



Date: February 4, 2009
To: Board of Education
From: Dr. J. Brian Sarvis, Superintendent
Subject: Discussion of Audio Taping Board Meeting Closed Sessions

Conference Agenda

Background

Board members have asked for a discussion of audio taping personnel matters in closed session and the length of time for retention of audio tapes.

Attached is the board resolution number 05/06-45 passed by the board of education on May 23, 2006.

Attachment(s)?	X	Yes (if so, please attach)		No
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<i>Powerpoint</i>		<i>Overhead</i>		<i>Consultant</i>
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May 2006

RESOLUTION NO. 05/06-45

**Board of Education
Santa Barbara School Districts**

RESOLUTION TO TAPE RECORD CLOSED SESSION PROCEEDINGS

WHEREAS, Government Code section 54957.2 authorizes a local legislative body to make and maintain recordings of its closed session proceedings;

WHEREAS, the Board determined on April 11, 2006, to record its closed sessions and directed staff to present a resolution for such recording; and

WHEREAS, the Board desires to implement the recording of its closed sessions.

NOW THEREFORE BE IT RESOLVED by the Board as follows:

1. Commencing with the first meeting following the date of this resolution, the Board will audio tape record all its closed sessions for a minimum period of one year, to continue until such time as the Board resolves to discontinue such recording.

2. The recording of each closed session shall be maintained by District administration for a period of at least one year from the date of the last closed session recorded. Only the original recording shall be maintained and copies shall not be made unless directed by the Board or Superintendent.

3. Recordings shall be made by the Superintendent as clerk of the Board, or in the Superintendent's absence, a person designated by the Board.

4. All recordings of closed sessions shall be confidential and shall not be public records.

5. Recordings of closed sessions shall be made available only to the following persons:

(a) To a member or members of the Board of Education for review in the District office, provided such members hold office at the time they listen to the tape;

(b) To a judge of the Superior Court, for *in camera* review, when it is alleged that a violation of the Brown Act has occurred during a closed session, as specified in Government Code section 54857.2; or

(c) As otherwise authorized by the Board of Education.

PASSED AND ADOPTED at a meeting of the Santa Barbara School Districts Board of Education, Santa Barbara County, Santa Barbara, California, held on the 23rd day of May, 2006, by the following vote:

Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

By _____ Date: _____
Dr. J. Brian Sarvis, Secretary-Clerk to
Board of Education
Santa Barbara School Districts