

OPEN MEETINGS

Official meetings of public bodies are required to be open to the public.

An official meeting is either an in-person gathering or the “simultaneous communication” of a majority of the public body “for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business ...” N.C. Gen. Stat. §143-318.10(d).


Local boards of education are public bodies, as are board committees, school improvement teams, and local advisory councils. A meeting solely of professional staff does not constitute a meeting of a public body.

Public bodies are required to post notice of their meetings in advance, with the amount of notice required determined by the type of meeting.



CLOSED MEETINGS

Local boards of education and other public bodies are permitted to go into closed session, which members of the public are not allowed to attend, for the following specific reasons:




to prevent the disclosure of privileged or confidential information or the premature disclosure of an honorary degree, scholarship, prize, or similar award;

to consult with an attorney employed or retained by the board in order to preserve the attorney-client privilege between the attorney and the board

to discuss matters relating to the location or expansion of industries or other businesses in the area served by the board;

to prevent the disclosure of the board's position in (1) the negotiation of contracts for the acquisition of real property or (2) the material terms of employment contracts;




to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employed or considered for employment with the school system;

to hear or investigate a complaint, charge, or grievance by or against any individual employee;

to discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

to plan, conduct, or hear reports concerning investigations of alleged criminal misconduct;



to formulate plans relating to emergency responses to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by the board or a school improvement team; and

to discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

MEETINGS RECORDS



Public bodies are required to maintain minutes of both their open and closed sessions, although the latter may be withheld from the public as long as releasing them would frustrate the purpose of the closed session. For example, closed session minutes that disclose confidential personnel information can never be released, as personnel information remains confidential even after an employee leaves the school system.

