MERCHANTVILLE BOARD OF EDUCATION **130 South Centre Street** **Merchantville, New Jersey 08109**	**FILE CODE: 9326** **Proposed: 08/23/88** **Adopted: 09/27/88** **Revised: 10/27/09** **Reviewed: 02/05/2024**

Minutes

The minutes of all meetings of the board shall be sufficiently detailed to serve as documentation of board compliance with New Jersey statutes and administrative code.

The minutes of the meetings of the board of education shall include:

A. The classification (regular, adjourned or special), date, and place of meeting;

B. The call to order stating time, person presiding and his/her office;

C. The record of the roll call of board members;

D. A notation of the presence of the chief school administrator, school business administrator, board secretary, administrators and the public;

E. Announcement of notification listing the newspapers by name;

F. A record of any corrections to the minutes of the previous meetings and the action approving them;

G. A record of all communications presented to the board;

H. A record of each motion placed before the board, the result of the vote, and the vote of each member.

A copy of the minutes of the previous meeting shall be sent to all board members along with agenda materials.

The minutes shall be filed permanently for reference purposes.

All reports requiring board action, resolutions, agreements and other written documents shall be placed in the files of the board secretary and/or the chief school administrator as a permanent record.

Minutes of Closed Meetings

The minutes of closed meetings must be made available to the public as soon as the reason for confidentiality no longer applies. When a closed meeting deals with more than one privileged matter, the minutes shall be prepared in such a way that each matter can be separated and disclosed in a timely manner.

Public Access to Minutes

Minutes of all regular meetings shall be available to the public for inspection within two weeks of the meeting.

The board secretary (or other person deemed to be the custodian of public records) shall permit the minutes to be inspected, examined and copied by any person during regular business hours. However, for a board of education having a total district enrollment of 500 pupils or fewer, minutes shall be available during not less than six regular business hours over not less than three business days per week or the

board's regularly-scheduled business hours, whichever is less. The board may charge a fee for copies of the minutes as provided by law.

Taping of Public Meetings

Official Tapes: The board secretary may tape record public meetings of the board in order to assure proper documentation of occurrences and the preparation or transcription of minutes. All tapes are the sole property of the board, and any individual requesting access to these materials must do so in writing five working days in advance. Tapes shall not be removed from the board office and must be played in the presence of the board secretary/designee. All tapes shall be stored in a locked cabinet located in the board office and shall be retained under the NJDARM schedule for 45 days or until official transcripts or minutes are prepared and adopted, whichever is longer.

Taping by Members of the Public: Any member of the public is entitled to make an audio or video tape recording of a board of education meeting, subject to reasonable restrictions including that the taping will minimize intrusiveness and not interrupt the proceedings. Any person wishing to audio or video tape meetings shall provide written notice of their name, address and telephone number and will consent to the board, at its own expense and upon request, to make a reproduction of the recording. Absent prior board approval, no additional artificial lighting shall be permitted. No electrical or other wiring is allowed due to the danger of entanglement and tripping. All persons recording board proceedings shall hold the board harmless and indemnify the board against all damage or injury whether to equipment, to themselves or to others. To protect privacy, there shall be no taping of closed executive sessions and no audio pick-up of private conversations occurring in the audience or between the board and its attorney. Persons taping shall not move around the room while meetings are in session and equipment, once positioned, shall not be moved during the board meeting. Unless waived by the board, no more than two portable video tape cameras, operated by not more than two persons, shall be allowed, on a first-come, first-served basis. Following the adjournment of the board's meeting, any persons responsible for taping shall immediately remove all equipment and restore the facility to the same condition it was in immediately prior to the recording equipment being set up.

Key Words
Minutes, Board Meeting Minutes, Records, District Records and Reports

Legal References:

N.J.S.A. 10:4-6 et seq.	Open Public Meetings Act
See particularly:	
N.J.S.A. 10:4-10, -14	
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:17-7	Secretary to give notices and keep minutes, etc.
N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.S.A. 47:1A-1 et seq.	Examination and copies of public records ("Open Public Records Act")
N.J.S.A. 47:1A-1 et seq.	Examination and copies of public records ("Open Public Records Act")
N.J.A.C. 6A:8-4.3	Accountability
N.J.A.C. 6A:30-1.4	Evaluation process for the annual review
N.J.A.C. 6A:32-12.1	Reporting requirements

Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974

Maurice River Board of Education v. Maurice River Teachers Assn. 193 N.J. Super. 488 (App. Div. 1984). Boards must allow video and audio taping of meetings, subject to reasonable restrictions.

Matawan Ed. Ass'n. v. Matawan-Aberdeen Ed. Bd., 212 N.J. Super. 328

Liebeskind v. Mayor & Mun. Coun. of Bayonne, 265 N.J. Super. 389, 400-401 (App.

Div. 1993)

Atlantic City Convention Center Authority v. South Jersey Publishing Co., Inc., 135 N.J. 53 (1994). Tapes made during closed government meetings are common law public records, subject to the removal of any confidential or privileged information before disclosure. "Blanket access to the tapes would not be required; rather, access could be limited to those portions of the tapes necessary to vindicate the public interest."

Manual for the Evaluation of Local School Districts

New Jersey Department of State, Division of Archives and Records Management, School District Records Retention Schedule

Robert Wayne Tarus v. Borough of Pine Hill, et al., NJ Supreme Court (A-93-2005, decided March 7, 2007). The public's right of access to governmental proceedings includes the right to videotape.

Possible Cross References:

*3570	District records and reports
9123	Appointment of board secretary

*Indicates policy is included in the Critical Policy Reference Manual.

NJSBA Date: 03/07