

OPEN MEETINGS ACT

Training for Academic Policy Committees

ASD CLERK

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Training for Academic Policy Committee

ASD Charter Schools

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D. Importance of open meetings policy to individual members:

[O]penness may inspire public officials to a higher quality of work. The public's watchful eye might promote a higher rate of attendance at meetings, improve planning of meetings, and encourage more thorough

officials. Moreover, openness leads to better informed decision making because open meetings generate public input and criticism.

B. Meeting Defined

1. Statutory definition: (AS 44.62.310(h)(2)(A))

- a matter upon which the body is empowered to act is considered by members collectively

2. Municipal Code defines: (AMC 1.25.005)

- Continued meeting
- Informal meeting
- Regular meeting
- Special meeting
- Work session

} Judicial construction:

- *Serial* deliberative discussions by four members, or a majority of the APC, whichever is less, outside a noticed and public meeting, will violate the OMA

C. The meetings of advisory boards and APC subcommittees are also covered by the Act.

- AS 44.62.310(h)(1) and (h)(2)(B)
- SB 48, amending (h)(2)(B), eff. 8/23/09

→ now requires the same number of members (more than three or a majority, whichever is less) for the gathering of an advisory group to constitute a “meeting”

D. Does the Act strictly prohibit all communications outside a public meeting?

No

1. Constituent communications are okay.
2. Informational communications between APC members are okay if not engaged in for deliberation, give and take, or commitments on votes.
3. Guidelines for Email Usage
 - email agenda items
 - email information (“for information only, do not respond”)
4. One on one discussions on matters coming before the APC for action do not violate the OMA but the number of members must be at least four.

IV EXECUTIVE DECISIONS

Drop-down Land and other assets

A II

confidential.

- Attorney/client communications that require confidentiality
4. Consideration of public records that are confidential by law.
- FERPA
 - Juvenile records
 - Personnel evaluations
5. Anchorage School Board Policy 333.96, Evaluation of Charter School Personnel
- Confidential matters

- Notice must include: date, time, and place
- May be given using print or broadcast media; and
- Must be posted at “principal office of the public entity”
- Municipal Code details greater specificity re notice requirements: AMC 1.25.015.0

VIII. QUESTIONS