

BEC - NON-PUBLIC SESSIONS

Category R

The Board reserves the right to sit in non-public session when a majority of the members present and voting so vote. The vote to enter non-public session shall be a recorded roll-call vote made in public session. As required by law, the motion calling for a non-public session shall indicate the general matter(s) to be discussed and shall cite to the applicable statutory exception(s).

The Board may entertain a motion to hold a non-public session only for those purposes that the law recognizes. These purposes are:

1. The dismissal, promotion, compensation or disciplining of any public employee.
2. The hiring of a public employee.
3. Discussion of matters that are likely to adversely affect the reputation of a person other than a member of the Board.
4. Consideration of the acquisition, sale or lease of real or personal property.
5. Consideration or negotiation of pending legal claims or litigation.
6. Matters relating to the preparation and carrying out of emergency functions.

The Board shall record minutes of all non-public sessions. Those minutes shall be made publicly available within 72 hours of the non-public session, unless the Board votes to seal those minutes. The Board may vote to seal minutes of a non-public session only by a two-thirds vote. The vote to seal the minutes may occur in either the public or non-public session, but if it occurs in the non-public session, the Chair shall announce the vote when the Board comes out of the non-public session. The Board shall only vote to seal minutes of non-public sessions if divulging such information would:

1. Adversely affect the reputation of a person other than a member of the Board;
2. Render a proposed board action ineffective; or
3. Thwart safety considerations pertaining to terrorism or other emergency functions of the Board.

The Superintendent or his/her designated representative may attend all non-public sessions, except those non-public sessions that pertain to the Superintendent's employment, at the pleasure of the Board. The Board may invite such employees, consultants and representatives of the District as are deemed necessary to advise or inform the Board on a non-public matter to attend all or a portion of a non-public session.

All student disciplinary matters arising under NH RSA 193:13 and ED 317 shall be heard in non-public session unless the minor student's parents or the adult student requests that the matter be heard in public.

From time-to-time the Board shall review the sealed minutes of non-public sessions to determine whether the occasion for sealing the minutes has expired, whereupon the Board shall vote to unseal the minutes.

Legal References:

RSA 91-A:3 I, II, III, Public Records and Meetings: Non-Public Sessions

RSA 91-A:4, Public Records and Meetings: Minutes and Records Available for Public Inspection

RSA 42:1(a), Oaths of Town Officers: Manner of Dismissal; Breach of Confidentiality

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