



Minnesota Open Meeting Law Training Video Transcript

[Music plays throughout]

[Text appears: Minnesota Open Meeting Law: Introduction to Minnesota Statutes, Chapter 13D]

This training is about Minnesota's Open Meeting Law. You can read more about the law in Minnesota Statutes Chapter 13D.

The Open Meeting Law requires all public body meetings be open to the public. This means the general public, including the media, can attend.

[Viewed from above, a group of people sitting around a table appears. The table spins. Overlaying that, a circle with a line through it.]

The law prohibits secret meetings. It ensures the public's right to be present and informed on public body decisions.

[A checklist appears with each item checked off in turn: Boards, Commissions, Departments.]

State-level public bodies include state agency boards, commissions, and departments if the law requires or permits them to conduct business in meetings.

[A checklist with each item checked off in turn: School Boards, County Boards, City Councils, Township Boards.]

Local public bodies include school boards, county boards, city councils, and township boards.

The Minnesota Supreme Court said that, a "meeting" is when: a quorum of a public body discusses, decides, or receives information as a group on issues relating to official business. The law does not apply to social gatherings, such as banquets or parties if official business isn't discussed.

[A calendar and a clock]

Public bodies must keep a schedule of Regular Meetings on file. If a body changes the date, time, or location of a Regular Meeting, that meeting becomes a Special Meeting. A Special Meeting is any meeting that does not appear on the regular meeting schedule.

[A note posted on a bulletin board. The note remains, while the bulletin board is replaced with a door.]

Notice of a Special Meeting must be posted on the principal bulletin board or meeting room door at least 3 calendar days in advance. It must include the date, time, place, and meeting topics. Only the topics on the notice may be discussed at the meeting.

[A laptop with a notification larger than the screen. The notification contains the word: Notice!]

State-level bodies may post a web notice.

[Warning light replaced by a speech bubble with the words: Notify Media Members. The speech bubble is above microphones and recording devices.]

Emergency Meetings are Special Meetings where 3-day advance notice is not possible, like a tornado or flood. The only requirement for Emergency Meetings is to notify media members who have requested notice.

[A mobile phone with a mailbox emerging out of it. Letters are escaping the mailbox. Replaced by an open envelope with an @ symbol.]

The Open Meeting Law does not discuss whether the exchange of emails by a quorum of a public body's members is a meeting. However, the Commissioner of Administration has said in an Advisory Opinion that a violation occurred when a quorum of a public body discussed official business over email.

[A swinging door hanger with the words: CLOSED MEETING]

The Open Meeting law allows closed meetings only for reasons stated in law.

[Viewed from above, a group of people sitting around a table.]

To properly hold a closed meeting, a public body must make a statement on the record during an open meeting. A member of the body must give the specific legal authority that permits or requires closing the meeting. Giving the statute section works. The statement must also include discussion topics for the closed meeting. Discussions must be limited to those topics.

Meetings must be closed to discuss:

- Certain victims or mandated reporters of criminal sexual conduct, domestic violence, and maltreatment of minors or vulnerable adults.
- Active criminal investigations and law enforcement officer misconduct.
- Educational data, certain medical data, welfare and mental health data.
- And preliminary allegations against an individual subject to the body's authority. The individual can request the meeting be open.

Some meetings may be closed at the public body's discretion.

[A door hanger with the words: CLOSED MEETING. The door hanger slides left to make room for a checklist, with each item checked off in turn: Discuss labor negotiation strategies, Evaluate an employee's performance, Evaluate certain property transactions, Discuss security matters.]

A body may hold a closed meeting to discuss labor negotiation strategies, evaluate an employee's performance, (unless the employee requests that the meeting be open), to evaluate certain property transactions, or to discuss security matters.

[A handshake]

A closed meeting can be held on the basis of attorney-client privilege. The Minnesota Supreme court says privilege should be used cautiously and usually only for threatened or pending litigation.

All closed meetings must be recorded, except those closed for attorney-client privilege.

[A laptop with a person on screen]

Both state and local bodies are permitted to use interactive TV, which includes Skype, if they meet certain requirements.

State-level public bodies can have telephone meetings if certain requirements are met. Local public bodies can only have telephone meetings if the Governor declares an emergency.

Public bodies can discuss not public data at open meetings if it relates to official business. The not public data remain protected.

[A stack of papers]

At every open meeting, at least one copy of all public materials distributed to members related to agenda items must be available for the public.

[A government building]

No government office has the authority to investigate Open Meeting Law violations.

[A gavel coming down and up on a sounding board. As the gavel comes up, different text appears: first, the text: Intentionally violating the law; then, the text: Impose penalties.]

If a person sues members of a public body for intentionally violating the law and succeeds, the court may impose penalties. A member who intentionally violates the law three or more times while on a public body must forfeit the right to serve on that public body. By law, violations of the Open Meeting Law cannot be reversed.

There are some common misconceptions about the Open Meeting Law.

[A clipboard containing a circle with a line through it. The circle and line are then removed.]

The Open Meeting Law does not require public bodies to keep minutes or create agendas. However, other laws or ordinances may require you to do so. It is not required to post notice for regular meetings. The Open Meeting Law does not require public bodies to conduct meetings using Roberts Rules of Order. Finally, while the Open Meeting Law ensures the public a right to be present at open meetings, it does not guarantee a right for the public to speak at them.

Thank you for watching this training video.

If you have any questions about the Open Meeting Law, please visit Data Practices Office online, call us at 651-296-6733, or email us at info.ipad@state.mn.us.