

Board of Trustees

1 BP 2315 CLOSED SESSIONS

2 References:

3 Education Code, Section 72122;
4 Government Code, Sections 54956.8, 54956.9, 54957, 54957.1, 54957.6, and
5 11125.4

6 Closed sessions of the Board of Trustees shall only be held as permitted by applicable
7 legal provisions including but not limited to the Brown Act, California Government Code
8 and California Education Code. Matters discussed in closed session may include:

- 9 • the appointment, employment, evaluation of performance, discipline, or dismissal
10 of a public employee;
- 11 • charges or complaints brought against a public employee by another person or
12 employee, unless the accused public employee requests that the complaints or
13 charges be heard in an open session. The employee shall be given at least twenty-
14 four (24) hours written notice of the closed session;
- 15 • advice of counsel on pending litigation, as defined by law;
- 16 • consideration of tort liability claims as part of the District's membership in any joint
17 powers agency formed for purposes of insurance pooling;
- 18 • real property transactions;
- 19 • threats to public security;
- 20 • review of the District's position regarding labor negotiations and giving instructions
21 to the District's designated negotiator;
- 22 • discussion of student disciplinary action, with final action taken in public;
- 23 • conferring of honorary degrees;
- 24 • consideration of gifts from a donor who wishes to remain anonymous;
- 25 • to consider its response to a confidential final draft audit report from the Bureau of
26 State Audits.

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

30 After any closed session, the Board of Trustees shall reconvene in open session before
31 adjourning and shall announce any actions taken in closed session and the vote or
32 abstention of every member present.

33 All matters discussed or disclosed during a lawfully held closed session and all notes,
34 minutes, records or recordings made of such a closed session are confidential and shall
35 remain confidential unless and until required to be disclosed by action of the Board of
36 Trustees or by law.

37 If any person requests an opportunity to present complaints to the Board about a specific
38 employee, such complaints shall first be presented to the President/ Superintendent.
39 Notice shall be given to the employee against whom the charges or complaints are
40 directed. If the complaint is not resolved at the administrative level, the matter shall be
41 scheduled for a closed session of the Board of Trustees. The employee shall be given at
42 least twenty-four (24) hours written notice of the closed session, and shall be given the
43 opportunity to request that the complaints be heard in an open meeting of the Board.

44 Office of Primary Responsibility: President/Superintendent

Date Adopted: December 12, 2007
Date Revised: April 29, 2014; February 18, 2015
Dates Reviewed: October 17, 2018; December 15, 2021
(Replaces former Cerritos College Policy 1013.4)