Date: August 28, 2025

Policy Number: 9

**Subject**

Public Participation

**Purpose**

To establish procedures for scheduled discussions during Public Participation portions of Board meetings (Article II, Section 4 of the Authority’s By-Laws and Rules of Procedure), and pursuant to the Open Meetings Act, MCLA 15.263(1), (5). The purpose of Public Participation is to allow the SMART Board of Directors to hear all concerns, issues, and compliments from members of the public that are relevant to SMART. As such, there will be no responding to the public’s questions or comments by the Board Members during Public Participation.

**Scope**

Applicable to all Regular and Special Meetings of the Board. This policy supersedes the Public Participation policy dated February 23, 2023.

**Procedure**

1. According to Article II, Section 4 of the Authority’s By-Laws and Rules of Procedure, Agenda Item 6 will serve as the Public Participation portion of Regular and Special meetings of the Board.
2. Any individual or organization that wishes to address the Board during a Regular or Special meeting shall request such an opportunity through the Chairperson.
   1. Speakers may submit a request for an opportunity to address the Board to the Board Secretary up to five days prior to the scheduled date of the Board meeting.
   2. Speakers shall be entitled to a maximum speaking time of three minutes.
   3. The aggregate time spent on the Public Participation portion of the meeting may not be limited in any way or for any reason beyond those set forth in this policy. Any individual wishing to address the Board will be given an opportunity to speak, subject to the provisions contained herein.
3. The Board Secretary, at the direction of the Chairperson, shall be responsible to schedule speakers for the Public Participation portion of Board meetings, and prior to each meeting of the Board, shall provide the Chairperson with the list of requests scheduled for that meeting. The Chairperson may allow scheduled speakers to address the Board before other members of the public in attendance.
4. Any speaker addressing the Board shall make responsible comments and shall refrain from making redundant, personal, impertinent, slanderous, or profane remarks. Any speaker who makes such remarks, at the discretion of the Chairperson, will be ruled “out of order.”
5. Any speaker who is “out of order” may be interrupted and gaveled “out of order” by the Chairperson with the end to maintain order and decorum of the meeting in the Chairperson’s discretion.
6. Any speaker making a public comment who is ruled “out of order” by the Chairperson:
   1. May be admonished by the Chairperson and instructed to refrain from the indecorum, disruptive, or other prohibited conduct;
   2. Shall be allowed to continue his or her public comment within the time limit prescribed only if it conforms with the Chairperson’s instruction;
   3. Without limiting the discretion of the Chairperson, if an “out of order” participant repeatedly violates the ruling(s) by the Chairperson three (3) or more times, the Chairperson may instruct the participant that his or her public comment is concluded and instruct him/her to withdraw from addressing the public body, vacate the lectern, and return to the seat or other position in the audience at the meeting, or may exercise other lawful measures to restore decorum and maintain order;
   4. The Chairperson may recess the meeting until order and decorum are restored and shall allow the participant time to comply with the Chairperson’s instruction(s);
   5. During any recess called to restore order, the Chairperson may summon law enforcement officers to monitor the public meeting, if not already provided;
   6. Any “out of order” speaker shall not be ordered to be removed or excluded from the meeting unless he/she is in “breach of the peace” or inciting a “breach of the peace” at that meeting;
   7. Whether or not a speaker’s conduct constitutes a “breach of the peace” lies within the Chairperson’s discretion; and is generally defined as seriously disruptive conduct involving abusive, disorderly, dangerous, aggressive, or provocative speech and behaviors tending to threaten or incite violence;
   8. A speaker who is found to be “out of order” shall be given a reasonable period of time to comply with the Chairperson’s directives.
7. Public Participation shall be confined to subjects that are relevant to the Authority. The discretion to determine whether a topic is relevant is vested in the

Chairperson.

* 1. For purposes of this Policy, relevant public commentary is defined as any

subject matter that relates to Authority business and/or serves the Authority's informational needs. Any determination of relevance must be viewpoint neutral.

* 1. If the Chairperson determines that any member of the public is in violation of this policy, the Chairperson shall follow the procedure in Section VI pertaining to calling disorderly individuals to order.