

**Sec. 1.8.2.1. EXCEPTIONS TO REQUIREMENT THAT BOARD MEETINGS BE OPEN.**

The Board may conduct a closed meeting for the purposes described in Subchapter B, Chapter 551, Texas Government Code, or other applicable including but not limited to:

1. Consultation with the Board’s attorney in accordance with by Gov’t Code 551.071;
2. Deliberations regarding the purchase, exchange, lease, or value of real property in accordance with Gov’t Code 551.072;
3. Deliberations regarding a negotiated contract for a prospective gift or donation to Life School in accordance with Gov’t Code 551.073;
4. Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a Life School officer or employee or to hear a complaint against a Life School officer or employee in accordance with Gov’t Code 551.074;
5. Deliberations regarding the deployment, or specific occasions for implementation, of security personnel or devices or a security audit in accordance with Gov’t Code § 551.076;
6. Deliberations in matters involving certain information regarding insurance, health, or retirement plans in accordance with Gov’t Code 551.0785;
7. Deliberations in a case in which a complaint or charge is brought against a Life School employee by another Life School employee and the complaint or charge directly results in the need for a hearing in accordance with Gov’t Code 551.082;
8. Deliberations in a case involving discipline of a Life School student in accordance with Gov’t Code 551.082;
9. Deliberations in a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation in accordance with Gov’t Code 551.0821;
10. Excluding a witness from a hearing during the examination of another witness in an investigation in accordance with Gov’t Code 551.084;
11. Deliberations or discussion regarding economic development negotiations in accordance with Gov’t Code 551.087;
12. Deliberations regarding security assessments or deployment relating to information resources technology; network security information as described by Gov’t Code 2059.055(b); or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices, in accordance with Gov’t Code 551.089; and
13. Deliberations to discuss or adopt individual assessment instruments or assessment instrument items, in accordance with Education Code 39.030(a).

**Sec. 1.8.2.2. PROCEDURES FOR CLOSED MEETINGS.**

If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given and the presiding officer has publicly announced that a closed meeting will be held and has identified the

section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. *Gov't Code 551.101.*

**Sec. 1.8.2.3. VOTE OR FINAL ACTION.**

A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. *Gov't Code 551.102.*

**Sec. 1.8.2.4. CERTIFIED AGENDA OR RECORDING.**

The Board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with the Board and/or Life School's attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. *Gov't Code 551.103.*

“Recording” means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. *Gov't Code 551.001(7).*

Closed meetings may not be recorded by an individual Board member against the wishes of a majority of the Board.

**Preservation:** The Board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or recording while the action is pending. *Gov't Code 551.104(a).*

**Public Access:** A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. *Gov't Code 551.104(b), (c).*

**Sec. 1.8.2.5. PROHIBITIONS.**

No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made. *Gov't Code 551.145.*

No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public. *Gov't Code 551.146.*

No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. *Gov't Code 551.144(a)*.

**Affirmative Defense:** It is an affirmative defense to prosecution under Government Code 551.144(a) that a Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board's attorney. *Gov't Code 551.144(c)*.