

PUBLIC COMMENT
to the
MS CHARTER SCHOOL AUTHORIZER BOARD
Re: BY-LAWS, ARTICLE 8
Public Testimony and Submission of Data, Views, or Arguments
Submitted by Mike Sayer, Southern Echo, Jackson, MS

Article 8 of the proposed By-Laws of the MS Charter School Authorizer Board states in full:

Section 8.1 Submission of Data, Views or Arguments. Any interested person may submit data, views, or arguments in writing to the Board on any agenda item no later than five (5) days in advance of a scheduled Board meeting. The written submittals shall be considered by members before taking action on any agenda item, subject to reasonable time for review.

Section 8.2 Public Testimony. All interested persons shall be provided an opportunity to present testimony on any agenda item. Any individual wishing to testify should register prior to the meeting, and testimony must be related to an item that is on the agenda and such person shall be required to identify the agenda item to be addressed by the testimony. Each person is allotted two minutes, or an amount of time otherwise designated by the Chair, to provide testimony to the Board.

1. Advance Notice of Meeting *Agendas* needed in easily accessible location

Section 8.1 of the proposed By-Laws provides that a person who wants to submit data, views or arguments *in writing* to the Board *on any agenda item* must do so “no later than five (5) days *in advance* of a scheduled Board meeting.

However, there is *no provision* for the Board to announce or publicize the Board’s agenda *in a timely manner in advance* of a Board meeting. Nor is there any provision for a specified, easily *accessible location* for the Board to publish the agenda where a member of the public can obtain such agenda.

Public access to the agenda *in a timely manner prior to the meeting* is critical so that a member of the public can review the Agenda to assess whether to submit views or seek testimony in advance of the meeting ... as required by the timeline set forth in Article 8 of the By-Laws.

As a practical matter, therefore, as the proposed By-Laws are currently drafted there is no way for a member of the public to access the Agenda in a timely manner in order to comply with the pre-meeting timeline requirements for submission of views or for signing up to testify.

Recommendation:

- a. *Therefore, I would recommend that the By-Laws provide for public announcement of the Board Meeting Agenda at least 3 days prior to any deadline established for submitting written views. As long as the deadline for submitting written views falls prior to the deadline for signing up to testify, such public announcement will also accommodate those who want to testify.*

b. *That the public announcement of the Board Meeting Agenda be made available on the Board's website when it creates one, and also on the websites of the MS Dept. of Education and the MS Institutions of Higher Learning with easy-to-access links.*

2. Two minutes to testify at Board meeting just too brief

Also, having participated in the past 24 years in numerous public hearings on complex policy matters before legislative, administrative, county and municipal committees and boards, *two minutes* to testify is way too brief on matters as complicated as those that will be entertained by the Board on charter school issues.

In my experience, at legislative committee, gubernatorial commission meetings, county and municipal board meetings, for example, the time allotted is usually *five minutes*. Depending on the complexity of the issues this can be sufficient, but sometimes is too brief to flesh out the complexity of some issues.

I understand the need for the Board to control the length of meetings and that sometimes there is a need for the Board to utilize limits to control either excessively repetitive commentary or presentations that veer far from the subject at hand.

If public input is really valued then public testimony should not be confined to perfunctory courtesy.

Recommendation:

Therefore, I would recommend that the By-Laws establish five minutes to speak as the norm, with discretion in the Chair to extend the time when appropriate to ensure that the Board receives the input it ought to receive.

**Respectfully submitted
by Email and US Mail,**

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