



Frederick Community College Policy

Section 1.00 Board of Trustees - Bylaws	Policy Number	1.19
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Board of Trustees Open Meetings Act Policy	Procedure Number	None
	Assigned to	Board
	Board Approved	01/15/14

- A. The Maryland Open Meetings Act, also known as the Sunshine Law, provides that, as a matter of policy, “except in special and appropriate circumstances, public business [should] be performed in an open and public manner citizens [should] be allowed to observe the performance of public officials and the deliberations and decisions that the making of public policy involves.”
- B. To insure that the Board of Trustees conducts its business in an open and public manner, the following guidelines for conduct of meetings have been established:
1. The Board of Trustees shall ensure that reasonable notice of all Board meetings is posted on the college’s public website and local news media outlets are notified by email. The meeting notice shall be in writing, shall include the date, time and place of the meeting, and if appropriate, include a statement that a part or all of a meeting may be conducted in closed session. The Board shall keep copies of such notices for one (1) year after the date of the meeting.
 2. The Board of Trustees, including all committees created by the Board of Trustees, shall maintain written minutes of meetings. These meetings must reflect the items considered and all recommendations made, as well as any recorded vote taken. Minutes shall be maintained in the Office of the President or designee and shall be kept for at least one (1) year after the date of the meeting.
 3. Closed meetings are permitted only in accordance with the Maryland Open Meetings Act. Before the Board of Trustees or any of its committees conducts a closed meeting, the presiding officer of same shall conduct a recorded vote on the closing of the meeting, and make a written statement of the reason for closing the meeting, including a citation of the authority under Section 10-508 of the State Government Article of the Maryland annotated Code, and a listing of the topics to be discussed. The Board of Trustees shall keep a copy of the written statement required under the preceding sentence for at least one (1) year after the date of the meeting. If the Board of Trustees or any committee meets conducts a closed meeting, the written minutes for its next open meeting shall include a statement of the time, place, and purpose of the meeting; a record of the vote of each member as to closing the meeting; a citation of the authority for closing the meeting; and a listing of the topics of discussion, persons present, and each action taken during the session.
 4. The Board of Trustees and all committees created by the Board of Trustees, are required to have all meetings open when performing advisory or legislative functions.

Advisory function is defined as meaning “the study of a matter of public concern or the making of recommendations on the matter pursuant to a delegation of responsibility by law.” Committees are also required to have open meetings when performing a legislative or quasi-legislative function; however, no committee established by the Board of Trustees performs such functions and, therefore, a definition is not included.

5. Meeting minutes shall be prepared as soon as practicable and shall be open to public inspection during ordinary business hours.
6. Members of the general public have the right to attend the open meetings of public bodies; however, except in instances when the Board of Trustees expressly invites public testimony, comments, or other forms of public participation, or when public participation is otherwise authorized by law, no member of the public attending an open meeting may participate in the meeting.
7. A member of the public, including any representative of the news media, may record, photograph, videotape, broadcast, or televise the proceedings of the Board of Trustees at an open session by means of any device as long as these devices:
 - a. Is operated without excessively bright artificial light that disturbs members of the Board of Trustees or other persons attending the session; and
 - b. Does not create an excessive noise that disturbs members of the Board of Trustees or other persons attending the session.
8. The Board Chair may restrict the movement of a person who is using a recording device, camera, broadcasting or televising equipment if such restriction is necessary to maintain the orderly conduct of the session.
9. If in the judgment of the Board Chair a person's behavior is disruptive to the meeting, that person may be removed.
10. At all times, at least two (2) Trustees shall have completed the Maryland Open Meetings Act Training (the “Training”) conducted by the Maryland Attorney General's Office, and evidenced by a certificate of completion. All Trustees are encouraged to complete the Training no later than the end of their first year as a Trustee. Certificates of completion shall be maintained on file in the Office of the President.



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