

Board of Trustees

BP 2315 CLOSED SESSIONS

References:

Education Code Section 72122;

Government Code Sections 11125.4, 54956.8, 54956.9, 54957, and 54957.6

Closed sessions of the Board of Trustees shall only be held as permitted by applicable legal provisions including but not limited to the Brown Act, California Government Code, and California Education Code. Matters discussed in closed session may include:

- The appointment, employment, evaluation of performance, discipline or dismissal of a public employee.
- Charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least 24 hours written notice of the closed session.
- Advice of counsel on pending litigation, as defined by law.
- Consideration of tort liability claims as part of the District's membership in any joint powers agency formed for purposes of insurance pooling.
- Real property transactions.
- Threats to public security.
- Review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator.
- Discussion of student disciplinary action, with final action taken in public.
- Conferring of honorary degrees.
- Consideration of gifts from a donor who wishes to remain anonymous.
- To consider its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.

After any closed session, the Board shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote of every member present.

All matters discussed or disclosed during a lawfully held closed session and any notes, records, or recordings made of such a closed session are confidential and shall remain confidential unless, and until, required to be disclosed by action of the Board or by law.

Pursuant to Government Code Section 54957, the Board may also exclude from any such public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the Board.

Members of a legislative body may not disclose information discussed at a closed session unless specifically authorized by law. The Brown Act imposes formalized penalties on any person who willfully discloses confidential information acquired in a closed session.

Adopted: April 16, 2013

Board Reviewed: January 21, 2020