

Riverside County Office of Education
Board Bylaw 9321.1 Closed Session Action and Reports

BYLAWS OF THE BOARD

SUBJECT: Closed Session Conduct and Reports

The County Board of Education shall announce in open meeting the items to be discussed in closed session. No matters other than those announced shall be discussed or acted upon during the closed session. (Government Code 54957.7)

The County Board of Education shall report closed session actions and the votes or abstentions thereon in accordance with law. (Government Code 54957.7)

Student Matters

Actions related to student matters shall be taken in open session and shall be a matter of public record, except that students shall not be named on the records. No information shall be released in violation of student privacy rights provided in law. (Education Code 35146, 48918)

(cf. 5125 - Student Records

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Real Estate Negotiations

Approval of an agreement concluding real estate negotiations shall be reported after the agreement is final. If the County Board of Education renders the agreement final, it shall report that approval, the votes or abstentions thereon, and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party, the County Superintendent of Schools or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the County Superintendent of Schools of its approval. (Government Code 54957.1)

Pending Litigation

The County Board of Education shall report the following actions related to pending litigation, and the votes or abstentions thereon, at the public meeting during which the closed session is held:

1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.
2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the district's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.
3. Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.

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If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the County Superintendent of Schools shall report the fact of approval, the substance of the agreement and the vote and abstentions thereon to persons who inquire once the settlement is final. (Government Code 54957.1)

JPA/Self-Insurance Claims

The Riverside County Office of Education shall report the disposition of JPA or self-insurance claims and the votes or abstentions thereon at the public meeting during which the closed session is held. This report shall include the name of the claimant(s), the name of the agency claimed against, the substance of the claim and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)

Legal Reference:

EDUCATION CODE

35145 Public meetings

35146 Closed session (re student matters)

48918 Rules governing expulsion procedures; hearings and notice

49073-49079 Privacy of student records

GOVERNMENT CODE

54950-54962 The Ralph M. Brown Act, especially

54957.1 Closed sessions; public report of action taken

54957.7 Disclosure of items to be discussed