

() Required
() Local
(X) Notice

EXECUTIVE SESSIONS

The Board of Education reserves the right, within the constraints of state law, to meet in executive session. Executive sessions are not open to the public. Such sessions can be requested by any member of the Board or the Superintendent of Schools. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof. A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below.

The motion to enter into executive session must identify the area(s) of the subject(s) to be considered. Matters which may be considered in executive session are:

- a. Matters that will imperil the public safety if disclosed;
- b. Any matter that may disclose the identity of a law enforcement agent or informer;
- c. Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
- d. Proposed, pending or current litigation;
- e. Collective negotiations pursuant to article 14 of the Civil Service Law (the Taylor Law);
- f. The medical, financial, credit, or employment history or a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation;
- g. The preparation, grading or administration of exams;
- h. The proposed acquisition, sale, or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things.

The vote to go into executive session shall be detailed enough to allow the public to understand the topic the Board will be discussing, without disclosing specifics. Discussion in executive session shall be limited to the topic(s) identified in the motion.

A Board may not take action in executive session except to vote on disciplinary charges against a tenured employee.

Individual board members, acting on their own, shall not disclose matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.

Minutes of executive sessions will include only a record or summary of any final action taken by the Board by formal vote and should consist of a record or summary of the final determination of such action and the date and vote thereon, provided, however, that such summary shall not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken shall be available to the public within two weeks from the date of the executive session.

Cross-ref: 2160 Code of Ethics

Ref: Education Law §1708 (3) Public Officers Law §§100 et seq. Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption date: July 9, 2007

Revised: December 8, 2014

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