

**When can I speak at a public meeting?**

Although many public bodies take public comment at their meetings, OMA does not require that. If a public comment period is held, however, OMA allows members of public bodies to respond to those comments, but they generally cannot vote on matters brought up in this manner if the topic did not appear on the meeting's agenda. Members of public bodies have no obligation to respond to your comments.

**Can I record a public meeting?**

Yes. OMA has been interpreted as allowing members of the public to record public meetings, as long the recording is not disruptive.

**What remedies are available for violations of OMA?**

A court can declare null and void any actions taken by a public body in violation of OMA. The Court can also issue orders preventing the public body from taking illegal actions, impose a civil fine and award a successful litigant his or her attorneys' fees.



**How can I file a complaint if I believe OMA has been violated?**

You have a few options. You can file a complaint with the Attorney General's office, which investigates allegations of open meetings violations. You can also contact the ACLU for assistance, or go directly to court. Any complaint must be filed with the Attorney General within 180 days from the date of public approval of the minutes of the meeting at which the alleged violation occurred or, if the meeting was improperly closed or announced, 180 days after the public action of the body revealing the alleged violation. Similar time limitations apply for court actions.

For over ninety years, the American Civil Liberties Union (ACLU) has been working in the courts, legislatures, and communities to defend and preserve the rights and liberties guaranteed to everyone in this country by the U.S. Constitution and laws.

Rhode Island residents who believe their rights have been violated are encouraged to report these concerns to:

ACLU of Rhode Island  
128 Dorrance Street, Suite 220  
Providence, RI 02903  
P: (401) 831-7171  
F: (401) 831-7175  
[www.riaclu.org](http://www.riaclu.org)

KNOW YOUR RIGHTS:

Open Meetings in Rhode Island

Frequently asked questions about the Open Meetings Act



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**What is the Open Meetings Act?**

The Open Meetings Act (OMA) is the Rhode Island state law that gives the public the right to be present for meetings of public bodies. The law provides standards for the holding of meetings, as well as for the advertising, conduct, and record-keeping of these meetings.

**Who is subject to OMA?**

All state and local government agencies, commissions and boards, and even libraries funded at least 25% by public monies, are deemed public bodies subject to the Open Meetings Act.

**Is a meeting subject to OMA even if no votes are taken?**

Yes. If a public body meets to discuss *or* act on a matter over which it has supervision, control, jurisdiction, or advisory power, the requirements of OMA apply.

**How can I get meeting minutes?**

Records of votes are available at the office of the public body within two weeks of the vote. Unofficial meeting minutes must be made available within 35 days of the meeting, or at the next scheduled meeting, whichever comes first. Minutes of most state agencies must also be electronically filed with the Secretary of State, and made available on the SOS website.

**How do I find out about a public meeting?**

All public bodies must give written notice of their meetings – including the date, time, and location, and an agenda of what will be discussed – at least 48 hours before the meeting. At a minimum, these notices must be posted on the Secretary of State’s website, and at the office or building where the meeting will be held. Many public bodies also post meeting notices on their own websites. You can also use the Secretary of State website to be automatically notified when meeting notices get filed by public bodies you wish to track.

**Can public bodies ever meet without posting an agenda?**

Public bodies can meet in emergency situations requiring immediate action. A meeting notice and agenda must be posted and filed with the Secretary of State as soon as practicable, and must include the reasons why the 48 hour rule could not be met.

**How detailed does an agenda have to be?**

OMA requires the agenda to “specif[y] the nature of the business to be discussed.” The R.I. Supreme Court has interpreted this to mean the agenda must provide reasonably specific notice to the public, so that agenda items that merely say, for example, “Old Business” or “Reports” are improper.

**Can a public body add items to the agenda at the meeting?**

Public bodies generally can add additional items to the agenda by majority vote. However, they cannot take action on these items except in emergencies or in order to refer the matter elsewhere. School committees have slightly less discretion to add agenda items.

**When can public bodies meet in private?**

Once convening in an open session, public bodies can vote to meet in private, called an executive session, for specific purposes, including, but not limited to:

- The job performance of an employee;
- Collective bargaining or litigation;
- Civil or criminal investigations into misconduct;
- Property acquisitions, and discussions of prospective businesses locating in Rhode Island or investment of public funds, if the premature disclosure of these discussions would have a detrimental impact; and
- School disciplinary hearings

Votes to go into executive session, including an explanation of the reason for the executive session, must be held publicly. In addition, in most instances, any votes taken in a closed session must be disclosed once the public body reconvenes in open session.