

**206.00 BOARD MEETINGS**

**I. PURPOSE**

- A. The school board embraces accountability and transparency in the conduct of its business, in the belief that openness produces better programs, more efficient-administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The school board shall conduct its business under a presumption of openness. At the same time, the school board recognizes and respects the privacy rights of individuals as provided by law. The school board also recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the school board.
- B. The purpose of this policy is to provide guidelines to assure the rights of the public to be present at school board meetings, while also protecting an individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

**II. GENERAL STATEMENT OF POLICY**

- A. Except as otherwise expressly provided by statute, all meetings of the school board shall be open to the public.
- B. Meetings shall be closed only when expressly authorized by law.

**III. DEFINITION**

"Meeting" means a gathering of at least a quorum of school board members-or quorum of a committee or subcommittee of school board members, at which members discuss, decide, or receive information as a group on issues relating to the official business of the school board. The term does not include a chance or social gathering.

**IV. PROCEDURES**

- A. Meetings
  - 1. Venue of Board Meetings

All meetings of the Board of Education shall be held within the boundaries of the district
  - 2. Regular Meetings
    - a. Schedule

A schedule of the regular meetings of the school board shall be kept on file at the school district office. If the school board decides to hold a regular meeting at a time or place different from the time or place stated in its regular meeting schedule, it shall give the same notice of the meeting as for a special meeting.

b. Place and Time of Regular Board Meetings

Unless otherwise determined by Board resolution, regular meetings of the Board shall be held in the administration building, 360 Colborne, on the third Tuesdays of each month, at 5:30 p.m. The provision of notice for all meetings of the Board shall be according to law.

3. Special Meetings

- a. For a special meeting, the school board shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the school district or on the door of the school board's usual meeting room if there is no principal bulletin board. The school board's actions at the special meeting are limited to those topics included in the notice.
- b. The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings. This notice shall be posted and mailed or delivered at least three days before the date of the meeting.
- c. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the school board may publish the notice once, at least three days before the meeting, in the official newspaper of the school district or, if none, in a qualified newspaper of general circulation within the area of the school district.
- d. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the school board is required to send notice to that person only concerning those particular subjects.
- e. The school board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than sixty (60) days before the expiration date of request for notice, the school board shall send notice of the refiling requirement to each person who filed during the preceding year.

4. Emergency Meetings

- a. An emergency meeting is a special meeting called because of circumstances that, in the school board's judgment, require immediate consideration.

- b. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.
- c. The school board shall make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.
- d. Notice of the emergency meeting shall be given by telephone or electronic mail or any other method used to notify the members of the school board.
- e. Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the school board members.
- f. Notice shall include the subject of the meeting.
- g. Posted or published notice of an emergency meeting shall not be required.
- h. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

5. Recessed or Continued Meetings

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

6. Closed Meetings

- a. Meetings may be closed for the following reasons, or as provided by law:
  - i. Labor Negotiations Strategy
  - ii. Sessions Closed by the Bureau of Mediation Services
  - iii. Preliminary Consideration of Allegations or Charges
  - iv. Performance Evaluations
  - v. Attorney-Client Privileged Discussions
  - vi. Certain Dismissal Hearings of Students or Teachers
  - vii. Certain Meetings with Non-renewed Coaches
  - viii. Discussions of Certain Not Public Data
  - ix. Strategic Decisions on Purchases and Sales of Property, however the actual purchase or sale of property must be approved at an open meeting.
  - x. Security Matters
- b. A regular or special meeting may be closed by a public, majority vote at the meeting. The specific statutory authority for closing the meeting shall be stated and a general description of the

subjects to be discussed in the closed meeting shall be disclosed.

- c. Closed meeting topics, information, and any materials provided shall remain confidential and not public until such a time determined by the District's General Counsel and Responsible Data Authority.
- d. The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

7. Actual Notice

If a person receives actual notice of a meeting of the school board at least twenty-four (24) hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

8. Meetings during Pandemic or Chapter 12 Emergency

In the event of a health pandemic or an emergency declared under Minnesota Statutes chapter 12, a meeting may be conducted by telephone or interactive technology in compliance with Minnesota Statutes section 13D.021.

9. Meetings by Interactive Technology

A meeting may be conducted by interactive technology, Zoom, Skype, or other similar electronic means in compliance with Minnesota Statutes section 13D.02.

B. Written Materials

1. In any open meeting, a copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and distributed to or available to all school board members shall be available in the meeting room for inspection by the public while the school board considers their subject matter.
2. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

C. Open Meetings and Data

1. Meetings may not be closed to discuss data that are not public data, except as provided under Minnesota law.
2. Data that are not public data may be discussed at an open meeting if the disclosure relates to a matter within the scope of the school board's authority and is reasonably necessary to conduct the business or agenda item before the school board.

3. Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

**V. Adjourned Board Meeting**

Only the unconsidered or interrupted items on the agenda of the immediately preceding meeting may be considered at an adjourned meeting, unless the Board suspends the aforementioned special rule of order by a two-thirds vote or by four affirmative votes, whichever is greater.

**LEGAL REFERENCES:**

Minn. Stat. Ch. 13  
Minn. Stat. Ch. 13D  
Minn. Stat. § 121A.47, Subd. 5  
Minn. Stat. § 122A.33, Subd. 3  
Minn. Stat. § 122A.40, Subd. 14  
Minn. Stat. § 179A.14, Subd. 3  
Minn. Rules Part 5510.2810  
*Brown v. Cannon Falls Township*, 723 N.W.2d 31 (Minn. App. 2006)  
*Brainerd Daily Dispatch v. Dehen*, 693 N.W.2d 435 (Minn. App. 2005)  
*The Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. App. 2004)  
*Prior Lake American v. Mader*, 642 N.W.2d 729 (Minn. 2002)  
*Star Tribune v. Board of Education, Special School District No. 1*, 507 N.W.2d 869 (Minn. App. 1993)  
*Minnesota Daily v. University of Minnesota*, 432 N.W.2d 189 (Minn. App. 1988)  
*Moberg v. Independent School District No. 281*, 336 N.W.2d 510 (Minn. 1983)  
*Sovereign v. Dunn*, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)

**CROSS REFERENCES:**

*Robert's Rules of Order Newly Revised (10<sup>th</sup> ed.)*, p. 90, l. 27 – p. 91, l. 21; § 22