

EXECUTIVE SESSIONS

The Board shall ~~only~~ hold executive sessions ~~only~~ for reasons contained in law. Authorized subcommittees of the Board may hold executive sessions when permitted by law.

When conducting an executive session, the Board and authorized subcommittees of the Board ~~shall~~ **must** comply with the following.

Attendance at an Executive Session

Only members of the ~~governing body~~ Board, any person permitted to be present by law, and any person the governing body determines to be necessary to carry out or further the purpose of the meeting ~~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~~ **may** be in attendance at the executive session ~~unless law requires otherwise~~.

Location of Recordings ~~& and~~ Documents

All recordings and documents resulting from an executive session ~~shall~~ **must** be sealed in an envelope. The date of the executive session, purpose of the ~~meeting session~~, and word "confidential" should be written on the outside of the envelope. Envelopes ~~will~~ **must** be ~~placed~~ **secured** in a locked area in the business office.

When an executive session ~~was is~~ 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 ~~& and~~ Documents

The District ~~will~~ **must** retain all ~~documents and recordings~~ recordings and documents resulting from an executive session for a minimum of six months. If the executive session is related to contract negotiations, nonrenewal, discharge, or expulsion, the District must retain all recordings and documents for at least six years.

Access to Recordings ~~& and~~ Documents

In accordance with law, recordings and documents resulting from an executive session may be disclosed upon a majority vote of the Board, unless the executive session was required to be confidential. The recordings and documents must be disclosed pursuant to court order or to the Attorney General for the purpose of administrative review. The recording and documents of an executive session remain closed even if the underlying statutory basis for the executive session no longer applies.

Unauthorized disclosure of the recordings and documents by a public servant is a Class C felony. ~~only the following individuals in the following cases shall executive session document(s) and recording(s) be viewed/listened to:~~

- ~~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).~~

Complementary Documents

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

End of Dickinson School District #1 Policy BCAD Amended: 01/09/17