

Closed sessions, with one exception, are called only during or following a regular or special meeting. Minutes may be kept and action taken. Official action ratifying decisions in closed session, or concluding decisions arising out of closed session will be taken in public session.

The exception noted in the above paragraph is that contained in Government Code Section 3549.1(d). A closed session may be scheduled by the public school employer for the purpose of discussion with public school employers' representative on meet and negotiate items that are within the scope of representation under Government Code 3543.2, and for the purposes of instructing the designated representative on the board's position concerning such items.

Closed sessions, with the exception of those for the purpose set forth above regarding items under the scope of representation, must be held either at regular or special meetings, and must be held at the location of regularly scheduled meetings.

Matters discussed shall be kept confidential, unless a majority of board members present in the closed session agree not to hold such matters confidential.

The sessions, according to law

1. may be held for consideration of the appointment, employment, or dismissal of an employee (Government Code Section 54957). The board shall publicly report at a subsequent public meeting the action taken and the role call vote thereon in a prior closed session relative to the matter in this section.
2. may be held to hear complaints or charges against an employee, unless such employee requests a public hearing.
3. may be held for discussion with a representative of the public school employer for the purposes of considering meet and negotiate items considered within the scope of representation under Government Code Section 3543.2, and for the purpose of instructing the designated representative concerning the governing board's position on those items.
4. shall be held for the consideration of the suspension of, or disciplinary action or any other action except expulsion in connection with any pupil in the public schools of the district, if a public hearing would lead to giving out of information concerning the pupil. (Education Code 49073, 49076)

5. may be held for consideration of matters affecting the national security.
6. may be held for consideration of legal matters which come within the attorney/client privilege.
7. may be held for discussion of a state conciliator (mediator) who has intervened as authorized by law in matters affecting employer/employee relations.
8. may be held for discussion with attorney general, district attorney, sheriff, or chief of police, or his/her respective deputies on matters posing a threat to the security of public buildings, public services, or facilities. (Government Code Section 54957)

Legal References:**Education Code**

35146	Closed Sessions for Student Suspension or Disciplinary Action
49073	Directory Information
49076	Access to Student Records

Government Code

3543.2	Meeting and Negotiating in Public Educational Employment; Rights, Obligations, Prohibitions
3549.1	Meeting and Negotiating in Public Educational Employment
54957	Closed Session Regarding a Threat to the Public
54957.1	Brown Act – Open Meeting Laws; Public Report of Action Taken in Closed Session
54957.6	Brown Act – Open Meetings; Closed Session with Designated Representative

Bylaw Adopted:

December 11, 1980

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References Revised: May 2004

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