

BY-LAW

TIME, PLACE AND NOTIFICATION OF BOARD MEETINGS

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 presentation to the Board Secretary of a petition signed by a majority of full Board. All meetings of the Board shall commence no later than 8 p.m. All meetings of the Board shall end no later than 10:00 p.m. unless a two-thirds (2/3) vote of the members present at that meeting is taken to extend the meeting.

Executive Sessions

Pursuant to the Open Public Meetings Act, the Board may conduct a portion of its meeting without the public being present by first adopting a resolution at a public meeting which states:

1. The general nature of the subject to be discussed; and
2. As precisely as possible, the time when the circumstances under which the discussion conducted in closed session can be disclosed to the public.

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 newspaper(s) designated by the Board because they have the greatest likelihood of informing the Board's public; and
- C. Filed with the clerk of the Township of Pennsville.

**TIME, PLACE AND NOTIFICATION
OF BOARD MEETINGS (cont.)**

File Code 9321

Emergency Meetings

Upon the affirmative vote or three-quarters of the members present, the Board may meet in the absence of adequate notice so long as:

1. The discussion and action is limited to specific and unforeseen or unforeseeable matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest; and
2. Notice is given as soon as possible after the call of the meeting in accordance with the provisions of law.

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; 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; and
- 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.

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.

TIME, PLACE AND NOTIFICATION OF BOARD MEETINGS (cont.)

File Code 9321

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.

Cancellation of Meetings

When circumstances are such as to prevent the attendance of a majority or all of Board members or to frustrate the purpose of the meeting, a meeting may be canceled by the Board Secretary at the request of the President. Notice of the cancellation shall be given, by expedient means, to all Board members, to the Superintendent or his/her designee, and, whenever possible, to the newspapers in which notice of Board meetings is regularly given. If possible, written notice of the cancellation shall also be posted at the place where the canceled meeting was scheduled to occur. Notice of the cancellation shall include the date, time, and place of the next scheduled meeting. Notice of the cancellation shall be read at the next following Board meeting and shall be duly recorded in the official minute book.

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.

Date: January 18, 1983

Reviewed/Revised: April 27, 2009

Reviewed/Revised: July 30, 2012

Legal References:

<u>N.J.S.A.</u> 10:4-6	Open Public Meetings Act
<u>N.J.S.A.</u> 10:4-9.1	Notice of public meeting through the Internet
<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