

The logo for the Missouri School Boards' Association (MSBA) features the acronym 'MSBA' in a large, bold, dark blue font. Below it, the full name 'MISSOURI SCHOOL BOARDS' ASSOCIATION' is written in a smaller, bold, dark blue font. The text is set against a background of several thick, parallel lines in various colors (teal, orange, yellow, red, lime green) that are slanted at different angles. There are also several vertical bars in teal, orange, purple, and green that intersect the slanted lines.

MSBA

MISSOURI SCHOOL BOARDS' ASSOCIATION

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Sorting an Agenda Using the Sunshine Law

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Open Meeting Agenda

- Date
- Time
- Place
- “Tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered.” §610.020
- If an electronic meeting, include how the public can access the meeting.



Closed Session Agenda

a.k.a. Executive Session Agenda

- Date
- Time
- Place
- The appropriate subsections under §610.021, RSMo.



REASONS TO GO INTO CLOSED SESSION



Legal

- §610.021(1): Legal actions, causes of action or litigation
- Includes any confidential or privileged communications between a public governmental body or its representatives and its attorneys.
- Open later: Minutes, vote or settlement agreement upon “final disposition of the matter” unless closed by a court.
- Always open: How much you pay your lawyers or how much you pay in settlements.



Property

- §610.021(2): Lease, purchase or sale of real estate where public knowledge of the transaction might adversely affect the price.
- Open later: Minutes, vote or public record shall be made public upon execution.



Personnel

- §610.021(3): Hiring, firing, disciplining or promoting of particular employees when personal information about the employee is discussed or recorded.
 - "personal information" means information relating to the performance or merit of individual employees
- Open later: Any vote on a final decision shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting.
- Always post with §610.021(13).



Personnel

- §610.021(13): Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.
- Open: Names, positions, salaries and lengths of service.
- Always post with §610.021(3).



Students

- §610.021(6): Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores
- Open to parents: Personally identifiable student records shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years.
- Always post with §610.021(14)



Students

- §610.021(14): Records which are protected by law.
- Examples: Family Education Rights and Privacy Act (FERPA), Safe Schools Act, Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, IDEA, etc.
- Usually post with 610.021(6)



Tests

- §610.021(7): Testing and examination materials, before the test or examination is given (or given again).
- Open later: If not going to be given again, test is open.



Collective Bargaining/Meet and Confer

- §610.021(9): Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups.



Actual Negotiations

- §610.021(12): Any documents related to a negotiated contract.
- This means the actual negotiations can take place in closed session as well as discussions about negotiations (strategy).
- Open later: All documents, contracts proposals become open once a contract is executed or all are rejected.



Bidding

- §610.021(11): Specifications for competitive bidding.
 - Open later: Once approved by the Board or publicized.
- §610.021(12): Sealed bids
 - Open later: Until opened



Contracting

- §610.021(12): Sealed proposals and related documents or any documents related to a negotiated contract
- Open later: Once a contract is executed or all proposals are rejected, everything becomes open.



Auditor

- §610.021(17): Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product
- Open later: All final audit reports



Safety: Terrorists

- §610.021 (18): Operational guidelines, policies and specific response plans developed, adopted, or maintained for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health.
- Open: Procurement records.



Safety: Property

- §610.021(19): Existing or proposed security systems and structural plans of real property if public disclosure would threaten public safety.
- Open: Procurement records.



Safety: Security Systems

- §610.021(20): The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property.



Safety: Computer Systems

- §610.021(21): Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access
- Open: Procurement records.

Safety: Electronic Transactions

- §610.021(22): Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions.
- Open: Records of transactions made by the district.



Let's Practice!
Do the
Sunshine Law Practice Scenario

Sunshine Law Practice Answer

Notice of Open Public Meeting of the Dragon Hill R-1 School District Board of Education

Notice is hereby given that an open public session of the Board of Education of the Dragon Hill R-1 School District Board of Education will be held as set forth below:

PLACE: Dragon Hill R-1 Central Office Building
DATE: Monday, August 1, 2021
TIME: 6 p.m.

TENTATIVE AGENDA:

1. Approving minutes
2. Payment of bills
3. Selection of lawn service.
4. Teacher salary schedule
5. Budget report
6. Eliminate home economics program
7. Declare real estate as surplus property
8. Vote to go into closed session pursuant to §610.021(1), (3), (13)

**Notice of Closed Meeting of the
Dragon Hill R-1 School District Board of Education**

Notice is hereby given that the Board of Education of the Dragon Hill R-1 School District will conduct a closed session as set forth below:

PLACE: Dragon Hill R-1 Central Office Building

DATE: Monday, August 1

TIME: Immediately following open session meeting that begins at 6 p.m.

This meeting is closed pursuant to §610.021(1), (3), (13)