

**To: Members of the State Board of
Education and Early Development**

July 1, 2025

From: Deena Bishop Ed. D., Commissioner

Agenda Item: 7

◆ ISSUE

The State Board of Education and Early Development will consider holding an executive session for two purposes:

To consult with legal counsel regarding matters related to the Local Contribution Regulations.

To conduct the annual performance evaluation of the Commissioner of Education and Early Development.

◆ BACKGROUND

- Under AS 44.62.310(c)(3) of the Open Meetings Act, the following subject may be considered in an executive session: matters, which by law, municipal charter, or ordinance are required to be confidential. Attorney-client advice is a matter which by law is required to be confidential.
- Under AS 44.62.310(c)(2) of the Open Meetings Act the following subject may be considered in executive session: subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. The evaluation of an individual is a subject that could tend to prejudice the reputation and character of any person.
- Under the AS 44.62.310(b) of Open Meetings Act, the question of holding an executive session for the consideration of the subjects listed in AS 44.62.310(c) shall be determined by a majority vote of the board.

◆ OPTIONS

- The board may choose to go into executive session for the purpose of obtaining legal advice on proposed regulations.
- The board may choose to go into executive session for the annual performance evaluation of the Commissioner.
- The board may choose not to go into executive session.

◆ SUGGESTED MOTIONS

MOTION 1: I move that the State Board of Education and Early Development convene in executive session to obtain legal advice regarding proposed regulation project amending 4 AAC

09, regarding local contribution, a matter which by law is required to be confidential under the AS 44.62.310(c)(3).

MOTION 2: I move that the State Board of Education and Early Development convene in executive session to conduct the annual performance evaluation of the Commissioner of Education and Early Development; under AS 44.62.310(c)(2) this discussion should take place in executive session unless the Commissioner requests a public discussion.