

Multnomah Education Service District

Code: **BDC**
Adopted: 5/06/80
Revised/Readopted: 9/20/94; 4/19/05; 9/20/05;
10/19/10; 4/23/14; 9/20/16
Orig. Code(s): 1481.1

Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of students.

An executive session may be convened by the Board chair, upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660, during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent. (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(k))
9. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))

10. To discuss matters pertaining to or examination of the confidential medical records of a student, including that student's educational program. (ORS 332.061(1)(b))

Members of the press may attend executive sessions except those matters pertaining to:

1. Deliberations with persons designated by the Board to carry on labor negotiations; and
2. Hearings on the expulsion of minor students or examination of the confidential medical records of a student, including that student's educational program; and
3. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential medical records and educational program; the discussion; and each Board member's vote on the issue.

Minutes shall be kept electronically and in hard copy format in accordance with state law and administrative rules as an official record of Board proceedings.

Content discussed in executive sessions is confidential and shall not be made public.

Documents pertaining to evaluations, MESD personnel and students are also confidential and shall not be made available to the public.

END OF POLICY

Legal Reference(s):

[ORS 192.610](#) to [-192.710](#)

[ORS 332.045](#)

[ORS 332.061](#)

MESD Policy Cross Reference(s):

BBA - Board Powers and Duties

BBAA - Individual Board Member's Authority and Responsibilities

BBF - Board Member Standards of Conduct

BD/BDA - Board Meetings/Regular Board Meetings

BDB - Special and Emergency Board Meetings

BDD - Board Meeting Procedures

BDDA - Notification of Board Meetings

BDDB/BDDC - Board Meeting Agenda

BDDG/BDDK - Minutes of Board Meetings

BDDH - Public Participation in Board Meetings

KBA - Public Records