Updates to grammar and legal references

SOUTH WASHINGTON COUNTY SCHOOLS
Independent School District 833
7362 East Point Douglas Rd S.
Cottage Grove, MN 55016
sowashco.org | 651-425-6300

205 OPEN MEETINGS AND CLOSED MEETINGS

I. PURPOSE

A. The School Board embraces ~~the philosophy of openness~~ accountability and transparency in the conduct of its business, in the belief that openness produces better programs, more ~~efficiency in~~ 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 ~~the~~ 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 ~~law~~, all meetings of the School Board, including executive sessions, 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 ~~or more~~ members ~~of the School Board~~ at which members discuss, decide, or receive information as a group on issues relating to the official business of the School Board. A gathering of committee members that does not include a quorum of the Board is not a "meeting" for purposes of this policy or the Open Meeting Law, unless the Board has expressly delegated decision-making authority to the committee. In the absence of an express delegation, all committees are advisory only and do not have decision-making authority. The term "meeting" also does not include a chance or social gathering, or the use of social media by Board members so long as the social media use is limited to exchanges with all

members of the general public. For purposes of the Open Meeting Law, social media does not include e-mail.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. § 121A.47, Subd. 5 (~~Student Dismissal Hearing~~) (Exclusion and Expulsion Procedures)
Minn. Stat. § 122A.33, Subd. 3 (~~Coaches; Opportunity to Respond~~) (License and Degree Exemption for Head Coach)
Minn. Stat. § 122A.40, Subd. 14 (~~Teacher Discharge Hearing~~) (Employment; Contracts; Termination)
Minn. Stat. § 179A.14, Subd. 3 ~~(Labor Negotiations)~~ (Negotiation Procedures)
Minn. Rules Part 5510.2810 (~~Bureau of Mediation Services)~~ (Petition for Mediation)
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)*
Dept. of Admin. Advisory Op. No. 21-003 (April 19, 2021)
Dept. of Admin. Advisory Op. No. 21-002 (January 13, 2021)
Dept. of Admin. Advisory Op. No. 19-012 (October 24, 2019)
Dept. of Admin. Advisory Op. No. 19-008 (May 22, 2019)
Dept. of Admin. Advisory Op. No. 19-006 (April 9, 2019)
Dept. of Admin. Advisory Op. No. 18-019 (December 28, 2018)
Dept. of Admin. Advisory Op. No. 17-005 (June 22, 2017)
Dept. of Admin. Advisory Op. No. 13-009 (March 19, 2013)
Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)
Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)
Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)
Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)
Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)
Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

Cross References:

~~MSBA/MASA Model Policy 204 (School Board Meeting Minutes)~~

MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 207 (Public Hearings)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA ~~Service Manual, Chapter 13, School~~ Law Bulletin "C" (Minnesota's Open Meeting Law)

POLICY ADOPTED: January 25, 2007
POLICY REVIEWED: February, 2011
POLICY REVISED: March 24, 2011, April 23, 2015, August 17, 2017, August 25, 2022