

Meeting Minutes Access Rights: Member Guidelines



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Eliza begins warmly, "Hello, this is Eliza Kragh. I'm with Mark Apodaca, an expert on parliamentary procedure."

She continues with purpose, "Today we will discuss how members can properly request meeting minutes from a board. Mark, could you explain this process and the rights members have regarding meeting minutes?"

Mark responds authoritatively, "Both state statutes and Robert's Rules of Order clearly state that members have a right to see the minutes. This is their fundamental right."

He elaborates, "When members request a copy, the secretary must provide it without restrictions. The only exception is minutes from executive sessions. Executive session minutes are private and serve a different purpose."

Mark emphasizes the accessibility, "Members have full rights to access general minutes. Many organizations now post their meeting minutes on their websites."

He explains the typical process, "Many bylaws require the secretary to distribute minutes to the board within 30 days after a meeting. Each board member must review the copy for accuracy. The board cannot release the minutes until after the next board meeting."

Mark details the approval process, "At the next board meeting, the president asks for any corrections. If there are no corrections, the minutes are accepted as read. Once approved, the

minutes can be posted on the website. This saves time by eliminating repeated requests to the secretary."

He explains the legal context, "For 501(c)(3) organizations, which are public non-profits with members, members have these rights because they supersede the board's authority. Again, they absolutely have the right to see the minutes."

Eliza seeks clarification, "So the meeting minutes are not private records. Since they're registered with the Secretary of State and the IRS, are they considered legal documents?"

Mark confirms firmly, "Yes, minutes are indeed legal documents. I have witnessed situations where minutes were needed for reference. I've seen instances when nothing was recorded in the minutes. Without documentation, actions become null and void."

He emphasizes the legal significance, "Minutes serve as legal documentation. Courts frequently review these documents. During audits, organizations must provide minutes to auditors."

Mark outlines proper documentation requirements, "Minutes should record who attended the meeting and the start time. They must note who was absent, motions made, seconds, and voting results. Minutes are not meant to be a narrative spanning 30 or 40 pages."

He shares an example, "I once knew a secretary who would type all night, producing 30-page minutes. This level of detail is unnecessary; only motion results are required."

Mark illustrates potential consequences, "For example, during conferences, an organization is making bylaw amendments. Ten years of conferences from one to the next, with amendments made without documentation. These amendments were completely missing from the minutes. This renders the current bylaws null and void. Organizations must revert to 10-year-old bylaws because there's no record of amendments. This demonstrates why proper record-keeping is crucial."

He advises future secretaries, "For those interested in becoming secretary, I encourage learning proper minute-taking. Many believe minutes require extensive writing, but that's incorrect. Remember, minutes are legal documents."

Eliza asks for confirmation, "If something isn't documented in the minutes, it never happened?"

Mark responds definitively, "Correct. Without records, there is no proof."

Eliza inquires about process, "How should members request meeting minutes?"

Mark explains the procedure, "If minutes aren't posted on the website, members may exercise their right to contact the secretary for the minutes. Members also have rights to access bylaws and policy procedures, which should be available on the website."

He details typical policies, "For instance, members could see that there's a policy in place for the secretary to distribute the board minutes to the board within thirty days to be reviewed and approved at next board meeting. After meeting these criteria, members may request copies of the minutes from the secretary. Posting minutes online saves time for everyone involved. Members have this right according to Robert's Rules and state statutes to see the minutes."

Eliza raises a common question, "Can boards require members to sign documents before releasing minutes?"

Mark responds firmly, "No, there's no requirement for signatures. Why should there be a signed document when it's public information? That's the information members have a right to access. Members deserve to know how their organization operates through those minutes."

He elaborates on member rights, "At annual meetings, members can question the board about decisions. They can ask the president to explain decisions documented in minutes. That's the right of the members. Requiring signatures serves no legitimate purpose."

Eliza asks about enforcement, "What should members do if boards refuse to release minutes after being requested for them? What's the proper process to get those meeting minutes?"

Mark outlines the escalation process, "Some organizations contact their state attorney general. Each state has an attorney general division handling non-profit matters. They can send warning letters requiring boards to release minutes. It's unwise to challenge the legal system in these matters."

He emphasizes education, "Many boards need proper parliamentary training about minute-taking. They must understand who has access rights and what to document. With proper understanding on the role of the minutes, releasing minutes becomes routine."

Eliza summarizes, "This helps clarify the purpose of meeting minutes. It shows why proper documentation is essential. Without documentation, events officially never occurred. Minutes are legal documents, not storytelling."

Mark shares from experience, "At parliamentary conferences, we hold various events such as workshops, galas, and business meetings. Members can question boards about minutes during business meetings. They can ask about specific board decisions. The board is required to respond to those questions."

He emphasizes transparency, "The members would be aware when the minutes are accessible on websites for transparency. This information is public, and members have the right to know. Members can motion to override board decisions. This rarely occurs."

Mark stresses the importance of education, "Education about minute-taking is crucial. Secretaries should understand their role and the purpose of the minutes thoroughly. Many guides explain proper minute-taking procedures for secretaries. These guides and Robert's Rules should be reviewed as they can explain the role of the secretary."

Eliza acknowledges, "Secretaries play a vital role in documentation through meeting minutes. They should receive proper training in minute-taking to ensure all are properly documented."

Mark shares personal practice, "Yes, as there is another example which involves me as a parliamentarian to attend a conference. Because I am a Professional Registered Parliamentarian, which is a top certification, I always request minutes from previous conference."

He explains his methodology, "I do this to ensure I have access to last conference's events, so if someone brings up something from the previous conference, I can check the minutes to verify what happened. If there was not anything documented in the minutes, then nothing happened. This documentation is crucial for my role as parliamentarian."

Mark describes his preparation, "At the same time, I will read their state's statutes that cover nonprofit organizations, their bylaws, and their policy procedures. This knowledge helps me advise presidents on meeting procedures and be prepared to answer questions. But again, I must have the copy of the minutes before the meeting. That is important."

Eliza concludes, "Education seems key, and many organizations would benefit from consulting a parliamentarian or lawyer."

Mark agrees, "Yes," and responds to Eliza's invitation to add final thoughts.

He outlines his services, "I offer workshops on minute documentation, how to develop financial reports, explain the role and responsibilities of the board, the role of members, and can cover several different topics. Organizations can request training on specific topics. I would be willing to provide those."

Mark shares current work, "I recently received a request from someone who wanted me to provide a statewide workshop. I provided a list of different topics that can be chosen. That's something I'm working on now. I commend organizations seeking to learn at least the parliamentary basics such as knowing their rights as members. Education remains vital."

Eliza expresses gratitude, "Thank you, Mark. I really appreciate your willingness to explaining the purpose of meeting minutes' and its importance, the proper procedure for requesting minutes, and members' rights to these legal documents. And clarifying that those meeting minutes are not private information, but instead, are legal documents which is important to be understood by members to know that. You've explained about the role of the secretary which is

to document what is required. Thank you for the clarification on why meeting minutes are so important. Thank you!"

Mark responds warmly, "You're welcome!"