

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Public Participation in Meetings

2.222*

The Sarasota County School Board recognizes the importance of public participation in the educational decisions of the Board, as well as the ability for public comment on school matters of community interest. School Board meetings are limited public forums for First Amendment purposes. As a result, discriminating based upon a particular viewpoint is prohibited, any restrictions on public comment shall be content neutral, and any restrictions will be reasonable. In accordance with Florida Statute 286.0114, members of the public shall be given a reasonable opportunity to be heard before the School Board takes action on an item. This requirement does not apply to:

- a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
- b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- c) A meeting that is exempt from s. 286.011; or
- d) A meeting during which the board or commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

A. Public Comment Procedures

- 1) Public Comment shall be broken into two distinct public comment sessions; (1) Agenda Item Comments for members of the public to address items on that meeting's agenda prior to the Board's consideration of each specific agenda item followed by (2) General Comments on matters relevant to School Board and school district business after the Board addresses each of its agenda items. Members of the public will also be given time to address the Board during a required Public Hearing. Agenda Item Comments shall take place prior to the Board taking action on any item.
- 2) Anyone wishing to speak at a Board Meeting shall complete the appropriate speaker card, (the Agenda Item Comments speaker card or General Comments speaker card) and submit it to the Board Administrative Assistant or designee. The deadline to submit a speaker card shall be when the Board Chair calls the meeting to order.
- 3) When completing an Agenda Item Comments speaker card, each speaker shall indicate on the card which agenda item(s) they wish to speak about. When completing a General Comments speaker card, speakers shall indicate the topic they plan to address to the Board.

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- 4) All speakers shall be required to address the Board at the time they are called forward to continue the expeditious and orderly process of the Board meeting. Refusal to speak or requesting to pass your turn at that time shall constitute a forfeiture of that speaker's full time during that public comment period.
- 5) Speakers shall not make remarks while making Public Comments which are:
 - a) "abusive" – grossly offensive comments which by their very utterance inflict injury, are threatening, or tend to incite an immediate breach of the peace ;
 - b) "threatening" - a statement meant to communicate an intent to commit an act of violence against an individual or group; or
 - c) "obscene" - comments are obscene when the average person, applying contemporary community standards would find that the comments, taken as a whole, appeal to the prurient interest, or depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law and when taken as a whole are comments that lack serious literary, artistic, political, or scientific value;
 - d) "profane" – grossly offensive language that is considered a public nuisance, constitutes fighting words, or words that incite an immediate breach of the peace.
- 6) Speakers shall not play any audio or video recordings during their allotted comment time.
- 7) No speaker may yield his or her time to any other person.
- 8) Members of the public shall not display signs, posters, or placards in the School Board meeting room in a manner that blocks the view of other members of the audience. This shall not apply to materials deemed reasonably necessary by staff to make effective presentations to the School Board or by citizens while addressing the School Board when recognized during public comment.
- 9) Speakers wishing to provide Board Members with materials in support of their public comments should provide them to the School Board Office at 1980 Landings Blvd, Sarasota, FL 34231, at least two business days prior to the scheduled Board meeting, when possible, to allow Members to review these materials. Board Members may not be able to be reviewed such materials if they are received fewer than two business days before the meeting. Materials provided during a Board Meeting should be given to a member of the Sarasota County Schools Police Department so they can be

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given to the Board Administrative Assistant. No speaker shall approach the dais to provide materials to Board Members.

B. Agenda Item Comments

- 1) Agenda Item Comments must take place before the School Board takes action on any agenda item under consideration.
- 2) Each speaker shall be given one (1) period of a maximum of three (3) minutes to make comments on agenda items.
- 3) Priority will be given to individuals who are members of the following groups during the Agenda Items Comments portion of the School Board meeting: current residents of Sarasota County; parents/guardians of a current Sarasota County Schools student; Sarasota County Schools employees; and current Sarasota County Schools students. Members of these designated groups shall be permitted to speak on agenda items prior to other attendees of Board meetings wishing to speak that are not members of one of these groups. Priority amongst individuals within these designated groups will be determined on a "first come, first serve" basis. In order to obtain the speaker priority outlined in this paragraph speakers must complete the speaker card for Agenda Item Comments in full. The failure to complete the speaker card in full will result in a loss of such speaker priority for that speaker.
- 4) Speakers addressing the Board during Agenda Item Comments may also speak during the General Comments portion of the School Board Meeting, as long as they have submitted a separate speaker card.

C. General Comments

- 1) The opportunity for individuals to make General Comments on matters not on the agenda, but relevant to School Board or school district business shall be permitted after all agenda items have been addressed in full by the School Board , but prior to Board Member Comments at the end of the meeting.
- 2) Priority will be given to individuals who are members of the following groups during the General Comments portion of the School Board meeting: current residents of Sarasota County; parents/guardians of a current Sarasota County Schools student; Sarasota County Schools employees; and current Sarasota County Schools students. Members of these designated groups shall be permitted to speak prior to other attendees of Board meetings wishing to speak that are not members of one of these groups. Priority amongst individuals within these designated groups will be determined on a "first come, first serve" basis. In order to obtain the speaker priority outlined in this paragraph speakers must complete the speaker card for General Comments in full. The failure to complete the speaker card in full will result in a loss of such speaker priority for that speaker.

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- 3) Each speaker shall be given a maximum of two (2) minutes for General Comments.

D. Disruptive Speech and Meeting Disruptions

Sarasota County School Board meetings are recognized as a limited public forum, as it relates to the First Amendment, and the public's First Amendment rights will be recognized and protected accordingly, only giving way to content-neutral and reasonable restrictions on them. During Public Comment periods, Board business periods, and Board Member comments, members of the audience shall not cheer, clap, or audibly comment either in support of or against anything happening at that time in a manner that materially disrupts the efficient and orderly conduct of the meeting. The Board Chair has the authority to:

- 1) Interrupt and warn a speaker when their comments: (1) violate section A(5) above, (2) are not relevant to the agenda items they requested to speak on during the Agenda Item Comments portion of the School Board meeting, (3) are not relevant to School Board or school district business during the General Comments portion of the School Board meeting,, or (4) if the speaker has exceeded their allotted time.
- 2) Order the meeting to recess for a designated period of time if the actions of the speaker or audience interfere with the orderly conduct or decorum of the meeting.
- 3) Order the removal of any person interfering with the expeditious or orderly process of a Board meeting, provided the Board Chair has first issued a warning to that specific person that continued interference with the orderly processes of the meeting will result in removal, in accordance with F.S. 1001.372. Any law enforcement authority or a sergeant-at-arms designated by the Board Chair shall remove any person ordered removed pursuant to this section. A law enforcement authority or sergeant-at-arms shall be deemed to be in the lawful execution of a legal duty when removing any person based on such an order from the Board Chair in conformance with the requirements outlined in this paragraph.
- 4) In the event a speaker is interrupted in (1) above or a meeting is recessed in (2) above, a speaker who loses time as a result shall have any time lost as a result credited when their public comments resume.

E. Accommodations

In accordance with the Americans with Disabilities Act (ADA) and F.S. 286.26, the Sarasota County School Board shall accommodate persons needing accommodations to participate in School Board Meetings in good faith.

- 1) Any person needing accommodations to participate in a School Board

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meeting should request accommodations, in writing, at least two business days prior to the meeting to ensure the accommodations can be met.

- 2) Any accommodation requests made fewer than two business days prior to the meeting will be met to the best extent possible.
- 3) For Special Board Meetings or Emergency Board Meetings with fewer than two days' notice, the District must accommodate requests to the best extent possible.

Nothing within this policy is intended to limit or affect the right of a person to be heard as required by law, to suppress positive, negative, or neutral comments about the Superintendent, School Board, issues, or the manner in which the work of the Sarasota County School District is carried out.

STATUTORY AUTHORITY:

1001.41, 1001.43(10), F.S.

**286.0114, 1001.32, 1001.37, 1001.372, 1001.41, 1001.42,
1001.43, 1006.145, F.S.**

HISTORY:

**ADOPTED: 07/2024
REVISION DATE(S): 11/2024
FORMERLY:**

NOTES: