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GOVERNOR

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G-2026-Regional Center Operations-003

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: REQUIREMENTS FOR REGIONAL CENTER GOVERNING BOARDS
WHEN HOLDING CLOSED SESSIONS

The purpose of this guidance letter is to remind regional centers of the requirements in [Welfare & Institutions Code \(WIC\) Section 4663](#), which sets forth requirements pertaining to regional center governing boards holding closed sessions. If a regional center governing board is going to hold a closed session, WIC Section 4663(b) requires that the governing board state the specific reason(s) for a closed session both prior to and following a closed session. Holding a closed session prior to calling a board meeting to order, or after adjournment of a board meeting, is not legally compliant.

WIC Section 4663(a) states that a regional center governing board *may* hold a closed session for any of the five topics listed below. Closed session for the following topics is not mandatory:

- 1) Real estate negotiations.
- 2) The appointment, employment, evaluation of performance, or dismissal of a regional center employee.
- 3) Employee salaries and benefits.
- 4) Labor contract negotiations.
- 5) Pending litigation.

WIC Section 4663(b) requires a closed session for any matter specifically dealing with a particular regional center client. The only exception to this mandatory closed session requirement for discussions involving a specific regional center client is when the client, the client's conservator, or the client's parent or guardian (where the client is a minor) specifically requests that the matter be discussed publicly.

WIC Section 4663(b) also states that minutes of closed sessions must be kept by a designated officer or employee of the regional center, but these minutes shall not be considered public records.

As part of the requirements under [Senate Bill \(SB\) 163](#), every regional center governing board shall retain or employ an attorney by no later than July 1, 2027, to advise on specified topics and be present at all board and executive committee meetings in which

final decisions are made, pursuant to [WIC Section 4625.6](#). Therefore, the governing board's attorney shall advise on the rules of closed sessions.

Regional center governing boards must align their practices with the statutory requirements outlined above. If you have any questions regarding this letter, please contact your regional center's primary liaison with the Department.

Sincerely,

Original Signed by:

MICHI A. GATES, Ph.D.
Chief Deputy Director, Program Services

cc: Regional Center Administrators
 Regional Center Directors of Consumer Services
 Regional Center Community Services Directors
 Association of Regional Center Agencies