EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.

2. The Chair (or, in their absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.

3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.

4. The Chair or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.

2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.

3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.

4. The deployment of security personnel or devices.

5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.

6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.

7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.

8. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the School Committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.

9. To meet or confer with a mediator with respect to any litigation or public business.

10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first *two* cases listed, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

SOURCE: MASC -

LEGAL REFS.: M.G.L. 30A:21; 30A:22

CROSS REFS.: BDE, Subcommittees of the School Committee

BE, School Committee Meetings

KEB, Public Complaints about School Personnel

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