

# BOARD POLICY

WESTERN IOWA TECH COMMUNITY COLLEGE

Series Number 205.3

Title Board Meetings

Closed Sessions

In general, all meetings of the Board of Directors shall be conducted in open public sessions. There are two categories which allow the Board to meet in sessions closed to the public. The first category is known as "exceptions" to the Open Meetings Law. The second category is known as "exemptions" to the Open Meetings Law.

## Exceptions to the Open Meetings Law

This form of a closed session takes place during an open meeting. A specific motion stating the reason for the closed meeting must be made and seconded, followed by a two-thirds affirmative roll call vote of the total membership of the Board or all members present. The most commonly used reasons for which a Board may enter into a closed session are as follows:

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential, or to be kept confidential as a condition for the Board's possession or receipt of federal funds.
2. To discuss strategy with legal counsel in matters presently in litigation or where litigation is imminent if disclosure would be to the disadvantage of the Board.
3. To discuss suspension or expulsion of a student, unless an open session is requested by the student or his parent or guardian.
4. To discuss specific law enforcement matters which, if disclosed, would enable law violators to avoid detection.
5. To evaluate the professional competence of an individual whose appointment, hiring, performance, or discharge is being considered when a closed session is necessary to prevent needless and irreparable injury to that individual's reputation and when the individual requests a closed session.
6. To discuss the purchase of particular real estate, but only when premature disclosure could be reasonably expected to increase the price the Board would have to pay for the property. (Once the transaction is complete, however, the minutes and tape of the closed session will be available to the public.)

The vote of each member on the question of holding the closed session and the reason for holding the session shall be announced publicly in open session and entered in the minutes. Final action on all matters discussed in closed session shall be taken in open session.

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Closed Sessions (continued)

All closed sessions shall be tape recorded and have detailed minutes kept. The tape recordings shall be kept for one year from the date of the meeting. Real estate related minutes and tapes shall be available after the transaction is complete.

### Exemptions to the Open Meetings Law

A meeting that is exempt from the Open Meetings Law can be held without public notice and may be separate from any open public meeting.

All negotiation meetings except the first two between a certified bargaining unit and the Board are exempt from the Open Meetings Law unless both parties mutually agree to bargain in open sessions.

The Board may meet at any time to discuss negotiation strategy regarding a certified bargaining unit, to discuss negotiation strategy for groups of employees not included in a certified bargaining unit, and to conduct a private hearing relating to the recommended termination of a teacher's contract or an administrator's contract if the teacher or administrator has requested said private hearing.

There are no legal requirements for any type of a record to be maintained of the negotiation strategy sessions. The private hearing in the teacher's contract termination shall be recorded verbatim by a court reporter.

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Date of adoption \_\_\_\_\_

Legal Reference: (Code of Iowa)

Date of last revision 7/21/86

20.17, 21.5, 279.15, 279.16

Date of current revision 1/8/96

Related Administrative Procedures and Cross References \_\_\_\_\_

Board of Director's Handbook; 202.4 Committees - Standing and Temporary