

EXECUTIVE SESSIONS

The Board of Education reserves the right, within the constraints of State Law, to meet in executive session. Such sessions can be requested by any member of the Board or the Superintendent of Schools.

Upon a majority vote of its members, the Board may convene an executive session to discuss the subjects enumerated below. Matters which may be considered in executive session are:

1. Matters which will imperil the public safety if disclosed;
2. Any matter which may disclose the identity of a law enforcement agent or informer;
3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. Discussions regarding proposed, pending or current litigation;
5. Collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. Medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. The preparation, grading or administration of examinations; and
8. The proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters which may only be considered in executive session are:

9. Discussions concerning probable cause to bring disciplinary charges against a tenured teacher; and
10. Discussion concerning the discipline of students or findings and/or placement of students by the Committee on Special Education.

Formal action or vote on matters enumerated in paragraph 9 above may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.

Minutes are not kept of executive session nor can it be recorded. In accordance with the law, all conversations had in executive session are confidential and may not be disclosed by any board member.

Ref: Education Law Section 1708 (3); 3020-a (2)
Public Officers Law Section 100 et seq.
Formal Opinion of Counsel to the State Education Department No. 239