

OSERS Public Comment Policy

Public Participation at Board Meetings

A. Attendance by the Public

All meetings of the OSERS' Board of Trustees ("Board") are open to the public in compliance with the Nebraska Open Meetings Act with the exception of the time the Board is in closed session. Members of the public shall be permitted to attend and to speak at board meetings. They will not be required to identify themselves as a condition for admission to the meeting. The Board may allow advisors, consultants, and other persons who are not Board members to appear at the meeting via telephone or other similar means.

The President or meeting chair has the authority to assure that people conduct themselves in an orderly manner at the meeting. Undue interruption or other interference with the orderly conduct of business will not be allowed. The President or meeting chair may order persons who are disorderly to be removed from the meeting.

Legal Reference: § 84-1411 (3) and (6); § 84-1412 (1) and (3)

B. Right to Hear

The Board will, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

Legal Reference: § 84-1412 (7)

C. Recording of Meetings

Members of the public may use recording devices (tape recorder, video camera, etc.) to record any part of a meeting of a public body, except for closed sessions. No recording, other than note taking, shall be done without informing the President or meeting chair in advance. The President shall control the placement of the recording device so the device does not obstruct the view of Board members or other members of the public attending the meeting and does not otherwise interfere with the meeting.

Legal Reference: § 84-1412 (1)

D. Access to Written Materials

At least one copy of all reproducible written material to be discussed at an open meeting will be made available at the meeting for examination and copying by members of the public.

Legal Reference: § 84-1412 (8)

E. Right to Speak

Members of the public will be permitted to speak at Board meetings at which a public comment is on the Agenda, and may speak during the time at which the public comment agenda item is being addressed. Members of the public may also speak when invited to make a presentation or when recognized by the President or meeting chair. The Board is not required to allow members of the public to speak at each meeting. However, the Board will not forbid public participation at all meetings.

Members of the public will not be required to have their name placed on the agenda prior to the meeting in order to speak about items on the Agenda. Members of the public who desire to address the Board will be required to identify themselves.

Each speaker is to complete a Request to be Heard form which will be provided at the meeting. It is preferred that the form be submitted well prior to the meeting in order for meeting participants to make plans for the meetings. However, a member of the public will be permitted to speak if the form is submitted within at least five (5) minutes after the meeting has commenced.

The President or meeting chair shall have the authority to establish reasonable time limits for individual speakers and for the duration of public comment sessions. The maximum permitted duration for individual speakers is five (5) minutes and the maximum permitted duration for the public comment session will be one (1) hour. The time limit may be extended by a plurality vote of the board members present at the meeting.

Speakers will be permitted to address the Board consistent with free speech rights. However, offensive language, defamatory remarks, and hostile conduct will not be tolerated. Further, charges or complaints against an Omaha Public School District employee, OPS Board of Education member or OSERS Board of Trustee member

shall not be made for the first time at a public Board meeting without having followed the Board's complaint procedure.

Legal Reference: § 84-1412 (1) (2) and (3)

Complaints Made to the Board

Concerns or complaints may be made to the Board of Trustees at a duly called Board meeting at such time as the Agenda provides for public participation or comment. The Board will not engage in conversation/dialogue with members of the public during public comment to avoid violation of the open meetings law.

In the event the complaint involves a personnel matter relating to an employee of the Omaha Public School District, or an individual member of the Board of Trustees the individual raising the complaint shall be directed by the Board President (or meeting chair) to first exhaust the appropriate complaint or grievance procedure. The Board shall not respond or take action on such a complaint until such complaint or grievance procedure has been exhausted.

Individuals raising concerns or complaints involving non-personnel matters which may be the subject of a complaint or grievance procedure may also be directed to first use such complaint or grievance procedure.

A. Complaint Procedure

An individual seeking to file a complaint against an employee of the Omaha Public School District shall exercise the complaint in accordance with Omaha Public School District policy.

An individual seeking to file a complaint against a member of the Board of Trustees in their role as a Trustee shall submit a written document to the Executive Director outlining the offense being violated. The Executive Director shall immediately notify the Board's legal counsel for further disposition.