

EXECUTIVE SESSIONS

The Board of Education reserves the right, within the constraints of State Law, to meet in executive session. Such sessions can be requested by any member of the Board or the Superintendent of Schools.

Upon a majority vote of its members, the Board may convene in executive session to discuss the subjects enumerated below. Matters which may be considered in executive session are:

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. medical, financial, credit or employment history of a particular person or corporation;
7. the preparation, grading or administration of examinations; and
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters which may only be considered in executive session are:

9. discussions concerning probable cause to bring disciplinary charges against an employee; and
10. discussions concerning findings and/or placement of students by the Committee on Special Education.

Formal action or vote on matters enumerated in paragraphs 9 and 10 above may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.

Minutes of executive sessions will reflect all actions and votes taken by the Board in executive session without personally identifying employees or students affected thereby. The name of the person who called for the executive session will also appear in the minutes of the public meeting.

The Superintendent shall attend all executive sessions except those which pertain to his/her employment. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

Ref: Education Law §§1606; 1708 (3)
 Open Meetings Law §§100 et seq.
 Public Officers Law §§93; 95; 96; 100; 105
 Formal Opinion of Counsel to the State Education Department No. 239

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