

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 23, 2012

TO: **BOARD OF EDUCATION**

FROM: S. Dallas Dance, Superintendent

SUBJECT: **REPORT ON THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8330, MINUTES**

ORIGINATOR: Margaret-Ann F. Howie, Esq., General Counsel

RESOURCE PERSON(S): Patricia S. Clark, Policy and Compliance Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes to Policy 8330.
This is the first reading.

Attachment I – Policy Analysis
Attachment II – Policy 8330

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 8330
MINUTES**

Statement of Issues or Questions Addressed

In accordance with Policy and Rule 8130, Policy 8330 is scheduled for review in school year 2011-2012. Policy 8330 outlines the minimum requirements for the contents of minutes of Board meetings. Policy 8330 has been edited to: (1) include a policy statement; (2) include a retention schedule for Board minutes and audiotapes; (3) conform with the Policy Review Committee's editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 8320, *Final Action by the Board*
2. Board of Education Policy 8340, *Appeal before the Board of Education*

Legal Requirements

1. *Annotated Code of Maryland*, State Government Article §10-509, *Minutes; Tape Recordings*
2. *Annotated Code of Maryland*, State Government Article §§10-611 to 10-630, *Access to Public Records (Maryland Public Information Act)*
3. COMAR 13A.02.01.02, *Records and Reports*

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy BCF, *Board Meeting Minutes*
2. Harford County Board of Education, Policy 22-0011-000, *Minutes for Meetings*
3. Prince George's County Board of Education, Bylaw 9360, *Meetings of the Board*
4. St. Mary's County Board of Education, Policy BEDG, *Minutes*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – October 23, 2012

Public comment – November 7, 2012

Third reading/vote – December 4, 2012

INTERNAL BOARD POLICIES: Operations

Minutes

I. POLICY STATEMENT

- A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) SHALL HAVE WRITTEN MINUTES OF ITS PUBLIC MEETINGS PREPARED AS SOON AS PRACTICABLE AFTER EACH MEETING.

II. RECORDS OF MEETINGS

- A. The minutes of OPEN [the] meetings [of the Board of Education] shall, AT MINIMUM, include THE FOLLOWING INFORMATION:
 - 1. The date and place of meeting;
 - 2. The call to order stating time, person presiding, and his or her office;
 - 3. [3.] The record of the roll call of Board members;]
 - 3. [4.] A notation of the presence OF BOARD MEMBERS [or absence of the Superintendent; notation of other staff members present];
 - 4. [5.] A record of any corrections of the minutes of the previous meeting and the action approving them;
 - 5. [6.] A record of all BUSINESS ITEMS [communications] presented to the Board;
 - [7. A record of the hearing of all petitions of citizens;]
 - 6. [8.] A record of any reports of Board members or staff members;
 - 7. [9.] A record of each motion placed before the Board, including the member making the motion and member seconding, if required;
 - 8. EACH ITEM THAT THE BOARD CONSIDERED AND ACTION TAKEN, IF APPLICABLE; AND
 - 9. A RECORD OF THE VOTE COUNT AND THE BOARD MEMBERS WHO OPPOSE OR ABSTAIN.
- B. WHEN APPROVED, MINUTES SERVE AS THE LEGAL RECORD OF OFFICIAL BOARD ACTIONS. ALL REPORTS REQUIRING BOARD ACTION, RESOLUTIONS, AGREEMENTS, AND OTHER WRITTEN DOCUMENTS WILL BE MADE A PART OF THE MINUTES BY REFERENCE.

- C. THE SECRETARY-TREASURER SHALL BE THE OFFICIAL CUSTODIAN OF MINUTES FOR ALL BOARD MEETINGS.

[The minutes shall be permanently filed and indexed for reference purposes in the office of the secretary-treasurer.

All reports requiring Board action, resolutions, agreements, and other written documents may be made a part of the minutes by reference, and if so, shall be placed in the school system file as a permanent record.]

III. RETENTION

EFFECTIVE THE 2012-2013 SCHOOL YEAR, THE FOLLOWING RETENTION SCHEDULE SHALL BE INSTITUTED:

- A. THE ORIGINAL MINUTES OF EACH SESSION OF THE BOARD WILL BE RETAINED FOR A PERIOD OF FIVE (5) YEARS AND THEN BE DESTROYED IN ACCORDANCE WITH THE SCHOOL SYSTEM'S RECORD RETENTION SCHEDULE.
- B. AUDIOTAPES OF PUBLIC MEETINGS OF THE BOARD WILL BE RETAINED FOR A PERIOD OF FIVE (5) YEARS AND THEN DESTROYED IN ACCORDANCE WITH THE SCHOOL SYSTEM'S RECORD RETENTION SCHEDULE.
- C. DIGITAL COPIES OF THE BOARD'S APPROVED MINUTES SHALL BE MAINTAINED PERMANENTLY AND MADE AVAILABLE SOLELY ON THE SCHOOL SYSTEM'S WEBSITE.

Legal ReferenceS: *ANNOTATED CODE OF MARYLAND*, STATE GOVERNMENT ARTICLE §10-509, *MINUTES; TAPE RECORDINGS*
ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT ARTICLE §§10-611 TO 10-630, *ACCESS TO PUBLIC RECORDS (MARYLAND PUBLIC INFORMATION ACT)*
COMAR 13A.02.01.02[A], *RECORDS AND REPORTS*
[COMAR 13A.02.01.02B]

RELATED POLICIES: BOARD OF EDUCATION POLICY 8320, *FINAL ACTION BY THE BOARD*
BOARD OF EDUCATION POLICY 8340, *APPEAL BEFORE THE BOARD OF EDUCATION*

RELATED RULE: SUPERINTENDENT'S RULE 2373, *PUBLIC INFORMATION ACT REQUESTS: SCHEDULE OF FEES*

Policy
Adopted: 04/13/72
Revised: 07/10/07
REVISED: _____

Board of Education of Baltimore County