PART I: BOARD MEETINGS IN GENERAL

Sec. 1. DEFINITIONS

a) *Deliberation*

"Deliberation" means a verbal or written exchange between a quorum of the Board, or between a quorum of the Board and another person, concerning an issue within the jurisdiction of the Board. *Gov't Code 551.001(2)*.

b) *Meeting*

"Meeting" means a deliberation among a quorum of the Board, or between a quorum of the Board and another person, during which public business or public policy over which the Board has supervision or control is discussed or considered, or during which the Board takes formal action. "Meeting" also means a gathering:

1. That is conducted by the Board or for which the Board is responsible;
2. At which a quorum of members of the Board is present;
3. That has been called by the Board; and
4. At which Board members receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of Midland Academy Charter, about the public business or public policy over which the Board has supervision or control.

Gov't Code 551.001(4)

A communication or exchange of information between Board members about public business or public policy over which the Board has supervision or control does not constitute a meeting or deliberation for purposes of the Texas Open Meetings Act if the communication is posted to an online message board or similar Internet application in compliance with Government Code 551.006. *Gov't Code 551.006*.

The term "meeting" does not include:

1. The gathering of a quorum of the Board at a social function unrelated to the public business that is conducted by the Board;
2. The attendance by a quorum of the Board at a regional, state, or national convention or workshop, ceremonial event, or press conference; or
3. The attendance by a quorum of the Board at a candidate forum, appearance, or debate to inform the electorate, if formal action is not taken and any discussion of public business is incidental to the social function, convention, workshop, ceremonial event, press conference, forum, appearance, or debate.

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Gov't Code 551.001(4).

The attendance by a quorum of the Board at a meeting of a committee or agency of the legislature is not considered to be a meeting if the deliberations at the meeting by the Board members consist only of publicly testifying, publicly commenting, and publicly responding to a question asked by a member of the legislative committee or agency. *Gov't Code 551.0035(b)*.

c) *Recording*

"Recording" means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. *Gov't Code 551.001(7)*.

d) *Videoconference Call*

"Videoconference call" means a communication conducted between two or more persons in which one or more of the participants communicates with the other participants through duplex audio and video signals transmitted over a telephone network, a data network, or the Internet. *Gov't Code 551.001(8).*

Sec. 2. SUPERINTENDENT PARTICIPATION

The Board shall provide the Superintendent an opportunity to present at a meeting an oral or written recommendation to the Board on any item that is voted on by the Board at the meeting.

Sec. 3. MEETINGS OPEN TO THE PUBLIC

Every Board meeting shall be open to the public. The Board may, however, exclude a witness from a hearing during the examination of another witness in a matter being investigated and may enter into a closed meeting, as provided by law. *Gov't Code 551.002, .084.*

Sec. 4. PROHIBITED COMMUNICATIONS BETWEEN BOARD MEMBERS

A Board member commits an offense if the member:

1. Knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized by the Open Meetings Act and that concern an issue within the jurisdiction of the Board in which the members engaging in the individual communications constitute fewer than a quorum of members, but the members engaging in the series of communications constitute a quorum of members; and
2. Knew at the time the member engaged in the communication that the series of communications:

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a. Involved or would involve a quorum; and
b. Would constitute a deliberation once a quorum of members engaged in the series of communications.

Gov't Code 551.143.

Sec. 5. RECORDING OPEN MEETINGS

All or any part of an open meeting may be recorded by any person in attendance by means of a recorder, video camera, or other means of aural or visual reproduction. The Board may adopt reasonable rules to maintain order at a meeting, including rules relating to the location of recording equipment and the manner in which the recording is conducted. These rules may not prevent or unreasonably impair a person from exercising the right to record a meeting that is open to the public. *Gov't Code 551.023*.

Sec. 6. MEETING MINUTES

The Board shall keep minutes or make a recording of each open meeting. The minutes shall state the subject matter of each deliberation and indicate each vote, order, decision, or other action taken. *Gov't Code 551.021*.

The minutes and recording are public records and shall be available for public inspection and copying on request to the Superintendent or designee. *Gov't Code 551.022*.

Sec. 7. NOTICE REQUIRED

The Board shall give written notice of the date, hour, place, and subject(s) of each Board meeting. *Gov't Code 551.041.*

If the Board recesses an open meeting to the following regular business day, the Board is not required to post notice of the continued meeting if the action is taken in good faith and not to circumvent Government Code Chapter 551. If an open meeting is continued to the following regular business day and, on that following day, the Board continues the meeting to another day, the Board must give the required written notice of the meeting continued to that other day. *Gov't Code 551.0411(a)*.

a) *Questions from the Public During Meeting*

If a member of the public or the Board inquires at a meeting about a subject for which notice has not been given, the notice provisions do not apply to a statement of specific factual information given in response to the inquiry or a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda of a subsequent meeting. *Gov't Code 551.042*.

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b) *Time of Notice and Accessibility*

Notice of a Board meeting shall be posted on a bulletin board at a place convenient to the public in the main lobby entrance for at least 72 hours before the scheduled time of the meeting. That notice or a notice posted at another Board-designated place shall at all times be readily accessible to the public for at least 72 hours before the scheduled time of the meeting. *Gov't Code 551.043(a), .051*.

If Midland Academy Charter is required to post notice of a meeting on the Internet, Midland Academy Charter satisfies the requirement that the notice must be posted in a place readily accessible to the general public at all times by making a good-faith attempt to continuously post the notice on the Internet during the prescribed period.

Midland Academy Charter must still comply with the duty to physically post the notice in the Central Administration Office, and if Midland Academy Charter makes a good-faith attempt to continuously post the notice on the Internet during the prescribed period, the physically posted notice must be readily accessible to the general public during normal business hours. *Gov't Code 551.043(b)*.

c) *Internet Posting of Agenda/Notice*

If Midland Academy Charter maintains an Internet website, in addition to the other place at which notice is required to be posted, the Board must also concurrently post notice of a meeting on the Internet website.

If Midland Academy Charter's geographic boundaries contain all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more, the Board must also, concurrently with the notice, post on the Midland Academy Charter Internet website the agenda for a Board meeting, if the agenda differs from the posted notice.

The validity of a posting by Midland Academy Charter in a good-faith attempt to comply with the Internet posting requirements is not affected by a failure to comply that is due to a technical problem beyond Midland Academy Charter's control. *Gov't Code 551.056.*

d) *Specificity of Agenda/Notice*

Agendas for all meetings shall be sufficiently specific to inform the public of the subjects to be deliberated at the meeting, setting out any special or unusual matters to be considered or any matter in which the public has a particular interest. Deliberations or actions pertaining to the Superintendent and principals are of particular public interest, and notice of those subjects must be worded with such clarity that the public will understand what the Board proposes to discuss or accomplish.

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The terms "employee briefing" or "staff briefing" do not give adequate notice of the subject matter to be presented to the Board by employees or staff members.

The subject of a report or update by Midland Academy Charter staff or a Board member must be set out in the notice in a manner that informs a reader about the subjects to be addressed.

e) ***Emergency Meeting or Emergency Agenda Additions***

In an emergency or when there is an urgent public necessity, the notice of a meeting to deliberate or take action on the emergency or urgent public necessity, or the supplemental notice to add the deliberation or taking action on the emergency or urgent public necessity as an item to the agenda for a meeting for which notice has been posted in accordance with the Open Meetings Act is sufficient if the notice or supplemental notice is posted for at least one hour before the meeting is convened.

The Board may not deliberate or take action on a matter at a meeting for which notice or supplemental notice is posted other than:

1. A matter directly related to responding to the emergency or urgent public necessity identified in the notice or supplemental notice of the meeting; or
2. An agenda item listed on a notice of the meeting before the supplemental notice was posted.

An emergency or urgent public necessity exists only if immediate action is required because of:

1. An imminent threat to public health and safety, including a threat described in item 2 below, if imminent; or
2. A reasonably unforeseeable situation, including:
   a. Fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm;
   b. Power failure, transportation failure, or interruption of communication facilities;
   c. Epidemic; or
   d. Riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence.

The Board shall clearly identify the emergency or urgent public necessity in the notice of an emergency meeting or supplemental notice.

The sudden relocation of a large number of residents from the area of a declared disaster within Midland Academy Charter's geographic boundaries is considered a reasonably unforeseeable situation for a reasonable period immediately following the relocation.

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f) ***Catastrophe***

If the Board is prevented from convening an open meeting that was otherwise properly posted under Government Code Section 551.041 because of a catastrophe, the Board may convene the meeting in a convenient location within 72 hours pursuant to Government Code Section 551.045 if the action is taken in good faith and not to circumvent Government Code Chapter 551. If the Board is unable to convene the open meeting within those 72 hours, the Board may subsequently convene the meeting only if the board gives the required written notice of the meeting.

"Catastrophe" means a condition or occurrence that interferes physically with the ability of the Board to conduct a meeting, including:

1. Fire, flood, earthquake, hurricane, tornado, or wind, rain, or snow storm;
2. Power failure, transportation failure, or interruption of communication facilities;
3. Epidemic; or
4. Riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence.

Gov't Code 551.0411(b), (c).

g) ***Notice to News Media***

Midland Academy Charter shall provide special notice of each meeting by telephone, facsimile transmission, or electronic mail to any news media that has requested special notice and agreed to reimburse Midland Academy Charter for the cost of providing the special notice. *Gov't Code 551.052*.

The Board President or other Board member who calls an emergency meeting or adds an emergency item to the agenda of a Board meeting shall notify the news media of the emergency meeting or emergency item. The Board President or other Board member is required to notify only those members of the news media that have previously filed a request containing all pertinent information for the special notice and agreed to reimburse Midland Academy Charter for the cost of providing the special notice. The Board President or other Board member shall give the notice by telephone, fax transmission, or electronic mail at least one hour before the meeting is convened. *Gov't Code 551.047*.

Sec. 8. QUORUM

A majority of the Board constitutes a quorum for meetings. *Gov't Code 551.001(6)*.

Sec. 9. SECRET BALLOT

No vote shall be taken by secret ballot.

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Sec. 10. MEETING BY TELEPHONE CONFERENCE CALL

The Board may hold a meeting by telephone conference call if an emergency or public necessity exists within the meaning of Government Code 551.045 and the convening at one location of a quorum of the Board is difficult or impossible, or if the meeting is held by an advisory board.

Each part of the telephone conference call meeting that is required to be open shall be audible to the public at the location specified in the notice of the meeting. The location designated in the notice as the location of the meeting shall provide two-way communication during the entire telephone conference call meeting and the identification of each party to the telephone conference shall be clearly stated prior to speaking.

a) ***Notice***

The telephone conference call meeting is subject to the notice requirements applicable to other meetings. The notice must specify as the location of the meeting the location where Board meetings are usually held.

b) ***Recording***

The conference call meeting shall be recorded and made available to the public.

Gov't Code 551.125.

Sec. 11. MEETING BY VIDEOCONFERENCE CALL

A Board member or Midland Academy Charter employee may participate remotely in a Board meeting by means of a videoconference call if the video and audio feed of the Board member's or employee's participation, as applicable, is broadcast live at the meeting and complies with the provisions below. A Board member who participates by videoconference call shall be counted as present at the meeting for all purposes. A Board member who participates in a meeting by videoconference call shall be considered absent from any portion of the meeting during which audio or video communication with the Board member is lost or disconnected. The Board may continue the meeting only if a quorum remains present at the meeting location or, if applicable, continues to participate in a meeting conducted as specified in **Multiple Counties**, below. *Gov't Code 551.001(8), .127(a-1)-(a-3).*

a) ***Requirement for Quorum***

A Board meeting may be held by videoconference call only if a quorum of the board is physically present at one location of the meeting, except as provided at **Multiple Counties**, below.

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b) *Multiple Counties*

If Midland Academy Charter extends into three or more counties, a Board meeting may be held by videoconference call only if the Board member presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting.

c) *Notice of Videoconference Meeting*

A meeting held by videoconference call is subject to the notice requirements applicable to other meetings in addition to the notice requirements applicable to meetings by videoconference call.

The notice of a meeting to be held by videoconference call must specify as a location of the meeting the location where a quorum of the Board will be physically present and specify the intent to have a quorum present at that location; the notice of a meeting held by videoconference call described above at "Multiple Counties" must specify as a location of the meeting the location where the Board member presiding over the meeting will be physically present and specify the intent to have the presiding officer present at that location.

Gov't Code 551.127(b)-(e).

d) *Quality of Audio and Video Signals During Videoconference Meetings*

Each portion of a meeting held by videoconference call that is required to be open to the public shall be visible and audible to the public at the location specified in the notice. If a problem occurs that causes a meeting to no longer be visible and audible to the public at that location, the meeting must be recessed until the problem is resolved. If the problem is not resolved in six hours or less, the meeting must be adjourned.

The location specified in the notice, and each remote location from which a member of the board participates, shall have two-way audio and video communication with each other location during the entire meeting. The face of each participant in the videoconference call, while that participant is speaking, shall be clearly visible, and the voice audible, to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the physical location described by the notice and at any other location of the meeting that is open to the public.

The quality of the audio and video signals perceptible at each location of the meeting must meet or exceed standards specified by the Texas Department of Information Resources. The audio and video signals perceptible by members of the public at the location of the meeting described by the notice and each remote location from which a Board member participates must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting.

Gov't Code 551.127(f), (h)-(j).

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e) ***Recording Meetings by Videoconference***

The Board shall make at least an audio recording of the meeting; the recording shall be made available to the public.

f) ***Public Participation During Meetings by Videoconference***

The Board may allow a member of the public to testify at a meeting from a remote location by videoconference call even if a Board member is not participating in the meeting from a remote location.

Gov't Code 551.127(g), (k).

Sec. 12. VIDEO AND AUDIO RECORDING OF MEETING

If Midland Academy Charter has a student enrollment of 10,000 or more, the Board shall make a video and audio recording of reasonable quality of each:

1. Regularly scheduled open meeting that is not a work session or a special called meeting; and
2. Open meeting that is a work session or special called meeting at which the Board votes on any matter or allows public comment or testimony.

The Board shall make available an archived copy of the video and audio recording of each meeting on the Internet not later than seven days after the date the recording was made. The Board shall maintain the archived recording on the Internet for not less than two years after the date the recording was first made available. The Board is exempt from the requirements in this paragraph if the Board's failure to make the required recording of a meeting available is the result of a catastrophe, as defined by Government Code 551.0411 (see **Catastrophe**, Part 1, Section 7-f), or a technical breakdown. Following a catastrophe or breakdown, the Board must make all reasonable efforts to make the required recording available in a timely manner.

The Board may make the archived recording available on an existing Internet site, including a publicly accessible video-sharing or social networking site. The Board is not required to establish a separate Internet site and provide access to archived recordings of meetings from that site.

If Midland Academy Charter maintains an Internet site, Midland Academy Charter shall make available on that site, in a conspicuous manner, the archived recording of each meeting or an accessible link to the archived recording of each such meeting.

Gov't Code 551.128(b-1)–(b-6).

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Sec. 13. INTERNET BROADCAST

If Midland Academy Charter and the Board are not subject to the provisions above at **Video and Audio Recording of Meeting** (Part I, Section 12), the Board may broadcast an open meeting over the Internet. If the Board broadcasts a meeting over the Internet, it shall establish an Internet site and provide access to the broadcast from that site. The Board shall provide on the Internet site the same notice of the meeting, within the time required for posting that notice, that the Board is required to post under the Open Meetings Act. *Gov't Code 551.128(b), (c).*

Sec. 14. ATTORNEY CONSULTATION

The Board may use a telephone conference call, videoconference call, or communications over the Internet to conduct a public consultation with its attorney in an open meeting of the Board or a private consultation with its attorney in a closed meeting.

Each part of a public consultation by the Board with its attorney in an open meeting must be audible to the public at the location specified in the notice of the meeting as the location of the meeting.

This does not apply to a consultation with an attorney who is an employee of Midland Academy Charter. An attorney who receives compensation for legal services performed, from which employment taxes are deducted by Midland Academy Charter, is an employee of the Midland Academy Charter.

Gov't Code 551.129.

Sec. 15. HEARING-IMPAIRED PERSONS

In a proceeding before the Board in which the legal rights, duties, or privileges of a party are to be determined by the Board after an adjudicative hearing, the Board shall supply for a party who is deaf or hearing impaired an interpreter who has qualifications approved by the Texas Department of Assistive and Rehabilitative Services.

For purposes of this requirement, "deaf or hearing impaired" means having a hearing impairment, regardless of the existence of a speech impairment, that inhibits comprehension of a proceeding or inhibits communication with others.

Gov't Code 558.001, .003.

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PART II: CLOSED MEETINGS

Sec. 1. AUTHORIZATION TO CONVENE IN CLOSED/EXECUTIVE SESSION

The Board may conduct a closed meeting for the purposes described in Subchapter D, Chapter 551, Texas Government Code, including but not limited to:

1. Consultation with the Board's attorney in accordance with Gov't Code § 551.071;
2. Deliberations regarding the purchase, exchange, lease, or value of real property in accordance with Gov't Code § 551.072;
3. Deliberations regarding a negotiated contract for a prospective gift or donation to Midland Academy Charter in accordance with Gov't Code § 551.073;
4. Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a Midland Academy Charter officer or employee or to hear a complaint against a Midland Academy Charter officer or employee, in accordance with Gov't Code § 551.074;
5. Deliberations regarding the deployment, or specific occasions for implementation, of security personnel or devices or a security audit, in accordance with Gov't Code § 551.076;
6. Deliberations in matters involving certain information regarding insurance, health, or retirement plans, in accordance with Gov't Code 551.0785;
7. Deliberations in a case in which a complaint or charge is brought against a Midland Academy Charter employee by another Midland Academy Charter employee and the complaint or charge directly results in the need for a hearing in accordance with Gov't Code § 551.082;
8. Deliberations in a case involving discipline of a Midland Academy Charter student in accordance with Gov't Code § 551.082;
9. Deliberations in a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation in accordance with Gov't Code § 551.0821;
10. Excluding a witness from a hearing during the examination of another witness in an investigation in accordance with Gov't Code § 551.084;
11. Deliberations to discuss or deliberate regarding economic development negotiations in accordance with Gov't Code § 551.087;
12. Deliberations regarding security assessments or deployment relating to information resources technology; network security information as described by Gov't Code 2059.055(b); or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices, in accordance with Gov't Code § 551.089; and
13. Deliberations to discuss or adopt individual assessment instruments or assessment instrument items in accordance with Education Code 39.030(a).

Sec. 2. PROCEDURES FOR CLOSED MEETINGS

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If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. *Gov't Code 551.101*.

Sec. 3. VOTE OR FINAL ACTION IN OPEN SESSION

A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. *Gov't Code 551.102*.

Sec. 4. CERTIFIED AGENDA OR RECORDING

The Board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with the Board and/or Midland Academy Charter's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. *Gov't Code 551.103*.

"Recording" means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. *Gov't Code 551.001(7)*.

Closed meetings may not be recorded by an individual Board member against the wishes of a majority of the Board.

a) *Preservation*

The Board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or recording while the action is pending. *Gov't Code 551.104(a)*.

b) *Public Access*

A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. *Gov't Code 551.104(b), (c)*.

Sec. 5. PROHIBITIONS

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No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made. *Gov't Code 551.145*.

No individual, corporation, or partnership shall, without lawful authority, disclose to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public. *Gov't Code 551.146*.

No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. *Gov't Code 551.144(a)*.

It is an affirmative defense to prosecution under Government Code 551.144(a) that a Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board's attorney. *Gov't Code 551.144(c)*.

PART III: PUBLIC PARTICIPATION IN BOARD MEETINGS

Sec. 1. RIGHT TO PUBLIC PARTICIPATION

Midland Academy Charter shall take no action abridging the freedom of speech or the right of people to petition the Board for redress of grievances. *U.S. Const. Amend. I, XIV.* Additionally, citizens shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. *Tex. Const. Art. I, Sec. 27.*

The Board may confine its meetings to specified subject matter, and may hold non-public sessions to transact business. When the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819 (1995); City of Madison v. Wis. Emp. Rel. Comm'n, 429 U.S. 167 (1976); Pickering v. Bd. of Educ., 391 U.S. 563 (1968).*

The Board may create a limited public forum for the purpose of hearing comments from the public, so long as:

1. The Board does not discriminate against speech on the basis of viewpoint;
2. Any restrictions are reasonable in light of the purpose served by the forum; and
3. The Board provides alternative paths for expressing categories of protected speech that are excluded from the forum.

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Fairchild v. Liberty Indep. Sch. Dist., 597 F.3d 747 (5th Cir. 2010).

Sec. 2. PUBLIC COMMENT

The Board shall allow each member of the public who desires to address the Board regarding an item on an agenda for an open meeting of the Board to address the Board regarding the item at the meeting before or during the Board's consideration of the item. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

a) *Time Limits*

The Board may adopt reasonable rules regarding the public's right to address the Board under this policy, including rules that limit the total amount of time that a member of the public may address the Board on a given item.

b) *Additional Time for Translation*

A member of the public who addresses the Board through a translator must be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the Board. This requirement applies only if the Board does not use simultaneous translation equipment in a manner that allows the Board to hear the translated public testimony simultaneously.

c) *Public Criticism*

The Board may not prohibit public criticism of the Board, including criticism of any act, omission, policy, procedure, program, or service. This does not apply to public criticism that is otherwise prohibited by law.

Gov't Code § 551.007.

d) *Board's Response*

Specific factual information or recitation of existing policy may be furnished in response to inquiries during public comment, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Sec. 3. COMPLAINTS AND CONCERNS

The presiding officer or designee shall determine whether a person addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate policy (see list below) to seek resolution:

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Employee complaints: Board Policy PG-4.24 (Employee Complaints and Grievances – General).

Student or parent complaint: Board Policy PG-1.10 (Parent and Student Complaints and Grievances – General).

Complaints alleging discrimination, harassment, and/or retaliation: Board Policy PG-4.3 (Freedom from Discrimination, Harassment, and Retaliation); Board Policy PG-4.3 (Freedom from Discrimination, Harassment, and Retaliation); Board Policy PG-4.3 (Sexual Harassment).

Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504: Board Policy PG-1.10 (Parent and Student Complaints and Grievances), subject to the time limitations referenced in Board Policy PG-2.24 (Equal Educational Opportunity).

Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act. Board Policy PG-2.24 (Equal Educational Opportunity) and Board Policy PG-1.10 (Parent and Student Complaints and Grievances).

Public complaints: Board Policy PG-1.10 (Public Complaints).

Sec. 4. DISRUPTION

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any person continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the person removed from the meeting.

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