

MEMORANDUM

TO: NWABSD Board of Education
Members

DATE: April 29, 2025

NUMBER: 25-119

FR: Office of the Superintendent

SUBJECT: Approval of Proposed
Revisions to BB 9321
Executive Sessions; First
Reading

STRATEGIC PLAN/BOARD GOAL:

Track 1: Operational Improvements
Initiative: Optimize Business Practices

ABSTRACT:

Board policy revisions require Board approval.

ISSUE:

At issue is to approve the first reading of the proposed revisions to BB 9321 Executive Sessions and open for public comments.

BACKGROUND AND/OR PERTINENT INFORMATION:

The Superintendent/designee presents drafts or suggestions for board policy revisions when the law changes or specific needs occur. Policy revisions shall normally be given two readings prior to adoption by the Board.

This is the first reading of the proposed revisions to BB 9321 Executive Sessions within the Board Bylaw series.

This update includes additional language for reasons to enter executive session, how that may occur, and updated legal citations.

The Board Policy Committee reviewed the proposed changes, recommends approval and to open for public comments.

ALTERNATIVES:

1. Approve the first reading of the proposed revisions to BB 9321 Executive Sessions as presented and open for public comments;
2. Do not approve the first reading of the proposed revisions to BB 9321 as presented;
3. Take no final action.

ADMINISTRATION'S RECOMMENDATION:

The administration recommends the Board approve the first reading of the proposed revisions to BB 9321 Executive Sessions as presented and open for public comments.

BB 9321 EXECUTIVE SESSIONS

Note: AS 44.62.312 sets forth a strong state policy favoring open meetings and the narrow construction of the exceptions to the public meeting law. The following bylaw reflects the legislature's revisions to AS 44.62.310, relating to executive sessions of the School Board.

Prior to entering an executive session, the School Board first shall meet in open session. At this open meeting, the School Board shall enter an executive session only after a majority of the School Board votes to accept a motion to enter the executive session. The motion shall clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Unless stated in the motion for executive session, or auxiliary to the main question, no other subject may be discussed in that executive session.

The Board may hold executive sessions of the Board in order to discuss: The only subjects that the School Board may discuss in an executive session of the School Board are:

1. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the ~~government unit~~, School District,
2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion, ~~or~~
3. matters which by law, municipal charter, or ordinance are required to be confidential, or
- 3.4. matters involving consideration of government records that by law are not subject to public disclosure.-

~~In order to hold an executive session, the Board shall meet in open session and obtain a majority vote of the Board authorizing the executive session to discuss a particular matter determined by the Board to be exempt from open meeting.~~

(cf. 1340 - Access to District Records)

~~No decisions~~ The School Board may be made not take action in an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations. All other action of the School Board. Any formal action must be made in an open meeting.

(cf. 1120 - School Board Meetings)

Legal Reference:

ALASKA STATUTES

44.62.310-312 Alaska's Open Meetings Act

~~44.62.310~~ ~~Agency meetings public~~

~~44.62.312~~ ~~State policy regarding meetings~~

Adoption Date: May 23, 1995

Northwest Arctic Borough School District