

EXEMPT MEETINGS

Board Meetings at which a quorum is not present, or gatherings of the board for purely ministerial or social purposes where there is no discussion of policy or no intent to avoid the purposes of the open meetings law, are exempt from the open meetings law requirements. Since gatherings of this type are exempt from the open meetings requirements, they can be held without public notice, be separate from an open meeting, can be held without recording the gathering or taking minutes, and be held without a vote or motion. The board may also hold an exempt session for the following reasons, or as may be otherwise authorized by law.

1. Negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration;
2. To discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law;
3. To conduct a private hearing relating to the recommended termination of a teacher's contract. The private hearing however, in the teacher's contract termination will be recorded verbatim by a court reporter; and
4. To conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the administrative law judge regarding the termination of an administrator's contract.

Note: Meetings exempt from the Open Meetings law are separate, standalone meetings of the board. For this reason, exempt meetings should never take place within an open meeting. Exempt meetings may be placed before or after an open meeting. But once an open meeting has convened, it should be adjourned prior to holding an exempt meeting. While there is no legal requirement to provide notice or keep minutes for exempt meetings; there may be intrinsic benefit for the community to understand that the board is communicating in a transparent fashion. For this reason, boards may choose to provide a notice that they intend to gather for an exempt meeting.

Legal Reference: Iowa Code §§ 20.17; 21; 22.7; 279.15, .16