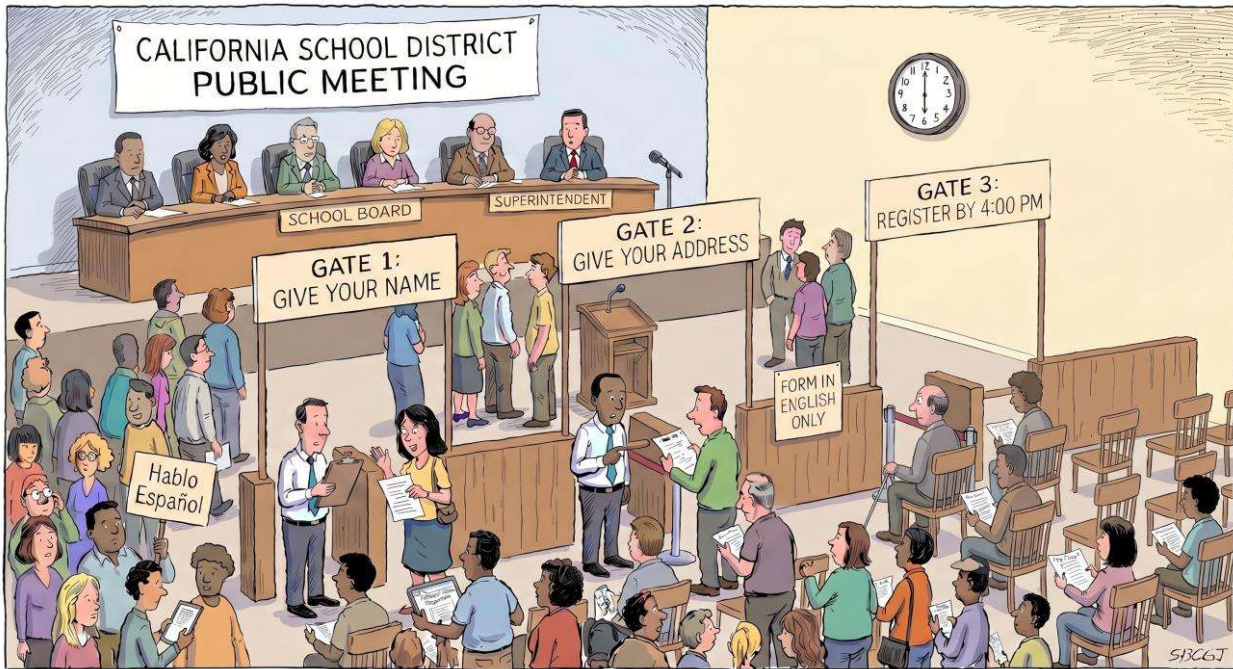


PUBLIC PARTICIPATION WITHOUT BARRIERS:

Brown Act Clarity at School Board Meetings



SUMMARY

Santa Barbara County has twenty public school districts, six independent charter schools, and a County Education Office. Each is governed by a board. The California Brown Act requires these boards to conduct all deliberations and official business in open, publicly accessible meetings with advance notice, thereby ensuring transparency and protecting the public’s right to attend and participate in decision-making.

These meetings are important because families, students, employees, and community members depend on these bodies to make decisions affecting education, safety, budgets, and public trust. When agendas and participation instructions are clear, the public can understand what is being decided, track board actions, and take part without unnecessary barriers. When they are unclear, even otherwise lawful meetings can feel less open and less inclusive.

For that reason, the Santa Barbara County Grand Jury (Grand Jury) reviewed publicly posted agendas and related meeting materials for all these governing bodies. Because this report focuses on how rights and procedures are communicated to the public, the

Grand Jury’s review emphasized the language used in agendas, agenda attachments, and meeting web pages.

Through its analysis and investigation, the Grand Jury determined that the governing bodies’ compliance with a majority of Brown Act requirements is visible in their posted materials. To improve transparency and make public participation easier, the Grand Jury identified several areas where clearer, more consistent practices would strengthen public engagement and reduce the risk that residents misunderstand their rights.

In a climate where more residents have understandable reasons to limit the circulation of personal identifiers, including heightened immigration enforcement, any perceived requirement to provide a name, address, or similar information can deter participation at public meetings.

BACKGROUND

The Ralph M. Brown Act (Brown Act)¹ is California’s primary open-meeting law for local agencies. The Brown Act was adopted in 1953 and is codified at Government Code sections 54950 through 54963. Its core policy is that the people do not yield sovereignty to the agencies that serve them, and that the public’s business should be conducted openly.

The Brown Act applies to the “legislative bodies” of “local agencies,” and the statutory definition of local agency includes a school district and any board, commission, or agency of a county or school district. As a result, school district governing boards and the County Board of Education must conduct their meetings in compliance with the Brown Act’s notice, agenda, and public-participation requirements. Charter schools are also required to follow the Brown Act due to Education Code section 47604.1. We examined six charter schools that are governed by their own independent boards.

The Brown Act continues to be updated as communication methods and public expectations evolve. For example, amendments effective January 1, 2026, require local agencies to provide a copy of the Brown Act to each person elected or appointed to

¹ California Office of the Attorney General. The Brown Act: Open Meetings for Local Legislative Bodies (2003)
<https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/brownAct2003.pdf>, accessed June 15, 2026.

serve as a member of a legislative body of the local agency. This onboarding requirement reinforces the importance of clear, consistent meeting practices.

In addition to primary legal sources, education governing boards frequently rely on guidance and training materials produced by California-based organizations that focus on school governance and open meetings. The California School Boards Association (CSBA) publishes many Brown Act resources for education boards, including frequently asked questions and practical guidance for handling public comment². The Institute for Local Government (ILG) provides statewide open-government primers that address practical issues such as voluntary speaker sign-in sheets³.

METHODOLOGY

In developing this report, the Grand Jury employed the following methods of investigation:

- Review of publicly available agendas, minutes, meeting web pages, and public-participation instructions for:
 - The governing body of the Santa Barbara County Education Office (County Board of Education)
 - The governing bodies of all 20 public school districts in Santa Barbara County
 - The governing bodies of all 10 charter schools in Santa Barbara County
- Review of Brown Act requirements, Education Code requirements, and commonly used education-sector guidance
- Review of hard-copy public comment cards obtained by the Grand Jury

² Public comment related documents from the California School Boards Association: <https://publications.csba.org/california-school-news/october-2021/handling-public-comment-at-board-meetings/> <https://publications.csba.org/california-school-news/june-2019/the-brown-act-frequently-asked-questions/>, accessed June 15, 2026.

³ The Institute for Local Government (ILG) comments on meeting sign-in and speaker cards being optional: https://www.ca-ilg.org/sites/main/files/file-attachments/abcs_of_open_government_0.pdf https://www.ca-ilg.org/sites/main/files/file-attachments/brown_act_webinar_-_keeping_clerks_ahead_of_the_curve.pdf, accessed June 15, 2026.

DISCUSSION

This discussion is organized around four themes drawn from the Jury's review of agenda language and publicly available meeting information:

- Public comment procedures, including the use of speaker cards and the right to participate without providing identifying information
- Posting and accessibility of minutes and other post-meeting records
- Remote participation and practical access
- Website structure, language access, and accessibility

Public Comment, Speaker Cards, and Anonymity

The Brown Act requires that agendas for regular meetings provide an opportunity for members of the public to address the legislative body on any agenda item or items of interest within the body's jurisdiction. These provisions are significant in school governance because public commenters often include parents, students, employees, and community members who may have well-founded reasons to avoid public identification, including personal safety concerns and fear of retaliation.

California-based open-meeting guidance⁴ recognizes that agencies may request, on a voluntary basis, that speakers fill out cards or sign-in sheets to help organize public comment and manage speaker order. The guidance also emphasizes that "Public speakers cannot be compelled to give their name or address as a condition of speaking." These tools must remain voluntary, and refusal to complete a speaker card cannot be used as a basis to deny a person the opportunity to speak.

The Grand Jury's review found that while many governing boards use language consistent with this guidance, some agendas use speaker cards, registration forms, or other instructions in a way that an average reader might interpret as requiring their names and addresses. Although a name can be convenient for calling speakers,

⁴ Gov. Code 54953.3; Open meeting guidance from the League of California Cities - "A Guide to the Ralph M. Brown Act": <https://www.calcities.org/docs/default-source/advocacy/open-public-vi-revised-2024.pdf>, accessed June 15, 2026.

especially at larger meetings, participation cannot be conditioned on providing a name or other identifying information. An address is never necessary for this purpose and should not be requested on public comment cards. Similarly, neither the Brown Act nor Education Code makes school district residency, parent/guardian status, or student enrollment a prerequisite to speak at a governing board meeting.

Even when an agency frames identification questions as optional, requesting unnecessary personal information can chill speech from residents who have legitimate reasons to avoid broader circulation of identifiers. For clarity, agenda language should distinguish between optional tools and conditions to speak.

The text excerpt below is from the Goleta Union School District Board calendar page⁵ and illustrates language that could be read as imposing conditions on public comment:

- Virtual public comments will be accepted via the Public Comment Request Form [HERE] up until 4:00 p.m. the day of the board meeting
- For in-person public comments, a public comment request card must be filled out between 6:15 - 6:30 p.m. in the Board Room
- Public comments on closed session agenda items only must be made in person at 5:00 p.m. at the District Office in Room 8

“For in-person public comments, a public comment request card must be filled out between 6:15 - 6:30 p.m. in the Board Room” implies that in order to comment, the speaker must complete the request form by 6:30 p.m. Under the Brown Act, however, completing a written form by a cutoff time cannot be a condition of speaking at a public meeting that starts at that time.

The model agenda language below, developed using CSBA and ILG advice, clarifies these tools are voluntary and that providing a name is not required.

Members of the public are welcome to address the Board on matters within the Board’s jurisdiction during the general public comment period. Members of the public may also address the Board on any agenda item when that item is called for public comment. Public comment may be

⁵ Goleta Union School District Board Calendar, Public Comment Procedure: <https://www.gusd.us/board/board-calendar>, accessed June 15, 2026.

provided in person, and, when offered by the Board, through the meeting's remote comment process. Speaker cards, sign-in sheets, and any online sign-up links are voluntary tools used only to help organize comments. A person may attend and speak, whether in person or remotely, without providing a name, address, or other identifying information. If the Board accepts written comments in advance, advance submission is optional and is not a prerequisite to speaking at the meeting.

Posting and Accessibility of Minutes and Post-Meeting Records

Government Code section 54957.5 makes agendas and other writings given to a majority of a legislative body in connection with an open-session item disclosable public records. For regular meetings, writings distributed less than 72 hours before the meeting must generally be made available for public inspection when they are distributed. The Brown Act does not require minutes, but Education Code sections 35145(a) and 35163 require school district governing boards to keep minutes, record actions taken, and make minutes public. Education Code sections 1040(b) and 1015 require county boards of education to keep a record of their proceedings. Education Code section 47604.1 also requires charter schools to follow the Brown Act and includes meeting-recording and posting requirements. Together, these laws support timely, easy-to-find written records of board actions.

The Grand Jury found that minutes and other post-meeting records are not posted consistently across education governing boards. Some boards keep current, well-organized minutes archives. Others have minutes that appear to be missing, delayed, hard to find, or available only inside agenda packets. This makes it harder for the public to follow board actions over time. Livestreams and archived video can improve public access, but they do not replace required written minutes or records of proceedings.

The Brown Act provides that writings distributed to a majority of the legislative body in connection with an agenda item for an open session are public records and must be made available to the public when they are provided to the body. Although the Brown Act does not itself require minutes, Education Code Sections 35145(a) and 35163 require school district governing boards to keep minutes that record actions taken and require county boards of education to keep a record of their proceedings. In addition, Education Code section 47604.1 imposes recording and posting requirements for certain charter schools. Taken together, these requirements and related guidance emphasize timely, easy-to-locate post-meeting records as a practical foundation for transparent governance.

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Remote Participation and Practical Access

Brown Act provisions on teleconferencing and remote participation have been updated several times, including during and after the COVID-19 pandemic. While the Act does not require remote participation for all meetings, it expressly permits local agencies to provide greater access than the minimal standards in the Act. Many local agencies in California, including in Santa Barbara County, already use livestreaming, videoconferencing, or remote public comment for routine meetings, showing that these options are practical.

Several education governing boards provide no clear remote option for observing meetings or providing public comment. In other cases, remote options are offered but are described in ways that an average reader would understand as requiring pre-registration to speak. Clearer descriptions can expand access while preserving orderly meeting administration.

Website Structure, Language Access, and Accessibility

For school districts and other Brown Act-covered education bodies with websites, the Brown Act requires regular meeting agendas to be posted online and to include

information about how to request disability-related accommodations.⁶ For school districts, the Act also expressly requires that the current agenda be accessible from the primary homepage through a prominent direct link and that the online agenda be posted in an open, searchable format.⁷

California law now gives useful reference models for online access to public meeting. Beginning July 1, 2026, Government Code section 54953.4 requires many non-educational bodies to maintain:

- An accessible public meeting webpage with a general explanation of the meeting process
- Instructions for in-person and remote public comment
- A calendar of meeting dates with time and location
- A link to posted agendas

The same law also requires covered bodies to translate agendas and the public meeting webpage into “applicable languages” identified through the American Community Survey language data. This requirement applies to languages spoken by at least 20% of the population, where a substantial portion of those speakers have limited English proficiency.

These enhanced requirements currently apply to many cities, special districts, but school districts are exempted for now. Even so, these requirements provide a useful model for school districts and charter school governing bodies because the same access concerns exist for families, students, employees, and community members trying to follow education board meetings.

Some education agencies use small or hard-to-find links to meeting information and do not provide a clear, consistent statement about how to request disability-related accommodations or alternative formats. These issues can hinder participation, particularly for Spanish-speaking community members and individuals who rely on accessible document formats. Practical measures of access include whether a current agenda can be found from the homepage in one click; whether meeting pages clearly explain how to attend, comment, request accommodations, and find past agendas and minutes; whether Spanish-language meeting information is as current and easy to find

⁶ Gov. Code 54951, 54952(a), 54954.2(a)(1)(B), 54954.2(a)(1)(C)(ii) and Education Code 47604.1(b)(1).

⁷ Gov. Code 54954.2(a)(2)(A)-(B).

as English-language information; and, whether posted documents are searchable and compatible with assistive technology.

Tools such as Google Translate can be embedded within web pages for translation support. To avoid errors, the agency should test this function regularly to ensure it works properly. When providing PDF files, the agency should not solely depend on a web browser's translation capabilities, even if available.

CONCLUSION

Open public meetings are one of the primary ways families, students, employees, and community members can observe and participate in local education decisions. The Grand Jury found that Santa Barbara County education governing boards generally provide the basic meeting information needed for public access. However, the review also found several areas where clearer and more consistent practices would make participation easier.

The issues identified in this report are practical and can be corrected. Agenda language can be revised to clearly state that speaker cards, sign-in sheets, and online forms are optional. Meeting pages can be organized so agendas, minutes, participation instructions, accommodation information, and language-access resources are easier to find. Where remote access is offered, instructions can be made clearer. Boards should also consider that livestreaming, video conferencing, or archived recordings would improve access. Minutes can be posted more consistently, so the public can follow board actions after meetings occur.

These changes would not prevent boards from running orderly meetings. Instead, they would help ensure that meeting procedures do not unintentionally discourage public participation. This is especially important when residents may have valid privacy, safety, immigration, employment, or family reasons for not wanting to provide their name, address, or other personal information before speaking at a public meeting.

Education governing boards make decisions that affect students, families, employees, budgets, facilities, and public trust. The public should not have to navigate unclear instructions, hard-to-find web pages, unnecessary identification requests, or inconsistent records in order to follow those decisions. By adopting the recommendations in this report, Santa Barbara County education governing boards can

strengthen transparency, reduce barriers to participation, and better reflect the Brown Act's central principle that the public's business must be conducted openly.

FINDINGS AND RECOMMENDATIONS

These Findings and Recommendations apply only to individual governing boards as set forth in the table in the following section.

Finding 1: Some education governing boards' agendas and public comment instructions imply that members of the public must complete a speaker card, sign-up sheet, online form, or provide identifying information in order to speak at a public meeting.

Recommendation 1: The Grand Jury recommends that each education governing board, where listed in Table 1 below, review agenda language and public comment instructions to plainly state that speaker cards, sign-up sheets, and online forms are *optional* tools used solely to help organize public comment, and to affirm that any person may address the board during public comment periods without providing a name, address, or other personal identifying information. To be implemented by December 31, 2026.

Finding 2:

Website structure, language access, and accessibility issues at some education governing boards hinder the public's ability to find agendas, minutes, and participation instructions, particularly for Spanish-speaking community members and individuals who rely on accessible document formats.

Recommendation 2a: The Grand Jury recommends that each education governing board, where listed in Table 1 below, place a prominent, direct link to current agendas on its primary homepage, as required by Government Code section 54954.2. To be implemented by December 31, 2026.

Recommendation 2b: The Grand Jury recommends that governing boards serving districts with more than a 20% Spanish-speaking population provide Spanish language translations of their meetings, agendas and minutes on their websites. To be implemented by December 31, 2026.

Finding 3: Some governing boards provide no way to participate remotely while public comment is officially open.

Recommendation 3a: The Grand Jury recommends that each education governing board, where listed in Table 1 below, provide video conferencing for remote participation, which can also be used as a broadcast archive. To be implemented by December 31, 2026.

Recommendation 3b: The Grand Jury recommends that, where remote participation is offered, agendas clearly explain how the public may observe and provide comment remotely at any time public comment is open. To be implemented by December 31, 2026.

Finding 4

Some governing boards do not consistently post meeting minutes in a clear and easy-to-find location, which makes it harder for the public to track board actions over time.

Recommendation 4: The Grand Jury recommends each governing board adopt a written practice for promptly posting approved minutes on its website. As a best practice, approved minutes should be posted within five business days after approval, with past minutes kept in an accessible online archive. To be implemented by December 31, 2026.

REQUIREMENTS FOR RESPONSES

Pursuant to California Penal Code §933 and §933.05, the Grand Jury requests each entity or individual named below to respond to the findings and recommendations within the specified statutory time limit.

Responses to Findings shall be either:

- Agree
- Disagree with an explanation
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with a summary of the implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with an analysis completion date of fewer than 6 months after the issuance of the report
- It will not be implemented with an explanation of why

Table of Applicability of Findings and Recommendations

Governing Board of:	Assigned Findings	Assigned Recommendations
Santa Barbara County Education Office	1, 2	1, 2a, 2b
Ballard School District	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Buellton Union School District	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Cold Spring School District	1, 3, 4	1, 3a, 3b, 4
College Elementary School District	3, 4	3a, 3b, 4
Cuyama Joint Unified School District	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Guadalupe Union School District	1, 2, 3	1, 2a, 2b, 3a, 3b
Hope Elementary School District	2, 4	2a, 2b, 4
Lompoc Elementary School District	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Los Olivos Elementary School District	1, 3	1, 3a, 3b
Orcutt Union School District	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Santa Barbara Unified School District	1, 3	1, 3a, 3b
Santa Ynez Valley Union High School District	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Vista del Mar Union School District	1, 2, 3	1, 2a, 2b, 3a, 3b
Adelante Charter School	4	4
Family Partnership Charter School	1, 2, 3, 4	1, 2a, 2b, 3a, 3b, 4
Manzanita Charter School	1	1
Peabody Charter School	1, 3, 4	1, 3a, 3b, 4
Santa Ynez Valley Charter School	3	3a, 3b
Trivium Charter School	3, 4	3a, 3b, 4