

POLICY ON CLOSED SESSIONS OF THE BOARD

References: California Education Code Section 72122
California Government Code Sections 11125.4, 54956.8, 54956.9, 54957,
54957.6, 54963

It is the policy of the Long Beach Community College District to only hold closed sessions of the Board as permitted by applicable legal provisions including but not limited to the Brown Act, California Education Code, and California Government Code. Matters discussed in closed session may include:

- A. The appointment, employment, evaluation of performance, discipline or dismissal of a public employee.
- B. Charges or complaints brought against a specific public employee by another person or employee.
 - 1. If any person requests an opportunity to present a complaint to the Board about a specific employee, such complaint shall first be presented to the Superintendent-President. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board. The employee against whom the complaint is made shall be given at least twenty-four (24) hours written notice of the scheduled closed session, and shall be given the opportunity to request that the complaint be heard in an open meeting of the Board.
- C. Advice of counsel on pending litigation, as defined by law.
- D. Consideration of tort liability claims as part of the District's membership in any joint powers authority formed for the purposes of insurance pooling.
- E. Real property transactions.
- F. Threats to public security.
- G. Review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator.
- H. Discussion of student disciplinary actions, with final Board action taken in public.



- I. Conferring of honorary degrees.
- J. Consideration of gifts from a donor who wishes to remain anonymous.
- K. To consider its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.

After any closed session, the Board shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the results of any vote taken.

All matters discussed or disclosed during a lawfully held closed session and, if taken, all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Board or by provisions of law. **All members of the Board of Trustees have a duty not to disclose any statements (written or oral), discussions, opinions, deliberations, and documents that were made, reviewed or considered during the course of a closed session. This duty shall extend to those persons invited to attend the closed session. The duty of nondisclosure shall be a continuing duty and shall continue after the person is no longer a member of the Board of Trustees, and this duty shall continue to all persons who are invited to attend closed sessions.** (See Board Policy and Administrative Regulation 2014)

Adopted: November 13, 2012