

SECTION: POLICY STATEMENT - GENERAL AND ADMINISTRATIVE

SUBJECT: Public Comment Policy

EFFECTIVE DATE: November 6, 2021

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## I. BACKGROUND AND PURPOSE

The Cal Poly Foundation Board welcomes the opportunity for public comment at Foundation Board meetings or the committees of the board by those who wish to bring up items within the purview of the Foundation.

## II. POLICY

The purpose of public comments is to provide information to the Cal Poly Foundation Board, and not to evoke an exchange with board members. Questions that board members may have resulting from public comments will be referred to appropriate staff for response. Efforts will be made to accommodate each individual who has requested to speak.

## III. PROCEDURES, GUIDELINES AND PROTOCOLS

### A. Request for Public Comment.

- i. The board allows registered speakers to provide comments in person at physical meetings and virtually at meetings held via electronic or telephonic transmission.
- ii. All comments both written and verbal must be provided at least seven days in advance of the board meeting to the University Board Administration Committee at [calpolyfoundation@calpoly.edu](mailto:calpolyfoundation@calpoly.edu). Upon review and approval by the committee, a confirmation email will be sent to the individual requesting to comment. The University Board Administration Committee will review the comments to determine the appropriate agenda item or relevance to topics under the purview of the board or committee thereof. The confirmation email will serve as registration for the speaker.
  1. The University Administrative Committee consists of the President, the Foundation CEO/Vice President for University Development & Alumni Engagement, and at least one additional university representative.
- iii. All requests for comment should identify whether the comment is intended for a committee or full board meeting. The speaker may be assigned or redirected by the University Administrative Committee or Board leadership to an alternate venue based on the nature of the business or agenda item.
- iv. All comments will be distributed to members of the board, or its appropriate committee, prior to the beginning of the board or committee meeting.
- v. This policy applies to meetings held in person or by electronic or telephonic transmission (i.e. virtual or teleconference).

## B. Board Room Guidelines

### i. Meetings held by electronic or telephonic transmission

1. As noted in Section III. A. ii. Confirmation of submitted comments by a speaker serves as registration for the speaker if the meeting is identified in the initial request.
2. Registration as a non-speaking guest for electronic or telephonic meetings is required a minimum of 72 hours prior to the meeting. Once registered, login details will be provided to each registrant. Registration requests should be emailed to [calpolyfoundation@calpoly.edu](mailto:calpolyfoundation@calpoly.edu) or by calling 805-756-7147.
3. All registered speakers or guests present in meetings held by electronic or telephonic meetings are required to be identified by name and provide a corresponding phone number.
4. The following protocols pertain to all speakers who will be addressing the board during the Public Comment Session. Please note that during meetings held by electronic or telephonic transmission, public comment is live via an electronic conferencing system and may be available on the internet during the board meeting. The identity of speakers and their comments are recorded in the official minutes of the University, which are retained and may be publicly available in perpetuity.

### ii. In-person meetings

1. Seats for the public are limited. Registering for public comment does not guarantee entrance to the meeting room.
2. No food, bottled water, oversized banners or signs on sticks, bullhorns or similar devices, items that could be used as weapons, or large bags or cases are allowed into the meeting room. Small bags and backpacks are subject to be searched prior to entering the meeting room.
3. Any meeting attendee who, at the direction of the Chair, is escorted from the meeting room, will not be readmitted for the remainder of the day.
4. Recording or broadcasting of the meeting proceedings including photographing, audio, and/or videotaping, whether in-person or by electronic or telephonic transmission is not allowed without the express consent of the board.

## C. Addressing the board at a meeting.

### i. Duration

1. Twenty minutes will be scheduled for public comment at the conclusion of each meeting.
  - a. Public comment will be divided among speakers up to the time allotment, with a minimum of one minute and a maximum of three minutes per speaker. Efforts will be made to accommodate each individual who has registered to speak. However, given time constraints, there is no guarantee that all who have registered will be able to address the board.
  - b. During the allotted public comment time, the Chair will call on each registered speaker prior to comment.
  - c. The Secretary of the board or a designee, will indicate when your time has expired and the next speaker will be

invited to begin. Ceding, pooling or yielding remaining time to other speakers is not permitted.

#### IV. COMPLIANCE

- A. The Cal Poly Foundation as a philanthropic auxiliary organization of the CSU is subject to the "Seymour Act." Education Code §§ 89920-89928 a general statutory open meetings framework. The Seymour Act. Education Code §§ 89920-89928 require auxiliary organizations to follow an open meeting regimen for the conduct of its business in board or subboard public meetings at which all persons shall be permitted to attend.
- B. Persons Permitted to Attend Meetings.
  - i. Per the California Education Code § 89920 The board and committees shall conduct their business in public. The board and/or committees may prescribe a reasonable written meeting protocol to help ensure that a meeting is conducted effectively without unnecessary disruption. Any such protocol shall be announced at the opening of the meeting.
- C. The conduct of meetings will be guided by Robert's Rules of Order in a practical manner, consistent with the California Nonprofit Public Benefit Corporation Law and the California Education Code.
- D. Requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act, shall be made as follows:
  - i. By email: [calpolyfoundation@calpoly.edu](mailto:calpolyfoundation@calpoly.edu), or
  - ii. By telephone: (805) 756-714

#### V. REVIEW

- A. The Governance Committee of the Foundation Board of Directors, in consultation with the managers, will review this policy in its entirety every five years from the most recent updated date to determine its effectiveness and appropriateness. The policy may be evaluated before that time as necessary to reflect substantial organizational, legal, or physical change(s) at the Foundation or any change required by law or by other governing policy.

#### VI. REFERENCES AND RELATED POLICY

- A. Education Code Section 89920-28
- B. CSU Addressing the Board of Trustees