

## **Madison Library “Right to Know” Policy**

**Basis in New Hampshire law:** RSA Chapter 91-A

**Underlying premise, RSA 91-A:1:** “Openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.”

**Policy:** The meetings of the Board of Trustees of the Madison Library are “public proceedings” under this law, affecting any or all citizens of the town of Madison and therefore the board must provide notification of and access to those meetings. Further, advance notice and access rules apply to the meeting of subcommittees or advisory committees.

**Definition of “meeting,” RSA 91-A:2:** “For the purpose of this chapter, a “meeting” means the convening of a quorum of the membership of a public body . . . for the purpose of discussing or acting upon a matter or matters over which the public body has supervision, control, jurisdiction, or advisory power.”

“Meeting” shall not include:

- a. “A chance, social, or other encounter not convened for the purpose of discussing or acting upon such matters shall not constitute a meeting if no decisions are made regarding such matters”;
- b. “Strategy or negotiations with respect to collective bargaining”;
- c. “Consultation with legal counsel”; or
- d. “Circulation of draft documents which, when finalized, are intended only to formalize decisions previously made in a meeting; provided, that nothing in this subparagraph shall be construed to alter or affect the application of any other section of RSA 91-A to such documents or related communications.”

**Procedures:**

- a. All Board of Trustee meetings shall be open to the public.
- b. There will be no secret ballots in open session.
- c. Proceedings may be recorded by any observer.
- d. Minutes of meetings shall be open to public inspection within 5 business days of the meeting; minutes of Board and subcommittees are permanent, public records.
- e. Except in an emergency, a notice of the time and place of each meeting shall be posted in three appropriate places or in a local newspaper at least 24 hours prior to the meeting, excluding Sundays and legal holidays.
- f. Nonpublic sessions may be entered only for:
  1. the dismissal, promotion or compensation of employees or the disciplining of an employee or the investigation of charges against an employee unless the employee requests that the meeting be open;
  2. the hiring of any person as a public employee;

3. discussing matters that would “affect adversely the reputation” of someone other than a Trustee, unless the person requests an open meeting;
  4. discussion of real or personal property acquisition or sale or lease;
  5. discussion of litigation against the board.
- g. Minutes of nonpublic sessions shall be kept and made available for public inspection within 72 hours unless 2/3 of the members present immediately vote to keep the matters private until a time at which public knowledge would no longer endanger the transaction or the person’s reputation.
- h. Citizens have the right to inspect public records and to copy them.
1. Records shall be maintained in the library or at the town offices;
  2. Records must be made available within 5 business days of request;
  3. If reproduction of the copies is necessary, a customary charge will be made;
  4. Confidential records such as performance evaluations of employees are excepted.

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Approved: November 17, 2010 by the Board of Trustees