

Todd County School District Policy: BEC

EXECUTIVE SESSIONS

The official meetings of the school board are open to the public unless a specific law is cited by the school board to close the official meeting to the public. An official meeting is any meeting, whether in person or by means of teleconference, of a majority of the school board members during which time official business of the school district is discussed or decided, or school district public policy is formulated.

An executive or closed meeting of the school board may be held for the sole purposes of:

1. discussing the qualifications, competence, performance, character, or fitness of any public officer or employee, or prospective public officer or employee; the term "employee" does not include any independent contractor;
2. discussing the expulsion, suspension, discipline, or assignment of the educational program of a student;
3. consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or consulting with legal counsel or reviewing communications from legal counsel about contractual matters;
4. preparing for collective bargaining contract negotiations or negotiating with employees or employee representatives; or
5. discussing marketing or pricing strategies by the school board of a business owned by the district when public discussion may be harmful to the competitive position of the school district. All discussions will be considered confidential, but all official actions concerning the matters discussed will be made only at an open official meeting.

The matters discussed shall be kept confidential by the Board and individual Board members (and the administration, as agents of the Board) unless and until allowed to be disclosed publicly by the individual(s) to whom the discussion relates or unless and until authorized or required by law. It is therefore the policy of the Board that the Board and Board members shall respect the right of privacy of District employees and students, and neither the Board nor individual board members shall disclose nor convey confidential information regarding District employees or students, the knowledge of which was acquired during closed/ executive sessions unless authorized or required by law to disclose the same.

An executive session may be held only upon a majority vote of the members of the board present and voting. All discussion during the executive session is restricted to the purpose specified in the closure motion. All official action by the school board concerning the matter discussed in executive session shall be made by the school board during open session of an official meeting. Violation of the "Open Meeting Law" is a criminal offense.

LEGAL REFS.: SDCL 1-25-1 through 1-25-2

ADOPTED: April 18, 1983
REVISED: November 8, 1993
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