



PASADENA AREA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES BYLAWS

Title: Meetings: Audience

Bylaw No. 1290

Legal Authority: Education Code, section 72121;
Government Code 54957.9 (The Brown Act)

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1. The Board serves the district and, therefore, encourages employees, students, and members of the community to express their views directly during board meetings. However, because of the pressure of business, the procedures hereinafter set forth have been established for addressing the board.
2. Members of the public may bring matters directly related to the business of the District to the attention of the Board in one of two ways.
 - a. There will be a time at each regularly scheduled board meeting for the general public to discuss items not on the agenda. Public members wishing to present items should submit a written request to the Superintendent/President prior to the start of the meeting. The request should summarize the item and provide the name and organizational affiliation, if any. No action may be taken by the Board on such items.
 - b. Members of the public may place items on the prepared agenda in accordance with Bylaw 1240, Section 6.
3. Members of the public may also submit written communications to the Board on items on the agenda and/or speak to the agenda items at the Board meeting. They should submit a written request prior to the start of the meeting to the Superintendent/President as to the agenda item to which they wish to speak. It is the Board's policy to hear such persons during the period in which the agenda is being heard and, in particular, before any vote is taken.
4. The Board will make every effort to recognize speakers who have not advised the Superintendent/President as provided in items 3 & 4 above, but who, by holding up a hand, indicate the desire to be heard.
5. When recognized, a speaker shall stand and preface his or her remarks by stating the speaker's name, address, and organizational affiliation, if any. However, the address is optional, but recommended so as to enable reports to be given to the speakers should the Superintendent/President deem that to be useful to the speaker.
6. The Board shall exercise its discretion as to the number of speakers to be heard and the time allocated per speaker. The total time available and number of those wishing to be heard will be among the factors given consideration by the Board. Normally, and in the absence of a different ruling by the Board, speakers should not speak for more than five minutes, nor more than 30 minutes shall be used per audience participation. At the end of five minutes, if the speaker desires additional time he/she may request it of the Board. The Board may at any time shorten time for speakers. In the event of speakers being on opposite sides of a question, the chair shall attempt to alternate the recognition of speakers.
7. Members of the Board and the Superintendent/President may ask questions of a speaker and respond to the speaker's remark on agenda items. As to items not on the agenda, the Brown Act

- permits the Board to comment thereon but the effect of comments should not be such as to constitute commitment to any action.
8. Complaints against personnel will be considered in closed session as set forth in 1225, item 2.
 9. The President of the Board may rule members of the public out of order if speakers do not speak to the issues or are disorderly or defamatory. As used herein "defamatory" refers to what reasonably appears to be the commission of actionable slander and/or the presentation of writings or other materials which reasonably appear to constitute actionable libel.
 10. If a speaker is found to be out of order, he/she shall be warned and if out of order conduct is continued, the right of the speaker to speak may be terminated.
 11. Persons willfully interrupting a meeting are subject to removal. Where order cannot be restored by such removal, the Board may clear the meeting room in accordance with Section 54957.9 of the Government Code, as said Section may from time to time be amended. The Board may readmit, based on procedures it then and there deems appropriate to the circumstances, persons nor responsible for disturbing the orderly conduct of the meeting.
 12. Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Board under this policy, but may not attempt to negotiate terms and conditions of their employment. This policy does not prohibit any employee from addressing a collective bargaining proposal pursuant to the public notice requirements of Government Code Section 3547 and the policies of this Board implementing that section.
 13. Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.
 14. Audio taping, filming, other recordings and broadcasts are permitted unless constituting, in the words of the Brown Act, a "persistent disruption." District audio casts of the meetings of the Board of Trustees will be kept in a publicly accessible space for no less than five years."
 15. It is the general policy of the Board to refer new matters to the Superintendent/President for investigation and report. It is strongly recommended prior to coming before the Board the prospective speaker talk to the Superintendent/President or to his designate so that an appropriate investigation may be made.