

Bylaw

TIME, PLACE, NOTIFICATION OF MEETINGS

The board of education encourages parents and residents of the district to attend its sessions so that they may become better acquainted with the operation and programs of the schools, and so that the board may have the opportunity to hear the wishes and concerns of the public.

On occasion and when it becomes necessary, the board will announce and hold a special meeting devoted to issues that are of immediate concern. The time and place of the meetings are subject to change and therefore are included in the required announcement of each board session.

Regular meetings of the board of education shall be held on dates and at times and places determined by the board at its annual organization meeting. Special meetings shall be called by the board secretary at the request of the president or upon a petition signed by a majority of the board members, and shall commence no later than 8 p.m.

Adequate Notice

Adequate notice shall be given for all regular and special meetings. Adequate notice for regular meetings shall be in accordance with the annual notice provisions set forth below. Adequate notice for special meetings generally means written advance notice of at least 48 hours, giving the time, date and location, and, to the extent known, the agenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The Secretary shall notify each member and any person who has legally requested such notice and prepaid the sum specified for that purpose. The notice must be:

- A. Prominently posted in at least one public place reserved for such announcements;
- B. Communicated to at least two newspapers designated by the board because they have the greatest likelihood of informing the board's public; and
- C. Filed with the clerk of the municipality.

Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly and sent to at least two newspapers and the municipal clerk within seven days following the annual organization meeting. This notice should contain the location of each meeting to the extent it is known as well as the time and date. If the schedule is revised at all, notice must be given within seven days of the revision.

The annual schedule serves as sufficient notice of any regularly scheduled meeting as long as it contains the proper date and location. If most meetings are on a regularly scheduled basis, whether they are formal sessions or work sessions, the notice requirement can be met through the once-a-year schedule.

Both the annual schedule of meetings, any revisions to that schedule, and notices of any additional meetings must be sent to any person upon request and upon prepayment of a sum set by the board. Requests to be on the mailing list for notices can be made on an annual basis and are renewable each reorganization meeting.

Emergency Meeting Notice

Upon the affirmative vote of three quarters of the members present, the board may hold a meeting notwithstanding the failure to provide adequate notice if:

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- A. Such meeting is required in order to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; and
- B. The meeting is limited to discussion of and acting with respect to such matters of urgency and importance; and
- C. Notice of such meeting is provided as soon as possible following the calling of such meeting by posting written notice of the same in the public place described above and by notifying the two official newspapers by telephone, telegram, or by delivering a written notice of same to such newspapers; and
- D. Either (a) the board could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or (b) although the board could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so.

Announcement of Adequate Notice/Statement of Compliance

At the beginning of every meeting, the presiding officer must announce that adequate notice of the meeting was provided and must specify the time, place and manner in which the notice was provided.

However, if adequate notice was not provided, the presiding officer must say so, and in addition, must state:

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was called;
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting;
- C. That the meeting will be limited to discussion of and action on such matters of urgency and importance;
- D. The time, place, and manner in which some notice of the meeting was provided; and
- E. Either of the following:
 1. That the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided, and why this was so; or
 2. That such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

Adjournment

The board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

1 st Reading:	April 23, 2013
Adopted:	May 28, 2013
NJSBA Review/Update:	April 2015
1 st Reading:	December 15, 2015
Readopted:	January 5, 2016

Key Words

Meetings; Board of Education Meetings; Time, Place, Notification of Meetings

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Legal References:	<u>N.J.S.A.</u> 10:4-6 et seq.	<u>Open Public Meetings Act</u>
	<u>N.J.S.A.</u> 10:4-9.1	Electronic notice of meeting of public body; terms defined
	<u>N.J.S.A.</u> 18A:10-3	First regular meeting of board
	<u>N.J.S.A.</u> 18A:10-4	Secretary to give notice of meeting
	<u>N.J.S.A.</u> 18A:10-5	Organization meeting as business meeting
	<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
	<u>N.J.A.C.</u> 6A:32-3.1	Special meetings of district boards of education

Possible

Cross References:	*1120	Board of education meetings
	*2240	Research, evaluation and planning

*Indicates policy is included in the Critical Policy Reference Manual.