

Bond Case Briefs

Municipal Finance Law Since 1971

OPEN MEETINGS - MONTANA

Monitor v. Jefferson High School Dist. No. 1

Supreme Court of Montana - January 9, 2014 - P.3d - 2014 MT 5

Newspaper brought action against school district, seeking declaratory and injunctive relief and asserting that school district violated open meeting and public participation requirements. The District Court granted newspaper's motion for summary judgment. School district appealed.

The Supreme Court of Montana held that:

- Genuine issue of material fact as to whether meeting of school board's budget subcommittee was meeting of quorum of school board and as to whether board took action to eliminate candidates for vacant principal position precluded summary judgment, and
- Mere presence of fourth member of school board in room to observe budget subcommittee did not transform meeting into meeting of full school board.

Open-meeting statutes do not prohibit a member of a public body from observing a meeting of a sub-quorum subcommittee or even asking questions during the meeting, and doing so does not constitute the convening of a quorum.