

POSITIONS AND POLICIES ON EDUCATION

Public and Executive Sessions

FILE CODE

9322

Open Public Meetings Act

- A. **The NJSBA believes** that it should play an important role in educating board members regarding their obligations under the Open Public Meetings Act. *[Authority: DA 12/77-20; DA 11/98-SR]*
- B. **The NJSBA believes** that fines should be imposed for violations of the Open Public Meetings Act that involve gross negligence. *[Authority: BD 4/93]*
- C. **The NJSBA believes** that the Open Public Meetings Act should provide specific criteria for when minutes of a closed meeting must be released to the public. Criteria should recognize the need for confidentiality in certain actions and should not require release of minutes until the "need for confidentiality ceases" and should not set arbitrary time limits on the release of minutes. *[Authority: BD 4/93]*
- D. **The NJSBA believes** that where a public body is subject to a court order for failure to comply with the Open Public Meetings Act, the court should not appoint an overseer or order a rehearing of local actions voided, but rather, the public body should be required to report back to the court that voided its action, on what it has done to comply with the court's order. *[Authority: BD 4/93, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR]*

Cross References: 9126 Appointment of attorney
9321 Time, Place, Notification of Meetings
9325.4 Voting method

Key Words: open public meetings act