

CLOSED SESSION

Exhibit 1

CLOSED SESSION ITEMS

The Monterey County Board of Education (County Board) meeting agenda shall include the following description of a closed session item, as applicable:

MATTERS RELATED TO STUDENTS

Confidential Student Matter

Action under consideration: _____
(Specify type of action, e.g., expulsion appeal, etc.)

Student identification number: _____
(It is recommended that the student's name not be listed. The Monterey County Office of Education (MCOE) may use other means to identify the student for record-keeping purposes.)

SECURITY MATTERS

Threat to Public Services or Facilities [Government Code (GC) 54957]

Consultation with: _____
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the County Board will consult.)

Development/Approval of Tactical Response Plan [Education Code (EC) 32281]

Consultation with: _____
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the County Board will consult.)

REAL PROPEY NEGOTIATIONS

Conference with Real Property Negotiators [GC 54956.8]

Property: _____
(Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation.)

MCOE negotiator: _____
(Specify names of negotiators attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: _____
(Specify name of party; not agent.)

Under negotiation: _____
(Specify whether instruction to negotiator will concern price, terms of payment, or both.)

EXISTING/PENDING LITIGATION

Conference with Legal Counsel – Existing Litigation [GC 54956.9(d)(1)]

Name of case: _____
(Specify by reference to claimant's name, names of parties, or case or claim numbers.)

or

Case name unspecified, as identification of the case would jeopardize service of process or existing settlement negotiations.

Conference with legal Counsel – Pending Litigation [GC 54956.9(d)(2) or (3)]

Significant exposure to litigation pursuant to GC 54956.9(d)(2) or (3). Number of potential cases: _____

or

Initiation of litigation pursuant to GC 54956.9(d)(4). Number of potential cases: _____

If applicable, facts and circumstances: _____

(The MCOE may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to GC 54956.9(e)(2)-(5). These include facts and circumstances, such as an accident, disaster, incident, or transactional occurrence that might result in litigation against the MCOE and that are known to potential plaintiff(s).)

JOINT POWERS AUTHORITY (JPA) ISSUES

Liability Claims for Insurance-Related JPA [GC 54956.95]

Name of claimant(s): _____

(Specify name, except pursuant to GC 54961 when the claimant is a victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.)

Name of agency against which the claim is made: _____

Conference Involving Information from a JPA with Direct Financial or Liability Implications for MCOE [GC 54956.96]

Name of JPA: _____

Discussion will concern: _____
(Specify closed session description used by the JPA.)

Name of MCOE representative on JPA board: _____

Names of agencies or titles of representatives attending the closed session as consultants or other representatives, if applicable:

REVIEW OF AUDIT FROM STATE AUDITOR'S OFFICE

Audit by California State Auditor's Office [GC 54956.75]

(No additional information is required.)

REVIEW OF ASSESSMENT INSTRUMENTS

Review of Student Assessment Instrument [EC 60617]

The County Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program. EC 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

Exhibit 2

REPORTS OF CLOSED SESSION ACTIONS

Following a closed session during any meeting of the Monterey County Board of Education, the County Board shall reconvene in open session to present, orally or in writing, a report of any of the following actions taken during the closed session, as applicable:

Matters Related to Students

(Final action must be taken in open session. It is recommended that the student's name not be disclosed.)

Action taken: _____

County Board member votes/abstentions:

Security Matters

Action taken: _____
(e.g., consultation with law enforcement; approval of contract or memorandum of understanding; approval of tactical response plan, without disclosing the details of the plan)

County Board member votes/abstentions: _____

Real Property Negotiations

Action taken: _____
(Report if County Board approves a final agreement concluding real estate negotiations. If final approval rests with the other party, report as soon as the other party has approved the agreement.)

Substance of the agreement: _____

County Board member votes/abstentions: _____

Existing Litigation

Action taken related to existing litigation: _____
(e.g., approval to legal counsel to defend, appeal or not appeal, or otherwise appear in

litigation; or approval to legal counsel of a settlement of pending litigation at any stage prior to or during a judicial or quasi-judicial proceeding. If final approval of settlement rests with the other party, report to any person upon request once the settlement is final.)

Adverse party/parties, if known: _____

Substance of the litigation: _____

County Board member votes/abstentions: _____

Anticipated Litigation

Action taken: The County Board has given approval to legal counsel to initiate or intervene in a lawsuit. The action, defendants, and other details will be disclosed to any person upon request after the lawsuit is commenced, unless doing so would jeopardize MCOE's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.

(The report need not initially identify the action, defendants, or other details.)

County Board member votes/abstentions: _____

Joint Powers Agency (JPA) Issues

Liability Claims for Insurance-Related JPA

Name of claimant(s): _____

Name of agency against which the claim is made: _____

Substance of the claim: _____

Monetary settlement agreed upon by the claimant: _____

County Board member votes/abstentions: _____

Conference Involving Information from a JPA with Direct Financial or Liability Implications for MCOE

Name of JPA: _____

Action taken: _____
(Law does not include any specific disclosures to be reported.)

County Board member votes/abstentions: _____

Review of Audit from State Auditor's Office

Action taken: The County Board reviewed the confidential final draft audit report received from the California State Auditor's Office and is preparing (or has prepared) a response. (No additional information is required. Unless otherwise exempted by law, after the audit report is subsequently released to the public, any County Board discussion of the report must be conducted in open session.)

Review of Student Assessment Instruments

Action taken: The County Board reviewed the contents of a student assessment instrument approved or adopted for the statewide testing system.

Adopted: 11/13/19