



**GEORGIA FIRST
AMENDMENT
FOUNDATION**
your right to know

May 23, 2008

Board Members of the Fayette County Board of Education
c/o Terri Smith, President
Fayette County Board of Education
210 Stonewall Avenue
Fayetteville, Georgia 30214

Dear Board President Smith:

I am writing on behalf of the Georgia First Amendment Foundation. We are an organization that seeks to advance the cause of open government and monitors freedom of information issues throughout this state.

It has been brought to our attention that the Fayette County Board of Education does not prepare adequate minutes of its meetings. As you know, the Open Meetings Act requires that public agencies prepare minutes of its meetings and delineates the exact requirements for them. "Said minutes shall, **as a minimum**, include the names of the members present at the meeting, a description of each motion or other proposal made, and a record of all votes. In the case of a roll-call vote the name of each person voting for or against a proposal shall be recorded and in all other cases it shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the name of the persons voting against the proposal or abstaining." O.C.G.A. §50-14-1(e)(2) (emphasis supplied). As you also know, the purpose of the Open Meetings Act is to protect the public from closed door meetings and enable it to monitor the workings of its government. *See Jersawitz v. Fortson*, 213 Ga. App. 796 (1994).

We are concerned that your activities are contrary to public policy and urge you to review O.C.G.A. § 50-14-1 *et seq.* which sets forth the requirements for properly held public meetings. *Georgia Public Schools and the Open Records Act*, a copy of which is enclosed, reviews the requirements for properly held public meetings

We would appreciate an explanation as to why the Board of Education's practices appear to contravene the public interest. I look forward to hearing from you at your earliest convenience. Thank you.

Sincerely,

Hollie Manheimer
Executive Director

Enclosures
Cc: GFAP Board

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