

Public Comments

Dictating The Standard Procedures and Requirements For Oral and Written Public Comments During A Remote Public Meeting, and the Regulation Of Conduct Of The Members Of The Public Meeting In Accordance With N.J.A.C. 5:39-1.4(h)

Whereas, the Governor of the State of New Jersey, Philip Murphy, Issued Executive Order No. 103 on March 9, 2020, proclaiming a Public Health Emergency and State of Emergency due to the Coronavirus Disease 2019 (“COVID-19”) Pandemic.

Whereas, the Public Health Emergency and State of Emergency has been renewed by executive order since said date, the latest renewal occurring on October 25, 2020 through Executive Order No. 191.

Whereas, in accordance with the Center for Disease Control, the New Jersey Department of Health, and other Federal, State and local requirements, the Board has determined that due to this declared public health emergency and state emergency, a public meeting of the Board cannot safely be held in a physical location and has therefore been conducting public meetings via remote means.

Whereas, on or about September 24, 2020 the State of New Jersey Department of Community Affairs promulgated emergency regulations modified as N.J.A.C. 5:39-1.1 through 1.7 addressing the minimum procedures for a local public body, such as this Board, to conduct a public meeting via remote means during a declared emergency.

Whereas, these emergency regulations were proposed for permanent adoption on October 19, 2020.

Whereas, N.J.A.C. 5:39-1.4(h) requires the Board to adopt a resolution dictating:

- 1) The standard procedures and requirements for public comments made during a remote public meeting;
- 2) The standard procedures and requirements for public comments submitted in writing ahead of the remote public meeting; and
- 3) Regulation of conduct by members of the public on a remote public meeting.

Now, Therefore, Be It Resolved, that the Board adopts the following standard procedures and requirements during a declared state of emergency:

Procedures for Oral Public Comments Made During a Remote Public Meeting

1. All public portions of the meeting shall be conducted via audio and video.
2. The public may access and participate in the remote public meeting via video and audio by and through the Zoom Video Conferencing Platform using a link published on the District website, <https://www.hackensackschools.org>. The link to the meeting will be available on the website approximately three (3) days prior to the meeting date.
 - a. A member of the public may indicate their desire to provide a public comment using the “Raise Hand” feature in the Webinar Controls.
 - b. Participants who indicate they wish to provide public comments are automatically added to a queue.
3. The public may access and participate in the remote public meeting via audio only by and through the Dial-in information provided in the meeting notice available on the District website at <https://www.hackensackschools.org>.
 - a. A member of the public may indicate their desire to provide a public comment by pressing *9.
 - b. Participants who indicate they wish to provide public comments are automatically added to a queue.

Procedures for Written Public Comments Submitted Prior to a Remote Public Meeting

1. Members of the public may also submit public comments in writing to the Board Secretary either by email at publiccomments@hackensackschools.org or by regular mail to the following address:
191 Second Street, Hackensack, NJ 07601
2. Written comments must be received by the Board Secretary 24-hours in advance of the date and time of the next scheduled public meeting.

3. Written comments shall be read at the public meeting, from the beginning, verbatim and in full, EXCEPT when, in accordance with District Policy:

a. The Board has placed reasonable time limits on public comments, in which case each individual written comment shall be read until the time limit is reached.

b. The written comments contain obscenities or vulgar language where such obscenities or vulgarities would not otherwise be permitted by Board Policy. Under such circumstances, the Board will read all substantive portions of the comments and indicate where vulgarities or obscenities were removed.

c. Multiple public comments are duplicative in content, in which case the Board may choose to summarize the duplicative comments.

Conduct of the Public During a Remote Public Meeting and During Public Comments

1. All aspects of District Policy 0167 “Public Participation in Board meetings” remain in effect. In addition:

a. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comments, the member of the local public body charged with running the remote public meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.

b. A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comments.

c. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting or removed from the remote public meeting.

2. All members of the Public are required to mute their communication devices unless actively providing public comments.

Order of Comments

Public comments shall be provided in the following order:

1. Written comments to be read in full;
2. Summarized duplicative written comments;
3. In-person oral comments (if applicable);
4. Remote oral comments; and
5. Oral comments of those who have already spoken or who submitted written comments.

The Board shall facilitate a dialogue with each commenter to the extent permitted by the electronic communications technology and the law.

Be It Further Resolved, that this resolution does not apply when there is no declared state of emergency, or when Executive Order No. 103 is no longer in effect or when the Board can accommodate the reasonably expected public at a physical location.

Be It Further Resolved, that

1. Each statement made by a participant shall be limited to three (3) minutes’ duration during the public session;
2. All statements, questions, or inquiries shall be directed to the presiding officer and any questions or inquiries directed by a participant to another Board member shall be redirected to the presiding officer who shall determine if such statement, question, or inquiry shall be addressed by the presiding officer on behalf of the Board or by the individual Board member; and
3. All Board and/or Superintendent responses to questions or inquiries shall be held until the end of public participation.