

## **Open Meetings Law Policy**

### **I. Public Meetings**

- A. Public meetings are the official convening of The Charter High School for Law and Social Justice Board of Trustees (the “Board”) for the purpose of conducting public business. Every meeting of a public body must be open to the general public, with certain limited exceptions. The purpose of this policy is to establish procedures for the implementation of the Open Meetings Law.
- B. Regular Meetings
  - 1. The time, dates, and place of regular meetings shall be established, to the extent possible, at the School’s annual reorganization meeting.
  - 2. All regular Board meetings are open to the public, and meeting facilities shall provide access to persons with disabilities.
  - 3. Board members may participate in Board meetings via videoconferencing in accordance with the law of New York State. Any site at which videoconferencing is to take place must be open to the public. The School will comply with all applicable requirements regarding videoconferencing.
  - 4. All action of the Board shall be taken only during Board meetings, called, scheduled, and conducted according to its policies and the law of New York State.

### **II. Confidential Meetings**

- A. Executive Sessions
  - 1. The Board reserves the right, within the constraints of New York State law, to meet in executive session. Upon a motion during an open meeting and majority vote, the Board may convene in executive session at a place within the district to discuss the subjects enumerated below.
  - 2. Formal action or vote on matters enumerated in paragraphs i. and j. below may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.
  - 3. All Board members and district employees must keep confidential any matters discussed in executive sessions.
  - 4. Matters that may be considered in executive session are:
    - a. matters that will imperil the public safety if discussed;
    - b. any matter that may disclose the identity of a law enforcement officer or informant;
    - c. information relating to the current or future investigation or prosecution and alleged criminal offense that would imperil effective law enforcement if disclosed;
    - d. discussions regarding proposed, pending, or current litigation;
    - e. collective negotiations pursuant to Article 14 of the Civil Service

- Law;
- f. the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation;
- g. the preparation, grading, or administration of examinations;
- h. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by the School, but only when publicity would substantially affect the value thereof;
- i. discussions concerning probable cause to bring disciplinary charges against a teacher;
- j. discussions concerning the evaluation and/or placement of students with disabilities;
- k. Such other matters as may properly be discussed in executive sessions pursuant to law; and
  - l. any matter made confidential by state or federal law.
- B. Minutes of executive sessions will reflect all actions and votes taken by the Board in executive session without personally identifying employees or students affected thereby. The name of the person who called for the executive session will also appear in the minutes of the public meeting. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.
- C. This Policy shall not be construed to extend to:
  - 1. judicial or quasi-judicial proceedings; and
  - 2. any matter made confidential by federal or state law.

### III. Procedure

- A. Public Notice
  - 1. The Board shall give adequate notice of all regular and scheduled special meetings of the Board to all its members and to the community.
  - 2. If the Board schedules a meeting at least a week in advance, the Board will give notice to the public and to the news media and will posted notice in one or more designated public places and on its website not less than 72 hours prior to the meeting.
  - 3. When the Board schedules a meeting less than a week in advance, the Board shall provide public notice to the extent practicable. The Board shall post such notice conspicuously in one or more public locations as well as the School's website.
  - 4. If a Board member intends to participate in a Board meeting via videoconference, the public notice of the meeting will indicate that videoconferencing will be used, specify the location(s) for the meeting, and state that the public may attend at any of the locations.
- B. Meetings

1. The Board will make all reasonable efforts to ensure that it holds meetings in an appropriate facility that can adequately accommodate the members of the public who wish to attend such meetings.
2. Facilities must permit barrier-free physical access to the physically handicapped.
3. The public is permitted, in an orderly manner, to photograph, webcast, broadcast, or otherwise record and/or transmit the meeting.
4. The Board will offer a suitable time at open meetings for individuals to express themselves. Public participation is subject to the following:
  - a. The president of the Board is responsible for the orderly conduct of the regular meeting and shall rule on matters such as the time to be allotted for public discussion and the appropriate subjects to be discussed.
  - b. Subjects not addressed in the meeting, such as those not on the agenda, controversial, or omitted because of time, may be taken under consideration and addressed at a subsequent meeting.
  - c. The Board will not hear complaints against particular persons in a public session. Those complaints are to be addressed through proper administrative channels.
  - d. Those who wish to address statements or questions to the Board must give their name, contact information, organization they represent (if applicable), and the subject they wish to address, on a form provided at the door.
  - e. The presentation should be as brief as possible and be relevant to school matters. Obscene language, libelous statements, threats of violence, and statements advocating racial, religious, or other forms of prejudice are prohibited.

IV. Any details not specified in this policy should be located in the actual law, which may be found at <http://www.dos.ny.gov/coog/openmeetlaw.html>

Source: New York State Public Officers Law § 103.

Adopted by the Board of Trustees: March 11, 2015