

EXECUTIVE SESSIONS

Descriptor: BEC
Rescinds: BEC

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BOARD POLICY

1. The Board may enter into an executive session from an open meeting for the transaction of public business after having followed these procedures:

1.1. Any member of the Board may request by motion a closed determination upon an issue of whether on not to declare an executive session. The reason for holding such an executive session shall be stated in an open meeting and the reason so stated shall be recorded in the minutes of the meeting.

1.2. Should that motion be approved by majority vote, the meeting shall be closed for a preliminary determination of the necessity for an executive session and no other business shall be transacted until the discussion of the matter requiring an executive session has been completed.

1.3. Upon motion and an affirmative vote of three-fifths of all members present, an executive session may be declared.

1.4. The total vote on the question of entering into and concluding an executive session shall be recorded and spread on the minutes of the meeting.

2. An executive session shall be limited to those matters allowed to be exempted from open meetings and will be applicable to that particular meeting on that particular day. Nothing shall be construed to require that any meeting be closed to the public, nor shall any executive session be used to circumvent the purposes of law.

3. Executive session **may be held for one or more of the following reasons:** ~~shall be limited to the following matters which are allowed by law:-~~

3.1. Transaction of business and discussion of personnel matters relating to job performance, character, professional competence, or physical or mental health of an employee.

3.2. Strategy sessions or negotiations with respect to prospective litigation, litigation or issuance of an appealable order when an open meeting would have a detrimental effect on the litigating position of the Board.

3.3. Transaction of business and discussion regarding the report, development or course of action regarding security personnel, plans or device.

3.4. Investigative proceedings by the Board regarding allegations of misconduct or violations of law.

3.5. Cases of extraordinary emergency which would pose immediate or irrevocable harm or damage to persons and/or property within the jurisdiction of the Board.

- 3.6. Transaction of business and discussion regarding the prospective purchase, sale or leasing of lands.
- 3.7. Discussions between the Board and individual students who attend a school within the district or parents or teachers of such students regarding problems of such students or their parents or teachers.
- 3.8. Transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business or industry.
- 3.9. Transaction of business and discussions regarding employment, job performance or termination of an employee. This exemption includes the right to enter into executive session concerning a line item in a budget which effects the termination of an employee or employees. All other budget items shall be considered in open meetings and final budgetary adoption shall not be taken in executive session.
- 3.10. Discussions regarding material or data exempt from the Mississippi Public Records Act of 1983 pursuant to law.

EXHIBITS

None

REFERENCES

MCA §§ 25-41-7; 25-11-121

FORMS

None

***RESCINDS**

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Note: Highlighted changes reflect modifications to 25-41-7.