



Adopted: August 21, 1996

EMID 6067 Board Policy 204

Revised: February 18, 2004; November 18, 2009; April 15, 2015

204 EMID BOARD MEETING MINUTES

I. PURPOSE

The purpose of this policy is to establish procedures relating to the maintenance of records of the Board and the publication of its official proceedings.

II. GENERAL STATEMENT OF POLICY

It is the policy of EMID to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.

III. MAINTENANCE OF MINUTES AND RECORDS

A. The clerk or designee shall keep and maintain permanent records of the Board, including minutes of Board meetings and other required Board records. All votes taken at meetings open to the public pursuant to the Minnesota Open Meeting Law shall be recorded in a journal kept for that purpose. Public records maintained by the district shall be available for inspection by members of the public during the regular business hours of the district. Minutes of meetings shall be available for inspection at the administrative office of EMID after they have been prepared. Minutes of a Board meeting shall be modified as necessary and approved by the Board at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.

B. Recording of Closed Meetings

1. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the district. Recordings of closed meetings shall be made separately from the recordings of the open meeting, to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.
2. Recordings of closed meetings shall be preserved by the district for the following time periods:
 - a. Meetings closed to discuss security matters shall be preserved for at least four (4) years,



- b. Meetings closed to discuss the purchase or sale of property shall be preserved for at least eight (8) years after the date of the meeting,
 - c. All other closed meetings shall be preserved by the district for at least three (3) years after the date of the meeting,
 - d. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in the district's Records Retention Schedule,
3. Recordings of closed meetings shall be classified by the district as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:
 - a. Recordings of meeting related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the district has abandoned the purchase or sale.
 - b. Recordings of any other closed meetings shall be classified and/or released as required by court order.
4. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the district, with the exception of recordings that have been classified as public data as set forth in Section III.B.3 above. Recordings of closed meetings classified as non-profit data also shall be maintained in a secure location, separate from recordings classified as public data.
5. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:
 - a. The date of the closed meeting;
 - b. The basis upon which the meeting was closed (i.e.: purchase or sale of real property, educational data, etc.); and
 - c. The classification of the data.
6. Recordings of closed meetings related to the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section III.B.3. above.

IV. PUBLICATION OF OFFICIAL PROCEEDINGS

- A. The Board shall cause its official proceedings to be published once in the official newspaper of the district within thirty days (30) of the meeting at which the proceedings occurred however, if the board conducts regular meetings not more



than once every thirty (30) days, the board need not publish the minutes until ten (10) days after they have been approved by the board.

- B. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the Board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the Board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the Board, the proceedings to be published may reflect that fact.

- C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the Board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the EMID administrative office and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the district or by means of standard or electronic mail.

Legal references:

Minn. Stat. § 123B.09, Subd. 10 (Publishing of Proceedings)
Minn. Stat. § 123B.14, Subd. 7 (Record of Meetings)
Minn. Stat. § 331A.01 (Definition)
Minn. Stat. § 331A.05, Subd. 8 (Notice Regarding Published Summaries)
Minn. Stat. § 331A.08, Subd. 3 (Publication of Proceedings)
Minn. Stat. § 13D.01, Subd 4-6 (Open Meeting Law)
Op. Atty. Gen. 161-a-20, December 17, 1970;
Ketterer v. Independent School District No. 1, 248 Minn. 212, 79 N.W. 2d 428 (1956).

Cross reference:

EMID Policy 205 (Open Meetings and Closed Meetings)
MSBA Service Manual, *Chapter 1*, School District Governance, Powers and Duties