
MINUTES
AZUSA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION
GOVERNANCE WORKSHOP

Tuesday, February 9, 2021, at 5:30 p.m.

The Azusa Unified School District Board of Education met via Teleconference for the Regular Board Meeting

1.0 Preliminary

A) Call to Order

1.1 The Board President will call the Governance Workshop of the Azusa Unified School District to order.

B) Flag Salute

C) Roll Call

Xilonin Cruz-Gonzalez	Present
Yolanda Rodriguez-Pena	Present
Adrian Greer	Present
Gabriela Arellanes	Present
Sabrina Bow, Ed.D.	Present

2.0 Approval of Agenda

2.1 Approval of Agenda

Approval of Agenda order and content.

Recommendation: It is recommended the Board of Education approve the agenda order and content.

ORIGINAL - Motion

Member (**Sabrina Bow, Ed.D**) Moved, Member (**Adrian Greer**) Seconded to approve the **ORIGINAL** motion 'It is recommended the Board of Education approve the agenda order and content'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Adrian Greer	Yes
Sabrina Bow, Ed.D.	Yes
Yolanda Rodriguez-Pena	Yes
Gabriela Arellanes	Yes
Xilonin Cruz-Gonzalez	Yes

3.0 Items From the Floor/Public Comment on Agenda or Non-Agenda Items

3.1 This is an opportunity for the public to address the Board on agenda or non-agenda items. No action can be taken on non-agenda items. Individual speakers may be allowed up to three (3) minutes to address the Board on any agenda or non-agenda item. Please raise your hand while in the zoom attendance to address the board.

4.0 General Functions

A) Board Governance Workshop

4.1 Governance Workshop

The Board of Education believes it is important to review effective governance procedures for continued development periodically. Effective governance procedures are indicators of a high-performing School Board and District. Staff from our legal firm, Fagen Friedman & Fulfroost, will facilitate this Governance Workshop.

Recommendation: It is recommended the Board of Education participate in a Governance Workshop to discuss effective governance procedures.

Governance Training

Azusa Unified School District

Welcome/Introduction

- Why did you run for the Board?
- What did you hope to accomplish?

Governing Boards -Who You Are

- Roles and Responsibilities
 - Vision and Goals -Set the direction for the District
 - Superintendent -Ensure accountability to the public
 - Policy –Oversee development and adoption
 - Fiduciaries –Establish budget priorities, allocation of resources
 - Community leadership and advocacy

Board Handbook

- Governance and Leadership Team Protocols
 - Communications
 - Maintaining Confidentiality
 - Board Member Role in Public
 - Handling Concerns
 - Before Board Meetings
 - Board Meetings
 - FAQs

Today's Agenda

- Brown Act Overview
- What is a Meeting?
- Agenda Requirements
- Closed Session Exceptions
- Facilitating Public Participation & Access
- Tips on Effective & Collaborative Governance

I. Overview of the Brown Act

Spirit of the Brown Act

- Open and public deliberations
- Meaningful public access

SO...WHO IS SUBJECT TO THE BROWN ACT?

Legislative Bodies*

*A school board is a legislative body subject to the Brown Act, including its members and newly elected members (Gov. Code §54952)

Committees & Commissions

- Committees & Commissions Created by Formal Board Action Subject to Brown Act (Gov. Code §54952(b))
 - Agendas and minutes
- Very Limited Exceptions:
 - No Board Action
 - Ad Hoc (Temporary) Advisory Committees Consisting Solely of Board Members and Less Than a Quorum (non-standing, i.e., no authority or fixed meeting schedule via Board action)
- Committee Meetings
 - Unless otherwise exempted by law (i.e., ad hoc Board subcommittee), Board created committees shall provide public notice of their meetings and conduct meetings in accordance with the Brown Act

- Committees
 - External -Board may appoint any of its members to serve as its representative in another city, public agency, organization, etc.
 - Internal -Board may appoint a member to serve on an internal committee (*See Board Bylaw 9140*)

Discuss. Deliberate. Decide.

When Does The Brown Act Apply?

Your Guide: When the topic will come to the Board for a vote, it must be discussed in public, and the public must have access to the agenda.

II. What Is A Meeting?

Types of lawful meetings

- Regular
- Special
- Emergency

"Meeting" Defined

- A meeting occurs whenever:
 - A majority of the legislative body members gather at the same time and place
 - To hear, discuss, deliberate, or take action
 - On any item that is within the subject matter jurisdiction of the legislative body. (Gov. Code §54952.2)

Not Meetings*

- Individual contact or conversations.
- Public conferences.
- Other local agency meetings.
- Community meetings.
- Social gatherings.

*All okay under Brown Act so long as there is no discussion of Board business (Gov. Code §54952.2(c))

The Virtual World

Technology with Brown Act implications include:

- Email
- Websites/blogs
- Texting
- Social media
- Do you tweet, blog, or have a Facebook page?

AB 992 –New Legislation

- Starting January 1 until January 1, 2026:

- Board members **not prevented** from engaging in conversations/communications on social media to answer questions, provide information to the public or solicit information from the public
- Conditional!!
 - The majority of the Board cannot use the social media platform to discuss business or items in their jurisdiction amongst themselves.
- Board members are NOT allowed to respond directly to communications or posts on social media on topics within their jurisdiction if the post or comment is created or shared by another Board member.
- "Discuss among themselves"
 - includes the use of digital icons that express reactions to communications made by other members of the body (e.g., Facebook "likes" or emojis)
 - must be accessible to the public for free and in a forum where one cannot be blocked unless the social media platform blocks them for violating their rules
- Extreme Caution Recommended!

Reminder about Emails

- Consider the Public Records Act
- Don't let email tone control your image

III. Agenda Requirements

Regular Meetings

- Established at the beginning of the year and in Board Bylaw.
- Agenda Posting Requirements
 - Posted at least 72 hours before the meeting
 - At a location freely accessible to the public
 - On the district's website, if it has one.

Public Comments

- Prepare to explain why the Board must not comment on non-agendized comments

Special Meetings

- A "special" meeting is any meeting (except for an "emergency" meeting) that is held outside of the regular meeting schedule.
- Differences for Special Meetings
 - Agenda posted at least 24 hours before the meeting
 - Public Comments limited to agenda items

Emergency Meetings

- Work stoppage, crippling activity, or severe threat public health or safety in District
- No agenda required
- Must attempt to contact media 1 hour before unless there is a "dire emergency."
- Closed session if super-majority approve
- Posting required after meeting

Dire Emergency Agenda

- In the case of a dire emergency, the presiding officer or designee must notify the media at the same time the members are notified of the meeting
- A dire emergency is a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity so significant that providing the one-hour notice may endanger the public

(Gov. Code §54956.5(a)(2).)

Who creates the agenda?

- Typically Board President & Superintendent
- Other members may request agenda items
 - How? (See, e.g., Board Handbook, FAQ # 3-4)
- Members of the public may request agenda items if "directly related to school district business."
 - But not for special meetings

IV. Closed Session Procedure

Closed Session Topics

1. Personnel Matters
2. Negotiations/Collective Bargaining
3. Pending Litigation
4. Student Matters
5. And others... (e.g., security matters, real property negotiations)

Closed Session: Reporting Out Requirements

- Following a closed session, the legislative body must publicly report actions taken unless final approval rests with another party or disclosure would hamper the initiation or defense of litigation

Confidentiality of Closed Sessions

- Legislative body members are prohibited from disclosing information obtained during a closed session except to persons entitled to receive that information
- Unauthorized disclosure could waive attorney-client privilege, violate privacy rights of students or employees, or impact collective bargaining
- The prohibition on disclosing confidential information learned in closed session applies to **both** current and former members

V. Public Participation

Public Comment

- Regular meetings: (1) agenda items, & (2) items in subject matter jurisdiction of Board
- Special meetings: agenda items only
- Before or during consideration of an item

- Subject to Reasonable Regulation
 - Based in order and efficiency
 - Neutrally applied (view-point)
 - Time limits
- Public Criticism
 - The Board cannot prohibit a speaker from criticizing/complaining about the "policies, procedures, programs or services of the agency, or the acts or omissions of the legislative body."
 - Includes criticism of public employees

Board Responses

- Rule: No action or discussion on matters not on the agenda
- But...Board members may:
 - Refer the matter to staff for handling
 - Ask staff to place the matter on a future meeting agenda and/or report back
 - Ask a question for clarification
 - Make a brief announcement
 - Make a brief report of his/her own activities

Public Records

- All agendas and other documents distributed at a Board meeting in connection with an agenda item are public records.
- Documents distributed to the Board less than 72 hours before an open public meeting shall be made available for public inspection when distributed to the Board.
- List on the agenda the location of where an item can be viewed or can post on the website.

Running an Effective Meeting

- Call the meeting to order at the appointed time
- Announce the business to come before the Board in its proper order
- Enforce the Board's policies relating to the conduct of meetings and help ensure compliance with the Brown Act
- Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference
- Explain what the effect of a motion would be if it is not clear to every member
- Restrict discussion to the question when a motion is before the Board
- Rule on issues of parliamentary procedure
- Put motions to a vote, and state clearly the results of the votes
- Be responsible for the orderly conduct of all Board meetings
- Always be aware of the dynamics of the Board, audience, and staff

Tips for Effective Communications with the Public

- Be respectful
- Discuss items with the public rather than debating them

- Allow the District spokesperson to field public questions, and be prepared to refer such questions to the spokesperson or the Superintendent as appropriate
- If you speak to members of the public outside of a Board meeting and without Board approval on matters of District business, make clear that you are stating your personal opinion, rather than the Board's opinion or position
- Do not release confidential information
- Be patient with members of the public; they often do not understand the procedure or the substance of what is being discussed

Board Member Collaboration and Professionalism

Tips for Effective Communications between Board Members

- Be respectful; every member will have an opportunity to speak at an appropriate time
- Disagreement and respectful debate between Board members at Board meetings is appropriate; open disagreement outside of meetings can be divisive and damaging to the District
- Remember that you and every other Board member represents the entire District, not any area or constituency, and generally owe a duty to act in the best interest of the entire District
- If you have a point that you wish to make to one or more Board members, address the point to the entire Board

5.0 Adjournment



Sabrina Bow (Mar 3, 2021 09:44 PST)

Clerk






February 9, 2021 Governance Workshop Minutes

Final Audit Report

2021-03-03

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