

BOARD ACTION REQUIRED TO HOLD AN EXECUTIVE SESSION
R.C. § 121.22(G)

EXECUTIVE SESSION TOPIC:

WHAT THE BOARD SHOULD SAY:

R.C. §121.22(G)(1): <i>To Consider Personnel Matters</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(1), I hereby move that the Board adjourn to executive session for the purpose of considering the _____ (state one or more) [appointment], [employment], [dismissal], [discipline], [promotion], [demotion], [compensation] of a public employee or official New Albany-Plain Local Schools.”</i> or <i>“Pursuant to Ohio Revised Code Section 121.22(G)(1), I hereby move that the Board adjourn to executive session for the purpose of considering the investigation of charges or complaints against a public employee, official, licensee or student of New Albany-Plain Local Schools.”</i> <u>Note:</u> If the employee/official/licensee/student is requested to attend the meeting, the Board may not adjourn to executive session to consider the above-referenced matters if the employee/official/licensee/student requests a public hearing. <u>Note:</u> Although the motion and vote to adjourn to executive session must state one or more of the approved purposes for which the executive session is to be held, the Board need not include the name(s) of any individual(s) to be considered at the meeting in such motion or vote. <u>Note:</u> Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's duties or for the elected official's removal from office.
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R.C. §121.22(G)(2): <i>To Consider the Purchase or Sale of Property</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(2), I hereby move that the Board adjourn to executive session for the purpose of considering the _____ (state one or more) [purchase of property for public purposes] or [sale of property at competitive bidding] since disclosure at this time, would give an unfair competitive or bargaining advantage to person(s) whose personal, private interest is adverse to the general public interest.”</i> <u>Note:</u> No Board member may use R.C. § 121.22(G)(2) as a subterfuge for providing covert information to prospective buyers or sellers. <u>Note:</u> If the minutes of the Board show that all meetings and deliberations have been conducted in compliance with R.C. § 121.22(G)(2), any instrument executed by the Board purporting to convey, lease, or otherwise dispose of any right, title, or interest in any School District property shall be presumed to have been executed in compliance with this section insofar as title or other interest of any bona-fide purchasers, lessees, or transferees of the property is concerned.
R.C. §121.22(G)(3): <i>To Consult with Legal Counsel</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(3), I hereby move that the Board adjourn to executive session to meet with Board Legal Counsel to discuss disputes involving the Board and/or the School District that are the subject of pending or imminent court action.”</i>
R.C. §121.22(G)(4): <i>To Discuss Negotiations or Collective Bargaining</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(4), I hereby move that the Board adjourn to executive session to _____ (state one or more) [prepare for], [conduct], [review] negotiations or bargaining sessions with employees concerning compensation and other terms and conditions of employment.”</i>
R.C. §121.22(G)(5): <i>To Discuss Matters Required to be Kept Confidential by Federal or State Law</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(5), I hereby move that the Board adjourn to executive session for the purpose of considering matters required to be kept confidential by Federal law or regulations or State statutes.”</i>

R.C. §121.22(G)(6): <i>To Discuss Security Arrangements or Emergency Response Protocols of the District</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(6), I hereby move that the Board adjourn to executive session to discuss details relative to the security arrangements and emergency protocols for the School District, which, if otherwise disclosed, could jeopardize the security of the School District or Board.”</i>
R.C. §121.22(G)(8): <i>To Discuss Confidential Information Related to an Applicant for Economic Development Assistance, or Negotiations With Other Political Subdivisions Respecting Such Requests for Economic Development Assistance</i>	<i>“Pursuant to Ohio Revised Code Section 121.22(G)(8), I hereby move that the Board adjourn to executive session for the purpose of considering confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.</i> Note: Both of the following conditions must apply in order to go into Executive Session for this purpose: (a) the information is directly related to a request for economic development assistance that is to be provided or administered under one (1) of the statutes referenced in R.C. 121.22(G)(8)(1), or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project; and (b) an unanimous quorum of the Board or its subcommittee determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

12/31/15