

SMYRNA SCHOOL DISTRICT

POLICY

Section:	1000 Community Relations	Office Responsible:	Board of Education
Policy:	1340 Public Comment at Board of Education Meetings		
Related Policies:	N/A	Admin Procedure	N/A

I. Purpose

To provide members of the Smyrna School District community the opportunity to express their views on issues related to items of general concern under control of the Board of Education (Board) during public Board meetings. Public participation allows the Board members and/or the Superintendent or the Administration to correct misinformation presented as factual and to respond as appropriate.

II. Authority

Delaware Code, Title 14 § 1049. Policy Making

III. Definitions

Formal Public Comment Portal: An electronic comment request housed under the Board of Education Tab on the Smyrna School District website.

Virtual Public Comment: Public comment made via the virtual platform provided by the District.

IV. Policy Statement

- A. In an effort to afford opportunity to hear from all members of the community who wish to address the Board, public participation will be afforded at public Board meetings virtually or in person.
- B. To have an orderly presentation of comments by the public, the following guidelines apply.
 - 1. By noon the day prior to the Board meeting, those wishing to speak must use the link in the agenda posted, the link placed on the website specified “Formal Public Comment Portal”.
 - 2. Those who sign up will be called upon during the Formal Public Comment portion of the meeting.
 - 3. Comments are limited to three minutes or less for individuals.
 - 4. If the speaker is representative of an organized group, the speaker will be afforded five minutes.
 - 5. Speakers cannot cede their time to another.

SMYRNA SCHOOL DISTRICT

POLICY

6. The speaker will be recognized by the Board President/Designee in the order their names appear.
7. If a large number of people register to speak, the Board President/Designee may at his/her discretion, limit the number of persons allowed to speak based upon order of sign up and limit the timeframe to one hour.
8. When the allotted time expires, the speaker is permitted to complete a sentence and return to the audience.
9. The public may not display signs or posters during meetings of the Board.
10. If the speaker is unable to complete their comments in the allotted time, individuals are encouraged to submit remarks to the Board in writing.
11. Laws protecting the privacy rights of employees and students prohibit Board members from discussing an employee's performance or qualification, or confidential matters relating to a student. Board members may be exposed to legal liability if they violate these limitations. Therefore, if a speaker addresses such matter, the Board cannot respond.
12. During the course of formal public comment, the Board, at its discretion, may enter into Executive Session to hear matters of a sensitive or private nature.
13. The collective bargaining law recognizes that negotiations are most efficiently and effectively conducted in closed session between designated representatives. To this end, the Board will not engage in discussion relating to collective bargaining negotiations.
14. If the speaker makes defamatory statements or invades the privacy right of a student or employee, the speaker is responsible for such statement and may be liable for damages.
15. Board members reserve the right to correct incorrect or misleading information presented as factual after the speaker's time has elapsed.
16. Apart from time limits, the Board will not limit a speaker unless the speech is so inflammatory it disrupts the meeting or is vulgar or obscene.
17. Administrative staff may follow up with questions.
18. Responses from individual Board members do not necessarily reflect the Board's position.

SMYRNA SCHOOL DISTRICT *POLICY*

**Italics indicate Delaware Regulation Administrative Code Title 14 wording.*

Board Approval Acknowledged by:



Smyrna School District Board of Education

Policy Actions

Adopted: 06/15/2022

Revised: 03/15/23

10/08/25