

HUDSON SCHOOL DISTRICT POLICY

BEDG Meeting Minutes

Updated: January 8, 2024

Category: Recommended

Related Policies: BEC, EH

A. Minutes Required

Under RSA 91-A, the School Board, and each of the School Board's committees is required to keep minutes for every "meeting" as defined under 91-A:2, I. As used below, "board" shall mean and include the district School Board, and each such board committee.

B. Required Content of Minutes

At a minimum, all minutes, including minutes of non-public sessions, must include:

- A. The names of members participating;
- B. Persons appearing before or addressing the board (members of the public who do not address the board, and are there as attendees only, do not need to be identified);
- C. A brief description of each subject matter discussed;
- D. Identification of each member who made a first or second of any motion;
- E. A record of all final decisions;
- F. When a recorded or roll call vote on a motion is required by law or called for by the Chair (or other presiding officer), a record of how each board member voted on the motion; and
- G. In the event that a board member believes that any discussion in a meeting including a non-public session violates RSA 91-A, if the board continues the discussion despite the member's objection, and upon the request of the objecting member, the public minutes shall include (i) the objecting member's name, (ii) a statement that the member objected to the discussion, and (iii) if the discussion is in non-public, a reference to the provision of RSA 91-A:3, II that was the basis for the non-public discussion.

C. Approval of Minutes

Copies of the draft minutes of a meeting will be sent to the members of the board before the meeting at which they are to be approved. The preceding sentence, however, shall not apply to minutes of non-public sessions when the board has sealed such minutes by a recorded roll call vote taken in public session with 2/3 of the board members present. Drafts of non-public minutes will be provided to the board either at the conclusion of the non-public session and may be approved at the time - prior to any vote to seal, or if sealed, provided to the board at the meeting at which they are to be approved.

Draft minutes of all public meetings, clearly marked as drafts, will be made available for public inspection no later than five (5) business days after each public session. Minutes for non-public sessions shall be kept as a separate document. Draft minutes for all non-public sessions will be made available for public inspection within seventy-two (72) hours after the non-public session, unless sealed.

All approved and unsealed minutes shall be posted in a consistent and reasonably accessible location on the district's web site.

D. Sealed Minutes List

For non-public sessions beginning January 1, 2022, the Superintendent is directed to maintain a list of all sealed minutes for non-public sessions. The list shall include:

- a. the name of the public body (e.g., School Board, Policy Committee, etc.);
- b. the date, and time of the non-public meeting;
- c. the start and end times of the non-public session;
- d. the specific exemption in RSA 91-A:3, II for the non-public session;
- e. the date the vote to seal the minutes occurred; and
- f. the date, if any, of a subsequent decision to unseal the minutes.

The sealed minutes list shall be updated each time the public body seals non-public minutes, and the updated list shall be made available for public disclosure as soon as practicable.

E. Reviewing and Unsealing Previously Sealed Minutes

Sealed minutes related to discussions in non-public session under RSA 91-A:3, II(d) shall be made available to the public as soon as practicable after the transaction has closed or the board has decided not to proceed with the transaction.

Sealed minutes must either be reviewed within each ten-year period or unsealed no later than the expiration of ten years following the date they were sealed or last reviewed. Minutes sealed prior to October 3, 2023, must be reviewed and/or unsealed by October 3, 2033.

The board will review previously sealed non-public minutes within ten years of the date the minutes were first sealed, or within ten years of the last time those minutes were last reviewed by the board. The minutes shall be unsealed by majority vote of the board if the circumstances justifying sealing the minutes no longer apply. Minutes which are not reviewed after ten years will be automatically unsealed.

Legal References

- RSA 189:29a Records Retention and Disposition
- RSA 91-A:2 Meetings Open to the Public
- RSA 91-A:3 Non-Public Sessions
- RSA 91-A:4 Minutes and Records Available for Public Inspection

Adopted: November 4, 2019

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Second Reading: January 8, 2024

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