

**BCBK**    Executive Session

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The board shall conduct executive sessions only as provided by law.

Sample Motion

I move that the board go into executive session for the purpose of discussing \_\_\_\_\_ (a statutorily approved reason); and that the board return to the open meeting at \_\_\_\_\_ o'clock in this room. The executive session is required due to  
\* \_\_\_\_\_.

- 1) Personnel matters for nonelected personnel;
- 2) Consultation with an attorney for the body or agency which would be deemed privileged in attorney-client relationship;
- 3) Matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the body or agency.
- 4) Confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;
- 5) Matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by that person;
- 6) Preliminary discussion relating to the acquisition of real property.
- 7) Matters relating to the security of the board, the school, school buildings or facilities or the information system of the school.

\*Explanation of reason for executive session

NO BINDING ACTION SHALL BE TAKEN DURING CLOSED OR EXECUTIVE SESSIONS

Approved: KASB Recommendation 6/99

When a motion is made to go into executive session, all three blanks in the sample motion (See BCBK) must be filled in as follows:

The purpose for the executive session will be one of the seven reasons stated in BCBK.

The time the board will return to the open meeting will be specifically stated. If necessary, the executive session may be extended with another motion made after the board returns to open session.

The third blank will explain why one of the seven statutorily acceptable reasons was chosen. Examples:

- 1) Personnel: To protect the privacy interests of an identifiable individual.
- 2) Consultation with an attorney: To protect attorney-client privilege, and the public interest.
- 3) Negotiations: To protect the district's right to the confidentiality of its negotiating position, and the public interest.
- 4) Confidential data: To protect a trade secret. To protect the privacy rights of a corporation, partnership, trust, etc. with regard to their financial affairs.
- 5) Matters concerning an individual, such as a student (not non-elected personnel): To protect the privacy rights of a student who is identifiable.
- 6) Preliminary discussion of real property acquisition: To protect the district's financial interest and bargaining position
- 7) Matters relating to the security of the board or the school: To ensure the security of the school, school buildings or facilities and/or the information system of the school is not jeopardized.

Approved: KASB Recommendation 6/99

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