

Summary of major changes between the current BDDG-MESD Board Recordings and Minutes of Board Meetings policy and the proposed replacement.

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## Executive Summary

The proposed revision substantially modernizes the policy governing Board meeting records. The new version:

- Shifts from a minutes-focused policy to a recordings-focused policy.
- Requires video (or audio) recording of Board meetings and timely online publication.
- Allows recordings to serve as the official record instead of written minutes.
- Establishes retention requirements for recordings and minutes.
- Expands public access expectations through website publication.
- Clarifies treatment of executive session recordings and disclosure limitations.

Overall, the revised policy reflects current Public Meetings Law practices and technology by emphasizing transparency through recordings rather than relying primarily on written minutes.

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## Major Changes by Section

### 1. Recordings Become the Primary Focus

#### Current

The policy requires:

“A complete and accurate set of minutes of each Board meeting...”

The emphasis is on:

- written minutes
- electronic and hard-copy storage
- official written records

#### New

The policy begins with:

“The Board will ensure a [video] recording is made of all of its meetings...”

## **Impact**

- Fundamental shift from written minutes to recorded meetings.
- Reflects modern governance and transparency practices.
- Makes public access easier by allowing direct viewing of proceedings.

This is the single most significant change in the policy.

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## **2. Mandatory Posting of Meeting Recordings**

### **Entirely New**

The proposed policy requires:

Recordings be posted within seven days following the meeting.

### **Impact**

- Creates a new public transparency obligation.
  - Allows the public to access meetings without waiting for approved minutes.
  - Increases administrative responsibility for timely publication.
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## **3. Official Record Can Be a Recording**

### **Current**

Written minutes are the official record.

### **New**

The policy allows:

“A video or audio recording of a meeting can be kept as the official record...”

### **Impact**

- Greater flexibility.
- Reduces the need for extensive written minute preparation.

- Better reflects actual discussions and Board deliberations.
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# Changes to Written Minutes Requirements

## 4. Written Minutes Become Optional

### Current

Written minutes are required for every meeting.

### New

Written minutes become an alternative:

“Alternatively, the ESD may create written minutes.”

### Impact

- Significant reduction in administrative burden.
  - Gives the ESD flexibility in recordkeeping methods.
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## 5. Verbatim Transcript Requirement Clarified

### Current

No explicit statement.

### New

States:

“Written minutes do not need to be a verbatim transcript...”

### Impact

- Clarifies expectations.
- Aligns with standard public meeting requirements.

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# Required Content Changes

## 6. Required Meeting Record Content Remains Largely Similar

Both versions require:

- attendance
- motions
- votes
- discussion summaries
- disposition of actions

### Impact

- Core legal recordkeeping requirements remain intact.

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## 7. New Requirement to Reference Documents Discussed

### Entirely New

Official records must include:

“A reference to any document discussed at the meeting.”

### Impact

- Improves transparency.
- Makes it easier to connect meeting discussions with supporting materials.
- Enhances public records accessibility.

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# Public Access Changes

## 8. Draft Minutes Requirement Removed

### Current

Requires:

“A draft copy of the minutes shall be sent to each Board member prior to the next regular meeting.”

### New

Removed entirely.

### Impact

- Streamlines administrative workflow.
  - Eliminates a procedural review requirement.
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## 9. Board Approval Requirement Removed

### Current

States:

“The minutes... shall be deemed official only after approval by the Board.”

### New

No comparable requirement.

### Impact

- Significant procedural change.
  - If recordings serve as the official record, Board approval may no longer be necessary.
  - Faster public access to meeting records.
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## 10. Public Availability Requirements Updated

### Current

Official minutes:

- available at central office
- posted through BoardBook
- copies available for purchase

## **New**

If written minutes are created:

- available within a reasonable time
- may be posted online
- available upon request

## **Impact**

- Less emphasis on physical access.
  - Greater emphasis on digital access.
  - More flexible publication standards.
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# **Executive Session Changes**

## **11. Executive Session Recordkeeping Expanded**

### **Current**

Executive sessions are mentioned but recordkeeping requirements are less explicit.

### **New**

Specifically requires:

“Recordings or minutes of executive sessions will be kept...”

### **Impact**

- Clarifies retention requirements.
  - Provides stronger documentation standards.
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## 12. Executive Session Confidentiality Clarified

### Entirely New

Provides:

executive session material may be withheld if disclosure would be inconsistent with the purpose of the executive session.

### Impact

- Stronger legal protection for confidential executive session discussions.
  - Better alignment with Oregon law.
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## Records Retention Changes

### 13. New Permanent Retention Requirement

#### Entirely New

Requires:

“Either the recording or minutes... will be kept permanently.”

#### Impact

- Formalizes long-term record retention.
  - Strengthens archival requirements.
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### 14. Recording Retention Requirement Added

#### Entirely New

If written minutes are created:

recordings must be retained for at least one year.

## **Impact**

- Establishes minimum retention schedule.
  - Protects against premature destruction of records.
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# **Removed Provisions**

## **15. Separate Local Contract Review Board Minutes Requirement Removed**

### **Current**

Requires:

separate electronic and hard-copy records for Local Contract Review Board meetings.

### **New**

Removed entirely.

### **Impact**

- Simplifies recordkeeping.
  - May indicate separate treatment is addressed elsewhere.
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## **16. Hard-Copy Requirement Removed**

### **Current**

Requires:

- electronic copies
- hard copies

### **New**

Allows:

- electronic or hard-copy written minutes

### **Impact**

- Greater flexibility.
  - Reduced paper record management.
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## **17. Public Purchase Provision Removed**

### **Current**

Allows public purchase of copies.

### **New**

Removed.

### **Impact**

- Likely unnecessary due to digital availability.
  - Reflects modern records access practices.
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## **Legal Reference Changes**

### **Updated References**

#### **Added**

- OAR 166-017 records retention rules
- OAR 166-400 retention schedules
- OAR 199-050-0060

#### **Expanded**

- Public Meetings Law references updated through ORS 192.705

## Removed

- Older Attorney General letter opinions
- Older Public Records Manual citations
- ORS 334.100 reference

## Impact

- Stronger alignment with current public records and records retention requirements.
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# Overall Governance Shift

The proposed policy reflects a shift toward:

- Digital recordkeeping
- Transparency through recordings
- Public online access
- Modern records retention practices
- Reduced administrative burden associated with minute preparation

The current policy is built around traditional written minutes. The proposed version recognizes recordings as the primary public record and uses written minutes as an optional supplement.

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# Most Significant Practical Changes

The most meaningful operational changes are likely:

1. Mandatory recording of Board meetings.
2. Posting recordings online within seven days.
3. Allowing recordings to serve as the official meeting record.
4. Eliminating the requirement for Board approval of minutes before they become official.
5. Making written minutes optional rather than mandatory.
6. Establishing permanent retention requirements.
7. Clarifying executive session recordkeeping and confidentiality protections.
8. Moving from paper-based access toward digital public access.

Collectively, these revisions modernize the ESD's meeting record practices, increase transparency, and reduce administrative workload while maintaining compliance with Oregon Public Meetings Law.