

STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
TIERONE FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

**LESLIE S. DONLEY**  
ASSISTANT ATTORNEY GENERAL

July 9, 2010

Kevin Cooksley, President  
Broken Bow School Board  
323 North 7<sup>th</sup> Avenue  
Broken Bow, NE 68822

RE: *Open Meetings Inquiry*

Dear Mr. Cooksley:

We are writing in response to your correspondence dated May 28, 2010, in which you seek the Attorney General's opinion on an open meetings question involving the Broken Bow School Board (the "Board"). Specifically, you inquire as to whether the Board properly followed the Open Meetings Act with respect to an event held on April 26, 2010. You also wish to know, in the event the Board's actions were not appropriate, what it should have done, and what the Board should do in the future should the same circumstances arise.

By statute, this office is authorized to provide opinions and other legal information to state officers, state agencies and members of the Nebraska Legislature. We are not authorized to provide legal opinions or legal advice to governmental subdivisions in Nebraska, and we do not do so. School boards are governmental subdivisions. As a result, we are unable to advise you on the specific questions you have raised. Moreover, we understand that the Board is already represented by legal counsel—John Recknor.

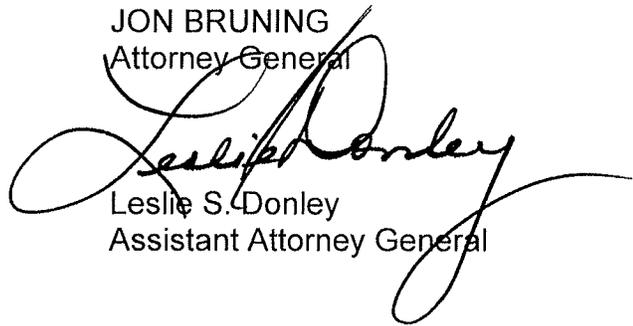
Having said that, we have briefly looked at your issue. We believe the better course of action would have been to wait until the end of the "public meeting" before adjourning the Board meeting. However, we would suggest that you address this

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matter with your legal counsel. Accordingly, we are sending a copy of this letter to Mr. Recknor, who can advise you as to the proper application of the Open Meetings Act.

Sincerely,

JON BRUNING  
Attorney General

A handwritten signature in black ink, appearing to read "Leslie S. Donley", written over the typed name and title of the Assistant Attorney General.

Leslie S. Donley  
Assistant Attorney General

cc: John Recknor

49-502-30