The Minnesota Open Meeting Law (Minn. Stat. Ch. 13D) presumes all meetings of a public entity’s governing body are open to the public. There must be statutory authority to close a meeting to the public. Most statutory authorities are found in Minnesota Statutes, Sections 13.03 and 13.05.

**Required to Close Meetings**

Meetings **must** be closed for discussions involving:
- Preliminary consideration of allegations or charges against an individual who is subject to the board’s authority, but the meeting must be open at the individual’s request
- Data identifying alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults
- Active criminal investigation data as defined in Minnesota Statutes, Section 13.82, Subdivision 7; or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system or political subdivision
- Not-public data under the Minnesota Government Data Practices Act for:
  - Education (Minn. Stat. § 13.32)
  - Health (Minn. Stat. § 13.3805, subd. 1)
  - Medical (Minn. Stat. § 13.384)
  - Welfare (Minn. Stat. § 13.46, subd. 7)
  - Mental health (Minn. Stat. § 13.46, subd. 2)
- Medical records governed by Minnesota Statutes, Sections 144.291 to 144.298

Meetings **must** be closed as expressly required by any other law.

**Discretion to Close Meetings**

Meetings **may** be closed for discussions involving:
- Labor negotiations
- Performance evaluation of an individual who is subject to the board’s authority, but the meeting must be open at the individual’s request
- Attorney-client privilege (limited reasons)
- Sale or purchase of real or personal property to:
  - Determine the asking price for real or personal property to be sold by the government entity
  - Review confidential or protected nonpublic appraisal data classified under Minnesota Statutes, Section 13.44, Subdivision 3
  - Develop or consider offers or counteroffers for the purchase or sale of real or personal property
- Security briefings and reports, issues related to security systems, security deficiencies in or recommendations regarding public services, infrastructure and facilities and emergency response procedures if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses

**Procedure to Close Meetings**

A motion to close a meeting must be made in an open session. The board member making the motion should:
- Reference the applicable statute permitting or mandating that the meeting be closed;
- Describe the subject matter to be discussed in specific; and
- Adhere to additional requirements depending on the legal authority cited to close the meeting.

Board members are encouraged to review the statute and consult with legal counsel when closing a meeting.