

January 21, 2021

21-104

BP 2315 CLOSED/ EXECUTIVE SESSIONS (FIRST READING)

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APPROVED BY: Mark Mitsui, President
Mohamed Alyajouri, Chair, Board of Directors

REPORT: After review of board policy and adoption of the Oregon Community College Association (OCCA) policy framework changes are needed to board policy B202 Executive Session of the Board of Directors.

Currently in the **Meetings of the Board** section of B202 the policy states that *the Board may hold an Executive Session for the purposes authorized under ORS Chapter 192 during a regular, special or emergency meeting, after the Board Chairperson has identified the authorization under ORS 192.610 to 192.690. An executive session means any meeting or any part of a meeting of a governing body that is closed to certain people for deliberations. (ORS 192.610(2)). Executive Sessions may not be held for the purpose of taking any final action or making any final decision*

Below are suggestions for the board to consider for approval by first reading of the Board of Directors.

Executive sessions of the Board of Education shall only be held as permitted by ORS 192.660. The Board may hold an Executive Session for the purposes authorized under ORS Chapter 192 during a regular, special or emergency meeting, after the Board Chairperson has identified the authorization under ORS 192.610 to 192.690. An executive session means any meeting or any part of a meeting of a governing body that is closed to certain people for deliberations. (ORS 192.610(2)).

Matters discussed in closed session may include:

- a) To consider the employment of a public officer,*

employee, staff member or individual agent.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

(k) To consider matters relating to school safety or a plan that responds to safety threats made toward a school.

Matters discussed in executive session remain confidential and may not be discussed outside of the closed session.

No final actions may be taken in executive session.

If any person requests an opportunity to present complaints to the Board of Directors about a specific employee, such complaints shall first be presented to the President. Notice shall be given to the employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board of Directors as permitted under Oregon law.

RECOMMENDATION: That the Board of Directors in accordance with ORS 341.283 and BP 2410 Board Policies, Bylaws and Administrative Procedures approve the first reading of the BP 2315 Closed/Executive Sessions of the Board of Directors in accordance with ORS 192.660. Upon approval by a second reading next month, the current policy will be retired.