

**Teleconference**

A board may, but is not required to, allow board members to participate in a meeting via teleconference.<sup>39</sup> A board member attending in this manner may do so by phone or video.<sup>40</sup> If a board member will be attending a meeting, including closed session, via teleconference, the board and agency must make sure to complete the following checklist:

**Teleconference Checklist**

- ✓ The teleconference location must be open and accessible to the public.
- ✓ The agenda shall identify all locations, including teleconference locations.
- ✓ The agenda must be posted at all locations, including teleconference location(s), at the proper time before the meeting.
- ✓ The agenda shall provide for public comment at all locations.
- ✓ A majority of the board must be within the boundaries of the agency, even if participating by teleconference.
- ✓ All votes during a teleconferenced meeting shall be by roll call.<sup>41</sup>
- ✓ The agenda should indicate how/if the meeting will proceed if technical problems prevent teleconferencing.

*Teleconference locations must be accessible to all members of the public. Hospital rooms which are not open to the public, cruise ships, or a board member's vehicle are not accessible to all members of the public and therefore cannot be used as teleconference locations.*

**Recording/Broadcasting**

The Brown Act does not require or prohibit boards from recording or broadcasting their meetings. Any recording of a meeting made by the agency, however, must be kept for 30 days and is a public record subject to inspection during the time it is maintained by the agency. Such recordings must be made available by the agency without charge for public inspection on a player made available by the agency.<sup>42</sup>

*If a board broadcasts its meetings, it should consider indicating on its agenda that meetings will be broadcast and that meetings will continue even if technical difficulties prevent the broadcast.*

Any person attending an open meeting may record the meeting, through audio or video recording.<sup>43</sup> A board may prohibit or discontinue recording only where it finds that the noise, illumination, or obstruction of view constitutes or would constitute a persistent disruption of the proceedings.

**Meeting Minutes**

Minutes must be taken at all board meetings.<sup>44</sup> The only substantive requirement is that the minutes record all actions taken or reported by a board, in open session. Minutes of a closed session are not

*The law does not require a transcription of the meeting's discussion, and it is generally inadvisable to do so as it places an unnecessary burden on staff and creates the potential for inaccurate transcription.*

<sup>39</sup> If a board has concerns about the frequent use of teleconferencing, it may adopt a policy placing limits or requirements on board member use based on the benefit to the public and the board.

<sup>40</sup> § 54953, subd. (b)(4).

<sup>41</sup> § 54953, subds. (b)(2)-(3).

<sup>42</sup> § 54953.5.

<sup>43</sup> *Id.*

<sup>44</sup> Ed. Code, § 1015 (county boards of education); Ed. Code, § 35145, subd. (a) (school districts); Ed. Code, § 72000, subd. (d)(4) & § 72121, subd. (a) (community college districts).