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EDUCATIONAL
SERVICES COMMISSION
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Notice of Board Meetings

0162 NOTICE OF BOARD MEETINGS

The Board of Directors will give notice of all meetings in accordance with law.

Adequate Public Notice

The Board Secretary shall provide written advance notice of at least forty-eight hours, giving the time, date, location and, to the extent known, the agenda of any regular, special, or rescheduled meeting, which notice shall accurately state whether formal action may or may not be taken and which shall be prominently posted in at least one public place reserved for such or similar announcements; mailed, telephoned, telegraphed, or hand delivered to at least two newspapers which newspapers shall be designated by the public body to receive such notices because they have the greatest likelihood of informing the public within the area of jurisdiction of the public body of such meetings, one of which shall be the official newspaper, where any such has been designated by the public body or if the public body has failed to so designate, where any has been designated by the governing body of the political subdivision whose geographic boundaries are coextensive with that of the public body; and filed with the clerk of the municipality when the public body's geographic boundaries are coextensive with that of a single municipality, with the clerk of the county when the public body's geographic boundaries are coextensive with that of a single county, and with the Secretary of State if the public body has Statewide jurisdiction. Where annual notice or revisions thereof in compliance with N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act, set forth the location of any meeting, no further notice shall be required for such meeting.

~~The Board Secretary shall notify, in writing and no later than forty eight hours in advance of the meeting, each Board member and each person who has duly requested such notification of the time, date, location, and, to the extent it is known, the agenda of any regular, special, or rescheduled meeting. Forty eight hour notice shall also be posted in the Offices of Union County Educational Services Commission, delivered to two newspapers designated by the Board, and filed with the County Superintendent of Union County, except that forty eight hour notice is not required where the time, date, and location of the meeting has been published in the annual list of meetings approved by the Board in accordance with law.~~

In accordance with N.J.S.A. 10:4-9, uUpon the affirmative vote of three-quarters of the members present, the Board may **hold a meeting meet notwithstanding the failure to provide adequate notice if:**

1. **Such meeting is required in order to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; and**

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2. The meeting is limited to discussion of and acting with respect to such matters of urgency and importance; and
3. Notice of such meeting is provided as soon as possible following the calling of such meeting by posting written notice of the same in the public place described in N.J.S.A. 10:4.8.d., and also by notifying the two newspapers described in N.J.S.A. 10:4.8.d. by telephone, telegram, or by delivering a written notice of same to such newspapers; and
4. Either the public body could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided or although the public body could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so.

~~in the absence of adequate notice, provided that discussion and action is limited to specific and unforeseen or unforeseeable matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest and that notice is given as soon as possible after the call of the meeting in accordance with the provisions of law and this bylaw.~~

Personal Notice of Meeting

~~The Board shall provide personal notice in writing to an adult pupil, the parent or legal guardian of a minor pupil, an employee or officer of this Commission, or a prospective employee whose privacy may be invaded or whose employment may be affected by the Board's deliberations in private session. Such personal notice will include the date and time of the private meeting, the subject or subjects scheduled for discussion at the private meeting, and the right of the individual given notice to request that the discussions be conducted at a public meeting. Personal notice will be given no less than forty eight hours in advance of the private meeting.~~

In accordance with the provisions of N.J.S.A. 10:4-12.b.(8), the Board may exclude the public from that portion of a meeting at which the Board discusses any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the Board, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting.

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The Board will provide notice to the affected person that ~~Such personal notice~~ will include the date and time of the **closed session** ~~private~~ meeting, the subject or subjects scheduled for discussion at the **closed session** ~~private~~ meeting, and the right of the **affected person** ~~individual~~ ~~given notice~~ to request that the discussions be conducted at a public meeting. **Such Personal** notice will be given no less than forty-eight hours in advance of the **closed session** ~~private~~ meeting.

A written request for public discussion must be ~~signed by the person making the request and must~~ be submitted to the Board Secretary prior to the commencement of the meeting. Any such properly submitted request will be granted. In the event that one or more, but fewer than all, of a group of persons whose employment will be discussed request a public meeting, the discussion regarding the person or persons who have submitted the request will be severed from the rest and will be conducted publicly.

A discussion held in public by reason of the written request of an individual will be conducted at a regularly scheduled meeting for which annual notice has been given or at a meeting for which adequate public notice has been given in accordance with law.

Nothing in this **B**ylaw will permit an employee to request or the Board to grant the public discussion of tenure charges or permit the public disclosure of information regarding a ~~disabled~~ student.

N.J.S.A. 10:4-6 et seq.; 10:4-8~~d~~; 10:4-9~~b~~
N.J.S.A. 18A:6-11; 18A:10-6
N.J.A.C. 6A:32-3.1

Adopted: 2 September 1998

Revised: