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OML Enforcement of Latest School Committee Violation Ineffectual

The Attorney General's office once again finds Carver officials in violation of the Open Meeting Law but refuses to order anything but future compliance. The Complaint, filed on June 13, 2011 took more than 13 months of bureaucratic inaction to achieve an ineffectual result.

In a ruling dated July 26, 2012 the AG found the School Committee "engaged in unlawful deliberation when a quorum of the Committee stepped out of the Board's meeting to discuss the proposed under ride with a member of the CBSC." They further determined that "the executive session itself violated the Open Meeting Law because there was no notice to the public that it would occur and that the Committee failed to comply with any of the required procedures for convening such a meeting." They further cited the Committee "took minutes of the executive session, the minutes were not sufficiently detailed because they did not identify the members present or absent, did not state with whom the Committee was negotiating and did not contain any detail about the contract proposal that was presented by the negotiating committee. Finally, the vote taken by the Committee in executive session was not recorded by roll call, as required"

The School Committee improperly characterized these violations as "procedural errors" that were not intentional but the result of the inexperience of Committee members. The Attorney General failed to enforce the laws requirement that elected officials "familiarize themselves with the law's requirements upon taking the oath of office" and further that they must certify "that they understand the consequences for violating it". Simply put elected officials must certify that they have read and understood the law. The citizens of Carver understand the requirements of the Open Meeting Law and expect compliance. The School Committee does not fool an informed citizenry with phony excuses for breaking the law. The Attorney General, in refusing to penalize the Committee for these blatant violations, proves that there are no consequences for violating the Open Meeting Law.

The IRS is effective at enforcing our tax laws because they send violators to jail. The Attorney General has made no progress in ending open meeting violations in Carver, proving slaps on the wrist and warnings are no substitute for stiff penalties for repeat offenders.

<http://www.fixcarver.com/Carver%20Public%20School.pdf>