

PROCEDURE 8.0: CLOSED SESSIONS

The Board and any Board committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific college employees or college legal counsel, including hearing testimony on a complaint lodged against a college employee or against college legal counsel to determine its validity. (5 ILCS 120/2(c)(1) as amended by P.A. 93-57)
2. Collective negotiating matters between the college and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. (5 ILCS 120/2(c)(2))
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the college is given the power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the college is given the power to remove the occupant under law or ordinance. (5 ILCS 120/2(c)(3))
4. Evidence or testimony presented in open hearing — or in a closed hearing where specifically authorized by law — to a quasi-adjudicative body, as defined in the Open Meetings Act, provided the college prepares and makes available for public inspection a written decision setting forth its determinative reasoning. (5 ILCS 120/2(c)(4))
5. The purchase or lease of real property for the use of the college, including meetings held for the purpose of discussing whether a particular parcel should be acquired. (5 ILCS 120/2(c)(5))
6. The setting of a price for sale or lease of property owned by the college. (5 ILCS 120/2(c)(6))
7. The sale or purchase of securities, investments or investment contracts. (5 ILCS 120/2(c)(7))
8. Security procedures and the use of staff and equipment to respond to an actual, threatened, or reasonably potential danger to the safety of employees, students, staff, the public or public property. (5 ILCS 120/2(c)(8) as amended by P.A. 93-79 and 93- 422)
9. Student disciplinary cases. (5 ILCS 120/2(c)(9))
10. The placement of individual students in special education programs and other matters relating to individual students. (5 ILCS 120/2(c)(10))
11. Litigation, when an action against, affecting or on behalf of the college has been filed and is pending before a court or administrative tribunal, or when the Board finds an action is probable or imminent in which case the basis for the finding is recorded and entered into the closed meeting minutes. (5 ILCS 120/2(c)(11))

12. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk-management information, records, data, advice, or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self-insurance pool or which the college is a member. (5 ILCS 102/2(c)(12))
13. Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the college is a member. (5 ILCS 120/2(c)(13))
14. Discussion of meeting minutes lawfully closed under this Act, whether for purposes of approval by the Board of the minutes or semi-annual review of the minutes as mandated by Section 2.06 of the Open Meetings Act. (5 ILCS 120/2(c)(14))

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum taken at an open meeting. The vote of each Board member present and the reason for the closed meeting is publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes.

A single motion calling for a series of closed meetings may be adopted when such meetings involve the same particular matters and will be held within three months of the vote. Only topics specified in the vote to close may be considered during the closed meeting.

No final Board action will be taken at a closed meeting.

Attendance

All elected members of the Board of Trustees and the president of the college attend closed sessions. Other individuals may be invited to attend a closed session at the request of the presiding officer of the Board, the president of the college or a majority of the Board of Trustees. In appropriate situations, the Board may request the president of the college be excused during a closed session.

Minutes

The elected Board secretary keeps written minutes of the closed sessions to be transcribed by the recording secretary of the Board and a verbatim record of all closed meetings in the form of an audio or video recording. Minutes include the date, time and place of the meeting, the members of the public body recorded as either present or absent, a summary of discussion on all matters proposed or deliberated.

After the minutes are transcribed, they're kept secure by the president of the college. The minutes are presented for approval or modification by the Board of Trustees during its next

closed session, and is duly noted in the minutes of the meeting at which time action takes place.

Access to closed-session minutes

Access to the closed-session minutes is limited to elected members of the Board of Trustees, the president of the college and attorneys representing the Board. The verbatim record will be destroyed no less than 18 months after the completion of the meeting recorded unless there is legal reason to maintain longer.

No less than semi-annually, the Board will meet to review minutes of all closed meetings to decide and report in an open session:

1. If the need for confidentiality still exists as to all or part of those minutes.
2. If the minutes or portions thereof no longer require confidential treatment and are available for public inspection.

Minutes of meetings closed to the public are available only after the Board determines it's no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.

Original: 4/84
Revised: 4/10, 10/15, 1/24