



# OPEN MEETINGS LAW

## QUICK REFERENCE CARD

This is a general overview document. For more in depth information regarding the Open Meetings Law please see the Institute Guide to Open Meetings Law available at: [website].

- Provide public notice of every scheduled board meeting at least one week in advance. Notice should include the date, time, and location of the meeting and be posted conspicuously at the school, on the education corporation's website, and be provided to local media at least 72 hours in advance. All videoconference locations should be included in the notice.
- While all board meetings are open to the public (except for when the board goes into executive session) there is no requirement that the public be allowed to make comments or participate. However, it is best practice to develop a policy to include a public comment portion of the meeting.
- Trustees who telephone into meetings cannot count toward quorum or vote. Trustees who videoconference in may be counted toward quorum and vote so long as the place from which they are calling in is properly noticed and open to the public. (Example: A trustee skyping in from his or her non-accessible living room would not count.)
- Any meeting at which there is not quorum is not subject to the requirements of the Open Meetings Law. Therefore, minutes do not need to be taken and no votes can be cast. It is best practice for the Secretary to record the trustees present and note the lack of quorum.
- Appoint someone to take minutes. This person does not have to be a member of the board or the secretary but should be someone who can attend every meeting.
- The minutes must, at a minimum, include the motions, resolutions, and proposals formally voted on as well as the votes for each trustee. The secretary should keep all materials presented to the board together with the minutes in the corporate records.
- If the board goes into executive session, the minutes must reflect the motion with the specific reason (these are enumerated in the Public Officers Law) for going into executive session, the vote to go into executive session, and a summary and vote for any actions formally voted on, as well as the vote to go back into public session. Motions to go into executive session must be approved by a majority of the entire number of the board including vacancies. No public money may be appropriated in executive session.
- While each school is free to develop its own format for recording minutes, it is best practice for the minutes to reflect:
  - the date, time, and location of the meeting;
  - which trustees were present and not present; and,
  - a brief summary of items discussed (this does not need to be verbatim).
- After a board meeting, minutes must be made available to the public within two weeks for regular board meetings, and one week for executive session. All minutes are due to the Institute within 30 days of a board meeting, even if they have not been approved by the board.

