Guidance on Public Comment

The Colorado Open Meetings Law (COML) does not require a “public comment” period or any other form of public input during a public meeting. Rather, the purpose of the COML statute is to allow the public to observe, not necessarily to participate. CRS § 24-6-401.

Many charter boards choose to provide the opportunity for public comment during regularly scheduled board meetings. When choosing whether to your board will offer public comment (or when reviewing your board’s existing practice for public comment), it is incumbent on the board chair, as well as all board members, to be cognizant of the established process and to implement it with fidelity.

Some suggested elements of the guidelines might include the following, which could be posted on the Board’s website.

* **Registration and Identification:** Prior to the meeting, establish an accessible sign-up process for individuals who wish to make public comments. Require speakers to provide their name and affiliation, if any, for the record.
  + Example: an online form can serve as a tool to collect the information of those signing up for public comment.
* **Time Allotment**: Set a reasonable time limit for each speaker to ensure that the public comment session remains within a manageable timeframe.
  + Example: 3-minutes per speaker on a first come, first serve basis based on the registration form, not to exceed 30 minutes in a regularly scheduled board meeting.
* **Civility and Respect:** Emphasize the importance of maintaining a respectful tone during public comments. Prohibit personal attacks, offensive language, or disruptive behavior. Implement measures, such as a warning system, to address violations of decorum.
* **Moderation and Facilitation:** The Board (or board chair’s designee if the chair is unavailable) should act as a moderator or facilitator to manage the public comment session. The board chair should ensure adherence to the established guidelines and intervene if necessary to maintain order.
* **Response to Comments:** Clarify that the board may not engage in extensive discussions during the public comment period. Refer the public to the school’s grievance policy if appropriate.
* **Accessibility:** Explore options for virtual participation to enhance accessibility for community members. Provide clear instructions on how individuals can participate remotely.
* **Recording and Documentation:** Record public comments for official documentation. Consider making the recordings or transcripts publicly accessible to promote transparency.
* **Continuous Evaluation:** Regularly review and, if necessary, revise these public comment guidelines to address emerging needs and ensure effectiveness.

## Introducing Public Comment During the Meeting

Many board chairs make a statement introducing the public comment portion of the meeting along the lines of the following:

*As part of the Board’s commitment to transparency and community engagement, we are now turning to public comment. Persons wishing to participate in public comment are required to sign up ahead of time so the board can allocate appropriate time to the public comment section of the agenda. The Board welcomes public comments on matters within the jurisdiction of the board. This is an important opportunity for community members to share their perspectives and concerns with the board.*

1. *Those seeking to provide public comment are required to sign up ahead of time. [Include registration details here.]*
2. *Each speaker will be allotted [3 minutes] to ensure that as many individuals as possible can address the board, and groups will be allotted [10 minutes]. Please be mindful of this limit when preparing your comments. Public comment will be limited to a total of [30 minutes.]*
3. *The board values your input and will listen attentively to all comments. However, it is important to clarify that the board will not engage in discussions or debates during the public comment period. In addition, the board will consider your comments thoughtfully and respectfully, and we request that your comments be thoughtful and respectful as well.*
4. *Comments should not name individual students or staff members. This measure is in place to protect the privacy of these individuals within our community. If you have specific concerns about a student or staff member, we encourage you to address those matters privately with the appropriate school personnel following our grievance policy.*

*Your cooperation in adhering to these guidelines ensures an efficient and respectful public comment session.*

## Additional Resources

[State Board of Education process including specific details about the manner/process and Do’s and Don’ts during public comment](https://www.cde.state.co.us/cdeboard/publiccommentguidelines)

[CSI Board Public Comment Guidelines](https://www.csi.state.co.us/wp-content/uploads/2023/05/CSI-Board-Guidelines-Regarding-Public-Comments-at-Board-Meetings.pdf)