

MEMORANDUM

TO: Members of the Brevard County School Board

FROM: John Thomas, School Board Member, District 3

DATE: September 15, 2026

SUBJECT: Proposed Revisions to Public Comment Policy and Procedures

As we review our public comment policy, I am submitting these recommendations for the Board's consideration and discussion.

At first glance, public comment may seem largely procedural, when citizens speak, how long they speak, where their comments fall on the agenda, and whether those comments are livestreamed. I believe it is far more consequential than that.

At its core, this discussion is about the relationship between citizens and their government and the standard of openness, accessibility, and accountability we choose for ourselves as elected officials.

I believe in limited government, open government, and accountable government. Those principles require appropriate skepticism whenever government places restrictions between citizens and the officials they elect to represent them. They require us to ask an important question: **Do the rules we adopt exist because they are necessary to serve the public and conduct its business effectively, or because they make conducting the School Board's business more convenient for those of us entrusted to serve?**

That does not mean there should be no rules. There should be. We have an obligation to conduct orderly, efficient, safe, and professional meetings. We have a responsibility to establish reasonable time limits, maintain decorum, and ensure that one person's participation does not prevent the Board from conducting the public's business.

But every restriction on public participation should serve a legitimate and necessary purpose. Order and efficiency are legitimate purposes. Our own comfort or convenience should not be.

I recognize that each Board member may approach these questions differently, and I welcome that discussion. I am not presenting these recommendations as the only reasonable approach. I am presenting the standard I believe we should strive to meet.

Government does not create public trust by asking citizens to trust it. Government earns trust by being worthy of it.

Trust is strengthened when government operates openly, applies its rules consistently, explains its decisions, and is willing to hear from the people it serves—even when what those people have to say is politically motivated, uncomfortable, misguided, disrespectful, or sharply critical.

As elected officials, we should expect disagreement. We should expect criticism. And we should be willing to respectfully listen to people with whom we disagree.

Listening does not mean agreeing. It means giving citizens a reasonable opportunity to be heard while maintaining the order necessary to conduct public business.

The test of a public-comment policy is not how it works when the person at the microphone agrees with us. The test comes when that person does not, when criticism is directed at this Board, when a speaker questions our judgment or challenges our decisions, or when someone says something we believe is unfair or simply wrong.

That is when consistent standards matter most.

But our rules should clearly distinguish between conduct that prevents us from doing our jobs and speech that simply makes doing our jobs uncomfortable.

Florida law, the First Amendment, and court decisions governing public meetings are all important. Florida law requires that members of the public receive a reasonable opportunity to be heard on propositions before a public board, while also recognizing the authority of boards to establish reasonable procedures governing that opportunity.

But our primary question should not simply be:

What is the minimum amount of public access the law requires us to provide?

Our central question should be:

What is the **maximum amount** of reasonable public access we can provide while maintaining the functionality, order, safety, and decorum necessary to conduct the public's business?

With those principles in mind, I propose the following.

1. Livestream and Archive All Public Comment

Unlike a city council or county commission meeting, our regular meetings are classified as Business Meetings of the School Board. But that distinction should not diminish the importance of public comment. In one critical respect, these meetings serve the same function: they provide a regular opportunity for citizens to stand before their elected representatives, assembled as a governing body, and address them directly.

Whether a citizen wishes to speak about an item on that day's agenda or raise a broader concern about our schools, the Business Meeting provides an opportunity for that citizen to address the elected School Board as a body. That opportunity should be treated as an important part of the meeting, not as an afterthought or something separate from the Board's business.

A School Board Business Meeting is where we conduct the public's business. Hearing from the public is part of that business.

I therefore propose that both agenda-item and non-agenda public comment be included in the Board's regular livestream and archived recording.

Our existing policy distinguishes between agenda-item and non-agenda public comment and establishes different procedures for each. In practice, the Board has spent considerable time parsing the subject matter of a citizen's remarks to determine whether the speaker may continue or must wait until the non-agenda portion of the meeting.

Including all public comment in the regular livestream and archived recording would simplify the process from a transparency standpoint. Regardless of how a speaker's remarks are classified, the public watching from home would be able to hear citizens addressing their elected School Board.

We can maintain reasonable time limits, preserve decorum, and conduct an orderly meeting while focusing more of our attention on substance rather than procedure. This approach would strengthen transparency, reduce friction, respect everyone's time, and make the public-comment process easier for citizens to understand.

2. Move Non-Agenda Public Comment Before the Consent Agenda

I propose that Public Comment - Non-Agenda Items be placed on the meeting agenda immediately before the Consent Agenda.

Citizens who come before the School Board to address an issue that is not on that day's agenda should not routinely be required to wait until near the end of a meeting that may last several hours. For some citizens, that is an inconvenience. For others, it can become a genuine barrier to participation.

Citizens cannot know in advance whether a Board meeting will last one hour or three.

Placing non-agenda public comment before the Consent Agenda would give citizens a more predictable and accessible opportunity to address their elected School Board. We can make that accommodation while maintaining reasonable time limits, preserving decorum, and conducting an orderly and efficient meeting.

Respecting the public's time and conducting an efficient meeting are not competing objectives. We can, and should, do both.

3. Public Comment on each Individual Agenda Items

I propose that we reconsider how citizens comment on Agenda Items before the Board for action.

When this Board is preparing to make a decision, citizens should have a reasonable opportunity to address us before we vote. That is basic accountable governance: before government acts, government should be willing to hear from the people its decisions may affect.

Florida law requires a reasonable opportunity for members of the public to be heard on propositions before a board, subject to reasonable procedures established by that board. My proposal is that we consider providing a greater opportunity for meaningful participation than our current procedure provides.

Rather than requiring a citizen to address all agenda matters within a single 3-minute public-comment period, I propose that citizens be permitted up to three minutes to comment on each individual agenda item before the Board takes action on that item.

Reasonable time limits, decorum, and meeting-management procedures remain necessary. The objective is a process that is understandable, respectful, meaningful to the public, and workable for the Board.

There is a reasonable balance between unlimited participation and insufficient participation, and I believe we can find it.

If we want the trust and respect of our administrators, teachers, students, parents, and the greater community, I believe we must first demonstrate respect for the people we serve.

That respect should not depend on whether we agree with their ideology, share their opinions, or appreciate the way they express them.

Leadership requires us to model the standard we expect from others.

When we consistently treat every person who comes before this Board with professionalism, courtesy, dignity, and recognition that their voice has value, we help set the tone for the entire room. That approach can lower the temperature, reduce unnecessary confrontation, strengthen transparency and accountability, and help us conduct the public's business more efficiently while honoring the citizens we represent.

We cannot demand the trust and respect of our community. We must conduct ourselves in a manner that earns them.

That begins with treating people respectfully, particularly when we disagree, and providing as much meaningful public participation as we reasonably can while maintaining an orderly, efficient, and professional meeting.

These recommendations are offered in that spirit: protect order without unnecessarily restricting access; preserve the Board's ability to govern while respecting the citizen's opportunity to participate; and provide the greatest reasonable transparency consistent with a functional and professional public meeting.

Because, in the end, the principle is remarkably simple:

School Board business is the public's business.

Respectfully submitted for review and discussion,

John Thomas
School Board Member, District 3
Brevard County School Board