

POLICY

BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

Related Entries: Policy 202.03

Responsible Office: BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

BOARD EXECUTIVE SESSIONS

A. PURPOSE

To allow for the Board of Education of Anne Arundel County (Board) members to meet in executive closed session as stipulated in the State Government Article and the Education Article of the *Annotated Code of Maryland*.

B. ISSUE

Maryland State laws and regulations provide requirements regarding when and how a public body is permitted to meet in executive session.

C. POSITION

1. Before the Board meets in executive session, the presiding officer shall:
 - a. Conduct a public recorded vote on the closing of the session to go into executive session; and
 - b. Make a written statement of the reason for closing the meeting, including a citation of the authority under Maryland law, State Government Article Section 10-508(a), and a listing of the topics to be discussed.
2. In accordance with the aforementioned state law the Board may meet in closed session or adjourn an open session to a closed session to:
 - a. Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or official over which the Board has jurisdiction; or any other personnel matter that affects one or more specific individuals;
 - b. Protect the privacy or reputation of individuals concerning a matter not related to public business;
 - c. Consider the acquisition of real property for a public purpose and

matters directly related thereto;

- d. Consider a matter that concerns the proposal for a business or industrial organization to locate; expand, or remain in the State;
 - e. Consider the investment of public funds;
 - f. Consider the marketing of public securities;
 - g. Consult with counsel to obtain legal advice on a legal matter;
 - h. Consult with staff, consultants, or other individuals about pending or potential litigation;
 - i. Conduct collective bargaining negotiations or consider matters that relate to negotiations;
 - j. Discuss public security, if the public body determines that public discussion would constitute a risk to the public or to the public security, including:
 - i. The deployment of fire and police services and staff; and
 - ii. The development and implementation of emergency plans;
 - k. Prepare, administer, or grade a scholastic, licensing, or qualifying examination;
 - l. Conduct or discuss an investigative proceeding on actual or possible criminal conduct;
 - m. Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; and
 - n. Discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, before a contract is awarded or bides are opened if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- 3.** The Board follows the Code of Maryland Regulation (COMAR), which provides that:
- a. The rules generally adopted by deliberative bodies for executive sessions shall be observed by the Board;

- b. No motion or resolution other than for the purposes of such executive sessions shall be declared adopted when the Board shall be in executive session; and
 - c. Provision for statements of position or question on points of order shall be made in open Board session following executive sessions.
4. All matters discussed in executive session shall be treated confidentially by the Board, the Superintendent, and staff.

Policy History: Adopted on 03/18/15.

Note previous policy history: Replaces Policy 202.03, adopted 8/5/36 and revised 1/20/93