

# Exhibit 1

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**Bylaw 0167.2 – Executive Session (Revised)**



Book	Policy Manual
Section	Policies for Board 37-2
Title	Copy of EXECUTIVE SESSION
Code	po0167.2
Status	Work Session
Adopted	May 20, 2010
Last Revised	July 23, 2020

#### 0167.2 - **EXECUTIVE SESSION**

The **School** Board may meet in an executive session, one closed to the public (except the Board may admit those persons determined to be necessary to carry out the purpose of the executive session) after giving proper notice, for the following purposes:

- A. where authorized by Federal or State statute
- B. for discussion of strategy with respect to 1) collective bargaining, ~~which does not include~~ **no longer includes a discussion or meeting under I.C. 20-29-6-7**, 2) initiation of litigation or litigation which is pending or has been threatened in writing, 3) implementation of security systems, 4) a real property transaction, including a purchase, a lease as a lessor, a lease as a lessee, a transfer, an exchange or a sale by the governing body, up to the time a contract or option is executed by the parties, 5) or school consolidation, providing that the strategy is necessary for bargaining or competitive reasons, and the meeting does not include the competitive bargaining adversaries
- C. for discussion of the assessment, design, and/or implementation of school safety and security measures, plans, and systems
- D. to receive information about, and interview, prospective employees
- E. with respect to any individual over whom the Board has jurisdiction, receive information concerning the individual's alleged misconduct, and to discuss, prior to determination, that individual's status as an employee, student, or independent contractor who is a physician or a school bus driver
- F. for discussion of records classified as confidential by Federal or State statute
- G. for discussion, before any placement decision, of an individual student's abilities, past performance, behavior, and needs
- H. for discussion of an employee's job performance evaluation
- I. when considering the appointment of a public official, to develop a list of prospective appointees, to consider applications and make one (1) initial exclusion of prospective appointees from further consideration **(the remaining list of prospective appointees shall not be less than three (3) [See Policy 0142.3 - Vacancies and Appointment of Board Members])**
- J. for training of Board members by an outside consultant on performance of their role as public officials and/or discussion with or between county officials, Board members, and an outside consultant concerning the performance of Board members

K. to discuss information and intelligence intended to prevent, mitigate, or respond to a threat of terrorism

A final action ~~must~~ shall be taken at a meeting open to the public.

The Board shall not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting shall not be recessed and reconvened with the intent of circumventing this provision.

Requirements for minutes of an executive session shall be a specific reference to instance or instances from the above-listed purposes for an executive session. The Board shall certify by a statement in the minutes that no other business was discussed in the executive session other than the subject matter specified in the public notice.

In keeping with the confidential nature of executive sessions, no member of the Board shall disclose the content of discussions that take place during such sessions.

Revised 7/25/13

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Legal

I.C. 5-14-1.5-5 Open Door Law notice to the public and news media of executive sessions

I.C. 5-14-1.5-6.1 Executive sessions

I.C. 20-26-4-3 Regular, statutory and special meetings, including notice of meetings to Board members

I.C. 20-29-6-7

Cross References

po0142.3 - VACANCIES AND APPOINTMENT OF BOARD MEMBERS

po0164 - NOTICE OF MEETINGS