

EXECUTIVE SESSIONS

The Board of Education (the Board) of the Bethlehem Central School District (the District) reserves the right, within the constraints of state law, to meet in executive session. Such sessions can be requested by any member of the Board or the superintendent.

An executive session of the Board may be convened upon majority vote of its total membership taken in an open meeting pursuant to a motion identifying the general area or areas to be considered. Matters that may be considered in executive session are:

1. matters that will imperil the public safety if disclosed;
2. any matter that may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending, or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. the preparation, grading, or administration of examinations; and
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters that may only be considered in executive session are:

9. discussions concerning probable cause to bring disciplinary charges against a tenured teacher.

Formal action or vote on matters enumerated in paragraph 9 may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.

Minutes shall be taken at executive sessions of any action that is taken by formal vote and shall consist of a record or summary of the final determination of such action together with the date and vote thereon. The name of the person who called for the executive session will also appear in the minutes of the public meeting. Such summary shall not include any matter that is not required to be made public by law. All minutes of executive sessions will be available to the public within one week of the meeting to which they apply.

The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

Ref: Education Law §1708 (3)
 Public Officers Law §§100 et seq.
 Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

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