



Boulder Valley School District

File: BDC

Adopted: August 9, 1976

Revised: September 12, 1991, August 14, 2001, June 27, 2006

EXECUTIVE SESSIONS

Discussion of Board of Education business shall be conducted in open public meetings to the fullest extent, consistent with the interests of the School District and the general public. At any regular or special meeting, upon a vote of two-thirds of the quorum present, an executive session may be held, but only to discuss any one or more of the following:

1. Purchase, acquisition, lease, transfer, or sale of any real, personal, or other property. However, no executive session shall be held to conceal the fact that a board member has a personal interest in such property.
2. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. The mere presence or participation of an attorney at an executive session shall not be sufficient to satisfy this requirement.
3. Matters required to be kept confidential by federal or state law or rules and regulations. An announcement will be made indicating the specific citation to state or federal law which is the reason the matter must remain confidential.
4. Specialized details of security arrangements or investigations.
5. Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations, and instruction of negotiators.
6. Personnel matters, unless the employee who is the subject of an executive session requests an open meeting or, if the personnel matter involves more than one employee, all of the employees have requested that the meeting be open. Discussion of personnel policies that do not require discussion of matters specific to particular employees are not considered "personnel matters." The Teacher Employment, Compensation and Dismissal Act shall prevail in teacher dismissal hearings. Discussion concerning a member of the Board are not considered "personnel matters."

7. Consideration of any document which may not be disclosed pursuant to the Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed.

8. Discussion of individual students where public disclosure would adversely affect the person or persons involved. Prior to convening in executive session, the Board president shall announce the topic of the executive session which shall be reflected in the minutes. The Board shall include the specific citation to statute authorizing it to meet in executive session when it announces the session and identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

Only those persons invited by the Board may be present during executive session regardless of the topic of the session (including personnel matters). No adoption of any proposed policy, position, resolution, rule, regulation, or formal action shall occur at any executive session which is not open to the public. The discussion during such executive session shall remain confidential among those attending. The Board of Education may invite members of the press to attend executive sessions of the Board on the express condition and understanding that their attendance is subject to the Board policy and that discussions during executive session shall remain confidential among those attending.

The Board shall cause an electronic recording to be made of the executive session which shall be retained by the Board for 90 days following the session. No electronic record shall be made of an executive session held for the purpose of discussing an individual student matter or of a session in which the discussion involves a privileged attorney-client communication. The electronic record must include the specific statutory citation to the executive session law that allows the Board to meet in executive session.

LEGAL REFS.: C.R.S. 22-32-108(5)
C.R.S. 24-6-402(4)
C.R.S. 29-9-101

CROSS REF.: BDDG, Minutes

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