

NON-PUBLIC SESSIONS

The Board may meet in non-public session for any of the purposes set out in RSA 91-A:3. Non-public sessions may only occur after a duly noticed public meeting has been called to order, and before that meeting is adjourned. Once the public meeting has been convened, the Board may enter non-public session at any time during such meeting if a majority of the Board, by roll-call vote, find that sufficient grounds under 91-A:3, II exists. A non-public session may occur during a duly noticed meeting irrespective of whether a non-public session appeared on either the meeting notice or meeting agenda.

The motion calling for a non-public session will state the matter(s) to be discussed and will state the statutory reason(s) for entering non-public session.

The Board shall record minutes of all non-public sessions, and such minutes shall be made available and or "sealed," in accordance with RSA 91-A:3. Required content and availability regarding minutes of non-public sessions are described in Board policy BEDG – Minutes.

The minutes of the non-public session constitute the record of that session. Information discussed in non-public session shall remain confidential except to the extent the same is required to be disclosed subject to applicable law or court order, or as authorized by the Board.

The Board shall require the presence of the Superintendent or his/her designee (see N.H. Dept. of Education Rule Ed 303.01(f)), except during those non-public sessions that pertain to the Superintendent's employment.

Each year the Superintendent is directed to obtain and provide to each Board member copies of any NHSBA Non-Public Session Checklist, and update the same during the year as made available by NHSBA.

~~The Board may meet in non-public session for any of the purposes set out in RSA 91-A:3. Upon motion, the vote to enter non-public session will be a recorded roll-call vote made in public session. The motion calling for a non-public session will state the statutory reason(s) for entering non-public session.~~

~~The Board shall record minutes of all non-public sessions. Non-public session minutes will be made publicly available within 72 hours of the non-public session, unless the Board votes to seal the minutes. The Board may 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.~~

~~Board members should refrain from publicly discussing matters that were discussed in a non-public session.~~

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

Statutory Reference:

*RSA 91-A:3 Non-Public Sessions*

*RSA 91-A:4 Minutes and Records Available for Public Inspection*

*RSA 42:1-a, Oaths of Town Officers: Manner of Dismissal; Breach of Confidentiality*

*NH Dept of Education Administrative Rule - Ed 303.01(j); Substantive Duties of School Boards*

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