

NONPUBLIC SESSION MEETING MINUTES FORM

THE \_\_\_\_\_ SCHOOL BOARD

[And if applicable] COMMITTEE

MINUTES OF NON-PUBLIC SESSION

DATE: \_\_\_\_\_

**Issue # (If more than one issue to be discussed in same non-public)**

Members Present: (Name each)

_____	_____
_____	_____
_____	_____
_____	_____

**Motion to enter Nonpublic Session** made by \_\_\_\_\_ seconded by \_\_\_\_\_

**Specific Statutory Reason** cited as foundation for the nonpublic session:

\_\_\_ 91-A:3, II (a): *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

\_\_\_ 91-A:3, II(b): *The hiring of any person as a public employee.*

\_\_\_ 91-A:3, II(c): *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

\_\_\_ 91-A:3, II(d): *Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

\_\_\_ 91-A:3, II(e): *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.*

\_\_\_ 91-A:3, II(i): *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. 91-A:3,II (k): Consideration by school board of entering into a student or pupil tuition contract authorized by RSA 194 or RSA 195-A, which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general public or of district that is considering a contract, including any meeting between the school boards, or committees thereof, involved in the negotiations. (Additional language in statute for final votes.)*

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\_\_\_ 91-A:3, II (l): Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

\_\_\_ 91-A:3, II (m): Consideration of whether to disclose minutes of a nonpublic session due to a change in circumstances under paragraph III. However, any vote on whether to disclose minutes shall take place in public session.

Roll Call vote to enter nonpublic session:

_____	Y N	_____	Y N
_____	Y N	_____	Y N
_____	Y N	_____	Y N
_____	Y N	_____	Y N

Pause public meeting recording (if applicable).

Entered nonpublic session @ \_\_\_ am/pm Discussion regarding Issue # began @ \_\_\_ am/pm.

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Board members present: \_\_\_\_\_

Other persons present during nonpublic session (necessary personnel only): \_\_\_\_\_

Identification of subject matter discussed, and final actions taken/decisions made. (All actions or decisions must reflect how each member voted (e.g., roll call/unanimous vote (91-A:3, III), & the first and second of every motion 91-A:2, II): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Discussion on Issue ended @ \_\_\_ a.m./p.m.

Motion to leave nonpublic session and return to public session by \_\_\_\_\_, seconded by \_\_\_\_\_. Roll call: \_\_\_\_\_

Re-start public meeting recording (if applicable).

Public session reconvened at \_\_\_\_\_ a.m./p.m.

“SEALING” NON-PUBLIC MINUTES

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Under RSA 91-A:3, III. *Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.*

Motion made to seal these minutes \_\_\_ indefinitely or for \_\_\_ years because **publication would:**

\_\_\_ Affect adversely the reputation of any person other than a member of this board

\_\_\_ Render a proposed action ineffective

\_\_\_ Pertains to preparation or carrying out of actions regarding terrorism

*NOTE: If sealing regarding a discussion under 91-A:3, II(m), minutes must be unsealed (disclosed) as soon as practicable after the transaction has closed or the public body has decided not to proceed with the transaction.*

**Roll Call Vote to seal minutes:**

_____	Y N	_____	Y N
_____	Y N	_____	Y N
_____	Y N	_____	Y N
_____	Y N	_____	Y N

**Motion to Seal (Requires 2/3 Vote): PASSED / DID NOT PASS (circle one)**

*The following information to be recorded in the Sealed Minutes Log: (a) name of public body; (b) date, time and location of meeting; (c) start and end time of NP session; (d) grounds under 91-A:3, II to enter NP; (e) basis for sealing minutes; (f) date minutes sealed; (g) date/period, if any, given in motion to seal for minutes to be unsealed; (h) date, if any, of a subsequent decision to unseal the minutes.*

*Even if Non-Public Minutes are sealed, the Public Minutes Sealed must include the Motion to Enter (with the basis(es), as well as Motion to Seal (and basis), with roll call votes for each.*

**These minutes recorded by:** \_\_\_\_\_

**Legal Reference:**

RSA 91-A:3, Nonpublic Sessions

**SOMERSWORTH**

**BEC-R**  
*Related Policy BEC*

**NONPUBLIC SESSION MEETING MINUTES FORM**

**Policy History:**

NEW Policy

Reviewed: May 17, 2023

First Reading: May 23, 2023

Second Reading: June 13, 2023

Adopted: June 13, 2023