

CLOSED SESSIONS

Generally, Board meetings will be open meetings, unless a closed session is provided for by law.

Closed sessions take place as part of an open meeting. The item for discussion in the closed session shall be listed as part of the tentative agenda on the public notice. The motion to enter into closed session, stating the purpose for the closed session, shall be made, seconded, and voted upon during the open meeting. If five, six, or seven board members are present, a minimum of two-thirds of the board (five members) must vote in favor of the motion in order to go into closed session. If only four members are present, then all of the board members present must vote in favor of the motion in order to go into closed session. The vote is taken by a roll call. Closed sessions shall be recorded and have detailed minutes kept by the board secretary. The board shall return to open session before final action is taken on matters discussed in the closed session.

The minutes and the recording shall include the motion made in the open meeting, the roll call vote, the members present, and the time the closed session began and ended. The recordings and the written minutes shall be kept for one year from the date of the meeting. Real estate-related minutes and recordings shall be made public upon request after the real estate transaction is completed.

The detailed minutes and recordings shall be sealed and shall not be public records open to public inspection. The minutes and recordings shall only be available to board members or opened upon court order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to who may be present at a closed session.

Reasons for the board entering into a closed session from an open meeting include, but are not limited to, the following:

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for the board's possession or receipt of federal funds.
2. To discuss strategy with legal counsel in matters presently in litigation, or where litigation is imminent, if disclosure would be likely to prejudice or disadvantage the board.
3. To discuss whether to conduct a hearing for suspension, expulsion, or re-entry of a student and/or to actually conduct a hearing for suspension, expulsion, or re-entry of a student, unless an open meeting is requested by the parent/guardian of the student, or if the student is 18 or older, by the student.
4. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when a closed session is necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
5. To discuss the purchase or sale of particular real estate, but only when premature disclosure could be reasonably expected to increase the price the board would

have to pay for the property, or in the case of a sale, reduce the price the board could receive for the property.

Legal Ref.: Iowa Code §§ 21; 22.7; 279.24.

Cross Ref.: 208.0 Board Committees
210.0 Meetings of the Board of Education

ADOPTED: 9/12/83
4/27/87
2/12/90
4/26/93
3/12/99
9/5/02

Reviewed: 9/5/02, 12/2/04, 10/1/09, 10/6/11, 9/1/16, 9/4/18, 3/5/20, 2/3/22