

In addition to the written minutes referenced in Board Policy 2012, the Board of Trustees and all of its subsidiary public bodies (if any) shall keep and maintain a verbatim record of all closed meetings in the form of an audio or video recording. The verbatim recording shall include:

1. The date, time, and place of the meeting;
2. The members of the Board of Trustees recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and
3. A summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes take

All parties present during a closed meeting shall identify themselves by voice and/or on camera (depending on the manner of verbatim recording) at the commencement of the meeting or when entering the closed meeting. The Chair of the meeting shall announce commencement and end times on the recording, along with periodic announcements in the event of breaks in the closed meeting.

The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act no less than 18 months after the completion of the meeting recorded, but only after:

1. The Board of Trustees approves the destruction of a particular recording; and
2. The Board of Trustees approves minutes of the closed meeting that meet the written minutes requirements of the Act.

Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce the Act.

Access to verbatim recordings shall be provided and granted only in accordance with the Act. No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order.

The secretary of the Board of Trustees, or his/her designee, shall cause the verbatim records and minutes of all closed sessions to be created and maintained in accordance with the Act. Unless otherwise agreed to by the Board of Trustees, the Board of Trustees shall review closed session minutes at their regular board meetings in February and August of each year, and shall make findings regarding whether to authorize the release of closed session minutes (or portions thereof) and/or the destruction of verbatim recordings.

Adopted: NEXG 23, 2004

Amended: October 18, 2016; December 3, 2019

Legal Ref: