

**EXECUTIVE SESSIONS**

The Board shall only hold executive sessions for reasons contained in law. **Authorized subcommittees of the Board may hold executive sessions when permitted by law.** ~~In addition,~~ When conducting an executive session, the Board **and authorized subcommittees of the Board** shall comply with the following.

**Attendance at an Executive Session**

Only members of the governing body, those individuals deemed necessary to the functioning of a **closed meeting** by the Board, and those individuals listed in the law(s) pertaining to the executive session will be in attendance at the executive session **unless law requires otherwise.**

**Location of Recordings & Documents**

All recordings and documents resulting from an executive session shall be sealed in an envelope. The date of the executive session, purpose of the meeting, and word “confidential” should be written on the outside of the envelope. Envelopes will be placed in a locked area in the business office. When an executive session was held for the purpose of nonrenewal, discharge, or discussion of a student’s educational record, the Business Manager should complete a Notice of Executive Session Tape on File form (BCAD-E1) and place it in the appropriate personnel or student file.

**Retention of Recordings & Documents**

The District will retain all documents and recordings resulting from an executive session for at least six years.

**Access to Recordings & Documents**

In accordance with law, only the following individuals **/in following cases shall executive session document(s) and recording(s) be viewed/listened to:** ~~shall have access to view or listen to the executive session document(s) and recording(s):~~

1. Those individuals in attendance at the executive session;
2. At the Attorney General’s request;
3. Pursuant to a court order.
4. By a majority vote of the governing body unless the executive session was required to be confidential (as opposed to a closed meeting; see definitions in NDCC 44-04-17.1).

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Complementary Documents

- **FGA-E4**, Notice of Executive Session Tape on File
- BCAD-E2, Executive Session Format
- BCAD-E3, Executive Session Format for Discussion of Education Records