

Public Comments Standing Rule Guidelines for Change

1. The Standing Rule related to public comments does not completely agree with the policies found online in the form called Opportunity to Address the Academic Senate or in the Guidelines for Change document. The goal is to bring the standing rule into agreement with our current processes and unify the message of these documents. The first major issue relates to the handling of public comments and any written comments that are submitted by the speaker. The second major issue is who we allow to participate in discussions and debate.
2. Some questions have come up regarding how public comments are posted to the Senate website and who is allowed to participate in debate and discussion in our meetings. Others have questioned whether committee co-chairs or others are allowed to comment during Senate meetings.
3. The standing rule was passed in October 2021. Since then, the online Opportunity to Address the Senate has been updated on the website, and the Guide for Effective Senate Proposals for Change was updated and posted in 2023.
4. Some might argue that we should not need to have such strict rules for who can speak in our meetings. They might suggest that rules like this would curtail collegial conversations or even freedom of speech. However, the intention is to encourage orderly debate and discussion with flexibility to allow the Senate to determine if someone who is not typically allowed to participate in our discussions should be allowed to do so. The Brown Act requires that we allow time for public comments but also allows us to make regulations or procedures for handling public comments.
5. To address the two major issues, two major changes were made to the standing rule. First, the third paragraph was removed and replaced. The old paragraph read,

“Anyone (general public and Senators/Officers) wishing to distribute documents for Senators/ Officers to consider at the meeting where an action (vote) will be taken, must fill out the “Opportunity to Address Request” form found on the Senate’s website in the “Joining Academic Senate Meetings” section by three hours before the meeting (i.e., 12:30 PM). The document(s) will be posted on the Senate’s meeting page in time for the rest of the public to see what document(s) the Senators/Officers are considering.”

The proposed new third paragraph reads,

“Anyone who speaks during the Opportunity to Address the Senate time may provide a written copy of their statement. Those who fill out the Opportunity to Address Request Form can attach their written comments as part of the request. Those who make public

comments without completing the online request may submit their written comments to the Senate President or Administrative Assistant. Any written comments or documents provided as part of a public comment may be posted online to the Senate website if they apply specifically to an agenda item, but in all cases documents and written comments from the Opportunity to Address the Senate will be available upon request from the Senate office.”

This is intended to make it clear that a public speaker is allowed to submit their comments, and that the Senate is allowed to use those comments in debate, but it is not required.

The changes found in the first and fourth paragraphs are meant to clarify who can participate in debate. In both paragraphs, the phrase “Senator or Elected Senate Officer” was replaced by “member of the Senate” to allow committee co-chairs and SGA representatives to participate in discussions. Then, in the fourth paragraph, wording was added to specify that those who presented an agenda item and those with expertise or knowledge related to an agenda item may be allowed to discuss that agenda item.

Standing Rule Placement and Frequency of Public Comment in Agenda by Nick Strobel; approved by the Academic Senate 10/6/2021

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