

NON-PUBLIC SESSION

The Berlin Board of Education reserves the right to sit in non-public session closed to the public and media when a majority of the members present and voting so vote (recorded roll call vote required). 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 deliberations or for those purposes which 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 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.

Legal References:

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

Revised; First Reading: December 2, 2009
 Second Reading: December 16, 2009
 Adopted: December 16, 2009