

Board of Trustees Agenda Item

Board Meeting Date: 5/2/11

Title of Item: BP 9128 Public Participation (Rev.) (1st Reading)

Background and Analysis:

Proposed revisions to the current board policy addressing how items are placed on the agenda include a description of the requirements for posting an agenda and that the responsibility for developing the agenda belongs to the Chancellor and Board President.

The revised policy includes the procedure for members of the public to address items on the agenda as well as items not on the agenda.

The Chancellor's Advisory Council has reviewed the revised policy.

Recommendation: Information only

Submitted by: Linda Thor, ext. 6104
Additional contact names:
Is backup provided? Yes

Public Participation Agendas

9128

An agenda shall be posted adjacent to the place of meeting at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

Agendas shall be developed by the Chancellor in consultation with the Board President.

Placing an Item on the Agenda

~~It is the intent of the Board that~~ Members of the public ~~be able to~~ may place matters directly related to District business ~~on the agenda of Governing Board meetings on an agenda~~ by submitting a written summary of the item to the Chancellor. The written summary must be signed by the initiator. Agenda items submitted by members of the public must be received by the Chancellor's Office no later than two weeks prior to the regularly scheduled Board meeting and shall be placed on the Board's agenda following the items of business initiated by the Board and staff. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted by the member of the public before the expiration of a 90-day period following the initial submission.

Addressing Items on the Agenda

~~The Board also intends that~~ Members of the public ~~be~~ are able to address the Board regarding items on the agenda as such items are taken up. ~~At each meeting, citizens attending the meeting shall be allowed to address the Board on agendaized matters as those matters are discussed by the Board. The clerk of the Board is therefore directed to have the agenda for each meeting indicate a time for public discussion (if any) prior to the closure of discussion on each listed agenda item intended for discussion by the Board.~~ Members of the public who wish to address the Board on items on the agenda shall complete a written request to the Chancellor at the beginning of the meeting at which they wish to speak. The request shall note the item on which they wish to speak and identify the submitter by name and by organizational affiliation, if any. In order to insure the orderly conduct of public business, unless the Governing Board otherwise directs at the time, citizens wishing to discuss agendaized matters with the Board at Board meetings shall be limited to five minutes per person. The Board President may at his/her discretion limit the total number of speakers addressing a particular subject and/or reduce the minutes allowed per person below five minutes.

*Foothill-De Anza Community College District
Board of Trustees
Board Policy Manual*

Addressing Items Not on the Agenda

This regulation shall not preclude the taking of public testimony or comment during the Public Hearings at regularly-scheduled meetings on matters not on the agenda which any member of the public may wish to bring before the Board, provided that no action is taken by the Board on such matters at the same meeting at which such testimony or comment is taken. In order to facilitate such interaction with the public, ~~the Governing Board directs the clerk to have each agenda indicate a time at each meeting~~ agenda shall include a time for general public input on any matter not otherwise covered in the agenda for that meeting. Members of the public who wish to address the Board during the Public Hearing shall complete a written request to the Chancellor at the beginning of the meeting at which they wish to speak. The request shall summarize the item and identify the submitter by name and by organizational affiliation, if any. The Board President may at his/her discretion limit the total number of speakers addressing a particular subject and/or reduce the minutes allowed per person below five minutes.

The Board recognizes the need to encourage public participation but also recognizes the need to preserve order and the proper functioning of the meeting. Citizens addressing the Board at meetings shall therefore conduct themselves at all times in a manner appropriate to the setting. Each speaker coming before the Board is limited to one presentation per specific agenda item before the Board and to one presentation per meeting on non-agenda matters.

Education Code section 72121.5
Government Code Sections 54954 et seq., k6250 et seq.
Approved 2/3/97
Approved by CAC 4/8/11
Revised 9/10/01;_____