



Sunshine Laws: Transparency for Your Local School Board Members

Sunshine laws are laws that require government business to be conducted in open and public settings.

The goal of these laws is to keep members of the public informed as to the activities and decisions of appointed and elected officials. School districts can be subject to sunshine laws. One example is the Brown Act in California.

So, what is required of your local school boards and school board members?

MEETINGS

Meetings With a Quorum of Members Must Be in Public or Publicly Noticed

A meeting is a gathering of the majority of members of a school board.

These meetings must be noticed to the public, with an agenda for the meeting to posted for the public’s view within a certain amount of time prior to the meeting. For example, some sunshine laws require agendas be posted 72 hours before the date and time of the meeting.

This may not apply to seminars, conferences, community meetings (non-school board), attendance to meetings of other legislative bodies (ex: city council), or social or ceremonial events.

PHONE CONVERSATIONS

School Board Members Must Avoid Conversations Outside of Meetings Between a Majority of Members

Let’s say a School Board has 5 members (A, B, C, D, & E).

School Board Member A calls School Board Member B, and then adds School Board Member C to the phone call for a conversation.

This would be an unnoticed meeting and would violate a sunshine law because the meeting is being held in private outside of access to members of the public.

This would also apply to the use of a private social media chat tool, messaging app, or post on public social media.

SERIAL MEETINGS

A Meeting Can Be Created Through a Series of Calls or Communications That Violates a Sunshine Law

School Board Member A calls School Board Member B to ask how they will vote on a matter.

School Board Member A then calls School Board Member C and says, “I talked to School Board Member B, and they told me they are voting to approve the matter. Are you going to vote to approve it too?”

This would be a serial meeting, as one Board Member is calling up other members and effectively having a meeting through a series of communications between Board Members.

PUBLIC COMMENT

School Boards Are Required to Take Public Comment

Aside from avoiding “backdoor,” non-public meetings, sunshine laws often require the public be allowed the opportunity to comment on items on the agenda before the school board.

Boards can have policies limiting the time period for public comments as well as the length of the public comment time per person (ex: 3 minutes per person).



Always make sure to check your local rules & regulations regarding transparency requirements for your elected officials.

Keeping the elected officials responsible for public education accountable is important.

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