

Board Bylaws

BB 9322

AGENDA/MEETINGS MATERIALS

Agenda Content

Governing Board meeting agendas shall reflect the district's vision and goals and the Board's focus on student learning and well-being.

Each agenda shall state the meeting time and place location and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

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~~(cf 9320 – Meetings and Notices)¶~~

~~(cf 9321 – Closed Session Purposes and Agendas)¶~~

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The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the agenda item has previously been considered at an open meeting by a committee comprised exclusively of Board members, provided that members of the public were afforded an opportunity to comment on the item, before or during the Board's committee's consideration of the item. The agenda, and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular Board meeting shall also provide members of the public an opportunity to testify at regular meetings provide comment on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

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~~(cf 9323 – Meeting Conduct)¶~~

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~~Each meeting agenda~~

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of agenda documents documents related to an open session item that have been distributed to the Board less than 72 hours before the meeting. (Government Code

54957.5)

The agenda shall ~~specify that an individual should contact the Superintendent or designee if he/she requires~~ include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the Board meeting. (Government Code 54954.2)

Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. ~~Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.~~

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~~(cf 0000 Vision)¶~~

~~(cf 0200 Goals for the School District)(cf 9121 President)¶~~

~~(cf 9122 Secretary)¶~~

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Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board president and Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, before placing the item on the agenda, the Board president and Superintendent shall determine if the item is merely a request for information ~~or whether the issue is covered by an existing policy or administrative regulation~~ and, if so, respond accordingly.

The Board president and Superintendent shall also decide whether an agenda item is appropriate for discussion in open or closed session and whether the item should be an action item subject to

~~Board vote; or an information item that does not require immediate action; or a consent item that is routine in nature and for which no discussion is anticipated.~~¶

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~~Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)~~¶

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~~(cf 9323.2 Actions by the Board)~~¶

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~~All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.~~¶

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~~(cf 1312.1 Complaints Concerning District Employees)~~¶

~~(cf 1312.2 Complaints Concerning Instructional Materials) (cf 1312.3 Uniform Complaint Procedures)~~¶

~~(cf 1312.4 Williams Uniform Complaint Procedures)~~¶

~~(cf 3320 Claims and Actions Against the District) (cf 5144.1 Suspension and Expulsion/Due Process)~~¶

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~~Consent Agenda/Calendar~~¶

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In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda unless such item has previously been previously considered at an open meeting of a committee comprised exclusively of all the Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting unless the item has been substantially changed since the committee considered it Board members. (Government Code 54954.3)

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and

deliberated upon as a separate item of business on the meeting agenda. (Government Code 54954.353635.7)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

Agenda Dissemination to Board Members

At least ~~three days~~ 72 hours before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, ~~citizens~~, and others; and other available supporting documents pertinent to the meeting.

~~When special meetings are called, the Superintendent or designee shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible before the meeting.~~

~~-Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)~~

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means, discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

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~~(of 9012 - Board Member Electronic Communication)~~

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~~**Agenda Dissemination to Members of the Public**~~

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~~The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items~~

Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. Only those documents which are disclosable public records under the Public

Records Act (PRA) and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the Superintendent or designee shall post the agenda on the homepage of the district website. The materials posted agenda shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the website with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.154954.2)

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board provided the document is a public record under the Public Records Act The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

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~~(cf 1113 District and School Web Sites) (cf 1340 Access to District Records)~~¶

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Any documents prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)¶

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Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

The Superintendent or designee shall email a copy of, or a website link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the Superintendent or designee determines that it is technologically infeasible to do so, a copy of the agenda or a website link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.



Legal Reference

EDUCATION CODE

~~35144 Special meetings~~

~~35145 Public meetings~~

~~35145.5 Right of public to place matters on agenda~~

GOVERNMENT CODE

~~62-50-6270 Public Records Act 53635.7 Separate item of business~~

~~54954.1 Mailed agenda of meeting~~

~~54954.2 Agenda posting requirements; board actions~~

~~54954.3 Opportunity for public to address legislative body~~

~~54954.5 Closed session item descriptions~~

~~54956.5 Emergency meetings~~

~~54957.5 Public records~~

~~54960.2 Challenging board actions; cease and desist~~

UNITED STATES CODE, TITLE 42

~~12101-12213 Americans with Disabilities Act~~

CODE OF FEDERAL REGULATIONS, TITLE 28

~~35.160 Effective communications~~

~~36.303 Auxiliary aids and services~~

COURT DECISIONS

~~Mooney v. Garcia, (2012) 207 Cal.App. 4th 229~~

~~Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318~~



Management Resources

CSBA PUBLICATIONS

~~Call to Order: A Blueprint for Great Board Meetings, 2010~~
~~The Brown Act: School Boards and Open Meeting Laws, rev. 2009~~
~~ATTORNEY GENERAL PUBLICATIONS~~
~~The Brown Act: Open Meetings for Legislative Bodies, rev. 2003~~
~~WEBSITES~~
~~CSBA Agenda Online: <http://www.csba.org>~~
~~California Attorney General's Office: <http://www.oag.ca.gov>~~

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Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

PERRIS UNION HIGH SCHOOL DISTRICT
Perris, California

Bylaw Adopted: June 18, 2008

Revised: March 20, 2013

Revised: December 14, 2022 (Pending Board Approval)