

PROPOSED REVISION



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THE BOARD OF DIRECTORS

Executive or Closed Sessions

Executive Sessions

Before convening in executive session, the president shall publicly announce the general purpose for excluding the public from the meeting **place** and **announce** the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the president.

An executive session may be conducted for one (1) or more of the following purposes:

1. To consider if in compliance with any required data breach disclosure under [RCW 19.255.010](#) and [RCW 42.56.590](#), and with legal counsel available information regarding the infrastructure and security of computer and telecommunications networks, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities, and other information that, if made public, may increase risk to the confidentiality, integrity, or availability of agency security or to information technology infrastructure or assets;
2. To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;
3. To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price; however, discussion of the factors comprising the minimum value of the property shall occur, and the final action of selling or leasing public property shall be taken in a meeting open to the public;
4. To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;
5. To receive and evaluate complaints or charges brought against a director or staff member; however, upon the request of such director or staff member, a public hearing or a meeting open to the public shall be conducted on such complaint or charge. (Note: Content of existing policy is included in section #2 of the Open Public Meetings Act on the next page);
6. To evaluate the qualifications of an applicant for public employment or to review the performance of a staff member; however, discussion of salaries, wages, and other conditions of employment to be generally applied within the district shall occur in a meeting open to the public, and when the board elects to take the final action of hiring, setting the salary of an individual staff member or class of staff members, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;
7. To evaluate the qualifications of a candidate for appointment to the board; however, any interview of such candidate and final action appointing a candidate to the board shall be in a meeting open to the public;

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8. To discuss with legal counsel representing the district matters relating to district enforcement actions, or to discuss with legal counsel representing the district litigation or potential litigation to which the district, the board, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the district; or
9. To discuss matters of national security.

The announced purpose of the executive session will be entered into the minutes of the meeting.

Closed Sessions/Private Meetings

The Open Public Meetings Act does not apply to certain board activities and public notice is not required prior to holding a closed session for any of the following purposes:

1. Consideration of a quasi-judicial matter between named parties as distinguished from a matter having a general effect on the public or a class or group; or
2. Collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement, or when the board is planning or adopting the strategy or position to be taken during the course of collective bargaining, professional negotiations or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.

All executive **closed** session discussions are confidential and will be held in confidence by each board member. Board members may not use any video or audio recording device, or any electronic device capable of recording or transmitting audio or video content, in an executive session or closed session.

Cross reference: [Board Policy 1400](#)

Meetings

Legal references: [RCW.9.73.030](#)

Intercepting, recording, or divulging private communication—Consent required—Exceptions

[RCW 19.255.010](#)

Personal information—Notice of security breaches

[RCW 42.23.070](#)

Prohibited acts

[RCW 42.30.050](#)

Interruptions—Procedure

[RCW 42.30.110](#)

Executive sessions

[RCW 42.30.140](#)

Chapter controlling—Application

[RCW 42.56.590](#)

Personal information—Notice of security breaches

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Whether Information Learned in an Executive Session is Confidential

Adopted: November 21, 1980

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