

Mr. Rich, the little statement that I have made summarizes what we have done and the feeling of this Board that in good faith we have adopted a plan based on freedom of choice, and we have followed that plan.

Mr. RICH. May I just state as one addendum along with what we are talking about, as far as members of the public, that we certainly can't object to recording minutes and having minutes taken on it. We just do ask that, here, again, this not be played to members of the public. Certainly, if the Board wishes to use it to review what has been discussed, we have no objection to that, but that it should not be played for members of the public.

Mr. PARKER. Feeling that we represent all of the people, Mr. Rich, we always have a secretary present at our Board meetings to record what transpires.

Mr. RICH. Yes—well, you would not release the transcript of what had happened, you might wish to go back over it and make an announcement to the press, or something like that.

Mr. PARKER. We always have an announcement to the press on the morning following our meetings, and the press is always welcome to come and sit in on meetings. Any citizen is welcome to come and sit in on any of our meetings, and this meeting is proceeding no different from any of our others.

Mr. SMITH. Mr. Chairman, could any interested citizen come over and look at these minutes or any other minutes, if he so desired?

Mr. PARKER. They are a matter of public record.

Mr. SMITH. A matter of public record.

Mr. PARKER. To give you one more step in the Georgia law governing this, our financial records are audited once each year by the State auditing department, and a copy of that audit is transmitted to the press and there is a specific law requiring that that be done. Nothing that we do is hidden, and can not be hidden, our attorney tells us, from the public. We would like for you to proceed with anything you would like to tell us.

Mr. RICH. I think we still have a problem in effect in that if there is a verbatim transcript and notes made available, this is the same sort of thing, and we do ask that it not be made public.

Mr. PARKER. How can we represent the public and hold a secret meeting?

Mr. RICH. It is not unusual for public bodies, bodies representing the public, to meet among themselves and to afterwards report the results of that meeting to the public, which is not at all unusual.

Mr. PARKER. Mr. Owen, as our attorney, would you answer that?

Mr. OWEN. Well, if the public asks to see the results of the meeting, can we keep these minutes secret by law? I think by law, under the Georgia law, our minutes would be public.

Mr. RICH. I know some Boards in Georgia—it is going to the extent that some of the school records have been kept from Board members that didn't agree with the majority of the Board. I am sure there are a lot of things that—I have never heard of that law being pressed upon—

Mr. OWEN. Well, this is just—

Mr. RICH (interposing). We are simply faced with a situation of authorization, and in effect, this is a public meeting where the notes are made public—

Mr. OWEN. Well, what our Chairman—I think, Mr. Rich—was the Georgia law saying that all meetings would be public, and of course, the minutes of these meetings, as I understand, would also be public. And if this law is on the books because other people don't observe it, then I think it is obligatory that we observe it.

Mr. RICH. Well, we are faced with a situation where we are not authorized to meet with members of the public, are present, and where exact records will be made which will be released to the public.

Mr. PARKER. Would it be fair if we request that you show us some authorization, because we—

Mr. RICH (interposing). There is no written authorization, we simply have instructions.

Mr. PARKER. We can't conceive of a situation where a public official from the taxpayers payroll would come out and say "We want to meet with you, you can't take any notes".

Mr. RICH. We didn't say that, sir. What we said is that you certainly can take notes, but you can't release it to the public. You can talk to the public about what has transpired in the meeting, but to have an exact copy of everything that goes on in the meeting—