

# MATH AND SCIENCE ACADEMY

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## **204 BOARD OF DIRECTORS MEETING MINUTES**

### **I. PURPOSE**

The purpose of this policy is to establish procedures relating to the maintenance of records of the Math and Science Academy's Board of Directors (BOD) and the publication of its official proceedings.

### **II. GENERAL STATEMENT OF POLICY**

It is the policy of the Math and Science Academy (MSA) 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. Records of the BOD and Meeting Minutes**

The BOD secretary must keep and maintain permanent records of the BOD, including records of the minutes of regular BOD meetings and other required records of the BOD.

All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law must be recorded in a journal kept for that purpose. [For purposes of this policy, MSA's journal will be the minutes of the BOD meetings].

Public records maintained by MSA must be available for inspection by members of the public during the regular business hours of the Math and Science Academy (MSA). Minutes of meetings shall be available for inspection at the administrative offices of MSA after they have been prepared.

Minutes of a BOD meeting shall be approved or modified by the BOD at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.

**B. Recordings of Closed Meetings**

1. All closed meetings of the BOD, except those closed as permitted by the attorney- client privilege, must be electronically recorded at MSA's expense. Recordings of closed meetings shall be made separately from the recordings of an 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 MSA for the following time periods:
  - a. Meetings closed to discuss labor negotiations strategy shall be preserved for two (2) years after the contract is signed.
  - b. Meetings closed to discuss security matters shall be preserved for at least four (4) years.
  - c. 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.
  - d. All other closed meetings shall be preserved by MSA for at least three (3) years after the date of the meeting.
  - e. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in MSA's Records Retention Schedule.
3. Recordings of closed meetings shall be classified by MSA as public data that is not accessible by the public or any subject of the data, with the following exceptions:
  - a. Recordings of labor negotiations strategy meetings shall be classified as public data and made available to the public after all labor contracts are signed by MSA for the current budget period.
  - b. Recordings of meetings 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 MSA has abandoned the purchase or sale.

- c. 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 MSA, with the exception of recordings that have been classified as public data as set forth in Section III.B.3. Recordings of closed meetings classified as non-public data also shall be maintained in a secure BOD only file cabinet, separate from recordings classified as public data. The BOD Chair and Secretary should both have access to the cabinet.
- 5. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recording 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.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and
  - c. The classification of the data.
  - d. Each recording shall also be labeled with a list of the current members of that closed meeting, who may have access to that recording.
  - e. If a BOD member on that list want to listen to the recording, they may do so in the presence of the BOD Chair or Secretary, in a secure location, on the MSA campus. They must complete the form on the front of the recording to maintain the security of these recordings.
- 6. Recordings of closed meetings related to labor negotiations strategy and 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.

#### **IV. PUBLICATION OF OFFICIAL PROCEEDINGS**

- A. The BOD shall cause its official proceedings to be published once in the official website of MSA within thirty (30) days of the meeting at which the

proceedings occurred; however, if the BOD conducts regular meetings not more than once every thirty (30) days, the BOD need not publish the minutes until ten (10) days after they have been approved by the BOD.

- 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 BOD at any regular or special meeting, and at a 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 the resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the BOD may include more detail than is required to be published with the official minutes. If the minutes have not yet been approved by the BOD, the minutes to be published may reflect that fact.
  
- C. The proceedings to be published may be a summary of the essential elements of the meetings, and/or of resolutions and other official actions of the BOD. 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 administrative offices of MSA and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of MSA or by means of standard or electronic mail.

**Legal References:** Minn. Stat. § 13D.01, Subds. 4-6 (Open Meeting Law)  
Minn. Stat. § 123B.09, Subd. 10 (Publishing 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)  
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 References:** MSA Policy 205 (Open Meetings and Closed Meetings)