

**EXECUTIVE SESSIONS**

Reference: W.S. § 16-4-405-408 as amended effective July 1, 2012)

Executive Sessions (closed meetings) may be held by the Board to discuss matters of a confidential and personal nature, as permitted by law.

Executive Sessions, not open to the public, may be held by the Board for the following purposes:

- a. With the attorney general, county attorney, district attorney, city attorney, sheriff, chief of police or their respective deputies, or other officers of the law, on matters posing a threat to the security of public or private property, or a threat to the public's right of access.
- b. To consider the appointment, employment, right to practice, suspension or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, professional person or officer requests a public hearing. The Board may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being investigated. Following the hearing or executive session, the Board may deliberate on its decision in executive sessions.
- c. On matters concerning litigation of which the Board is a party or proposed litigation to which the Board may be a party.
- d. To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price.
- e. To consider acceptance of gifts, donations, and bequests, which the donor has requested in writing to be kept confidential.
- f. To consider or receive any information classified as confidential by law.
- g. To consider accepting or tendering offers concerning wages, salaries, benefits, and terms of employment during all negotiations.
- h. To consider suspensions, expulsions or other disciplinary action in connection with any student as provided by law.

Minutes shall be maintained of any executive sessions. Except for those parts of minutes of an executive session reflecting a member's objection to the executive session as being in violation

of law (see note below), minutes and proceedings of executive sessions shall be confidential and produced only in response to a valid court order.

An executive session may be held only pursuant to a motion by a member of the Board that is duly seconded and carried by a majority vote of the members of the Board in attendance when the motion is made. A motion to hold an executive session which specifies any of the reasons set forth above shall be sufficient notice of the issue to be considered in an executive session. The minutes of the preceding or subsequent regular meeting shall record that an executive session was held, indicating the time the regular meeting was recessed and resumed in order to accommodate the executive session.

Only members of the Board, and such persons as the Board may invite, shall be present during an executive session. Board members and any persons attending the session are duty-bound not to disclose to others the topic or details of executive session discussions. During an executive session, no motion shall be entertained or voted upon, and no action shall be taken. Any consensus reached during an executive session shall be put to a vote at an open meeting following the executive session.

Note: Any member or members of an agency who knowingly or intentionally violate the provisions of the Public Meetings Act (W.S. § 16-4-402 through W.S. § 16-4-408) shall be liable for a civil penalty not to exceed seven hundred fifty dollars (\$750.00) except as provided in W.S. § 16-4-408. Any member of the governing body of an agency who attends or remains at a meeting knowing the meeting is in violation of the Public Meetings Act shall be liable under W.S. § 16-4-408 unless minutes were taken during the meeting and the parts thereof recording the member's objections are made public or at the next regular public meeting the member objects to the meeting where the violation occurred and asks that the objection be recorded in the minutes.

Original Adoption	January 26, 1989
Revised	November 8, 2012
Last Revision	May 8, 2014