

VALLEY CITY PUBLIC SCHOOL DISTRICT #2 VALLEY CITY, NORTH DAKOTA 58072 EXECUTIVE SESSIONS	Descriptor Code BCAD	1st Reading 2/21/18
	Adopted 2/21/18	Revised/Rescinded 9/22/22

EXECUTIVE SESSIONS

The Board shall only hold executive sessions for reasons contained in law. Authorized subcommittees of the Board may hold executive sessions when permitted by law.

When conducting an executive session, the Board and authorized subcommittees of the Board shall comply with the following.

Executive Session Procedures

The Board and authorized committees of the Board must comply with the following general procedures when conducting an executive session:

1. Convene in an open session;
2. Pass a motion to hold an executive session, unless a motion is unnecessary because a confidential meeting is required by law;
3. Announce during the open portion of the meeting the topics to be considered during the executive session and the legal authority for holding an executive session on those topics;
4. Excuse the public or reconvene in another location
5. Limit the topics considered during the executive session to the announced, authorized topics; and
6. Take final action on the topics considered in the executive session during the open portion of a meeting. Substantive votes must be recorded by role call.

Attendance at an Executive Session

Only members of the governing body, those individuals deemed necessary to the functioning of a **closed meeting** by the Board, and those individuals listed in the law(s) pertaining to the executive session will be in attendance at the executive session unless law requires otherwise.

Recordings and Documents

Although all executive sessions must be recorded, minutes of executive sessions need not be kept. Rather the minutes of a meeting during which an executive session is held must indicate the following:

1. Names of the members attending the executive session;
2. Date and time the executive session was called to order and adjourned;

3. Summary of the general topics that were discussed or considered that does not disclose any closed of confidential information; and
4. Legal authority for holding the executive session

Location of Recordings & Documents

All recordings and documents resulting from an executive session shall be sealed in an envelope. The date of the executive session, purpose of the meeting, and word “confidential” should be written on the outside of the envelope. Envelopes will be placed in a locked area in the **[business office] (or) [superintendent’s office]**. When an executive session was held for the purpose of non-renewal, discharge, or discussion of a student’s educational record, the Business Manager should complete the applicable form (DI-E2 or FGA-E4) and place it in the appropriate personnel or student file.

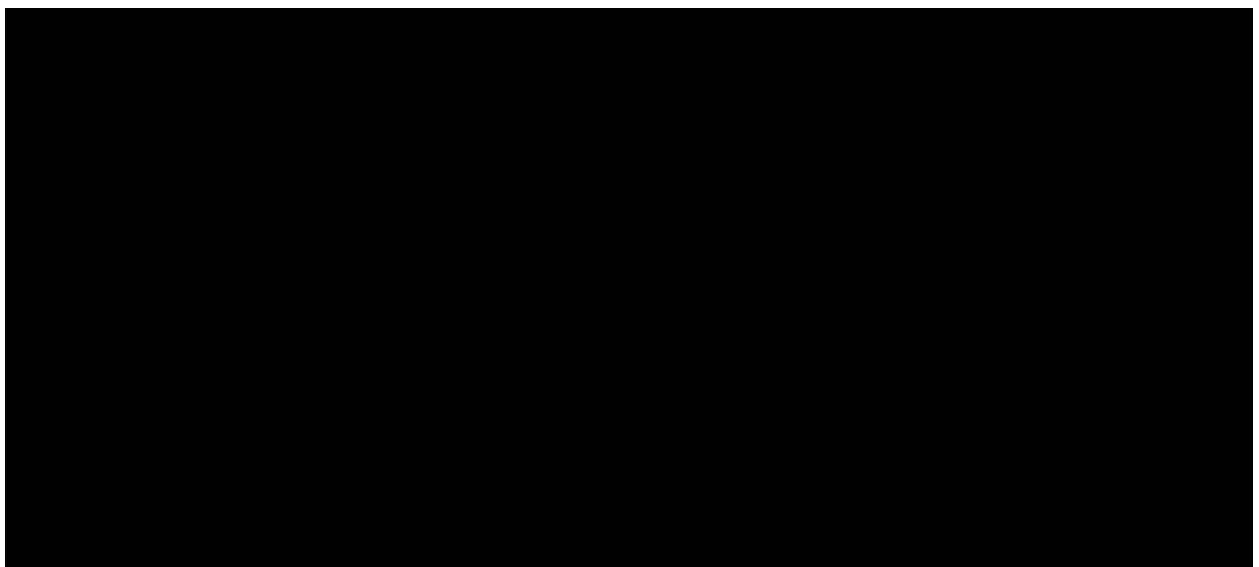
Retention of Recordings & Documents

The District must retain all documents and recordings resulting from an executive session for at least six months. If the executive session is related to contract negotiations, nonrenewal, discharge or expulsion, the District must retain all recordings and documents for at least six years.

Access to Recordings & Documents

In accordance with law, only the following individuals/in following cases shall executive session document(s) and recording(s) be viewed/listened to:

1. Those individuals in attendance at the executive session;
2. At the Attorney General’s request;
3. Pursuant to a court order;
4. By a majority vote of the governing body unless the executive session was required to be confidential (as opposed to a closed meeting; see definitions in NDCC 44-04-17.1).



Complementing

- BCAD-E2, Executive Session Format
- BCAD-E3, Executive Session Format For Discussion Of Education Records

- DI-E2, Notice of Confidential Record on File
- FGA-E4, Notice of Executive Session Tape on File