

# Open Meeting Law:

Balancing Government  
Transparency  
with Government Efficiency



*Commission on the Status of Persons with  
Disabilities 7-21-21*



# Certification

## CERTIFICATE OF RECEIPT OF OPEN MEETING LAW MATERIALS

I, \_\_\_\_\_, who qualified for the office of  
(Name)

\_\_\_\_\_, on \_\_\_\_\_, certify pursuant  
(Office) (Date)

to G.L. c. 30A, § 20(h), that I have received copies of the following Open Meeting Law materials:

- 1) the Open Meeting Law, G.L. c. 30A, §§ 18-25;
- 2) regulations promulgated by the Attorney General under G.L. c. 30A, § 25; and
- 3) educational materials promulgated by the Attorney General under G.L. c. 30A, § 19(b), explaining the Open Meeting Law and its application.

I have read and understand the requirements of the Open Meeting Law and the consequences of violating it. I further understand that the materials I have received may be revised or updated from time to time, and that I have a continuing obligation to implement any changes in the Open Meeting Law during my term of office.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name of Public Body)

\_\_\_\_\_  
(Date)

*Pursuant to G.L. c. 30A, § 20(h), an executed copy of this certificate shall be retained, according to the relevant records retention schedule, by the appointing authority, city or town clerk, or the executive director or other appropriate administrator of a state or regional body, or their designee.*

Members must sign certification within two weeks of receipt:

- Read and understand requirements of the law and consequences for violating it
- Educational Materials:
  - OML Guide Book
  - Last 5 Years of OML Determinations



# Open Meeting Law Basics

Notice of  
meetings must  
be posted

Meetings must  
be open to the  
public

Minutes must  
be kept

Complaint  
process



# Public Body

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## Definition

A multi-member board, commission, committee or sub-committee ... however created, elected, appointed or otherwise constituted, established to serve a public purpose ... subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

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## Subcommittees

Subcommittees are themselves public bodies, and must comply with all provisions of the Open Meeting Law

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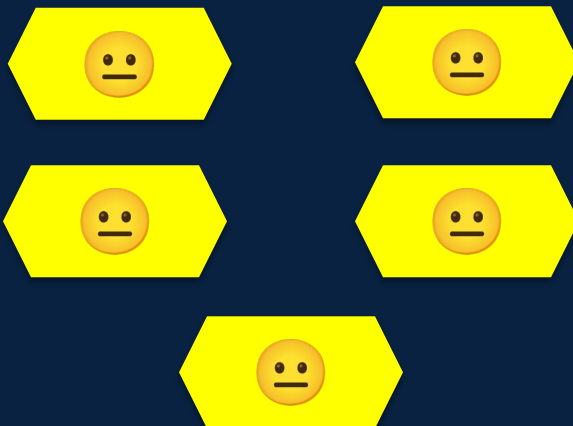


# Quorum and Deliberation

Quorum: a simple majority of the members of a public body, unless otherwise provided.

Deliberation: an oral or written communication through any medium, **including e-mail**, between or among a quorum of a public body on any public business within its jurisdiction.

“Deliberation” includes almost all communications, with limited exceptions for administrative matters such as scheduling meetings, and is not limited to decision-making or opinion communications.





# Deliberation

## Not deliberation:



- Agenda
- Scheduling



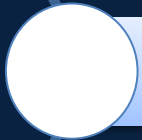
- Reports or documents



- Subquorum, but not subcommittee



# Meeting



Definition: Deliberation by public body with respect to any matter within the body's jurisdiction

## Includes:

- Regular board meetings
- Special meetings
- Retreats
- Workshops



# Accessibility

Adequate, alternative access: Ability to clearly follow the proceedings of the public body while they are occurring

Reasonable efforts to accommodate crowds

Accessible to the disabled

Americans with Disabilities Act, federal Rehabilitation Act of 1973, state constitutional provisions

The Attorney General's Civil Rights Division can assist -  
Contact the Civil Rights Division at (617) 963-2939



# Meeting Notices

*Mendon-Upton Regional School District*

**RECEIVED**  
By Lauren Ferrucci at 3:21 pm, Oct 28, 2015

**SCHOOL COMMITTEE MEETING AGENDA**  
Superintendent's Conference Room— Miscoe Hill Middle School  
November 2, 2015  
7:00 pm

**RECEIVED**  
By Mendon Town Clerk at 9:48 am, Nov 02, 2015

- 7:00 pm Call to Order  
Pledge of Allegiance
- 7:02 pm Approval of Agenda/Minutes
- Approval of Agenda
  - Approval of Open Session Minutes- October 19, 2015
- 7:05 pm Community Comments
- 7:20 pm Student Comments
- 7:25 pm Superintendent Comments
- Nipmuc 21<sup>st</sup> Century Learning Conference
  - Multihazard Emergency Planning Training of 10/21-22
  - FY16 Home Instruction Report
- 7:35 pm Subcommittee Updates
- Budget Subcommittee
  - Policy Subcommittee: First Reading of Revised Policy JKAA- Physical Restraint of Students & Policy EBC- Emergency Plans
- 7:40 pm Old Business
- School Committee Goals for 2015-16
- 7:45 pm New Business
- Spring 2015 MCAS Results
  - Approval of Miscoe Hill Middle School Improvement Plan- Principal Ann Meyer
- 8:10 pm Correspondence
- 8:12 pm Other matters not anticipated by the Committee within 48 hours of the posted meeting
- 8:13 pm Future Agenda Items
- MetroWest Adolescent Health Survey Results- November 16
  - Nipmuc AP & SAT Results- November 16
- 8:15 pm Roll call to executive session pursuant to (i) M.G.L. c 30A, Section 21(a), exemption #3, to discuss strategy with regard to collective bargaining with the Mendon-Upton Regional Teachers Association because doing so in open meeting would have a detrimental effect on the bargaining position of the Committee. (The Committee will not be returning to open session.)

The listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Also, the timeframe for each topic is a general guideline and may not be strictly adhered to.

[www.mursd.org](http://www.mursd.org)

Date of meeting

Time of meeting

Place of meeting

List of topics reasonably anticipated

Date and time of notice posting



# Resources

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## Attorney General's Open Meeting Law Website

<http://www.mass.gov/ago/openmeeting>

- Open Meeting Law: G.L. c. 30A, §§ 18-25
- Regulations: 940 CMR 29.00
- Guide
- FAQs
- Checklists
- Determination Letters



# Contact Information

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Office of Attorney General  
Division of Open Government  
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Boston, Massachusetts 02108  
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(617) 963-2540