

JUSTIFICATION FOR SERIES 9000

(Pending Board Approval June 18, 2025)

Board Bylaw 9220 - Governing Board Elections

(BB revised)

Bylaw updated to reference that a city/county charter might take precedence over district policies in regard to school board elections. Additionally, bylaw updated to reflect **NEW LAW (AB 764, 2023)**, also known as the Fair And Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act, which establishes a comprehensive set of rules that local governments, including school districts, must follow during the redistricting process. In addition, bylaw updated to reference new Exhibit (1), which includes a non-exhaustive list of offenses the conviction of which makes someone ineligible to be a school board member. Bylaw also updated for clarity, precision, organization, and consistency.

Exhibit (1) 9220 - Governing Board Elections

(BB revised NEW)

Exhibit added to provide a non-exhaustive list of offenses the conviction of which makes someone ineligible to be a school board member.

Board Bylaw 9223 - Filling Vacancies

(BB revised)

Bylaw updated to reflect **NEW LAW (AB 1326, 2023)**, which requires that the notice of a provisional appointment be posted on the district's website. Additionally, bylaw updated to (1) focus on filling vacancy by appointment rather than special election, (2) enable the Governing Board to approve, by resolution, the procedures for selecting the person to be provisionally appointed to fill the vacancy, and (3) explain how long an appointed Board member may serve. In addition, bylaw updated for clarity, precision, organization, and consistency.

Board Bylaw 9010 - Public Statements

(BB revised)

Bylaw updated to focus on public statements by Governing Board spokespersons made on behalf of the Board or by individual Board members. Additionally, bylaw updated to permit a Board spokesperson to disclose confidential information or information received in closed session when authorized by law. In addition, bylaw updated to reflect **NEW COURT DECISION (Lindke v. Freed)**, in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power. Bylaw also updated to suggest that a Board member make clear when they are speaking as an individual, and not on behalf of the district, such as by adding a disclaimer to the member's social media page.

Board Bylaw 9012 - Board Member Electronic Communications (BB revised)

Bylaw updated to reference suggestions regarding how to avoid Governing Board member electronic communications that violate the Brown Act. Additionally, bylaw updated to provide that Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 - Public Statements. In addition, bylaw updated to reference that the Public Records Act applies even to Board member electronic communications regarding district business sent or received on a Board members' personal account or device. Bylaw also updated to reflect NEW COURT DECISION (Lindke v. Freed), in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power, and provide that the bylaw does not apply to Board member electronic communications not related to district business or not conducted by a Board member in the Board member's official capacity.

Board Bylaw 9240 – Board Training (BB revised)

Bylaw updated to include ethics training required by Governing Board members who are in office as of January 1, 2025, with completion by January 1, 2026, and every two years thereafter. Additionally, bylaw updated to add that the Board president work with the Superintendent or designee to include funds for professional development and associated reasonable travel expenses for the Board as a whole and for each individual Board member in the district's proposed annual budget and, consistent with the availability of funds in the district's adopted annual budget, (1) the Board president or designee annually develop, and bring to the Board for adoption, a Board professional development calendar designed to assist the Board as a whole, and (2) individual Board members identify and participate in additional professional development opportunities and then timely inform the Board president and the Superintendent upon doing so. In addition, bylaw updated to revise references to relevant training opportunities.

Board Bylaw 9270 – Conflict of Interest (BB revised)

Bylaw updated to add that Governing Boards are mandated to adopt a conflict of interest code and to adopt policies regarding incompatible offices and activities. Additionally, bylaw updated to denote "District Official" as the general term for a position to which the district's conflict of interest code applies and to reflect **NEW LAW (SB 1181, 2024)** and **NEW LAW (SB 1243, 2024)** which increased the threshold to \$500 for certain disclosure requirements and restrictions on accepting, soliciting, or directing campaign contributions. In addition, bylaw updated to permit any District Official, who, in good faith, believes that they may be subject to the requirements of the bylaw and has questions, is unclear, or is unsure regarding the application of the requirements of the bylaw, to seek advice from the district's legal counsel with the permission of the

Superintendent, Board president, or majority of the Board. Bylaw also updated to include ethics training required by Board members who are in office as of January 1, 2025, with completion by January 1, 2026, and every two years thereafter. Bylaw also reorganized for coherence, clarity, and consistent style.

Board Bylaw 9150 - Student Board Members

(BB revised)

Bylaw updated to reflect authorization for the Governing Board to provide student Board members with monthly financial compensation and **NEW LAW (SB 1445, 2024)** which authorizes student Board members to make restorative justice recommendations regarding expulsions if certain conditions are met. Additionally, bylaw restructured based on two legal bases to create student Board member positions and to clarify which aspects of bylaw are based on which basis.

Board Bylaw 9224 - Oath or Affirmation

(BB revised)

Bylaw updated as part of CSBA's process to review policy materials that have not recently required updating based on changes to law, regulations, new guidance, or other directives, and has been amended for precision, consistency, and accuracy.

Board Bylaw 9260 - Legal Protection

(BB revised)

Bylaw updated as part of CSBA's process to review policy materials that have not recently required updating based on changes to law, regulations, new guidance, or other directives, and has been amended for precision, consistency, and accuracy.

Board Bylaw 9320 - Meeting and Notices

(BB revised)

Bylaw updated to reflect the meeting date on the second Wednesday of the month.