

Bylaw

TIME, PLACE, NOTIFICATION OF MEETINGS

The Township of Union Board of Education shall adopt annually at its organization meeting a schedule of meetings for the ensuing year for the purpose of conducting the regular business of the board and enabling full discussion of issues by the board.

It is the policy of the board to announce in advance whenever practicable the date, time, and place of all regular and special meetings and the major topics to be discussed thereat. It shall be a duty of the board secretary to supervise the execution of this policy.

All meetings of the board where a quorum is present shall be open to the public with the exception of certain deliberative sessions which, under law, the board may conduct in closed session. The board shall hold one regular meeting once a month during the period in which the schools are in session. Meetings in July and August shall be held at the option of the board.

All regular meetings shall be called to commence not later than eight p.m. of the designated day but, if a quorum is not present at the time for which the meeting is called, the members present may recess the meeting to a time not later than nine p.m. of the same day and, if no quorum is present at that time, the members present may adjourn the meeting to commence not later than eight p.m. of another day, not more than seven days following the date for which the original meeting was called. No further recess or adjournment of the meeting shall be made.

All regular, special meetings and working sessions of the board shall be noticed at public meetings. The board often meets in special session, on notice, to consider personnel and/or student matters and other matters that may be held in non-public session. On such occasions, the board shall move into non-public session upon appropriate motion and vote. When special sessions are called and noticed by the board secretary, the notice may contain a statement that is anticipated that the meeting may not be open to the public if a public meeting is not proper.

Emergency meetings of the board may be called by order of the board, on call of the president, or whenever there shall be presented to the board secretary a petition signed by a majority of the members of the board of education requesting such meeting. Such emergency meetings must be called with as much written or verbal notice as possible to all members by the president or by the board secretary at the direction of the president. Notices of emergency meetings shall state the nature of the business to be transacted and no other business shall be transacted except such as has been stated in the notice of the meeting. Notice of such emergency meetings shall be given as required by law.

At the outset of each emergency meeting, the presiding officer shall poll the members present on the question of whether the board shall waive notice. On the affirmative vote of 3/4's of such members present, the presiding officer shall state:

- A. The reasons compelling the board to meet in emergency session and the nature of the substantial harm to the public interest if the board delays its meeting;
- B. Limitation of the board's discussion and action to the urgent matters for which the meeting was called;
- C. Manner in which notice was given; and that

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- D. Adequate notice could not have been given at the time the need for the meeting was foreseen or, if the need could have been foreseen in time to give adequate notice, the reasons why notice was not given.

At the outset of each meeting and after the statement above, the presiding officer shall entertain the objection, with supporting reasons, of any member to the conduct of the meeting on the grounds that it violates the Open Public Meetings Act. If such objection is offered, the presiding officer shall poll the members present on the question of overruling the objection. If 3/4's of the members present vote affirmatively, the meeting may proceed and the objecting member may participate in it.

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 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.

Announcement of Adequate Notice/Statement of Compliance

At the beginning of every meeting, the presiding officer or his/her designee 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 or his/her designee 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; and
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
- 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.

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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 study sessions, the notice requirement can be largely 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.

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.

Adopted: June 1999
 NJSBA Review/Update: April 2012
 Readopted: December 2014

Key Words

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

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