

PUBLIC ACCESS TO BOARD OF EDUCATION MEETINGS

It is the policy of the Berlin Central School District to facilitate meaningful public access to meetings of the Board and to provide an opportunity for public comment at those meetings.

The Board welcomes public attendance at all of its meetings and will provide an opportunity to members of the public to address the Board at each meeting.

Accordingly, to the extent possible, an opportunity for guests to speak will be included at the beginning and end of each regular Board meeting. Each such session shall be limited to a period of fifteen minutes. Members of the public, including residents and students of the District, employees of the District, and members of the business community are encouraged to speak on matters of concern to them.

Any person wishing to address the Board may be recognized by the chair of the meeting and shall state for the record her/his name and address, or, in the case of an employee or business representative, her/his affiliation and position. All comments shall be addressed to the chair and shall be limited to not more than three minutes, at the discretion of the Chair. Decisions of the chair concerning the recognition of individuals and rules of order are final.

While the Board does not wish to impinge upon free speech protections, it must be noted that the opportunity for guests to be heard is not intended to be a forum for every person to express an opinion on every or any matter. It is not the time to register complaints about individuals or items that have not first been addressed to appropriate staff and administrators. In addition, any remarks that might be considered defamatory or stigmatizing are prohibited, and will be declared out of order by the president or the chair of the meeting.

The Board also reserves the right to rule out of order, the discussion of matters that the Board deems to be more properly discussed in Executive Session under the Open Meetings Law. These matters include the following:

- I. Matters that will imperil the public safety if disclosed;
- II. Any matter that may disclose the identity of a law enforcement agent or informer;
- III. Information relating to current or future investigation of a criminal offense that would imperil effective law enforcement if disclosed;
- IV. Discussions about proposed, pending, or current litigation;
- V. Collective negotiations under Article 14 of the Civil Service Law (Taylor Law);

VI. The medical, financial, employment, or credit 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;

VII. The preparation, administration, or grading of examinations; and

VIII. Information relating to the proposed acquisition, sale, or lease of real property, or the proposed acquisition of securities, or sale or exchange of securities held by the District, when publicity would substantially affect the value thereof.

The Board shall, in its discretion and, when deemed necessary, upon the advice of counsel, determine whether a particular matter should be discussed in Executive Session, and at what time such discussion will be held.

References

Public Officers Law, Sec. 103

Matter of Martin, 32 EDR381 (1992)

Matter of Kramer, 72 State Dept Rep. 114(1951)