



Book	Policy Manual
Section	900 Community
Title	Public Comment in Board Meetings
Code	903
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Purpose

The Board recognizes the value of public input and the importance of designating time for public comment during open Board meetings. The Board also recognizes the importance of diverse viewpoints and commentary.

This policy addresses the right for the public to comment at open Board meetings and the responsibility of the Board to conduct its business in an orderly and efficient manner. An authorized individual's public comment will be free from interruption, except when the individual's conduct is in violation of law or Board policy.[\[1\]](#)

Authority

An opportunity for district residents, taxpayers, employees and students to provide comment on matters of concern, official action or deliberation which are or may be before the Board, shall be provided as designated on the Board meeting agenda and in compliance with law, Board policy and district procedures.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Copies of the agenda, which includes a listing of each matter of business that will be or may be the subject of deliberation or official action at the meeting, shall be made available to individuals in attendance at the meeting.[\[3\]](#)

The Board requires that public comment on agenda items be made at the beginning of each meeting.[\[4\]](#)

If the Board determines there is not sufficient time at a meeting for public comments, the comment period may be deferred to the next regular meeting or to a special meeting occurring before the next regular meeting.[\[4\]](#)

When items are added to the agenda after the public comment period has ended, the Board shall offer a further public comment opportunity limited to the added items.[\[4\]](#)[\[6\]](#)

An individual's public comment may be interrupted or terminated only under limited circumstances, such as when the individual's commentary is in clear violation of law or Board policy, including but not limited to the following:

1. Sexual harassment, racial, ethnic, religious or nationality intimidation towards an individual or individuals in the school community.[7][8][9]
2. Disclosure of confidential personal information regarding students or staff.
3. Speech that traditionally has not been protected under the First Amendment, such as obscenity, defamation and speech integral to criminal conduct.
4. Speech that is profane.
5. Speech that constitutes true threats such as inciting imminent lawless action or subjecting individuals to fear of violence.
6. Speech that does not concern matters that may come before the Board for deliberation or official action, for example, sales of commercial products or services.

Guidelines

Sign-in and Request to Comment[\[1\]](#)

All individuals wishing to comment during the Board meeting shall complete a document designated for requests to comment and submit the document to the Board Secretary no less than three (3) school days in advance of the meeting and shall include the name and address of the person making the request, topic to be addressed and group affiliation, if applicable.

If an individual attempts to register less than three (3) school days in advance of the meeting, the Board Secretary shall not place such an individual on the agenda.

If the person is not on the agenda, then the person wishing to be heard by the Board should sign the visitor's log sheet the night of the meeting and mark on the sheet the topic s/he wished to address.

All individuals wishing to comment during the Board meeting shall sign in on the sheet provided at the meeting and provide the following information on the sign-in sheet:

1. Name of commenter.
2. Municipality of the commenter.
3. Topic to be addressed.
4. Group or organization affiliation, if applicable.

Because of an unusually long agenda or an unusually large number of citizens wishing to be heard by the Board, it may not be possible to hear all persons who are not listed on the agenda.

A participant's allotted time for public comment shall not exceed five (5) minutes for those on the agenda and three (3) minutes for those who were not on the agenda, regardless of the number of topics the individual seeks to address.

Public Comment

Individuals shall wait to be recognized by the presiding officer before commenting, must direct all comments to the Board, and must preface their comments by an announcement of their name and group affiliation, if applicable.

In the case of two (2) or more individuals, the presiding officer has the right to ask that just one (1) representative from each group act as a spokesperson for the group; thus, only the representative would be given the opportunity to be heard.

No participant may speak more than once on the same topic at the same meeting. Also, comments and remarks shall not be repetitive or duplicative of comments and remarks previously presented to the Board.

The public comment session at the beginning of the meeting shall be limited to not more than thirty (30) minutes.

Each statement made by a participant shall be limited to three (3) minutes' duration, unless on the agenda when five (5) minutes should be allocated.

Commenters may not cede their time to other individuals.

No individual may speak more than once on the same topic, unless all others who wish to speak on that topic have been heard and there is time remaining in the public comment period.

All statements shall be directed to the presiding officer; no participant may address or question school directors individually.

Speakers may offer objective criticism of school operations and programs. In public session, the Board will not hear personal complaints of school personnel or against any person connected with the school system. These issues will be heard in an executive session meeting immediately following the Board meeting. Speakers will be asked to speak individually. No other speakers can be present.

The presiding officer and the district solicitor have the authority to:

1. Interrupt an individual to warn the commenter that the statement is too lengthy or conduct is otherwise in violation of this policy.
2. After warning, terminate the individual's opportunity to comment when the conduct continues and is in violation of this policy.
3. Call a recess or adjourn to another time when an individual's conduct is otherwise in violation of this policy.
4. Request an individual to leave the meeting when that person's conduct is disrupting the operation of the meeting.[\[10\]](#)[\[11\]](#)
5. If the individual refuses to leave the meeting, request the assistance of school security personnel or law enforcement to remove the disorderly person to enable the Board to proceed with the orderly operation of the meeting.[\[12\]](#)[\[13\]](#)
6. Waive the Board's rules regarding public comment with the approval of a majority of those present and voting.

Where the presiding officer's ruling regarding public comment is disputed, it may be overruled by a majority of those school directors present and voting.

Response to Public Comment

The purpose of public comment at Board meetings is to allow the Board to learn the thoughts of the public prior to Board deliberation and official action.

Although the public comment period of the meeting is not a question and answer session between the public and the Board, the Board may direct staff to follow up and address public inquiries in a reasonably prompt manner.

Whenever public comments are subject to the Board policy regarding public complaints, the individual shall be directed to follow the process outlined in the policy for resolution of the issue.
[14]

Public Comment Recorded in Board Minutes

The following information regarding public comment is required to appear in the official minutes of each open Board meeting:[5][15]

1. The names of all citizens who appeared before the Board.
2. The subject of their testimony.

Recording Devices and Cameras

Electronic recording devices and cameras, in addition to those used as official recording devices, shall be permitted at open meetings. The Board is authorized to establish reasonable rules for the use of recording devices and cameras during Board meetings.[1][16]

No placards or banners will be permitted within the meeting room.

Legal

[1. 65 Pa. C.S.A. 710](#)

[2. 24 P.S. 407](#)

[3. 65 Pa. C.S.A. 709](#)

[4. 65 Pa. C.S.A. 710.1](#)

5. Pol. 006

[6. 65 Pa. C.S.A. 712.1](#)

7. Pol. 103

8. Pol. 103.1

9. Pol. 104

[10. 18 Pa. C.S.A. 5101](#)

[11. 18 Pa. C.S.A. 5508](#)

[12. 18 Pa. C.S.A. 3503](#)

13. Pol. 805.2

14. Pol. 906

[15. 65 Pa. C.S.A. 706](#)

[16. 65 Pa. C.S.A. 711](#)

[18 Pa. C.S.A. 1 et seq](#)

[18 Pa. C.S.A. 5903](#)

[65 Pa. C.S.A. 701 et seq](#)

[PA Const. Art. I](#)

[U.S. Const. Amend. I](#)

Alekseev v. City Council of Philadelphia, 8 A.3d 311 (Pa. 2010)

Counterman v. Colorado, 600 U.S. 66, 143 S. Ct. 2106, 216 L. Ed. 2d 775 (2023)

Hatchard v. Westinghouse Broadcasting, 516 Pa. 184, 532 A.2d 346 (1987)

Pol. 113.4

Pol. 216

Pol. 800

Pol. 801