

Descriptor Term:
CLOSED SESSIONS

Descriptor Code:
2.3210

Legal References: G.S. 143, art. 33C

Cross References:

Closed sessions will be held only when required to permit the board to act in the public interest as provided by law.

A. PERMITTED PURPOSES

By majority vote of its members present, the board may hold or retire to a closed session as permitted by law for deliberation of matters permitted by law.

B. ACTIONS THAT MUST BE REPORTED OR TAKEN IN OPEN SESSION

While deliberations may occur in closed session, the following board actions must be taken or reported in open session:

1. if the board has approved or considered a settlement in closed session, the terms of that settlement will be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. The report should be made in open session unless there is a basis for the report to be heard only in closed session; and
2. final action making an appointment or discharge or removal by the board having final authority for the appointment or discharge or removal.

C. REASONS EXPRESSLY PROHIBITED FOR CLOSED SESSIONS

The following are expressly prohibited by law as a basis for closed sessions:

1. to discuss general policy matters or other issues that would be open merely because an attorney employed or retained by the board is a participant; and
2. to consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the board or another body or to consider or fill a vacancy among its own membership.

D. PROCEDURE

The board of education shall meet in closed session only upon a motion duly made and adopted in public pursuant to G.S. 143-318.11(c). Every such motion shall cite one or more of the permissible purposes as provided in G.S. 143-318.11(a) and in this board policy. A motion based on the need to prevent the disclosure of information that is confidential or privileged shall also cite or name the law that renders the information confidential or privileged. A motion based on the need to consider with an attorney

employed by the board the handling or settlement of a lawsuit shall identify the parties in the lawsuit.

E. MINUTES

The board shall keep minutes of all closed sessions. The minutes of the board must include a general account of the closed sessions so that a person not in attendance will have a reasonable understanding of what transpired.