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**School Committee Policy:**

**#113**

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### **Executive Session**

The Committee reserves the right, within the constraints of state law (often referred to as Open Meeting Law), to sit in executive session. Such sessions shall be closed to the public and press. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of executive session.

An executive session shall be conducted in accordance with MGL Chapter 39, Section 23 A, B, C and may be held at any meeting provided that:

- a. Notice of the Meeting was posted with the Town Clerk forty-eight (48) hours in advance;
- b. An open session was convened prior to entering Executive Session, and,
- c. A majority of the Committee (not just those members present) voted by roll call to go into Executive Session.

The Chairperson must state as a reason for Executive Session at least one of the following nine designated subject areas:

1. The reputation and character, physical condition, or mental health rather than the professional competence of a single individual.
2. Discipline or dismissal or the hearing of complaints or charges against an individual.
3. Strategy for collective bargaining or litigation or to conduct collective bargaining session or contract negotiations with non-union personnel.
4. Deployment of security personnel or devices.
5. Allegations of criminal misconduct.
6. Transactions in real property.
7. Matters required by statute or other law to be kept private.
8. Screening or interview of applicants for employment, by a preliminary screening committee or a subcommittee appointed by the School Committee.
9. To meet or confer with a mediator.

The vote to go into executive session and the stated purpose must be recorded in the minutes of both the public and the executive sessions.

The Superintendent and/or other persons as designated by the School Committee, shall attend all executive sessions, except when the contract and/or salary of the Superintendent shall be discussed by the Committee. Committee members, the Superintendent, and other persons attending the session are honor-bound not to disclose any portion of the discussion held or actions taken in executive session.

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Date Approved: 4/29/04  
Earlier Version: 12/76, 4/88, 9/94, 3/25/99  
Legal Reference: MGL 39:23 A, B, C

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