



Code: **BDDH**  
Adopted: 9/14/11  
Readopted: 4/13/16 (effective  
July 1, 2016); 4/11/18  
Orig. Code: 214

## Public Comment in Board Meeting

All meetings of the Board, with the exception of executive sessions, will be open to the public. The Board invites the public ~~citizens~~ to attend Board meetings to become acquainted with the program and operation of the College. ~~The Members of the public has a right to attend public meetings held in open session and may be invited~~ ~~also are encouraged~~ to share comments, ~~their~~ ideas and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment ~~when appropriate.~~

~~It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others.~~ 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 (which will be provided at no cost) must notify the College at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings. ~~Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids and services.~~

~~All auxiliary aids and/or service requests must be made with appropriate advance notice. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, alternative, equally effective means of communication will be used.~~

### **Audience**

~~During an open session of a Board meeting, members of the public may be invited to present comment during the designated portion of the agenda. At the discretion of the Board chair, further public comment may be allowed.~~

~~The Board may exclude from any such public or executive session, during the examination of a witness, any or all other witnesses in the matter being investigated by the Board.~~

### **Request for an Item on the Agenda**

~~A member of the public may request the President to consider an item of concern to be placed on the agenda of a regular Board meeting. This request should be made in writing and presented to the President for consideration.~~

### **Procedures for Oral Public Comment in Meetings**

The Board will establish procedures for public comment in open Board meetings. The purpose of these procedures will be to inform the public how to effectively comment in Board meetings ~~for the best interests of the individual, the College and its patrons~~. The information will be easily accessible and available to all ~~patrons~~ individuals accessing or attending a ~~public~~ Board meeting held in public.

### Letters, Petitions or Written Comments

Letters, petitions or written comments may be accepted at any Board meeting. No action will be taken in response to a letter, petition or written comments before the next regular meeting. Letters, petitions or written comments will be referred to the President for consideration and recommendation.

### Comments Regarding Staff Members

A person speaking during the designated portion of the agenda for public comment ~~Speakers~~ may offer objective criticism of College operations and programs. The Board will not hear comments regarding any individual College staff member. The Board chair will direct the ~~visitor speaker~~ to the ~~procedures in Board~~ Policy KL - Public Complaints for ~~Board~~ consideration of a legitimate ~~complaint~~ ~~complaints~~ involving a College staff member. A commendation involving a staff member should be sent to the President, who will forward it to the employee, their supervisor, and the Board.

END OF POLICY

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#### Legal Reference(s):

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

[ORS 192.610 - 192.690](#)  
[ORS 341.283](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

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).

#### Cross Reference(s):

BDDC - Board Meeting Agenda

Corrected 11/22/21