

KASC OPEN MEETINGS LAW BASICS

Kentucky's Open Meetings Law protects the right of the general public to know what public agencies are doing. It applies to councils and their committees.

A helpful video on the Open Meetings Law can be found here on the Kentucky Office of the Attorney General's website:
<http://www.youtube.com/watch?v=mZM3urygkbc&feature=youtu.be>

THE OPEN MEETINGS LAW APPLIES TO EVERY PUBLIC AGENCY, INCLUDING:

1. Bodies created pursuant to statute (councils and maybe committees)
2. Entities appointed by public agencies (definitely committees)
3. A variety of other types of entities

THE OPEN MEETINGS LAW APPLIES WHENEVER:

A majority is present.
Public business is discussed (even if no action taken).

REGULAR MEETINGS:

1. are held at dates and times on a regular meeting schedule
2. are listed on a regular meeting schedule that is "available to the public" (There are many ways to make the schedule available.)

SPECIAL MEETINGS:

1. are held at dates or times not on regular meeting schedule
2. are called by chairperson or majority
3. require a written notice that states date, time, place, and agenda (agenda cannot be added to during meeting)
4. require that the notice be:
 - sent to all members by fax, mail, email* or hand delivery 24 hours in advance
 - posted at your location and meeting location 24 hours in advance
 - sent to media by fax, mail, email* or hand delivery 24 hours in advance if they have asked to receive it

**To receive e-mail notification, a written request must be on file at the school.*

OPEN SESSION

1. Every part of every regular meeting and every special meeting must be open to the public.
2. An exception to an open meeting can occur for those parts when a closed session is allowed and properly called.
3. All council and committee decisions must be made in open session.

CLOSED SESSION

1. A closed session is allowed:
 - to discuss actual or potential litigation under KRS 61.810(1)(c)
 - to discuss appointment of individuals under KRS 61.810(1)(f)
 - to discuss the school's emergency plan under KRS 61.810(1)(k) and (m); KRS 61.878(1)(m); and KRS 158.162(2)
 - for other reasons that apply to other agencies but don't come up for councils
2. A closed session must be called by:
 - announcing a need for closed session and
 - providing general description of issue to be considered and
 - identifying statutory section that allows it and
 - obtaining a motion to go into closed session and
 - obtaining a majority vote.
3. During a closed session, the council or committee can discuss only the issue described.
4. The council or committee must return to open session before taking any action.

MINUTES

1. Must describe motion and outcome (description of discussion is optional)
2. Need to be approved (after any needed amendments) at next meeting
3. Must be available to public immediately after next meeting