**CLOSED SESSION CONDUCT AND REPORTS**

The Board shall first announce in open meeting the items to be discussed in closed session. No matters other than those announced shall be discussed or acted upon during the closed session. (Government Code 54957.7)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall reconvene in open session before adjourning and report closed session actions, the votes or abstentions thereon, and other disclosures required by Government Code 54957.1. These disclosures may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing them. (Government Code 54957.7)

**Personnel Matters**

Closed sessions for personnel matters shall not include discussion of the district's available funds, funding priorities or budget. (Government Code 54957)

The Board shall report any personnel action taken and the votes or abstentions thereon at the public meeting during which the closed session is held. This report shall identify the position title and any change in compensation. However, the report of a dismissal or nonrenewal of an employment contract shall be deferred until the first public meeting after administrative remedies, if any, have been exhausted. (Government Code 54957.1)

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 2123 - Evaluation of the Superintendent)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

**Negotiations/Collective Bargaining**

Final action on the proposed compensation of one or more unrepresented employees shall not be taken during the closed session. (Government Code 54957.6)

Closed sessions for negotiations with unrepresented employees shall not include discussion of the district's available funds, funding priorities or budget. (Government Code 54957.6)

Approval of an agreement concluding closed session labor negotiations with unrepresented employees shall be reported after the agreement is final and has been accepted or ratified by the unrepresented employee(s). This report shall identify the item approved and the unrepresented employee(s). (Government Code 54957.1)

(cf. 4143/4243 - Negotiations/Consultation)
(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

**CLOSED SESSION CONDUCT AND REPORTS**  (continued)

**Student Matters**

Actions related to student matters shall be taken in open session and shall be a matter of public record.  No information shall be released in violation of student privacy rights provided in law.  (Education Code 35146, 48918)

In an expulsion action, the student's name and the cause for expulsion shall be listed on these public records.

(cf. 5117 - Interdistrict Attendance)
(cf. 5119 - Students Expelled from Other Districts)
(cf. 5125 - Student Records)
(cf. 5125.3 - Challenging Student Records)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

**Security**

Closed sessions for security matters shall not include discussion of the district's available funds, funding priorities or budget.  (Government Code 54957)

**Real Estate Negotiations**

Approval of an agreement concluding real estate negotiations shall be reported after the agreement is final.  If the Board renders the agreement final, it shall report that approval, the votes or abstentions thereon, and the substance of the agreement in open session at the public meeting during which the closed session is held.  If final approval rests with the other party, the Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the district of its approval.  (Government Code 54957.1)

**Pending Litigation**

The Board shall report the following actions related to pending litigation, and the votes or abstentions thereon, at the public meeting during which the closed session is held:

1.	Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation.  This report shall identify the adverse parties, if known, and the substance of the litigation.

2.	Approval to legal counsel to initiate or intervene in a lawsuit.  This report shall state that details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the district's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.

## CLOSED SESSION CONDUCT AND REPORTS  (continued)

3.  Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation.  This report shall state the substance of the agreement.

If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the district shall report the fact of approval, the substance of the agreement and the vote and abstentions thereon to persons who inquire once the settlement is final.  (Government Code 54957.1)

### JPA/Self-Insurance Claims

The Board shall report the disposition of JPA or self-insurance claims and the votes or abstentions thereon at the public meeting during which the closed session is held.  This report shall include the name of the claimant(s), the name of the agency claimed against, the substance of the claim and the monetary settlement agreed upon by the claimant.  (Government Code 54957.1)

(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)

Legal Reference:
    EDUCATION CODE
    35145  Public meetings
    35146  Closed session (re student matters)
    48918  Rules governing expulsion procedures; hearings and notice
    49073-49079  Privacy of student records
    60617  Meetings of governing board
    GOVERNMENT CODE
    54950-54962  The Ralph M. Brown Act, especially
    54957.1  Closed sessions; public report of action taken
    54957.6  Closed sessions; representatives to employee organization(s)
    54957.7 Disclosure of items to be discussed
    80 Ops. Cal.Atty.Gen. 85 (1997)
    UNITED STATES CODE, TITLE 20
    1232g Family Educational and Privacy Rights Act
    Kleitman v. Superior Court of Santa Clara County 87 Cal Rptr. 2d (1999)