

Recommendations for Public Hearings on Sex Education Programs

Public Meetings and Public Hearings Defined

A public meeting generally occurs whenever a quorum, and sometimes less than a quorum, of a public body meets together and deals in any way with the business of that body. Public meetings are governed by the procedures of the Open Public Meetings Act whether they are regular or special meetings. Two basic legal requirements of a public meeting are that the public be notified and be allowed to attend.

Public hearings are a type of public meeting. The main purpose of most public hearings is to obtain public testimony or comment on a particular topic or issue.

Sample Agenda

1. Call to Order

2. Introductions

- Introduce the facilitator, any Sex Education Advisory Board members present, any sex education teachers present, and any school board members or administrators present.
- Ask attendees to introduce selves by sharing their name, ages of school aged children, and which school they attend if applicable.
- Postpone introductions of attendees until they ask to speak if the group is large.

3. Legal Authority for the Public Hearing

*Before adopting any revisions in the materials or methods used in instruction under this section, including, but not limited to, revisions to provide for the teaching of abstinence from sex as a method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease, **the board of a school district shall hold at least 2 public hearings on the proposed revisions.** The hearings shall be held at least one week apart and public notice of the hearings shall be given in the manner required under Section 1201 for board meetings. A public hearing held pursuant to this Section may be held in conjunction with a public hearing held pursuant to Section 1169.*

4. Purpose of the Public Hearing

The purpose of these meetings is to report to the public the progress of the school district sex education advisory board and to obtain input from the public regarding the proposed revision to the sex education curriculum and instruction for the district.

5. Process for Conducting the Public Hearing

- Share the meeting agenda.
- Ask participants to hold all questions until the formal presentation has been completed.
- Explain the process for introducing speakers, making public comments, and the time limit.

6. Sex Education Advisory Board Information and Process

- a. Legal authority for the advisory board
- b. History of advisory board
- c. Advisory board composition and role of members
- d. Advisory board process (e.g., frequency of meetings, focus of the group, program goals, evaluation outcomes)

7. Sex Education Advisory Board Recommendations

Overview the recommended changes to the curriculum or program

8. Public Comments and Q and A (*bulk of meeting*) (See Sample Guidelines for Public Testimony for tips.)

9. Closing Comments

10. Adjourn

Sample Guidelines for Public Testimony

- Ask speakers to fill out cards in advance or raise their hands to be called on to testify.
- All speakers must speak into the microphone and give their names and addresses.
- Explain the time limit on speaking. A three-minute limit is useful.
- Ask speakers to listen to comments of all speakers to limit repetitive comments.
- Provide a written feedback form that includes name, address, and contact information for the person providing feedback.
- If there are a large number of speakers, including any who are members of groups or organizations, ask for a representative to speak on behalf of the organization or group.
- According to A.G. Opinion No. 5332, however, the right to speak cannot be limited to residents of the school district. A rule excluding non-residents is invalid.

Dealing with Diverse Viewpoints

A high level of citizen concerns may lead to a disorderly public hearing, where citizen groups attempt to gain support for their positions. The hearing can easily become an adversarial confrontation. One way to avoid hostility or confrontation is to make sure the community members have had an opportunity to express their concerns in a less formal setting (for instance, at sex education advisory board meetings). More frequent contact with concerned citizens before a formal public meeting decreases the chance of confrontations.

Tips for Public Meetings

Before the Meeting

- Publicize the meeting, giving public notice of the time, date, and place of the meeting in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.
- Hold the meeting at a time and place that is convenient and accessible for citizens wishing to attend. It is often efficient to hold the hearings 30 to 60 minutes prior to regularly scheduled school board meetings.

At the Meeting

- If budget allows, provide snacks and beverages.
- Record the meeting (written, audio, or video).

- Have participants sign in to document attendance. Ask for their name, address, phone number, email, ages of children (if any), and name of school attended by children (if applicable).
- Provide pencils and note paper for participants to take notes or compose their questions for the Q and A time.
- Use visual aids, such as a PowerPoint presentation, a laptop and projector, curricular materials on display, handouts of curriculum overviews, handouts summarizing recommended changes to be discussed.
- Have a time keeper to assist with time management and to ensure that most are heard.
- Have a skilled facilitator.
- Encourage written testimony. Even if a person speaks, written testimony may be helpful during follow-up.
- Respond to questions immediately during the Q and A if time permits and the explanations are not complex or lengthy and do not require supporting information that is not immediately available; others questions may be recorded for future follow-up.
- At the end of meeting, briefly summarize follow-up and next steps.

After the Meeting

- Prepare a brief report on the hearing that is made available to the public and the media.