



MEMORANDUM

To: Board of Trustees, Roger Jarrett, Chair
From: Governance Committee, Jill Schafer, Secretary
Date: April 22, 2022
Re: Executive Session Minutes Through 12.31.21 – Recommendation

This memo provides the Governance Committee’s recommendation with respect to the review and approval of executive session minutes, from September 24, 2015 through December 31, 2021, by the AMSA Board of Trustees in accordance with Open Meeting Law, G.L. c. 30A, § 22 (g)(1).

The motion up for the Board’s consideration during the April meeting will be whether to approve the Governance Committee’s recommendations as to which executive session minutes should be disclosed and which should continue to be withheld. If the Board approves the recommendations, all minutes slated to be disclosed will be up for Board vote at the May public meeting.

The board has 47 sets of executive session minutes that have not been disclosed. The Governance Committee recommends that the following executive session minutes be **DISCLOSED**:

Date	Purpose Withheld*	Reason for Disclosure
September 24, 2015	3	Litigation resolved
April 28, 2016	3; 6	Litigation, collective bargaining agreement and real property resolved
May 26, 2016	3	Collective bargaining agreement resolved

* Purpose 2 – To conduct strategy sessions in preparation for negotiations with nonunion Personnel;

Purpose 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares;

Purpose 6 – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

February 16, 2017	3; 6	Litigation, collective bargaining agreement and real property resolved
May 18, 2017	3; 6	Litigation and real property resolved
October 26, 2017	3; 6	Litigation and real property resolved
January 27, 2018	3; 6	Litigation, collective bargaining agreement and real property resolved
February 5, 2018	3	Collective bargaining agreement resolved
March 15, 2018	6	Real property resolved
March 22, 2018	3; 6	Collective bargaining and real property resolved
March 31, 2018	3; 6	Collective bargaining and real property resolved
April 26, 2018	3; 6	Litigation, collective bargaining agreement and real property resolved
May 24, 2018	2; 3; 6	Contract with nonunion personal, litigation, collective bargaining agreement and real property resolved
June 21, 2018	3; 6	Litigation and real property resolved
July 26, 2018	3; 6	Litigation and real property resolved
October 25, 2018	3; 6	Litigation and real property resolved
November 29, 2018	6	Real property resolved

* Purpose 2 – To conduct strategy sessions in preparation for negotiations with nonunion Personnel;

Purpose 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares;

Purpose 6 – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

January 10, 2019	2; 3; 6	Contract with nonunion personal, litigation and real property resolved
January 26, 2019	2; 3; 6	Contract with nonunion personal, litigation and real property resolved
April 25, 2019	6	Real property resolved
May 30, 2019	6	Real property resolved
June 20, 2019	3; 6	Litigation and real property resolved
July 29, 2019	3; 6	Litigation and real property resolved
August 22, 2019	3; 6	Litigation and real property resolved
September 26, 2019	3; 6	Litigation and real property resolved
October 24, 2019	3; 6	Collective bargaining agreement and real property resolved
December 5, 2019	3; 6	Collective bargaining agreement and real property resolved
January 29, 2020	3; 6	Collective bargaining agreement and real property resolved
February 27, 2020	3; 6	Collective bargaining agreement and real property resolved
March 24, 2020	3; 6	Collective bargaining agreement and real property resolved
April 30, 2020	3; 6	Collective bargaining agreement and real property resolved

* Purpose 2 – To conduct strategy sessions in preparation for negotiations with nonunion Personnel;

Purpose 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares;

Purpose 6 – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

May 28, 2020	3; 6	Litigation, collective bargaining agreement ¹ and real property resolved
June 25, 2020	3; 6	Litigation, collective bargaining agreement and real property resolved
July 23, 2020	3; 6	Collective bargaining agreement and real property resolved
August 20, 2020	3; 6	Litigation, collective bargaining agreement and real property resolved
September 24, 2020	6	Real property resolved
October 22, 2020	6	Real property resolved
December 3, 2020	6	Real property resolved
January 7, 2021	6	Real property resolved
February 2, 2021	6	Real property resolved
February 25, 2021	6	Real property resolved
March 2, 2021	6	Real property resolved
April 29, 2021	6	Real property resolved
May 27, 2021	6	Real property resolved
June 24, 2021	6	Real property resolved
June 30, 2021	3; 6	Year-end bonus ² and real property resolved

¹ Note that one section of the minutes regarding negotiation strategy has been redacted. “A public body may continue to withhold minutes of a Purpose 3 executive session, in whole or in part, even after a final collective bargaining agreement has been reached, if the public release of those minutes could have a detrimental effect on the public body’s collective bargaining position in future negotiations.” 2020 Mass. Op. Atty. Gen. No. 120.

² For the same reasons in Footnote 1, one section of the minutes regarding the union-represented employees’ year-end bonus has been redacted.

* Purpose 2 – To conduct strategy sessions in preparation for negotiations with nonunion Personnel;

Purpose 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares;

Purpose 6 – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

July 24, 2021	2; 6	Year-end bonus and real property resolved
---------------	------	-------------------------------------------

Finally, no executive session minutes dated before December 31, 2021, but for the “redacted sections” in the May 28, 2020 and June 30, 2021 minutes, are recommended to be withheld at this time. The Governance Committee will review executive session minutes dated after January 1, 2022, and the redacted sections, in or around October, 2022 and will provide its recommendations to the full Board at the November public meeting.

* Purpose 2 – To conduct strategy sessions in preparation for negotiations with nonunion Personnel;

Purpose 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares;

Purpose 6 – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.