



This primer is provided by associate professor [Joey Senat](#), Ph.D., OSU School of Media and Strategic Communications.

Open Meeting Primer **([Title 25, Sections 301-14](#))**

- "It is the public policy of the State of Oklahoma to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems."
 - **OKLA. STAT. tit. 25, § 302**

- Because the Open Meeting Act was "enacted for the public's benefit," the statute "is to be construed liberally in favor of the public."
 - **Oklahoma Supreme Court, 1981 OK 95, ¶ 7**

- "When in doubt, the members of any board, agency, authority or commission should follow the open-meeting policy of the State."
 - **Oklahoma Court of Civil Appeals, 1981 OK CIV APP 57**

- "A governmental body must operate with such openness that the citizenry is informed of its activities."
 - **2000 OK AG 7, ¶ 30**

- Meetings must be held at "specified times and places which are convenient to the public."
 - **OKLA. STAT. tit. 25, § 303**

- By Dec. 15, a schedule must be posted showing the date, time and place of regularly scheduled meetings for the following calendar year.
 - **OKLA. STAT. tit. 25, § 311(A)(1)**

- Any change in the date, time or place of a regularly scheduled meeting must be provided in writing no less than 10 days in advance.
 - **OKLA. STAT. tit. 25, § 311(A)(8)**

- Written notice of special meetings must be made at least 48 hours in advance and must be mailed or delivered to anyone who has filed a written request for such notices.
 - **OKLA. STAT. tit. 25, § 311(A)(11)**

- Agendas for regular and special meetings must be posted in a location accessible by the public "for at least a total of 24 hours prior to its meeting." (Weekends and state holidays do not count toward the required 24 hours.)
 - **1997 OK AG 98, ¶ 9**
 - **OKLA. STAT. tit. 25, § 311(A)(9)(11)**

- Agendas must "identify all items of business to be transacted" by the public body at the meeting. Agendas should be worded in "plain language, directly stating the purpose of the meeting, in order to give the public actual notice. The language used should be simple, direct and comprehensible to a person of ordinary education and intelligence."
 - **Oklahoma Court of Civil Appeals, 1981 OK CIV APP 56, ¶ 8**
 - **OKLA. STAT. tit. 25, § 311(B)(1)**

- Information packets distributed along with agendas to members of the public body are public records.
 - **Barry Denney, Delaware County district judge, ruling April 2004**

- Under "new business," public bodies may discuss only matters "not known about or that could not have been reasonably foreseen" prior to posting the agenda.
 - **OKLA. STAT. tit. 25, § 311(A)(9)**

- "New business" cannot be discussed at a special meeting because "only matters appearing on the posted agenda may be considered at said special meeting."
 - **OKLA. STAT. tit. 25, § 311(A)(9)**
 - **1981 OK AG 141, ¶ 4**

- Proposed executive session must be noted on the agenda with:
 - "Sufficient information for the public to ascertain that an executive session will be proposed,
 - Identify the items of business and purposes of the executive session," and
 - State the specific statutory authorization for the executive session.
 - **OKLA. STAT. tit. 25, §§ 307(E)(1), 311(B)(2)(a-c)**
- A majority of a quorum of the members present must vote in the public meeting to meet in executive session.
 - **OKLA. STAT. tit. 25, § 307(E)(2)**
- Generally, any vote or action taken on an item considered in executive session must be publicly cast and recorded.
 - **OKLA. STAT. tit. 25, § 307(E)(3)**
- Executive sessions may be conducted under "new business" if the subject has legitimately arisen since the agenda was posted and is one of the permitted topics. But the "new business" exception should "not to be used either as a subterfuge or as an excuse to violate the Act."
 - **1982 OK AG 114, ¶¶ 14-15**
- Public bodies may not meet confidentially with experts in an attempt to gain more knowledge about a subject.
 - **1982 OK AG 114, ¶ 212**
- Anyone attending a public meeting may record the meeting by "videotape, audiotape or by any other method" as long as the recording does "not interfere with the conduct of the meeting."
 - **OKLA. STAT. tit. 25, § 313**
- Minutes must be kept during meetings, including executive sessions.
 - **OKLA. STAT. tit. 25, §§ 312, 307(F)(1-2)**
- Minutes, excluding those for executive sessions, become public records open for inspection when they are created, even before the public body has approved them.
 - **Drew Edmondson, Okla. AG, The Oklahoman, March 13, 2005**

- One member of a public body may not meet individually with other members outside of a public meeting to obtain a consensus on an item of business.
 - **1981 OK AG 69, ¶ 17**

- Willfully violating the Open Meeting Act is a misdemeanor that carries a maximum punishment of a \$500 fine and one year in the county jail.
 - **OKLA. STAT. tit. 25, § 314(A)**

- As a penal statute, the Open Meeting Act must be strictly construed.
 - **State v Patton, 1992 OK CR 57, ¶ 3**

- Anyone may file a lawsuit asking a judge to declare that a public body violated the Open Meeting Act. If successful, the plaintiff "shall be entitled to reasonable attorney fees."
 - **OKLA. STAT. tit. 25, §§ 314(B)(1)(2)**