

LODI UNIFIED SCHOOL DISTRICT

Bylaw 9324

Bylaws of the Board

Minutes and Recordings

The Board recognized that maintaining accurate minutes of Board meetings helps foster public trust in Board governance and provides a record of Board actions for use by district staff and the public.

The secretary of the Board of Education shall keep minutes and record all official Board actions. The Board's minutes shall be public records and shall be made available to the public upon request. ~~Copies of the minutes of each regular or special meeting shall be distributed to all Board members.~~

The minutes of Board meetings shall include, but not be limited to:

1. A notation of which Board members are present, in person or by teleconference, and whether a member is not present for part of the meeting due to late arrival and/or early departure
2. A brief summary of the Board's discussion on each agenda topic, rather than a verbatim record of each Board member's specific points of view during the discussion
3. A summary of the public comments made on agendized items and unagendized topics, as needed
4. The specific language of each motion and the names of the Board members who made and seconded the motion
5. Preferential votes cast by student Board member(s)
6. Any action taken by the Board, and the vote or abstention on that action of each Board member present
7. Motions or resolutions shall be recorded as having passed or failed.

Upon request by a student's parent/guardian, or by the student if age 18 or older, the minutes shall not include the student's or parent/guardian's address, telephone number, date of birth, or email address, or the student's name or other directory information as defined in Education Code 49061. The request to exclude such information shall be made in writing to the secretary or clerk of the Board.

The Board agenda shall include a statement of the option and process for students and parents/guardians to request that such information be excluded from the minutes.

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the Board, the minutes shall be signed by the Board President and Clerk. The Vice President may sign when either the President or Clerk are unavailable for signature.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law. ~~Official Board minutes and recordings shall be stored in a fire-proof location.~~

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records.

~~In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.~~

~~The minutes shall include the specific language of each motion, the names of members who made the motion, and the individual votes of each member, unless the action was unanimous. Motions or resolutions shall be recorded as having passed or failed.~~

All Board resolutions shall be numbered consecutively from the beginning of each ~~fiscal~~ calendar year.

Recording or Broadcasting of Meetings

~~A~~ The district may tape, film, stream, or broadcast ~~may be made at~~ any open Board meeting. The presiding officer shall announce that a recording is being made at the beginning of the meeting and that the recording or broadcast may capture images and sounds of those attending the meeting. As practicable, the recorder or camera shall be placed in plain view of meeting participants.

Recordings made during regular or special Board meetings are public records. ~~They shall be kept for at least~~ Any district recording may be erased or destroyed 30 days ~~after the meeting~~ and, upon request, shall be made available for inspection by members of the public on a district ~~recorder~~ equipment without charge.

Legal References: STATE REFERENCES

5 CCR 16020-16027 Destruction of records of school districts

EDUCATION CODE

35012 Board members; number, election and terms

35145 Public meetings

35163 Official actions, minutes and journals

35164 ~~Vote requirements~~ Actions by majority vote

49061 Definitions; directory information

49073.2 Privacy of student and parent/guardian personal information; minutes of board meeting

PENAL CODE

632 ~~Unlawful to intentionally record a confidential communication without consent of all parties to the communication~~ Eavesdropping on or recording confidential communications

GOVERNMENT CODE

54952.2 Meeting; defined

54953 Meetings to be open and public; attendance

54953.6 Broadcasting of proceedings

54957.2 Closed sessions; clerk; minute book

54953.5 ~~Right to record proceedings; conditions; tape or film records made by or under direction of local agencies~~ Audio or video recording of proceedings

54960 Violations and remedies

Bylaw

adopted: 11/02/76

revised: 02/18/97

revised: 05/19/09

revised: 02/07/12 Technical Revision