

B-431.5 EXECUTIVE SESSIONS

Executive sessions are only permitted as specifically provided by law. This includes the nonrenewal or discharge hearing of a teacher as defined by law, suspension of a teacher, consultation with the unit's attorney concerning reasonably predictable litigation, the discussion of a student's educational records that are protected by the Family Educational Rights and Privacy Act, or to instruct individuals who are negotiating on behalf of the Board.

It shall be the policy of this Board to use executive sessions for all nonrenewal and discharge hearings of teachers, or others as permitted by law unless the person being considered for such nonrenewal or discharge presents a compelling reason for an open meeting. The Board will also use the executive session permitted when determining whether to suspend a teacher.

When the Unit may reasonably expect to be involved in litigation, the Board may meet in executive session to discuss that litigation with the attorney at the attorney's request.

The Board may, from time to time, meet in executive session with persons appointed by the Board to negotiate contracts on behalf of the Board.

All executive sessions of the Board will conform to North Dakota Century Code as to notice of meetings and records and minutes of the meeting.

LEGAL REF: 20 U.S.C. 123g(e)(f) Family Educational Rights and Privacy 45 CFR 99.5 Regulations

ORIGINAL POLICY MANUAL