

At this Thursday's meeting, the Albemarle County School Board may embrace a change in governance that is being described as "summary minutes." That means, the official published record of our meetings will no longer provide the public, staff, and future boards details on the discussions taking place when they occur outside of a formal motion or action item. The end result, if this practice continues, is a blow to the public's right to open government and transparency in our decision-making process.

After talking further to my colleagues who support this, I don't think there are any bad intentions, it is simply Robert's Rules run amok and a view of "best practices" that sells the public short. We should instead try to figure out what process and resources we need to share more information rather than less, and on a timely basis, for the public's benefit. I have to respectfully disagree with my colleagues who favor this change and I will vote against this proposal in its current form. I have given my strong support for the other recent governance changes we are making as a School Board (e.g. trying new meeting formats and supporting ad-hoc committee work).

Why "summary minutes" vs. some other type of minutes?

The only rationale that has been presented in our Board agenda is as follows:

"[T]he School Board follows Robert's Rules of Order. Robert's Rules of Order states that meeting minutes are 'a record of what is done at the meeting, not what is said.'"

Note: Robert's Rules actually has a lot more to say about the subject of minutes and below I share the complete passage from this section of the parliamentary guidebook.

To illustrate the impact of the change to a "summary minutes" format, here are two items from the September 14, 2006 meeting in which the flyer distribution policy was discussed by the Board. The first example is from public comment. The second example is what will be the published summary of the Board's discussion.

From Public Comment (each speaker gets 3 minutes)

"Mr. Rick Oliver spoke on flyer distribution. He said that adding required lines to the flyer might help the school workload and allow equal access to all groups. For example, not school sponsored or do not call school for information."

From the Board's discussion on the policy related to the Distribution of Outside Materials

"This report was received for information and direction. Board members shared their thoughts on the distribution of flyers at the schools. There was Board consensus for Option I to be looked at with administrative procedures to be developed. There was Board consensus for this policy with its administrative procedures be placed on the regular agenda for action at a future Board meeting."

As you can see, Mr. Rick Oliver, who spoke before the Board during public comment, got on the record his opinion of the policy under review and he offered some suggestions for its implementation. However, when it comes to the School Board's discussions, all readers of the minutes will learn is that the seven school Board members, "**shared their thoughts on the distribution of flyers at the schools.**" I guess I'll have to start signing up for public comment!

In my view as one Board member, this is not an acceptable summary of our 35 minutes of deliberations on this item. In fact, in the meeting there was a significant exchange of viewpoints and a 4-3 straw poll that set the final course of action for the flyer policy. What were the points made for and against this approach? Who supported option one vs. option two? If you want the complete story from that meeting, you would have had to have been present, ask for a recording from the clerk, or listen to the audio files from our new Internet podcasts. Local news media can give you some highlights and a few quotes, but they are certainly not trying to create the official record.

Our minutes have traditionally provided summaries of key points made and questions asked by each board member (i.e. "what was said"). I do not believe our minutes need to be verbatim, unless the board asks for something to be written into the minutes. I do believe we all benefit from having the minutes capture the essence of the discussion, and not just the vote (i.e. "what is done"), on any matter before the board.

A sample of our past minutes: <http://www.k12albemarle.org/Board/Minutes/minutes042706.pdf>

How did this change come about?

This change to "summary minutes" was never placed on the Board's agenda for discussion or public comment. I noticed the change in my preparations for the September 28, 2006 Albemarle County School Board meeting and I asked that the minutes be pulled from the consent agenda so we could discuss the new format. The end result of that discussion was a 4-3 recorded vote (I was one of 3 votes against) to move forward and place the questioned minutes and an action item to switch to a "summary minutes" format on the next meeting's agenda. That item is now before the Board for this Thursday's meeting and it has been placed on the consent agenda and thus will be decided in advance of any public comment at the meeting.

Agenda item: <http://www.wheeleronboard.com/docs/20061012-Item6A-Minutes.pdf>

Board members supporting the new approach said they: 1) had been to a conference workshop on Robert's Rules that made this recommendation; 2) had been told by the Virginia School Boards Association that our minutes were too detailed; 3) thought it would allow us to approve minutes at each meeting for the previous meeting, thus making briefer minutes available on a more timely basis to document the votes of the board; and 4) hoped it would give the clerks more time for other activities. Supporters of "summary minutes" also suggested the Internet podcasts were an acceptable alternative to detailed minutes and that only the Board discussion that was related to an actual motion on an action item would be detailed in the future.

I spoke in opposition to the change citing the tradition of local government in Charlottesville and Albemarle to provide detailed information in meeting minutes. I explained that the public benefits from being able to search our minutes online by keywords on various subjects that match their interests. I argued that the public expects to be able to hold elected officials accountable for their actions and that knowing how *and why* they vote the way they do is heavily informed by the official record of the meetings. I said we shouldn't let Robert's Rules be the tail wagging the dog and that there was a notion of what I call "local rules" and tradition that merited consideration.

A more complete recitation of the Robert's Rules passage mentioned above as the rationale for "summary minutes" is as follows:

"In keeping the minutes, much depends upon the kind of meeting, and whether the minutes are to be published. In the meetings of ordinary societies and of boards of managers and trustees, there is no object in reporting the debates; the duty of the secretary, in such cases, is mainly to record what is "done" by the assembly, and not what is said by the members....When a question is considered informally, the proceedings should be kept as usual, as the only informality is in the debate....When the minutes are to be published, in addition to the strict record of what is done, as heretofore described, they should contain a list of the speakers on each side of every question, with an abstract of all addresses, if not the addresses in full, when written copies are furnished. In this case the secretary should have an assistant."

See: <http://www.rulesonline.com/rror-10.htm#60>

I am no parliamentary expert, but what that says to me is that the minutes you take at your school's PTO meeting might look a whole lot different from the published minutes of an elected body of constitutional officers, like a School Board.

I also sought some guidance on this matter from the Virginia Coalition for Open Government (VCOG). I learned that state law gives lots of latitude as to the content of government minutes and discretion as to deciding when something has really been deliberated. They directed me to a February 2006 Freedom of Information Advisory Council issued opinion related to the minutes of the Vienna Town Council (See: <http://www.opengovva.org/content/view/794/61/>). In the opinion letter, they come to a powerful conclusion that really gets to the heart of this matter for me:

"As previously stated, the public policy of [the Freedom of Information Act (FOIA)] is that the *affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government.* Therefore, I would advise public bodies that when there is doubt whether to include a matter in minutes, it is better to include more rather than less."

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Albemarle County School Board