

EXECUTIVE SESSIONS

All meetings of the Arlington School Committee are open to attendance by the public and media representatives. However, the committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The committee will first convene in an open session for which due notice has been given.
2. The chairperson (or, in his absence, the presiding member) will state the purpose for the executive session.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The chairperson or presiding member will state before entering the executive session whether the committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual.
2. The discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.
7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.
8. And to consider and interview applicants for employment (The only position that the School Committee would be involved in that might qualify would be for the position of Superintendent) This exemption only applies if it can be determined that an open meeting will have a detrimental affect in obtaining qualified applicants.

9. To meet or confer with a mediator with respect to any litigation or public business.

(In the first two cases listed, an open meeting will be held if the individual involved so requests.)

Under the law, the provisions for the holding of an executive session do not apply to any chance meeting or social meeting, so long as no final agreement is reached. No such unofficial meeting may be used for the purposes of circumventing the law.

The Superintendent and/or his designated representative shall attend all executive sessions except those, which pertain to the Superintendent's employment.

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

During an executive session, the Committee will approve any executive session minutes from previous meetings. Approval of minutes does not render them public. An affirmative roll call vote is required to release executive session minutes. The minutes of this instant vote will also be immediately released. Notice of this vote shall be entered into the records of the body.

The School Committee's secretary shall keep a file containing all executive session minutes which have not been made public. At least three times per year, the Committee will review the minutes in the file in executive session and shall determine whether the purpose of each executive session topic addressed therein still exists. Counsel will be consulted as needed.

Established by law and Committee policy

LEGAL REFS.: M.G.L. c30A sec 18-25

CROSS REFS.: BDE, Subcommittee of the School Committee

BE, School Committee Meetings

KEB, Public Complaints about School Personnel

Revised and approved by Arlington School Committee, March 1, 2012