

CVUSD Board Bylaw

BB 9324

Board Bylaws

Minutes and Recordings

The secretary of the Governing Board shall keep minutes and record all official Board actions. (Education Code 35145, 35163)

(cf. 9323.2 - Actions by the Board)

Note: Although Government Code 54957.2 permits keeping minutes of closed sessions, districts should consult with their legal counsel before making it a practice to do so. Government Code 54960 as amended by SB 36 (Ch. 1137, Statutes of 1993) allows the court to remedy certain violations of the Brown Act by compelling the Board to tape record its closed sessions. See 9323.2 - Actions by the Board.

Copies of the minutes of each regular or special meeting shall be distributed to all Board members with the agenda for the next regular meeting.

Any minutes or recordings kept for Board meetings held in closed session shall be kept separate from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

(cf. 1340 - Access to District Records)
(cf. 9321.1 - Closed Session Actions and Reports)

Official Board minutes and recordings shall be stored in a fire-proof location.

Recording of Votes

Motions or resolutions shall be recorded as having passed or failed. Individual votes shall be recorded unless the action was unanimous. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

Video or Audio Recording

A video or audio tape recording may be made at any Board meeting. The presiding officer shall announce that a recording is being made at the beginning of the meeting, and the recorder shall be placed in plain view of all persons present, insofar as possible.

Note: As amended by SB 36 (Ch. 1137, Statutes of 1993), Government Code 54953.5 clarifies that any tape or film record of an open meeting made by the district is a public record which may not be destroyed for 30 days and must be made available for public inspection on a district recorder without charge.

Recordings made during regular or special Board meetings are public records. They shall be kept for at least 30 days and upon request shall be made available for inspection by members of the public on a district recorder without charge. (Government Code 54953.5)

Legal Reference:

EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journals

35164 Vote requirements

PENAL CODE

632 Unlawful to intentionally record a confidential communication without consent of all parties to the communication

GOVERNMENT CODE

54957.2 Closed sessions; clerk; minute book

54960 Violations and remedies

CSBA: (7/84 9/89) 2/94

CVUSD Global Adoption: July 1, 2008