

Executive and Closed Sessions

Purpose

This policy establishes the authority and legal purposes for which the Board may conduct executive or closed sessions.

Scope

This policy applies to the Board of Directors, Superintendent, Executive Assistant, staff, students and the community.

Policy

1. EXECUTIVE SESSIONS

- 1.1. Before convening in executive session, the Board President will publicly announce the general purpose for excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the Board President.
- 1.2. The Board may conduct executive sessions as provided in the Open Public Meetings Act (Chapter 42.30 RCW) for the following purposes:
 - (a) To consider, if in compliance with any required data breach disclosure under RCW 19.255.010 and 42.56.590, and with legal counsel available, information regarding the infrastructure and security of computer and telecommunications networks, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities, and other information that, if made public, may increase risk to the confidentiality, integrity, or availability of agency security or to information technology infrastructure or assets.
 - (b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.
 - (c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, discussion of the factors comprising the minimum value of the property, and the final action of selling or leasing public property will be taken in a meeting open to the public.
 - (d) To review negotiations on the performance of publicly-bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs.
 - (e) To evaluate the qualifications of a candidate for appointment to the Board. However, any interview of such candidate and final actions appointing candidate to the Board will be in a meeting open to the public.

- (f) To receive and evaluate complaints or charges brought against a director or employee. However, upon the request of such director or employee, a public hearing or a meeting open to the public will be conducted on such complaint or charge.
- (g) To evaluate the qualifications of an applicant for public employment or to review the performance of an employee. However, discussion of salaries, wages, and other conditions of employment to be generally applied within the district will occur in a meeting open to the public, and when the Board elects to take final action of hiring, setting the salary of an individual staff member or class of staff members, or discharging or disciplining an employee, that action will be taken in a meeting open to the public.
- (h) To discuss with legal counsel representing the district matters relating to district enforcement actions, or litigation or potential litigation to which the district, the Board or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the district. Potential litigation means:
 - Matters protected by attorney-client privilege related to litigation that has been specifically threatened.
 - Litigation that the district reasonably believes may be commenced.
 - The litigation or legal risks of a proposed action or current practice of the district, if public discussion is likely to result in an adverse or financial consequence to the district.

2. CLOSED SESSIONS/PRIVATE MEETINGS

2.1. The Open Public Meetings Act does not apply to certain Board activities and public notice is not required prior to holding a closed session for any of the following purposes:

- (a) Consideration of quasi-judicial matters between named parties, as distinguished from a matter having a general effect on the public or a class or group.
- (b) Sessions with employee organizations or professional negotiations with an employee, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement, or that portion of a meeting in which the Board is planning or adopting the strategy or position to be taken during the course of professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.

Related Procedures

1400P1-Meeting Conduct

Policy Cross References

1400-Meeting Conduct, Order of Business and Quorum

Policy Legal References

RCW 19.255.010 Disclosure, notice—Definitions—Rights, remedies

RCW 42.30.110 – Executive Sessions

RCW 42.30.140 – Chapter controlling – Application

RCW 42.56.590 Personal information—Notice of security breaches

Management Resources

Policy & Legal News, July 2017 – Executive or closed sessions updated

Policy News, June 2001 – Legislature Addresses Executive Session

Policy History

Action:	Date:
Approved by the Board	Unknown
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Revised	October 18, 2017
Revised	

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