



**Strengthening Oklahoma's Safety Net,
One Community At A Time**

Board Bulletin

Volume 5, Number 4 • April 2007

A Closer Look at the Oklahoma Open Meeting Act

Following a period of government reform, the Oklahoma Open Meeting Act was enacted in 1959 to “encourage and facilitate an informed citizenry’s understanding of governmental processes and governmental problems.” Many revisions have occurred since that time to achieve full public access. The act is applicable to all ‘public bodies’ - municipalities, county commissions, school boards, state agencies. In 2005, Senate Bill 708 was enacted requiring community health centers (CHCs) to adhere to the Oklahoma Open Meeting Act.

Oklahoma Open Meeting Act

◆ **What is a Meeting?** - The Act defines the term ‘meeting’ as the “conducting of business of a public body by a majority of its members being personally together,” or when authorized by the Act, “together pursuant to a teleconference.” Boards must be careful not to invite criticism in attempting or appearing to attempt to skirt this definition- no informal gatherings, no electronic correspondence (e.g., email).

◆ **Notice and Agenda Requirements** - To adhere with the Open Meeting Act, CHCs must present **advance notice** of regularly scheduled meetings to the County Clerk in which the main office is located by December 15 for the following year. Multi-county CHCs are advised to present advance notices to all applicable County Clerks. A public body must also make available a listing of regularly scheduled meetings and related information on its website. **Regularly scheduled meeting public notices** must be posted in a location that is accessible and convenient to the public at least 24 hours before the meeting and include the date, time and location. Any change in the meeting date, time and location of regularly scheduled meetings requires written notice 10 days prior to the change. Agendas must be “worded in plain language, directly stating the purpose of a meeting.” All items of business to be transacted must be identified in the agenda.

◆ **During the Meeting** - Meetings must be held at places and time convenient to the public and the vote of each member must be publicly cast and recorded. Section 306 provides that “no informal gathering or any electronic or telephonic communications, except teleconference authorized by Section 307.1, among a majority of members of a public body shall be used to decide any action or take any vote on any matter.” **Teleconference** is defined in Section 304(7) as “Conference linked by interactive communication devices permitting both visual and auditory communication.” **Written minutes** must be kept and made available for public inspection. The minutes should be “an official summary of the proceedings” and contain the following: 1) The manner and time that notice was given of the meeting; 2) The members present and absent; 3) All matters considered by the public body; and 4) All actions taken by the public body. The minutes of an ‘emergency meeting’ must explain the nature of the emergency and the reasons for calling an emergency meeting. **“New business”** is “any matter not known about or which could not have been reasonably foreseen prior to the time of posting [of an agenda].” Meetings may be reconvened by the following procedures: 1) At the original meeting, the date, time and place of the continued or reconvened meeting must be announced; and 2) At the continued or reconvened meeting, only matters on the agenda of the previously scheduled meeting may be discussed. Any person attending may record but shall not interfere with the conduct of the meeting. **Executive sessions** are strictly limited to very specific purposes (see Section 307(B)). Proposed executive sessions must be noted on the agenda, authorized by a majority vote of a quorum of the members present with votes publicly cast and recorded. The agenda must identify the items of business and purposes of the executive session stating the specific provision of Section 307 that authorizes the executive session. Executive session minutes need not be disclosed to the public.

◆ **Penalties** - Anyone who wilfully violates the act and is convicted of that violation shall be punished by a fine up to \$500 and/or imprisonment in the county jail for up to one year.

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Funded by Health Resources and Services Administration (HRSA)/Bureau of Primary Health Care (BPHC).