PUBLIC’S RIGHT TO KNOW

The school board recognizes the right of the public to information concerning all of its actions, its policies, and the details of its educational and business operations. It is the practice of the board to utilize the advice and assistance of interested individuals and groups in the solution of its educational and financial problems.

Encouragement of active participation in educational policymaking, the board wishes to make it clear that in no way can it escape its responsibility as the official governing body responsible for a final decision on all matters of policy and educational programs. The board accepts the following basic principles that are essential to a good public relations program:

1. The board will transact all official business in open meetings which the press, the public, and school employees are welcome to attend, and at which time communications, both oral and written, will be received and considered.

2. The board will function as speedily and as efficiently as circumstances will permit, and always with due regard for the public interest.

3. Board members will familiarize themselves with the work of the school system in all major areas and thus shall bring to the schools the viewpoint of the community.

4. The board will make provision for recording proceedings of all meetings. Minutes of all board meetings shall be considered matters of public record.

5. The board will keep in mind that maintaining the confidence and respect of the community is of paramount importance to the success of the educational program of the district.

6. Any person who wishes copies of district documents accessible to the public by law shall be charged an amount equivalent to the cost to the district for materials and labor required in fulfilling the request.

7. Persons denied access to any district document shall have the right to appeal to the Superintendent of Schools. If not satisfied with the decision rendered by the Superintendent, he or she shall have the right to appeal the decision to the school board.
RIGHT TO KNOW

These are general guidelines, and specific cases where a question arises should be submitted to counsel prior to action.

1. Proceedings affected by the Right to Know Law (RSA 91-a:1 supp)
   A. The law applies to the transaction of any functions affecting any or all citizens of the state, and applies to the following public bodies:

   1. The General Court, including executive sessions of committees.
   2. Governor’s Councils
   3. Any board or commission of any state agency or authority.
   4. Any board, commission, agency or authority of any county, town municipal corporation, school district, or other political subdivision.

      (a) NOTE: It includes municipal committees, such as budget committees. (See Herron v. Northwood, 112 N.H. – 10/5/71)

      See also, Selkow v. Bean, 109 N.H. 247 (1968)

   B. The term “proceedings” applies to all meetings, hearing, or other transactions in which decisions or actions may be taken or information received that has a bearing on decisions or actions affecting any or all members of the public.

2. Notice Required (RSA 91-A:2 (supp)
   A. The time and place of each meeting or other proceeding must be posted in two public places (where citizenry is likely to see the notice) or printed in a newspaper of general circulation at least 24 hours (excluding Sundays and holidays) in advance of the meeting or other proceeding.
RIGHT TO KNOW IMPLEMENTATION

A. Open Meetings Except for:

1. Deliberation – no info presented except (2) below
2. Legal advice
3. Privileged matters

B. Executive sessions on privileged matters with info presented and decisions made in executive session if subject matter is:

1. Dismissal, promotion, compensation, discipline
2. Investigation of charges against employee unless employee requests open meeting
3. Hiring public employee
4. Possible defamation of person other than board
5. Strategy in negotiations for land, etc.

C. Decision reached in executive sessions made public at close of session unless release of information would:

1. Adversely affect reputation
2. Impair effectiveness of action taken.

D. Minutes must be kept to include names of those present, those who appeared before the board, description of subjects discussed and decisions reached. Such minutes must be made available within 72 hours.

E. 24 hour notice (not Sunday or holidays) posted in two public places or in newspaper of general circulation.

F. Public records open to inspection except for:

1. Invasion of privacy
2. Personal practices
3. Confidential information, e.g., welfare, medical or financial matters
4. Pupil records

By: Jay Boynton, Executive Secretary
NH School Boards Association

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