

**BOARD OF EDUCATION OF HARFORD COUNTY
INFORMATIONAL BOARD REPORT**

**REQUEST TO WAIVE PROVISIONS OF
THE FOLLOWING BOARD POLICY:**

**22-0008-000 PUBLIC PARTICIPATION AT
BOARD OPEN MEETINGS OR PUBLIC HEARINGS**

JANUARY 27, 2021

Background Information:

There are in effect states of emergency for the United States and for the State of Maryland, relating to the COVID-19 virus.

Discussion:

The purpose of the above Open Meeting is solely for the Board to vote regarding potential allocation of funds for the purchase of plexiglass barriers/shields.

Board Policy entitled, 22-0008-000 Public Participation at Board Open Meetings or Public Hearings, requires, in part, that public comment be permitted at Board meetings. In-person public comment is not logistically practical, or possible, for the Board meeting scheduled for January 27, 2021. Additionally, the sole purpose of the Board's January 27, 2021, meeting is to vote regarding the potential allocation of funds for the purchase of plexiglass barriers/shields.

Superintendent's Recommendation:

In light of the above, including the abbreviated nature of the Board Open Session, scheduled for January 27, 2021, the Superintendent recommends that the Board waive, for the January 27, 2021, Board meeting, the requirement that the Board receive public comment.

Attachments:

1. Current Board Policy 22-0008-000 [Public Participation at Board Open Meetings or Public Hearings](#)
2. Notice of Public Comment Participation

POLICY TITLE: Public Participation at Board Open Meetings or Public Hearings		
ADOPTION/EFFECTIVE DATE: 9/14/1992	MOST RECENTLY AMENDED: 1/25/2005	MOST RECENTLY REAFFIRMED: 9/9/2002
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: School System Governance		

1. Public Attendance and Participation

- a) At any open session of the Board of Education of Harford County (whether a meeting or hearing) the general public is invited to attend, observe and to participate.
- b) Public participation at open meetings of the Board of Education is encouraged, welcomed, and requested under the sections of the agenda entitled "Public Participation" and "Public Comments," as well as prior to the Board of Education's discussion of any agenda item(s) for the open meeting.

2. Disruptive Conduct

- a) Members of the general public have the right to attend open sessions of public bodies. A public body may remove or cause removal of any person or persons from an open session upon a determination by the presiding officer of the public body that the person's behavior is disruptive to the session.
- b) A person attending an open session of the Board of Education of Harford County may not engage in any conduct, including visual demonstrations such as the waving of placards, signs, or banners, that disrupts the session or that interferes with the right of members of the public to attend and to observe the session.
- c) Presiding Officer Authorities
 - (1) The presiding officer may order any person who persists in conduct prohibited by subsection A or B of this section or who violates any other regulation concerning the conduct of the open session to be removed from the session and may request police assistance to restore order.
 - (2) The presiding officer may recess the session while order is restored.

3. Public Comment at Board Business Meeting

- a) The order of business of any regular meeting shall include an opportunity for citizens to address the Board through utilization of the procedures outlined in subsections 1, 2, 3.

- (1) Any member of the community may request the placement of a matter on the formal agenda, provided the person files a written request with the Superintendent no later than ten days prior to the meetings of the Board of Education. The written request should include the name, address, and telephone number of the person or persons making the request; the name of the organization or group represented; and pertinent background information. If the request is appropriate for consideration by the Board, the Superintendent will assign the item to the agenda and will notify the person making the request of the time, date, and the place of the meeting.
 - (2) Citizens wishing to speak on any agenda item or to comment on any item not on the agenda may do so by obtaining from the Director of Information and completing a "Request to Appear Before the Board" card. This must be submitted prior to the opening of the meeting. Those wishing to speak on an agenda item will be called upon by the presiding officer after the formal presentation of the topic, but prior to Board deliberation on the item. Those wishing to speak on a non-agenda item will be called upon during the public commentary section of the Board meeting.
 - (3) Individuals or groups who wish to submit policy proposals for consideration by the Board should put these in writing to the Superintendent and the president of the Board of Education. The Superintendent will consult with the authors and make recommendations to the Board.
- b) Matters of administrative procedure or comments about the actions or statements of individual staff members are not appropriate for these meetings and should be referred to the Superintendent. Efforts toward solution of any matter of concern should first be made at the individual school or at the appropriate staff level. Defamatory or abusive remarks are out of order and the presiding officer may terminate the speaker's privilege of address if, after being called to order, he or she persists.
 - c) The Board, the Superintendent, and staff will not, as a rule, answer questions from the public during this period other than to explain a policy already in existence.
 - d) Every person who wishes to speak shall be recognized by the presiding officer, called to the table, asked to state his or her name and address, and to identify any organization he or she represents. Each speaker shall be limited to no more than three minutes and five minutes for individuals representing groups unless such time is extended by the presiding officer. When there are many speakers, the presiding officer may shorten this time.
 - e) Members of the Board, the Superintendent, and staff members may question the speaker at the conclusion of the remarks made by the speaker with the permission of the presiding officer.

- f) It is the prerogative of the Board to determine whether actions will be taken by the Board on items brought up during the meeting. The presiding officer will inform the speaker of the future intention of the Board concerning the matter being discussed.
- g) Any written or printed material to be circulated to the Board of Education should, whenever possible, be submitted to the Superintendent one week prior to the meeting of the Board. It will be transmitted to the Board for review prior to the meeting. When this is not possible, fifteen (15) copies of the material should be brought to the meeting.

4. Public Comment at Board Public Hearings

- a) The order of business at a public hearing shall include an opportunity for citizens to address the Board through utilization of the procedures outlined in subsections 1, 2 and 3 below.
 - (1) Every person who wishes to speak shall complete a “Request to Appear Before the Board” card.
 - (2) Every person who wishes to speak shall be recognized by the presiding officer, called to the table, asked to state his or her name and address, and to identify any organization he or she represents. Each speaker shall be limited to no more than three minutes and five minutes for individuals representing groups unless such time is extended by the presiding officer. When there are many speakers, the presiding officer may shorten this time.
 - (3) Members of the Board, the Superintendent, and staff members may question the speaker at the conclusion of the remarks made by the speaker with the permission of the presiding officer.
- b) Matters of administrative procedure or comments about the actions or statements of individual staff members are not appropriate for these hearings and should be referred to the Superintendent. Efforts toward solution of any matter of concern should first be made at the individual school or at the appropriate staff level. Defamatory or abusive remarks are out of order and the presiding officer may terminate the speaker’s privilege of address if, after being called to order, he or she persists.
- c) All public comment at a Board public hearing should address only the topic which is the subject of the hearing.

5. Recording, Photographing, and Broadcasting of Open Sessions

- a) A member of the public, including any representative of the news media, may record discussions of the Board of Education of Harford County at an open

- session by means of a tape recorder or any other recording device if the device does not create an excessive noise that disturbs members of the Board of Education of Harford County or other persons attending the session.
- b) A member of the public, including any representative of the news media, may photograph or videotape the proceedings of the Board of Education of Harford County at an open session by means of any type of camera if the camera:
- (1) Is operated without excessively bright artificial light that disturbs members of the Board of Education of Harford County or other persons attending the session; and
 - (2) Does not create an excessive noise that disturbs members of the Board of Education of Harford County or other persons attending the session.
- c) A representative of the news media may broadcast or televise the proceedings of the Board of Education of Harford County at an open session if the equipment used:
- (1) Is operated without excessively bright artificial light that disturbs members of the Board of Education of Harford County or other persons attending the session; and
 - (2) Does not create an excessive noise that disturbs members of the Board of Education of Harford County or other persons attending the session.
- d) The presiding officer may restrict the movement of a person who is using a recording device, camera, or broadcasting or televising equipment if such restriction is necessary to maintain the orderly conduct of the session.
6. Recordings Not Part of Record

A recording of an open session made by a member of the public, or any transcript derived from such a recording, may not be deemed a part of the record of any proceeding of the Board of Education of Harford County.

Board Approval Acknowledged By:

Patricia L. Skebeck, Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	9/14/1992	Amended	11/22/2004		
Amended	6/14/1993	Amended	1/25/2005		
Reaffirmed	2/12/1996				
Reaffirmed	9/9/2002				

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Unknown	JOB POSITION OF LAST EDITOR/DRAFTER: Unknown	
PERSON RESPONSIBLE: Patrick Spicer	JOB POSITION OF PERSON RESPONSIBLE: General Counsel	
DESIGNEE NAME: N/A	JOB POSITION OF DESIGNEE: N/A	
REFERENCE 1 TYPE:	REFERENCE 1 NO.	REFERENCE 1 DESCRIPTION:
REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: School System Governance .01.09		



**BOARD OF EDUCATION OF HARFORD COUNTY
NOTICE OF PUBLIC COMMENT PARTICIPATION
BOARD MEETING – JANUARY 27, 2021 – 10:00 AM**

A Board of Education of Harford County Board Meeting will be held on January 27, 2021, at 10:00 AM, for the purposes of voting on a single topic, namely a potential reallocation of funds to purchase plexiglass barriers/shields. This meeting will be held virtually only. No public access will be permitted at the A. A. Roberty Building.

Due to the abbreviated nature of this meeting, the Board of Education will consider a Motion to Waive Public Comment in its entirety for the January 27, 2021, Board Meeting. As a result of the above, it is anticipated that no public comment will be received at this meeting of the Board of Education.