



THE CHARTER HIGH SCHOOL FOR LAW AND SOCIAL JUSTICE

1960 UNIVERSITY AVENUE
BRONX, NY 10453
(T) 347-696-0042
(F) 718-744-2007

Open Meetings Law Policy

It is the policy of The Charter High School for Law and Social Justice (the “School”) to conduct meetings and provide notice of meetings pursuant to Article 7 of the New York Public Officers Law, known as the Open Meetings Law.

I. Open Meetings

- A. Pursuant to the Open Meetings Law, every meeting of the Board of Trustees of the School (the “Board”, and each member of the Board individually, a “Trustee”) must be open to the general public, subject to the exceptions described below. All action of the Board shall be taken only during such meetings, called, scheduled, and conducted according to its policies and the laws of the State of New York.
- B. For purposes of this policy, a “meeting” means any scheduled convening of the Board for the purpose of conducting School business at which a quorum of the Trustees shall be present. Such meetings also include scheduled convenings of committees and subcommittees of the Board for the purpose of conducting School business at which a quorum of the Trustees shall be present.
- C. Procedures
 1. The Board shall make or cause to be made all reasonable efforts to ensure that meetings are appropriately accessible to members of the public who wish to attend such meetings, including, but not limited to, by permitting barrier-free physical access to the physically handicapped, as defined in Section 50(5) of the New York Public Buildings Law, or by making meetings accessible to non-English speakers.
 2. The meetings shall take place at the School; provided that any Trustee may participate in such meetings via videoconferencing in accordance with the laws of the State of New York. In the event the Board uses videoconferencing to conduct a meeting, it shall provide an opportunity for the public to attend, listen and observe at any site at which a Trustee participates.
 3. Any meeting shall be open to being photographed, broadcast, webcast, or otherwise recorded and/or transmitted by audio or

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video means; provided that the Board may adopt rules, consistent with recommendations from the Committee on Open Government, reasonably governing the location of equipment and personnel used to photograph, broadcast, webcast, or otherwise record a meeting so as to conduct its proceedings in an orderly manner, and will post such rules conspicuously during meetings and provide written copies of such rules upon request to those in attendance.

4. Any document, proposed resolution, policy or amendment thereto of the School that otherwise would be subject to the New York Freedom of Information Law (“FOIL”) and that is scheduled to be discussed by the Board, or a committee or subcommittee thereof, at a meeting, shall be made available to the public, if requested (either before or during the meeting at which it will be discussed) and shall be posted on the School’s website prior to the meeting at which it will be discussed, in each case to the extent practicable as determined by the Board. The School shall be permitted to charge the same fees for making paper copies available (either before or at the meeting) as permitted in fulfilling a FOIL request.
5. The Board will offer a suitable time at open meetings for individuals to express themselves. Public participation is subject to the following:
 - a. The president of the Board is responsible for the orderly conduct of the meeting and shall rule on matters such as the time to be allotted for public discussion and the appropriate subjects to be discussed.
 - b. Subjects not addressed in the meeting, such as those not on the agenda, controversial, or omitted because of time, may be taken under consideration and addressed at a subsequent meeting.
 - c. The Board will not hear complaints against particular persons in a public session. Those complaints are to be addressed through proper administrative channels.
 - d. Those who wish to address statements or questions to the Board must give their name, contact information, organization they represent (if applicable), and the subject they wish to address, on a form provided at the door.
 - e. The presentation should be as brief as possible and be relevant to school matters. Obscene language, libelous statements, threats of violence, and statements advocating racial, religious, or other forms of prejudice are prohibited.

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D. Public Notice

1. The Board shall give adequate notice of all regular and special meetings to all the Trustees and to the general public.
2. Regular Meetings. Regular meetings are meetings held in the same place and at the same time on a consistent basis. The time, dates and place of regular meetings shall be established, to the extent possible, at the School's annual reorganization meeting. The School may provide a yearly schedule of regular meetings at the beginning of the year to the public without having to provide notice again every time an individual meeting time approaches, by providing an advisory to members of the media and posting such schedule conspicuously in one or more designated public places; provided that if such schedule changes, a new notification shall be provided in the same manner.
3. Special Meetings. Special meetings are meetings other than regular meetings. Any special meeting shall be scheduled at least a week in advance to the extent practicable. Notice of any such meeting shall include the time, date and place of such meeting.
 - a. If the Board schedules a meeting at least a week in advance, the School shall provide an advisory to members of the media. Notice must also be posted conspicuously in one or more designated public places not less than 72 hours prior to the meeting.
 - b. If the Board schedules a meeting less than a week in advance, the School shall, the extent practicable, provide an advisory to members of the media. Notice must also be posted conspicuously in one or more designated public places on a reasonable time frame prior to the meeting.
4. When the Board has the ability to do so, the schedule of regular meetings and any notice of a special meeting shall also be conspicuously posted on the School's website.
5. If a Trustee intends to participate in a meeting via videoconference, the public notice of the meeting will indicate that videoconferencing will be used, specify the location(s) for the meeting, and state that the public may attend at any of the locations.

II. Executive Sessions

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- A. The Board may conduct an executive session for the purposes enumerated in Section II.C of this policy only. As used in this policy, “executive session” means that portion of a meeting not open to the general public.
- B. Executive sessions must be conducted as part of an open meeting and may not be considered a separate meeting. The following steps must be taken in order to enter into an executive session:
1. A motion for an executive session must be made at an open meeting, specifically identifying the general area of the subjects to be considered or the subjects themselves; and
 2. The motion to conduct an executive session must be approved by a majority vote of the Board’s total membership.
- C. Matters that may be considered in executive session are:
1. matters that will imperil the public safety if discussed;
 2. any matter that may disclose the identity of a law enforcement officer or informant;
 3. information relating to the current or future investigation or prosecution and alleged criminal offense that would imperil effective law enforcement if disclosed;
 4. discussions regarding proposed, pending, or current litigation;
 5. collective negotiations pursuant to Article 14 of the New York Civil Service Law;
 6. the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation;
 7. the preparation, grading, or administration of examinations; and
 8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by the School, but only when publicity would substantially affect the value thereof.

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- D. The Board will not vote to appropriate public monies during an executive session.
- E. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

III. Exceptions to Open Meetings Law

- A. The Board, or any committee or subcommittee thereof, may hold closed meetings to discuss the following topics:
 - 1. Judicial or quasi-judicial proceedings (such as student disciplinary hearings and employee grievance hearings); and
 - 2. Any matter that is confidential under federal laws or the laws of the State of New York (such as the discussion of a student's individual handicapping conditions or academic records).
- B. No other School or public business may be discussed at closed meetings.

IV. Minutes

- A. Minutes shall be taken at all open meetings, which shall consist of a record or summary of all motions, proposals, resolutions, actions taken and any other matter formally voted upon and the vote thereon. Minutes of open meetings shall be made available to the public in accordance with FOIL within two (2) weeks from the date of the meeting.
- B. Minutes shall also be taken at executive sessions of any action that is taken by formal vote, which shall consist of a record or summary of the final determination of such action, and the date and vote thereon. Minutes of executive sessions at which any action is taken shall be made available to the public within one (1) week from the date of the executive session; provided, however, that such public disclosure need not include any portion of the minutes that are not required to be made public under FOIL.

V. Grievance Procedure

- A. Any aggrieved person has standing to enforce the provisions of the Open Meetings Law by initiating a proceeding pursuant to Article 78 of the New York Civil Practice Law and Rules. In any such proceeding, a court may, in its sole discretion and upon a showing of good cause, declare an action taken in violation of the Open Meetings Law void in whole or in part, without prejudice to reconsideration in compliance with the Open Meetings Law.

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