

Section B: School Board Governance and Operation

BEC Executive Sessions

All meetings of the Board shall be open to the public, except as provided by law. The Board may hold executive sessions upon recorded vote of 3/5 of the members present and voting. Deliberations may be conducted in executive session only on those matters defined by law or other authority. No final action shall be taken in executive session. Board members and other persons present are expected to respect the confidentiality of all matters discussed in executive session.

A motion to go into executive session must indicate the nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session. Failure to state all authorities justifying the executive session does not constitute a violation of the Freedom of Access Act if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate the Freedom of Access Act if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

Legal Reference: 1 MRSA § 401 et seq. (Freedom of Access Act)

Cross Reference: BEC-E – Executive Session Law

First Reading	<u>4/29/09</u>
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