

OLYMPIC ESD 114 BOARD POLICY

BOARD EXECUTIVE SESSIONS

POLICY 1410

Olympic ESD 114 (OESD) Board of Directors (Board) executive (closed) sessions may be held during a regular or special meeting of the Board when it is necessary to discuss matters authorized by law. No official action will be taken in executive session. Any conclusions or decisions arrived at during an executive session shall be in the form of recommendations made to the Board when it reconvenes.

Prior to convening in executive session, the chairperson shall publicly announce the purpose of excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the chairperson.

Permissible executive session topics include, but are not limited to the following:

1. To consider information regarding the security and vulnerability of OESD computer and telecommunications networks infrastructure and other information that, if made public, may increase risk to the system;
2. To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;
3. To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;
4. To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;
5. To receive and evaluate complaints or charges brought against the OESD Superintendent or an OESD employee. However, upon the request of the Superintendent or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;
6. To evaluate the qualifications of an applicant for OESD employment or to review the performance of an OESD employee. However, discussion of salaries, wages, and other conditions of employment to be generally applied within the OESD shall occur in a meeting open to the public, and when the Board elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;
7. To evaluate the qualifications of a candidate for appointment to the Board. However, any interview of such candidate and final action appointing a candidate to the Board shall be in a meeting open to the public;
8. To discuss with legal counsel representing OESD matters relating to OESD policy enforcement actions, or to discuss litigation or potential litigation to which the OESD, the Board, or a member acting in an official capacity on behalf of OESD is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the OESD. Potential litigation means

matters protected by attorney-client privilege related to litigation that has been specifically threatened; litigation that the OESD reasonably believes may be commenced; or the litigation or legal risks of a proposed action or current practice of the OESD, if public discussion is likely to result in an adverse or financial consequence to the OESD.

Closed Sessions – Collective Bargaining

Washington state's Open Public Meetings Act (OPMA) does not apply to certain Board activities and public notice is not required prior to holding a closed session for the purpose of collective bargaining sessions with employee organizations or professional negotiations with an employee, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement, or when the Board is planning or adopting the strategy or position to be taken during the course of collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress.

Legal Reference:

RCW 28A.310.200 (2) ESD Board – Powers and duties - Rules

RCW 42.30.110 – Open Public Meetings Act - Executive Sessions

Date Adopted: March 21, 2019