

## **FOIA GUIDELINES FOR SCHOOL BOARD ADVISORY COMMITTEES**

**Three or more advisory committee members discussing committee business constitutes a “meeting”, which triggers Freedom of Information Act requirements.** Whenever three or more advisory committee members get together (whether formally or informally, and whether in person or electronically) to decide upon or discuss the advisory committee’s work, Freedom of Information Act procedures must be observed.

### **Freedom of Information Act meeting requirements include the following:**

- **Written notice of meetings** must ordinarily be posted at least 3 working days before any advisory committee meeting. The notice must state the date, time and location of the meeting. Notice should be posted on a public bulletin board, in the staff liaison’s office, and on the web.
- **Open to the public:** All advisory committee meetings and work sessions should be public. The Freedom of Information Act has limited exemptions from this requirement, so consult with your staff liaison should questions arise.
- **Agendas & materials:** At least one copy of all agenda packets and materials furnished to members of the advisory committee for a meeting should be made available for inspection by the public at the same time.
- **Recording meetings:** Open meetings of advisory committees may be recorded by the public, provided that it does not interfere with the conduct of the meeting.
- **Public votes:** All decisions made by an advisory committee should be made by recorded public vote. Secret or written ballots are not permitted.
- **Minutes** should be recorded at all public advisory committee meetings. Those minutes should include the meeting date, location and attendees, and a summary of matters discussed and any votes taken. The minutes must be publicly available.

**Electronic Participation** Electronic participation in public meetings by advisory committee members is generally not allowed. However, a member may participate electronically for the lesser of two meetings a year or 25% of the committee meetings in the event of an "emergency or personal matter", but only if a quorum of the committee is physically assembled. Remote participation requires timely notice to the advisory committee chair and staff liaison so that appropriate arrangements can be made.

**Written communications:** All e-mail, notes, written communications or other documents concerning advisory committee business are subject to the Freedom of Information Act. This means that should a member of the public ask to review those documents and communications, advisory committee members are required to produce them for public inspection. Prior to being released, ACPS’ Custodian of Records reviews them to ensure that only those responsive to the request – with redactions should they be necessary – are released.