

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION**

512

LAWS AND RULES

June 9, 2021

512 ORAL PRESENTATIONS TO THE PERSONNEL COMMISSION

Government Code Section

54954.3. (a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

A. Purpose

The purpose of this rule is to establish guidelines which allow members of the public the right to freely express their views and discuss items within the jurisdiction of the Personnel Commission while at the same time preserving an appropriate degree of decorum and respect for all persons in attendance.

B. Presentations at Personnel Commission Meetings

Presentations before the Personnel Commission shall be governed by the following rules:

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION**

512

LAWS AND RULES

June 9, 2021

1. Any person in attendance at a regular meeting shall be provided an opportunity to address the Personnel Commission. To facilitate meeting proceedings, it is suggested that a person planning to address the Personnel Commission notify the Personnel Director or a designee, on the working day prior to the meeting, of their intent to address the Personnel Commission and the agenda item or subject to be addressed.
2. A speaker will be permitted up to five minutes to address each item on the Personnel Commission's Order of Business, except non-English speakers utilizing a nonsimultaneous translator will be permitted twice the amount of time. This time limit may be extended or reduced at the discretion of a majority of the Personnel Commission.
3. A speaker will be permitted up to five minutes to address non-agenda items at the conclusion of the Personnel Commission's Order of Business, except non-English speakers utilizing a nonsimultaneous translator will be permitted twice the amount of time. Non-agenda items may include any matter of interest to the public which is within the subject matter jurisdiction of the Personnel Commission. This time limit may be extended or reduced at the discretion of a majority of the Personnel Commission.
4. No member of the audience may speak without recognition of the Chair of the Personnel Commission.
5. Speakers are not to engage in extemporaneous verbal exchanges with Personnel Commission members and staff.
6. Remarks or discussion in public meetings on subjects scheduled for consideration in closed session are out of order.
7. While the right to speak includes the right to criticize the policies, procedures, programs, services, and acts/omissions of the Personnel Commission, it should not be used to disrupt public meetings by excessively loud address and boisterous conduct or to defame or slander anyone.
8. Defamatory allegations against any officer or employee of the Personnel Commission or District and public disclosures of private facts in violation of the right of privacy of any employee, regardless of whether or not the person is identified in the presentation by name or by any other reference which tends to identify the person, are out of order. Charges, complaints, or allegations against an officer or employee of the Personnel Commission shall be processed under the provisions of Personnel Commission Rule 513. Charges, complaints, or allegations against any officer or employee of the District shall be processed under appropriate Board Rules.

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION**

512

LAWS AND RULES

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C. Standards of Decorum

Persons engaging in any of the following conduct shall be ruled out of order.

1. Profanity, obscenity, abusive or other offensive language.
2. Physical violence and/or threats of physical violence directed towards any person or property.
3. Remarks that reflect adversely upon the political, religious, ethnic, or economic views, character, or motives of any person.

D. Withdrawal of Right to Address the Personnel Commission

Any person who engages in conduct which they know or should know is in violation of any provision of this Rule may be denied the opportunity to speak to the Personnel Commission pursuant to the following procedures:

1. Notice of this rule must be communicated to the person;
2. Following such notice, any person whose conduct continues to violate any provisions of this Rule may be directed by the Chair to cease such conduct;
3. Following such direction, any person whose conduct continues to violate any provision of this Rule may be denied the opportunity to address the Personnel Commission for the remainder of the meeting.
4. Before suspending a person's right to address the Personnel Commission, the Commission shall make a finding that the person is in violation of Personnel Commission Rule 512, which the person knew or should have known, and that the conduct was intentional. Such a finding shall be made by a vote of the Personnel Commission.