

PUBLIC AND EXECUTIVE SESSIONS

The board of education shall officially transact all business at a legal meeting of the board in accordance with New Jersey law.

All meetings of the Board of Education shall be open to the public with the exception of meetings to discuss:

1. Any matter which by express provision of state or federal law or rule of court shall be rendered confidential;
2. Any matter in which the release of information would impair a right to receive federal funds;
3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual concerned shall request in writing that the same be disclosed publicly. This includes information contained in pupil records, and any reports or recommendations concerning a specific individual;
4. Any collective bargaining agreement or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the actual negotiating sessions with representatives of employee groups;
5. Any matter involving the purchase, lease or acquisition of real property (land or buildings) with public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
6. The tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection;
7. Any investigations of violations or possible violations of law;



8. Any pending or anticipated litigation or contract negotiations other than collective bargaining, and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
9. Any matter involving employment, appointment, termination, terms and conditions of employment, evaluation promotion or disciplining of any prospective or current public employee or officer unless all the individual employees whose rights could be adversely affected request in writing that the matter be discussed at a public meeting;
10. Any deliberations occurring after a public hearing that may result in the imposition of a specified civil penalty or loss of license to an individual.

Such sessions shall be closed to the public and press. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of the executive session. That such a meeting will be or was held shall be recorded in the minutes of the preceding or subsequent regular meeting. Board members and other persons attending the session are honor-bound not to disclose the topic or details of discussion at executive session.

The Board may invite staff members or others to attend closed sessions at its discretion.

No official action shall be taken at executive sessions, except such as may be required by law. To take final action on any other matter discussed, the Board shall convene or reconvene in open session.

#### Special Board Meetings

Special meetings may be called for either of the following purposes:

1. To enable the Board to concentrate, and take action, on a single problem or set of problems;
2. To enable the Board to take emergency action between regular meetings.

When special meetings are called in the interim between Board meetings, all Board members shall receive adequate notice of the time, place, and purpose of such meeting, and the public shall be so notified, if possible. Except in extreme emergencies, adequate notice shall consist of at least a 48-hour written notice to Board members and publication of such notice in the press at least 48 hours in advance.

All special meetings shall be open to the public and press, but no public discussion shall be heard on items other than those related to the call of the meeting.

With the exception of details or minor importance, only business related to the call of the meeting shall be discussed or transacted by the Board at a special meeting.

#### Public Participation

Meetings of the board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time.

Brief comments on any matter of interest to the district should be reserved for the time provided in the order of business.

Provision may be made for the introduction by a member of the public of business not on the agenda when the matter is of such urgency or wide interest that delaying consideration of it to the next meeting would not be in the public interest.

Grievances or complaints that have not previously been considered through administrative channels shall not be considered by the board.

Date: March 12, 1984

Revised: September 12, 1994

Legal References:

N.J.S.A. 2C:33-8

Disrupting meetings and processions

N.J.S.A. 10:4-6  
through -21

Open Public Meetings Act

N.J.S.A. 18A:10-6

Board meetings public; frequency; hours of commencement; adjournment, etc, for lack of quorum

N.J.S.A. 18A:11-1

General mandatory powers and duties

N.J.S.A. 18A:54-20

Powers of board (county vocational schools)

Rice v. Union City Board of Education 143 N.J. Super 64 (1978)

Possible Cross References:

- \*1120 Board of education meetings
- \*9121 Election and duties of president
- \*9323/9324 Agenda preparation/advance delivery of meetings materials
- \*9326 Minutes

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