited public forum for the purpose of hearing comments from the public, so long as:

1. The Board does not discriminate against speech on the basis of viewpoint;
2. Any restrictions are reasonable in light of the purpose served by the forum; and
3. The Board provides alternative paths for expressing categories of protected speech that are excluded from the forum.

*Fairchild v. Liberty Indep. Sch. Dist.*, 597 F.3d 747 (5th Cir. 2010).

### Texas Constitution

Citizens shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. Tex. Const. Art. I, Sec. 27.

### Public Comment

So long as the requirements of the Open Meetings Act are satisfied and the right of citizens to apply to the Board for redress of their grievances is not abridged, the Board need not provide a public forum for every citizen wishing to express an opinion on a matter. Reasonable restraints on the number, length, and frequency of presentations are permissible. The Board may limit the total amount of time for public comments generally, may limit the amount of time for each speaker with respect to specific agenda items, and may encourage groups of persons it will hear on a particular subject to designate a spokesperson, but may not require groups to consolidate with respect to specific agenda items. The Board may adopt other regulations and procedures for comments so long as the regulation does not abridge constitutionally guaranteed rights of freedom of speech and to petition, nor unfairly discriminate among views seeking expression. *Att'y Gen. Op. H-188* (1973).

### Limit on Participation

Audience participation at a Board meeting is limited to the portion of the meeting designated for that purpose or for specific agenda items as permitted by law and



Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act. Board Policy PG (Equal Educational Opportunity) and Board Policy PG (Parent and Student Complaints and Grievances).

Public complaints: Board Policy PG- (Public Complaints).

#### Disruption

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

The Board encourages constructive feedback and criticism and shall not prohibit public criticism of the Board as a body corporate, including criticism of any act, omission, policy, procedure, program or service. This does not limit or apply to any form of criticism or disruptive act that may be otherwise prohibited by law.

IDEA PUBLIC SCHOOLS  
BOARD MEETING – AUDIENCE PARTICIPATION SIGN- UP SHEET

Any person wishing to address the Board about a topic related to IDEA Public Schools during the period reserved for public comment at a Board meeting or where public comment is permitted for specific agenda items must sign up to be heard in accordance with Board Policy.

1. If the Board posts an agenda item for Public Comments or Citizens to be Heard, the period reserved for general public comment at a Board meeting will be limited to a total of 20 minutes. Separately, the Board shall allow public comment on specific agenda items where a member of the public desires to speak on the agenda. The Board may permit comments on a specific agenda item either before or during the board's consideration of the item.
2. Each participant will be limited to 5 minutes to make comments to the Board either during general public comment or specific to an item on the agenda.
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