

Exhibit 9321-E(1): Closed Session

Status: ADOPTED

Original Adopted Date: 07/01/2019 | **Last Revised Date:** 12/01/2023 | **Last Reviewed Date:** 12/01/2023

BOARD MEETING AGENDA DESCRIPTIONS FOR CLOSED SESSION ITEMS

The Governing Board meeting agenda shall include the following description of a closed session item, as applicable:

Personnel Matters

PUBLIC EMPLOYEE APPOINTMENT

Government Code 54957

Title: _____

(Specify position to be filled)

PUBLIC EMPLOYMENT

Government Code 54957

Title: _____

(Specify position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code 54957

Title: _____

(Specify title of employee being evaluated)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code 54957

(Due to employee privacy rights, no additional information may be provided.)

SPECIFIC COMPLAINT OR CHARGE AGAINST EMPLOYEE

Government Code 54957

(Due to employee privacy rights, no additional information may be provided.)

**EMPLOYEE APPLICATION FOR EARLY WITHDRAWAL OF FUNDS IN DEFERRED
COMPENSATION PLAN**

Government Code 54957.10

(No additional information may be provided.)

Negotiations/Collective Bargaining

CONFERENCE WITH LABOR NEGOTIATORS

District-Designated

Representatives: _____

(Specify names of representatives attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee Organization: _____

(Specify name of employee organization with which negotiations are being held.)

or

Unrepresented

Employee(s): _____

(Specify position of unrepresented employee(s) who are the subject of the negotiations.)

Matters Related to Students

STUDENT SUSPENSION/OTHER DISCIPLINARY ACTION

Education Code 35146

Tracking/Identification

Number: _____

(Due to student privacy rights, no additional information may be provided. The district may use other means to identify the student for record-keeping purposes.)

STUDENT EXPULSION

Education Code 48912

Tracking/Identification

Number: _____

(Due to student privacy rights, no additional information may be provided. The district may use other means to identify the student for record-keeping purposes.)

STUDENT GRADE CHANGE APPEAL

Education Code 49070

Tracking/Identification

Number: _____

(Due to student privacy rights, no additional information may be provided. The district may use other means to identify the student for record-keeping purposes.)

CONFIDENTIAL STUDENT MATTER

Action Under

Consideration: _____

(If the Board is considering a confidential student matter other than those listed above, specify type of action.)

Tracking/Identification

Number: _____

(Due to student privacy rights, no additional information may be provided. The district may use other means to identify the student for record-keeping purposes.)

Security Matters

THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code 54957

Consultation With: _____

(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN

Education Code 32281

Consultation With: _____

(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code 54956.8

Property: _____

(Specify street address or, if no street address, the parcel number or other unique reference of the real property under negotiation.)

District Negotiator: _____

(Specify names of negotiators attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Party With Whom District Is

Negotiating: _____

(Specify name of party, not agent.)

Under Negotiation: _____

(Specify whether instruction to negotiator will concern price, terms of payment, or both.)

Anticipated Litigation/Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)

(If applicable) Existing Facts And Circumstances:

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Initiation of litigation pursuant to Government Code 54956.9(d)(4)

(If applicable) Existing Facts And Circumstances:

Existing Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code 54956.9(d)(1)

Name Of Case:

(Specify by reference to claimant's name, names of parties, or case or claim numbers.)

or

Case name unspecified, as identification of the case would jeopardize service of process or existing settlement negotiations

Tort, Public, or Workers' Compensation Liability

LIABILITY CLAIMS

Government Code 54956.95

Name Of Claimant(s):

(Specify name, except when the claimant is a victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.)

Name Of Agency Against Which Claim Is

Made:

Joint Powers Authority Issues

INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR DISTRICT

Government Code 54956.96

Name Of JPA:

Discussion Will Concern:

(Specify closed session description used by the JPA.)

Name Of District Representative On JPA

board: _____

Review of Audit from State Auditor's Office

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

Government Code 54956.75

(No additional information is required.)

Review of Assessment Instruments

REVIEW OF STUDENT ASSESSMENT INSTRUMENT

Education Code 60617

(Reference resolution in which board agreed to accept the terms or conditions established by rules and regulations of the State Board of Education.)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 35145

Description

[Public meetings](#)

Ed. Code 35146

[Closed sessions regarding suspensions](#)

Ed. Code 44929.21

[Notice of reelection decision; districts with 250 ADA or more](#)

Ed. Code 48912

[Governing board suspension](#)

Ed. Code 48918

[Rules governing expulsion procedures](#)

Ed. Code 49070

[Challenging student records](#)

Ed. Code 60617

[Meetings of governing board](#)

Gov. Code 3540-3549.3

[Educational Employment Relations Act](#)

Gov. Code 54950-54963

[The Ralph M. Brown Act](#)

Federal

20 USC 1232g

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

Management Resources

Attorney General Opinion

Description

98 Ops.Cal.Atty.Gen. 41 (2015)

Attorney General Opinion

89 Ops.Cal.Atty.Gen. 110 (2006)

Attorney General Opinion

59 Ops.Cal.Atty.Gen. 532 (1976)

Attorney General Opinion

78 Ops.Cal.Atty.Gen. 218 (1995)

Attorney General Opinion	86 Ops.Cal.Atty.Gen. 210 (2003)
Attorney General Opinion	94 Ops.Cal.Atty.Gen. 82 (2011)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Fowler v. City of Lafayette (2020) 45 Cal.App.5th 68
Court Decision	Bell v. Vista Unified School District (2001) 82 Cal.App. 4th 672
Court Decision	Fischer v. Los Angeles Unified School District (1999) 70 Cal.App. 4th 87
Court Decision	Furtado v. Sierra Community College District (1998) 68 Cal.App. 4th 876
Court Decision	Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners (2003) 107 Cal.App.4th 860
Court Decision	Roberts v. City of Palmdale (1993) 5 Cal.App. 4th 363
Court Decision	Sacramento Newspaper Guild v. Sacramento County Board of Supervisors (1968) 263 Cal.App. 2d 41
Court Decision	San Diego Union v. City Council (1983) 146 Cal.App.3d 947
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2023
League of California Cities Publication	Open and Public IV: A Guide to the Ralph M. Brown Act, rev. July 2010
Website	CSBA District and County Office of Education Legal Services
Website	League of California Cities
Website	California Attorney General's Office
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1160	Political Processes

1220	<u>Citizen Advisory Committees</u>
1220	<u>Citizen Advisory Committees</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
2120	<u>Superintendent Recruitment And Selection</u>
2121	<u>Superintendent's Contract</u>
2140	<u>Evaluation Of The Superintendent</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3320	<u>Claims And Actions Against The District</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
3555	<u>Nutrition Program Compliance</u>
3555-E(1)	<u>Nutrition Program Compliance</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4112.6	<u>Personnel Files</u>
4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4115	<u>Evaluation/Supervision</u>

4115	<u>Evaluation/Supervision</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4140	<u>Bargaining Units</u>
4143	<u>Negotiations/Consultation</u>
4143.1	<u>Public Notice - Personnel Negotiations</u>
4143.1	<u>Public Notice - Personnel Negotiations</u>
4144	<u>Complaints</u>
4144	<u>Complaints</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4215	<u>Evaluation/Supervision</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4240	<u>Bargaining Units</u>
4243	<u>Negotiations/Consultation</u>
4243.1	<u>Public Notice - Personnel Negotiations</u>
4243.1	<u>Public Notice - Personnel Negotiations</u>
4244	<u>Complaints</u>
4244	<u>Complaints</u>
4312.1	<u>Contracts</u>
4312.6	<u>Personnel Files</u>
4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4315	<u>Evaluation/Supervision</u>

4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4340	<u>Bargaining Units</u>
4344	<u>Complaints</u>
4344	<u>Complaints</u>
5117	<u>Interdistrict Attendance</u>
5117	<u>Interdistrict Attendance</u>
5119	<u>Students Expelled From Other Districts</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5125.3	<u>Challenging Student Records</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
6162.5	<u>Student Assessment</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9121	<u>President</u>
9124	<u>Attorney</u>
9130	<u>Board Committees</u>
9150	<u>Student Board Members</u>
9270	<u>Conflict Of Interest</u>
9270-E(1)	<u>Conflict Of Interest</u>
9320	<u>Meetings And Notices</u>
9322	<u>Agenda/Meeting Materials</u>
9323	<u>Meeting Conduct</u>

9323.2

[Actions By The Board](#)

9323.2-E(1)

[Actions By The Board](#)