

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDCA

CALLING AND CERTIFICATION OF CLOSED MEETINGS

- A. No closed meetings shall be held by the School Board or any committee thereof unless the School Board or committee has taken an affirmative recorded vote in an open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting, and (iii) makes specific reference to the applicable exemption of exemptions from open meeting requirements provided in the Virginia Freedom of Information Act, and stated in Policy BDC. The matters contained in such motion shall be set forth in detail in the minutes of the open meetings. A general reference to the provisions of the Virginia Freedom of Information Act or authorized exemptions from open meetings requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.
- B. The School Board, or committee thereof, in holding a closed meeting, shall restrict its discussion during the closed meeting only to those purposes specifically exempted under the Virginia Freedom of Information Act and identified in the motion required in subsection A. above.
- C. At the conclusion of any closed meeting, the School Board or any committee thereof shall immediately reconvene in an open meeting and shall take a roll call or the recorded vote to be included in the Board minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting. Any member of the Board or committee who believes that there was a departure from the requirements of subdivision (i) and (ii) above, shall so state prior to the vote, indicating the substance of the departure that, in his/her judgment, has taken place. The statement shall be recorded in the minutes of the meeting.
- D. Failure of the certification required by subsection C, above, to receive the affirmative vote of a majority of the members present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith shall, upon proper authentication, constitute evidence in any proceeding brought to enforce the Virginia Freedom of Information Act.
- E. Except as specifically authorized by law, in no event may the School Board or committee thereof take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised : August 16, 2007
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Revised: June 25, 2013

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Legal References: Code of Virginia, 1950, as amended, section 2.2-3712.

Cross References:	BCE	School Board Committees
	BCEA	Disciplinary Committee
	BCF	Advisory Committees to the School Board
	BDC	Closed Meetings
	BDDA	Notification of School Board Meetings