

Executive Session

Executive sessions are portions of meetings not open to the public. Executive sessions may be conducted only for specific purposes described in 1V.S.A. 313, and only following specific procedures. Executive sessions are attended by board members and at the board’s discretion, staff, legal counsel and persons who are subjects of the discussion or whose information is needed.”

There is no specific statutory requirement that executive session deliberations remain confidential. However, breach of trust between board members and administrators, violation of the agreed upon School Board Code, and potential litigation, particularly associated with the sharing of student records and privileged employee information, compel board members to honor the spirit of executive session law.

Requirements to Enter Executive Session	Permissible Subjects for Discussion (See 1 V.S.A. § 313 for complete list of executive session topics)	Minutes	Action Allowed
1. Motion indicating nature of business to be discussed in executive session. 2. Majority vote of board members present.	(1) Contracts, labor relations agreements with employees, arbitration, mediation, grievances, civil actions, or prosecutions by the state, where premature general public knowledge would clearly place the state, municipality, other public body, or person involved at a substantial disadvantage; (2) The negotiating or securing of real estate purchase options; (3) The appointment or employment or evaluation of a public officer or employee; (4) A disciplinary or dismissal action against a public officer or employee; but nothing in this subsection shall be construed to impair the right of such officer or employee to a public hearing if formal charges are brought; (5) A clear and imminent peril to the public safety; (6) Discussion or consideration of records or documents excepted from the access to public records provisions of section 317(b) of this title. Discussion or consideration of the excepted record or document shall not itself permit an extension of the executive session to the general subject to which the record or document pertains; (7) The academic records or suspension or discipline of students;	None required while in executive session. If taken, minutes are not made public.	No formal or binding action allowed except relating to securing real estate options. Board must vote to return to the open meeting before any decision can be made regarding the confidential deliberation.