

CLOSED MEETINGS

Kentucky Revised Statutes (KRS) 61.800 to KRS 61.850 are known as the Open Meeting statutes and outline the reason for open meetings and exceptions to open meetings. School-based decision making councils (SBDMs) are considered a public agency and are required to follow the Open Meeting statutes.

The Kentucky Open Records and Open Meetings Acts are two important means by which the citizens of this great Commonwealth can access their government, and government officials can maintain transparency for the citizens they serve. The Kentucky Open Records and Open Meetings Acts protect the rights of the general public to know the actions and decisions of its public agencies. Transparency is critical for councils, because it allows all stakeholders to be aware of conversations and decisions being made for the school. There will be times that a council will need to discuss matters in closed session; however, all decisions made by the council must occur in open session.

In some instances, councils are allowed to conduct a closed meeting. It can enter closed session when:

- **Discussing actual or potential litigation**
- **Discussing appointment of individuals**
- **Discussing the school's emergency plan**

Kentucky Revised Statute (KRS) 61.815 outlines the requirements for calling a closed session. Steps for properly calling a closed meeting are as follows:



Announce a need for the closed session



Provide a general description of the issue to be considered



Identify the statutory section that allows the closed session



Obtain a motion to go into closed session



Obtain a majority vote to enter a closed session

For example, "I move to adjourn to a closed session pursuant to KRS 61.810(1)(f) to discuss an appointment of an individual."

- **During the closed session, the council or committee can only discuss the issue described.**
- **Minutes are not required to be taken during closed session.**
- **The council must return to open session before making a decision.**