

Encl. 22, 4
April 28, 2011
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EXECUTIVE SESSIONS

The Board of Education considers it a moral as well as a legal obligation to meet in executive session to discuss confidential matters.

It shall be considered a breach of the code of ethics for any Board or staff member to disclose to others information obtained from, or conversations heard during, an executive session. Only by adhering to the highest of moral and ethical standards can all participants of an executive session feel free to engage in a completely open dialogue. Maintaining high standards will assure a continuation of the value and productivity of such sessions.

Matters which may be discussed in executive session are:

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending, or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation;
7. the preparation, grading, or administration of examinations; and/or
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters which may *only* be considered in executive session are:

9. discussions concerning probable cause to bring disciplinary charges against a tenured staff member; and
10. discussions concerning the evaluation and/or placement of particular students with disabilities.

* word
change.
Formerly
said
"teacher"

Formal action or vote on matters enumerated in paragraphs 9 and 10 above may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.

Cross-ref: 2160, School Board Officer and Employee Ethics

Ref: Education Law §1708 (3)
Public Officers Law §§100 et seq.
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Approved: July 1, 2001