

Santa Barbara Unified School District

Board Bylaw

BB 9324

Board Bylaws

MINUTES AND RECORDINGS

The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public. Accurate minutes also help foster public trust that Board actions are occurring in public in accordance with law.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9323 - Meeting Conduct)

The secretary of the Board 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. (Education Code 35145, 35163)

(cf. 1340 - Access to District Records)

(cf. 9323.2 - Actions by the Board)

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 and seconded the motion, and the individual votes of each member, unless the action was unanimous. When a roll call vote is taken, the names and votes of each member shall be listed. Motions or resolutions shall be recorded as having passed or failed. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.

The minutes shall record which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

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

(cf. 3580 - District Records)

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. (Government Code 54957.2)

(cf. 9321.1 - Closed Session Actions and Reports)

Recording or Broadcasting of Meetings

The district may tape, film, or broadcast any open Board meeting. The recorder or camera shall be placed in plain view of meeting participants.

Any district recording may be erased or destroyed 30 days after the meeting. Recordings made during a meeting are public records and, upon request, shall be made available for inspection by members of the public on a district recorder without charge. (Government Code 54953.5)

Legal Reference:

EDUCATION CODE

- 35145 *Public meetings*
- 35163 *Official actions, minutes and journals*
- 35164 *Vote requirements*

GOVERNMENT CODE

- 54952.2 *Meeting defined*
- 54953.5 *Audio or video recording of proceedings*
- 54953.6 *Broadcasting of proceedings*
- 54957.2 *Closed sessions; clerk; minute book*
- 54960 *Violations and remedies*

PENAL CODE

- 632 *Unlawful to intentionally record a confidential communication without consent*

CODE OF REGULATIONS, TITLE 5

- 16020-16027 *Classification and retention of records*

Management Resources:

CSBA PUBLICATIONS

- The Brown Act: School Boards and Open Meeting Laws, rev. 2007*
- Guide to Effective Meetings, rev. 2007*
- Maximizing School Board Leadership: Boardmanship, 1996*

WEB SITES

- CSBA: <http://www.csba.org>

SANTA BARBARA UNIFIED SCHOOL DISTRICT
Santa Barbara, CA May 23, 2006; July 13, 2010