

# Best Practices for Managing Public Comment at School Board Meetings

## April 2022



HEA 1130 (P.L. 116-2022) and SEA 83 (P.L. 124-2022) now require public comment at meetings of the school board. Members of the community must be allowed to speak on agenda topics prior to final board action. The law does state that the board can adopt “reasonable rules” governing public participation.

This may require some revisions to your policies and procedures.

ISBA offers the following 10 considerations for complying with the changes and optimizing public comment.

1. Require patrons who wish to speak to sign up before the meeting. Have patrons list their name, address, subject matter, and if appropriate, whether they support or oppose a particular topic. Consider setting a deadline prior to the start of the board meeting for persons to sign up. This will allow the president to know how many persons want to speak and the nature of their comments, thereby allowing the president to determine any time restrictions on a specific topic. The law allows the board to adopt a specific time limit per speaker as well as a set time limit for public comment on a specific topic. However, you should make every effort to accommodate those who wish to speak.
2. Post and announce the rules or procedures that will govern public comment before patrons are allowed to speak. Be very clear about the rules both in writing and verbally before public participation and do not deviate from those rules.
3. Consider revising the rules if there is a controversial item on the agenda. The law allows the board to establish reasonable rules, and what is reasonable may depend on the topic(s) being considered by the board and/or topics of concern to the community.
4. If a large number of patrons wish to speak on a topic, consider prioritizing the list of patrons by allowing residents, parents of students enrolled in the school corporation, and/or community

organizations to speak first. Additionally, ensure equal time allocations for patrons who want to speak in favor of a topic and those who want to speak against a topic.

5. If the board allows public comment on any topic, restrict public comment at the beginning of the meeting to topics on the board agenda and then allow public comment on any other topic at the end of the meeting. Consider setting time limits for both comment opportunities. This will also allow the public to speak on any agenda topic before the board takes final action on that topic.
6. Consider using a timing device/mechanism that audibly signals when a speaker's time has ended. If the speaker continues beyond the designated time, the board president should politely tell the speaker his/her time has ended. If the speaker continues, the board president should warn the speaker that the microphone may be turned off or that he/she must sit down, or the speaker will be escorted to his/her seat. The board president must be sure to treat all speakers equally. Remember, allowing some people to continue speaking, but not others, sends a negative message to your community.
7. Establish rules on permissible/impermissible content of public speech. For instance, establish rules that prohibit use of profanity, obscenity, or vulgarity.
8. Treat each person speaking before the board equally. Be attentive and respectful of each person speaking whether you agree or not with the comments being offered. Avoid eye rolling, distractions on your phone, side conversations with each other, note passing, negative body language, or other actions that could be construed as disrespect.
9. Consider posting the agenda and a summary of agenda information pertaining to those topics for which you would like public comment before the meeting. If the board would like to hear public comment on a specific policy or topic prior to the board's discussion, it is helpful to publicly post the information before the meeting.
10. Work to always treat public comment as an important part of your meeting and seek to make it as fair and inclusive as possible. Always strive to do your work with the highest level of fidelity and respect to the members of your community.