



Public Comment and Virtual Meetings

Many school boards have never held a virtual meeting and will need to adjust their regular practices in the next few weeks. Some Board Secretaries have asked MSBA how the public comment portion of their Board meetings would work if the meeting was held virtually.

Public comment is not required by law. The Sunshine Law allows the public to attend open school board meetings but does not entitle the public to speak or to be on the agenda. That said, most districts have a policy or practice of allowing some form of public comment on the agenda of the regular school board meeting. See MSBA Policy BDDH.

So, what is a Board to do? Here are some options:

- Do not have public comment in virtual meetings. Instead, encourage members of the public to submit comments to the Board Secretary in writing and have them distributed to Board members. Note: Remind the public that their written statements could be considered public records under the Sunshine Law.
- Have members of the public submit written statements that can be read at the virtual Board meeting. Note: Remind the public that those statements must comply with the same time and content limitations imposed on live public comment.
- Have members of the public that wish to speak at the meeting notify the Board Secretary the day before the meeting and provide the person the information to log in (videoconference) or dial in (teleconference) to the meeting. Unmute the person when the public comment begins.
- Hold an extended public comment at the next face-to-face meeting.

While public comment is not required by law, MSBA encourages school boards to be sensitive to the fact that the public is on edge and critics may be suspicious of change. If the Board decides not to include public comment in its Board meetings, MSBA encourages districts to actively advertise to the public other effective methods of contacting the Board – in writing or otherwise. Take the time to carefully explain the reasons for any changes from normal practice, and emphasize the options being made available. Some districts have a designated e-mail address for the public to submit comments to the Board – with a process in place for responding to concerns. Others encourage written statements to be provided to the Board secretary. The district could even have a designated phone line where people can leave messages. As representatives of the community, the Board should still welcome public comment. These comments do not need to be limited to Board meetings.

If you have any questions, contact the School Laws Department at (800) 221-6722.