



DOLORES LIBRARY DISTRICT

Board of Trustees

Executive Session Policy

The Colorado Open Meetings Law (C.R.S. § 24-6-402) requires any state or local governmental body to discuss public business or to take formal action in meetings that are open to the public. A meeting refers to any kind of gathering of three or more members of the Board convened to discuss public business, whether in person, by phone, electronically, or other means of communication, including email. An Executive Session is an exception to the requirement for open meetings where the Board may exclude the public to discuss the following limited topics per C.R.S. § 24-6-402(4): purchase, sale, rent, or lease of property; matters subject to state or federal statutes requiring confidentiality; matters subject to negotiation; conference with the board's attorney on specific legal questions; security details or law enforcement investigations; personnel matters; and discussion of any records exempted under the Colorado Open Records Act.

For executive sessions under the personnel exception, the subject employee has the right to request the discussion be held in open session. The Board should deliver advance notice to the subject employee of the executive session and the right to request an open meeting and document same.

Final votes, decisions to take legal action or official Board action may only occur after reconvening in an open meeting. During an executive session, only individuals whose presence is reasonably necessary for the Board to conduct the executive session may attend. Discussions during an executive session will be recorded pursuant to CRS § 24-6-402, and the following procedures apply:

1. An executive session must be called at a properly noticed public meeting. A trustee must make a motion to enter into an executive session by announcing the topic to be discussed; cite at least one (1) of the specific sections of statute to authorize the session; and briefly describe with particularity the matter to be discussed. If a second is received, it is discussed and voted on by the Board. The motion and vote will be recorded in the minutes of the publicly noticed meeting. If the Board votes by a 2/3 majority to enter into executive session, the meeting is closed by the Board President.
2. The executive session is called to order when required individuals are present.
3. The board president calls the executive session to order and announces that the session will be recorded using audio, video, or digital equipment. This does not apply to sessions for the purpose of receiving legal advice from legal counsel.

4. Recording begins as the executive session is called to order with the date and time. The Board president indicates that a 2/3 majority vote authorized the executive session, its purpose, the citation for executive session, and those persons in attendance who may be identified either by name or role. Recording must continue until adjournment of the executive session. Recording may pause for portions or all of an executive session as stated on the record by legal counsel attesting that the matters discussed were attorney-client privileged matters.
5. When the business of the executive session is complete, the board president announces that the executive session is adjourned and that the Board will reconvene in open session. The recording equipment is then turned off. No motion or vote is required to adjourn the executive session.
6. The Board may not adopt or approve any proposed policy, position, resolution, rule, regulation, or other formal action during an executive session.
7. The District will maintain all recordings for 90 days. After that date, the recording will be erased and destroyed. A District Court judge may perform an "in-camera" review of the executive session recording to determine the legitimacy of a legally challenged executive session. Upon District Court review, portions or all of an improper executive session may be subject to release to the public.

Adopted August 11, 2020

Revised October 14, 2025

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