

## BEC - NON-PUBLIC SESSIONS

(Download policy)

### *Category R*

The Board reserves the right to sit in non-public session when a majority of the members present and voting so vote. The vote to enter non-public session will be a recorded roll-call vote made in public session. As required by law, the motion calling for a non-public session will indicate the matters to be discussed and the statutory exception stated.

The Board may entertain a motion to hold a non-public session only for those purposes that the law recognizes. These purposes are:

1. The dismissal, promotion, compensation or disciplining of any public employee.
2. The hiring of a public employee.
3. Discussion of matters that are likely to adversely affect the reputation of a

person other than a member of the Board.

4. Consideration of the acquisition, sale or lease of real or personal property.

5. Consideration or negotiation of pending legal claims or litigation.

6. Matters relating to the preparation and carrying out of emergency functions.

The Board shall record minutes of all non-public sessions. Those minutes will be made publicly available within 72 hours of the non-public session, unless the Board votes to seal those minutes. The Board may vote to seal minutes of a non-public session only by a two-thirds vote. The Board will only vote to seal minutes of non-public sessions if divulging such information would:

1. Adversely affect the reputation of a person other than a member of the Board;

2. Render a proposed board action ineffective; or

3. Thwart safety considerations pertaining to terrorism or other emergency

functions of the Board.

The Superintendent or his/her designated representative may attend all non-public sessions, except those non-public sessions that pertain to the Superintendent's employment, at the pleasure of the Board.

**Legal References:**

*RSA [91-A](#):3 I, II, III, Public Records and Meetings: Non-Public Sessions*

*RSA [91-A](#):4, Public Records and Meetings: Minutes and Records Available for Public Inspection*

*RSA [42](#):1(a), Oaths of Town Officers: Manner of Dismissal; Breach of Confidentiality*

Reviewed Mason: September 21, 2015

Reviewed Mason: November 19, 2012

Second Reading and Approval Mason: October 12, 2009

First Reading Mason: October 07, 2009

First Reading Mason: June 12, 2009