

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** December 4, 2012

**TO:** **BOARD OF EDUCATION**

**FROM:** S. Dallas Dance, Superintendent

**SUBJECT:** **CONSIDERATION OF 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 approves the proposed changes to Policy 8330.  
This is the third reading.

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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. [The record of the roll call of Board members;]
  - 4. [4.] A notation of the presence OF BOARD MEMBERS [or absence of the Superintendent; notation of other staff members present];
  - 5. [5.] A record of any corrections of the minutes of the previous meeting and the action approving them;
  - 6. [6.] A record of all BUSINESS ITEMS [communications] presented to the Board;
  - 7. [7. A record of the hearing of all petitions of citizens;]
  - 8. [8.] A record of any reports of Board members or staff members;
  - 9. [9.] A record of each motion placed before the Board, including the member making the motion and member seconding, if required;
  - 10. EACH ITEM THAT THE BOARD CONSIDERED AND ACTION TAKEN, IF APPLICABLE; AND
  - 11. 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