

CHECKLIST

For Local Government Success



The Open Public Meetings Act (OPMA) requires specific steps be taken in order to hold an executive session. Use this checklist to guide your agency’s compliance with the OPMA related to executive sessions.* *For more information and resources visit www.mrsc.org/opmapra.*

	Requirement	Completed/ Applicable
Meeting	An executive session can only be held as part of a regular or special meeting.	<input type="checkbox"/>
Purpose	The presiding officer announces in open session the purpose of the executive session.	<input type="checkbox"/>
End Time	The presiding officer announces in open session the time the executive session will end.	<input type="checkbox"/>
Legal Counsel	Legal counsel is present during the executive session, if required. (See topics below and on the next page for discussions that require the presence of legal counsel.)	<input type="checkbox"/>
Confidentiality	At the start of the executive session, participants are reminded that discussions are confidential.	<input type="checkbox"/>
Topics	Related to local governments, the following topics set forth in RCW 42.30.110(1) can be discussed in executive session:	
	• Matters affecting national security. RCW 42.30.110(1)(a) .	<input type="checkbox"/>
	• Lease or purchase of real estate if there's a likelihood that disclosure would increase the price. RCW 42.30.110(1)(b) .	<input type="checkbox"/>
	• Consideration of the minimum offering price for sale or lease of real estate if there's a likelihood that disclosure would decrease the price. RCW 42.30.110(1)(c) . □ Note: Final action selling or leasing public property must be taken in open session.	<input type="checkbox"/>
	• Negotiations on the performance of a publicly bid contract. RCW 42.30.110(1)(d) . See back of page.	<input type="checkbox"/>
	• Complaints or charges brought against a public officer or employee. RCW 42.30.110(1)(f) . □ Note: At accused’s request, discussion must be in open session.	<input type="checkbox"/>
	• Qualifications of an applicant for public employment. RCW 42.30.110(1)(g) . See back of page.	<input type="checkbox"/>
	• Performance of a public employee. RCW 42.30.110(1)(g) . See back of page.	<input type="checkbox"/>
	• Qualifications of an applicant/candidate for appointment to elective office. RCW 42.30.110(1)(h) . See back of page.	<input type="checkbox"/>
	• Agency enforcement actions. RCW 42.30.110(1)(i) . See back of page. □ Note: Requires presence of legal counsel.	<input type="checkbox"/>
	• Current or potential litigation. RCW 42.30.110(1)(i) . See back of page. □ Note: Requires presence of legal counsel.	<input type="checkbox"/>
	• Legal risks of current or proposed action. RCW 42.30.110(1)(i) . See back of page. □ Note: Requires presence of legal counsel.	<input type="checkbox"/>
Extended End Time	If the executive session is not completed by the originally announced end time, the presiding officer announces the extended end time in open session before returning to executive session.	<input type="checkbox"/>
Resumption	Open session is not resumed until after the announced end time.	<input type="checkbox"/>

Meeting Date _____ Form Completed By _____
Attendees _____

*DISCLAIMER: This checklist is meant to provide summary information on executive sessions; the checklist is not intended to be regarded as specific legal advice. Consult with your agency’s attorney about this topic as well.

