

Public Body Checklist for Preliminary Screening Committees Meeting in Executive Session

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Executive session Purpose 8, G.L. c. 30A, § 21(a)(8), permits a preliminary screening committee, often called a search committee, to enter executive session to consider or interview applicants for employment or appointment. This is a slightly different executive session purpose than the other nine, as it anticipates that a public body will create a subcommittee—the preliminary screening committee—for this purpose.

- The preliminary screening committee need not contain any members of the parent public body, but, if it does, it must contain less than a quorum. Other individuals may also be members of the preliminary screening committee.
- Before entering executive session, the chair must declare that an open meeting will have a detrimental effect in obtaining qualified candidates, and this statement should then be reflected in the meeting minutes. G.L. c. 30A, § 21(a)(8).
- The preliminary screening committee may perform the initial work of **considering**, such as reviewing written applications or resumes, and **interviewing** applicants in executive session. See OML 2020-147; OML 2019-100.
- Once there are finalists—meaning at least two individuals to proceed onto the next level of consideration—any further consideration, review, or interviewing by the screening committee or the parent public body must take place in open session. See OML 2024-30; OML 2021-70; OML 2016-105.
- The screening committee may not narrow the pool of candidates to a single finalist in executive session.
- The preliminary screening committee may not enter executive session to prepare questions to ask candidates or to discuss the review process. See OML 2021-152; OML 2019-7; OML 2016-105. Such discussions must occur in open session.
- The preliminary screening committee must create and approve minutes of all meetings, including executive sessions. G.L. c. 30A, § 22(a).

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@mass.gov. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.