

Banks School District 13

Code: **BDC**
Adopted: 4/13/98
Revised/Readopted: 7/10/00
Orig. Code(s): BDC

Executive Sessions

Executive session may be held during regular, special or emergency meetings for any reason permitted by law.

An executive session may be convened upon request of three Board members or by common consent of the Board for a purpose authorized under ORS 192.660.

1. During a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to ORS 192.690 under which an executive session may be held:
 - a. To consider the employment of a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office;
 - b. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, unless such individual requests an open hearing;
 - c. To conduct deliberations with persons designated by the governing body to carry on labor negotiations or to negotiate real property transactions;
 - d. To consider records that are exempt by law from public inspection;
 - e. To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;
 - f. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
 - g. To review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the employment-related performance of the chief executive officer of any public body, a public executive officer of any public body, a public officer, employee or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing. The standards, criteria and policy directives to be used in evaluating chief executive officers shall be adopted by the governing body in meetings open to the public in which there has been opportunity for public comment. An executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member shall not include a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs;

- h. To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.
- 2. Labor negotiations shall be conducted in open meetings unless both sides of the negotiators request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.
- 3. Representatives of the news media shall be allowed to attend executive sessions except those pertaining to deliberations with persons designated by the Board to carry on labor negotiations; hearings on the expulsion of minor students; matters pertaining to or examination of the confidential medical records of a student including that student's educational program; and current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.
- 4. No executive session may be held for the purpose of taking any final action or making any final action except for the expulsion of students.
- 5. Student expulsion proceedings are to be carried out in executive session by a school board or in private hearings by a hearings officer unless the student, parent or guardian requests a public hearing. The student's name, the issue, including the student's confidential medical records and educational program, the discussion and vote of the Board members is not made public unless the hearing is public.

All executive session minutes shall be kept in written form.

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.710
ORS 332.061

Cross Reference(s):

BDDA - Notification of Board Meetings
BDDG - Minutes of Board Meetings