



Code: **BDC**
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 9/14/16
Orig. Code(s): BDC

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 and matters pertaining to or examination of the confidential medical records of a student, including that student's educational program.

An executive session may be convened by the board chair upon request of four 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 notice will include the principal subjects anticipated to be considered at the meeting. The board will determine who may attend executive sessions within the constraints of the law.

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 as follows:

1. Those pertaining to strategies for negotiations;
2. Hearings on the expulsion of minor students and matters pertaining to or examination of the confidential medical records of a student or that students educational program; and
3. 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 litigations.

The press may not disclose information gained in the executive session.

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 students confidential medical records and educational program; the discussion; and each board members vote on the issue.

All executive session minutes shall be kept in written form and approved by the board. The minutes of executive sessions shall include those individuals present and the substance of any discussion. The board chair or the presiding officer of the executive session, shall review the minutes for accuracy and indicate approval by signature. Executive session minutes shall be maintained indefinitely and in a reasonable manner to prevent damage.

Content discussed in executive sessions is confidential and must not be made public. Documents pertaining to evaluation, district personnel and students are also confidential and must not be made available to the public. Executive session minutes may be examined privately by a court and the court shall determine admissibility.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.710](#)
[ORS 332.045](#)
[ORS 332.061](#)

Cross Reference(s):

BD/BDA - Board Meetings
CBG - Evaluation of the Superintendent