

**CLOSED SESSION ITEM DESCRIPTIONS UNDER
THE RALPH M. BROWN ACT**

The following chart can be used when drafting the closed session item descriptions on agendas and minutes of governing board meetings. These item descriptions are from the “safe-harbor” descriptions under Government Code section 54954.5.

GOV. CODE SECTION	CLOSED SESSION ITEM DESCRIPTION (The same language should be used for both the agenda and minutes)
<p style="text-align: center;">54956.8</p> <p>(Use to discuss the purchase, sale, exchange, or lease of real property by or for the school)</p>	<p>CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8.)</p> <p>Property: <i>[address]</i></p> <p>Agency negotiator: <i>[name of negotiator]</i></p> <p>Negotiating parties: <i>[name of opposing party]</i></p> <p>Under negotiation: <i>[E.g. price and/or terms of payment]</i></p>
<p style="text-align: center;">54956.9</p> <p>(Use when the school is threatened with litigation or an administrative proceeding, e.g. if the charter authorizer may revoke/ non-renew the charter)</p>	<p>CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Gov. Code section 54956.9(d)(2).): (<i>[number of matters]</i>).</p>
<p style="text-align: center;">54956.9</p> <p>(Use when the school is considering suing someone)</p>	<p>CONFERENCE WITH LEGAL COUNSEL—LITIGATION (Gov. Code section 54956.9(d)(4).): (<i>[number of matters]</i>).</p>
<p style="text-align: center;">54956.9</p> <p>(Use to confer with, or receive advice from, legal counsel regarding pending litigation)</p>	<p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Gov. Code section 54956.9(d)(1).)</p> <p>Name of Case: <i>[insert case name]</i></p> <p><i>OR, if disclosing the case name would jeopardize settlement negotiations, use the following:</i></p> <p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Gov. Code section 54956.9(d)(1).)</p> <p>Case Name Unspecified: (disclosure would jeopardize settlement negotiations)</p>
<p style="text-align: center;">54957</p> <p>(Use when discussing the hiring of a new employee)</p>	<p>PUBLIC EMPLOYEE APPOINTMENT (Gov. Code section 54957(b)(1).)</p> <p>Title: <i>[title of position to be filled]</i></p>
<p style="text-align: center;">54957</p> <p>(Use when reviewing</p>	<p>PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code section 54957(b)(1).)</p>

the performance of an existing employee)	Title: <i>[title of employee being evaluated]</i>
54957 (Use when discussing the discipline or dismissal of an employee; keep in mind there are also notice obligations for this type of closed session)	PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Gov. Code section 54957(b).)
54957.6 (Use when negotiating [salaries, compensation, etc.] with represented or unrepresented employees)	CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: <i>[names of representatives]</i> Employee Organization: <i>[name of organization representing employees]</i> <i>OR, if the employee is unrepresented, use the following:</i> CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Unrepresented employee: <i>[title of employee]</i>
54957 (Use when meeting with law enforcement personnel on matters posing a threat to the security of public buildings or services—this is rare)	THREAT TO PUBLIC SERVICES OR FACILITIES (Gov. Code section 54957(a).) Consultation with: <i>[specify name of law enforcement agency and title of officer]</i>