

Adopted
January 10, 2006
Last Revised
April 12, 2016

BP 2315 CLOSED SESSIONS

References:

Education Code Section 72122;
Government Code Sections 54956.8, 54956.9, 54957, 54957.6, and 11125.4

Closed sessions of the Board shall be held only as permitted by applicable legal provisions including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et seq.), California Government Code, and California Education Code. Matters discussed in closed session may include:

1. the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee
2. 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. To the extent allowable by state and federal law and regulation, such complaints shall be brought through existing district policies and procedures and collective bargaining agreements before the Board in Closed Session or by election in Open Session receives such complaints.
3. advice of counsel on pending litigation, as defined by law
4. consideration of tort liability claims as part of the District's membership in any joint powers agency formed for purposes of insurance pooling
5. real property transactions
6. threats to public security
7. review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator
8. discussion of student disciplinary action, with final action taken in public
9. conferring of honorary degrees

10. consideration of gifts from a donor who wishes to remain anonymous

11. 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.

Any written materials over five pages in length for any closed session item will be submitted for consideration in closed session at least 72 hours before the closed session.

All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, 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.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the District Chancellor. Notice shall be given to the employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board. The employee shall be given at least 24 hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Board of Trustees.