



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Board Policy Statement

9320.00 - Freedom of Information Act Compliance

Approved on May 2, 2016

In order to ensure an open government and best practices in accordance with the Connecticut Freedom of Information Act, the Board of Education of the Consolidated School District of New Britain has adopted the following policy:

I. Notice of Meetings

- A. A schedule of the regular meetings of both the Board of Education and its committees shall be filed with the City Clerk no later than January 31st of each year. Furthermore, no meeting included in such a schedule may be held within 30 days of filing the annual schedule. The same schedule of meetings shall also be posted on the website for the School District at the same time that it is filed with the City Clerk.
- B. All regular meetings of the Board of Education and its committees shall be held at 272 Main Street, New Britain, CT, unless otherwise noticed on the annually filed schedule of meetings.
- C. A special meeting may be called with a minimum of 24 hours' notice. Any such notice must be filed with the City Clerk and posted on the School District's website no less than 24 hours before the scheduled time of the meeting. Notice for special meetings must include the following: 1) the time of the meeting, 2) the location of the meeting, 3) the purpose of the meeting or its agenda (see II. Posting of Agendas).
- D. The Board also reserves the right to call emergency meetings pursuant to Connecticut General Statutes § 1-225(d). However, the Board also recognizes the established position of the court and the Freedom of Information Commission, that justification for an emergency meeting is an extremely high standard to meet and should be used only in cases where 24-hour notice is not possible, and that a lack of foresight is not acceptable justification.
- E. Copies of the notice of any Board Meetings shall also be forwarded, via paper or electronic means, to: local newspapers with a daily circulation, representatives of all employee bargaining units, the Office of the Mayor, and the Common Council liaison(s) to the Board of Education.

II. Posting of Agendas

The agendas of all meetings of the Board of Education and its committees shall be posted no less than 24 hours prior to the meeting both in the Board of Education office and with the City Clerk. Furthermore, the Board of Education will, when possible, post the agendas of its meetings on their website no less than 24 hours prior to the meeting. If the agenda of a special meeting is not posted along with the notice of the meeting, then the notice of the meeting must include a description of the business to be conducted.

The Board, or any committee of the Board, may amend the agenda of any regular meeting to add items by a two-thirds vote of the present members. The Board may not amend the agenda of a special meeting or an emergency meeting.

III. Minutes of the Meetings

The Board of Education will make available the minutes of any meetings of the Board or of its committees within 72-hours of the conclusion of said meeting. Whenever possible this will be accomplished through posting the minutes on the Board's website.

The minutes of each meeting shall include the following minimum requirements: 1) members present at the meeting, 2) the time at which the meeting was convened and adjourned, 3) the text of any motions or resolutions voted on and a record of the vote of each member, 4) a general description of items on the agenda that were discussed, and 5) if any executive sessions were held, a statement of reason for the executive session(s) and a list of who attended the executives session(s), other than individuals attending a job interview.

Any additional information may be included in the minutes at the sole discretion of the Board and its committees.

The minutes of meetings should be approved at the next regular meeting of the Board or committee. If corrections are made before the minutes are approved the posted minutes will be updated to reflect all changes.

IV. Public Access

The right of the public to attend meetings of the Board and its committees shall not be obstructed. Both media and private individuals have the right to attend and record any meetings of the Board of Education or its committees. This does not preclude the Board from establishing rules or procedures regarding the recording designed to minimize disruption and ensure orderly meetings.

A. Unruly Meetings

One exception shall be in the case of an unruly meeting where one or more parties is creating such a disruption that is making it impossible for business to be conducted and order is unable to be restored, even by the removal of the disruptive parties. In this case the Board may order the room to be cleared by a two-thirds vote.

If the room is cleared and the meeting continues the Board must allow members of the media to remain. Additionally, it may only conduct business on the posted agenda as if it were a special meeting.

B. Executive Session

Executive sessions of the Board of Education, or its committees, shall also be closed to the public. An executive session may only be held by a two-thirds vote of the present and voting members of the Board or any committee at any properly convened public meeting. The purpose of the executive session shall be stated before the vote and must be one of the following purposes:

- a. Discussion concerning the appointment, employment, performance, evaluation, healthy, or dismissal of a public officer or employee, provided that such individual is granted the right to require the discussion be held in an open meeting if they so choose.
- b. Strategy and negotiations with respect to pending claims or pending litigation to which the school district, its employees (due to conduct as an employee), or Board of Education is a party.
- c. Matters concerning security strategy or the deployment of security personnel or devices affecting public safety.

- d. Discussion of the selection of a site or the lease, sale, or purchase of real estate by the board, when publicity regarding the real estate could cause the price to increase. This exception only applies prior to the final acquisition of the property.
- e. Discussion of any matter which would result in the disclosure of public records or information which is exempt from disclosure under subsection (b) of C.G.S. 1-210, commonly referred to as the Freedom of Information Act.

V. Public Access to Information

In efforts to comply with CGS §1-210, and in the wish to maintain an open and transparent access to all public records, the Board of Education enacts the following guidelines:

- A. An official request must contain the following information to be considered: 1) the name of the person, agency, group, or organization requesting the information, 2) a clear description of the exact information or nature of information being requested, 3) appropriate contact information including either email, postal address, or phone number.
- B. The Office of the Superintendent, in consultation with legal counsel when needed, shall determine if the information requested meets the description of “public information” pursuant to CGS §1-210, and whether any of the requested information is exempt under subsection (b) of the same statute.
- C. The Office of the Superintendent is responsible for responding, in writing, to all requests for public information with five working days when school is in session, and ten working days when school is not in session. This response should include whether or not there are any public records relative to the request, as well as an estimate of how long it will take for the district to compile the records and any associated cost. If the request is denied, the response should include a clear reason.
- D. All reasonable efforts should be made to supply the records in an electronic format, however, if they cannot be supplied electronically then the district may charge a reproduction cost of \$0.25 per page, not to exceed the estimated cost supplied with the original response to the request.
- E. If the original party is dissatisfied with the determination of the Superintendent, they may appeal the decision to the Board of Education. The Board of Education shall discuss and rule on the matter at their next regular meeting.

Legal References/Citations

Connecticut General Statutes §1-225(b)

CGS §1-230 states that each agency must establish, by ordinance or resolution, the place for holding their regular meetings.

CGS §1-225(d) - Re: Special meetings