

**Bylaw 9322: Agenda/Meeting Materials**

Status: DRAFT

Original Adopted Date: 10/16/2007 | Last Revised Date: 10/01/2019 | Last Reviewed Date: 10/01/2019

### 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)

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 ~~of~~**by** a committee comprised exclusively of Board members, provided that members of the public were afforded an opportunity to comment on the item ~~at that meeting and that~~, **before or during the committee's consideration of the item, 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 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)

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of 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 include information regarding how, when, and to whom a request ~~should be made if an individual requires~~**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.

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~~**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.**

If the Board president and Superintendent deny a request from a Board member to place an item on the agenda, the Board member may request the Board to take action to determine whether the item shall be placed on the agenda.

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.

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 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 unless such item has not been previously considered.~~ **at an open meeting of a committee comprised exclusively of 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 53635.7)

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

### **Agenda Dissemination to Board Members**

At least 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, and others; and other available **supporting** documents pertinent to the meeting.

When special meetings are called, 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.

### **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 web site. The posted agenda shall be 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 web site with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

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. (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) **(Government Code 54954.1)**

**The Superintendent or designee shall email a copy of, or a web site 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 web site 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.

Any document 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.—PRA.—(Government Code 54957.5)

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)

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

	Description
Ed. Code 35144	Special meeting
Ed. Code 35145	Public meetings
Ed. Code 35145.5	Agenda; public participation; regulations
Ed. Code 49061	Student records; definitions
Ed. Code 49073.2	Privacy of student and parent/guardian personal information
Gov. Code 53635.7	Separate item of business for borrowing of \$100,000 or more
Gov. Code 54954.1	Request for copy of agenda or agenda packet by member of public
Gov. Code 54954.2	Agenda posting requirements, board actions
Gov. Code 54954.3	Opportunity for public to address legislative body
Gov. Code 54954.5	Closed session item descriptions
Gov. Code 54956.5	Emergency meetings
Gov. Code 54957.5	Public records
Gov. Code 54960.2	Challenging board actions; cease and desist
Gov. Code 6250-6270	California Public Records Act
Gov. Code 95000-95004	California Early Intervention Services Act

### Federal References

	Description
28 CFR 35.160	Effective communications
28 CFR 36.303	Auxiliary aids and services
42 USC 12101-12213	Equal opportunity for individuals with disabilities

### Management Resources References

	Description
Attorney General Opinion	99 Ops. Cal. Atty. Gen. 11 (2016)
Attorney General Opinion	78 Ops. Cal. Atty. Gen. 327 (1995)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Caldwell v. Roseville Joint Union High School District, (2007) U.S. Dist. LEXIS 66318
Court Decision	Mooney v. Garcia, (2012) 207 Cal.App.4th 229
CSBA Publication	Call to Order: A Blueprint for Great Board Meetings, 2018
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019

Website California Attorney General's Office - <https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>

Website CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Cross References**

**Description**

0000 Vision - <https://simbli.eboardsolutions.com/SU/eQx16o2soPd39Bnny4WPoA==>

0200 Goals For The School District - <https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SIXKYX8ZbA==>

0410 Nondiscrimination In District Programs And Activities - <https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcpBwcYa4w==>

1100 Communication With The Public - <https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQeislshg==>

1112 Media Relations - <https://simbli.eboardsolutions.com/SU/3IHEaJYmsnDktqG0qiC94Q==>

1113 District And School Web Sites - <https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==>

1113 District And School Web Sites - <https://simbli.eboardsolutions.com/SU/LkplusM8wFuCjC9T99n32Hnw==>

1113-E(1) District And School Web Sites - <https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==>

1312.1 Complaints Concerning District Employees - <https://simbli.eboardsolutions.com/SU/UeCd2AJIxfBU7E37o1kmUg==>

1312.1 Complaints Concerning District Employees - <https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==>

1312.1-E(1) Complaints Concerning District Employees - <https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PjTplusg==>

1312.2 Complaints Concerning Instructional Materials - <https://simbli.eboardsolutions.com/SU/fcYZUJMpv94bnD6gyGkJPw==>

1312.2 Complaints Concerning Instructional Materials - <https://simbli.eboardsolutions.com/SU/a2ihWI4WdVbn5kGQ0l4NAQ==>

1312.2-E(1) Complaints Concerning Instructional Materials - <https://simbli.eboardsolutions.com/SU/OqEutdav2RrzoICZLslsh4Bg==>

1312.3 Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/CfApluscpxRIZplusOj2lmuhfqbA==>

1312.3 Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/NaAoUplustL0gdMDg4YyrqkSQ==>

1312.3-E(1) Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/CGtJ1bS0fJ2qqnQzzY5qbQ==>

1312.3-E(2) Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/hYsgaF9LHjeplus4tInFvHZyg==>

1312.4 Williams Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/4nKsf7OqCyf78FQ5NpVbbA==>

1312.4-E(1) Williams Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/Vouz1byLBrdGQklvsFslshGfg==>

1340 Access To District Records - <https://simbli.eboardsolutions.com/SU/Yd0OhypY8zlqBWetfqeDyQ==>

1340 Access To District Records - <https://simbli.eboardsolutions.com/SU/3WHcNUN51FhE5p4Qq0Swzw==>

1400	Relations Between Other Governmental Agencies And The Schools - <a href="https://simbli.eboardsolutions.com/SU/bol2KQplusfOV4IODLslshnZFOsg==">https://simbli.eboardsolutions.com/SU/bol2KQplusfOV4IODLslshnZFOsg==</a>
2210	Administrative Discretion Regarding Board Policy - <a href="https://simbli.eboardsolutions.com/SU/UTxBmuNpxkj4ULH1gH4qew==">https://simbli.eboardsolutions.com/SU/UTxBmuNpxkj4ULH1gH4qew==</a>
3100	Budget - <a href="https://simbli.eboardsolutions.com/SU/LAXsliS005BXIXyCf1Nf6A==">https://simbli.eboardsolutions.com/SU/LAXsliS005BXIXyCf1Nf6A==</a>
3100	Budget - <a href="https://simbli.eboardsolutions.com/SU/0Em4vjDpAKIGfnem14N1VA==">https://simbli.eboardsolutions.com/SU/0Em4vjDpAKIGfnem14N1VA==</a>
3312	Contracts - <a href="https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==">https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==</a>
3320	Claims And Actions Against The District - <a href="https://simbli.eboardsolutions.com/SU/uCWIR11RDy6p03LxKpKPCw==">https://simbli.eboardsolutions.com/SU/uCWIR11RDy6p03LxKpKPCw==</a>
3320	Claims And Actions Against The District - <a href="https://simbli.eboardsolutions.com/SU/Qrp22NVkslshfb8KJT8vxFvVg==">https://simbli.eboardsolutions.com/SU/Qrp22NVkslshfb8KJT8vxFvVg==</a>
3460	Financial Reports And Accountability - <a href="https://simbli.eboardsolutions.com/SU/ZZKplusS3He9zslshfmUKeOe4slshQ==">https://simbli.eboardsolutions.com/SU/ZZKplusS3He9zslshfmUKeOe4slshQ==</a>
3460	Financial Reports And Accountability - <a href="https://simbli.eboardsolutions.com/SU/URScodNCGtnDxTzhVq1RCw==">https://simbli.eboardsolutions.com/SU/URScodNCGtnDxTzhVq1RCw==</a>
4312.1	Contracts - <a href="https://simbli.eboardsolutions.com/SU/ShpXI3Yv7zBIJslshvQVAdpg==">https://simbli.eboardsolutions.com/SU/ShpXI3Yv7zBIJslshvQVAdpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/2KWiSVzOJQsLVudCpe2bpg==">https://simbli.eboardsolutions.com/SU/2KWiSVzOJQsLVudCpe2bpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==">https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXfw==">https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXfw==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/36O7I0MprTMVXSH2aUCslshA==">https://simbli.eboardsolutions.com/SU/36O7I0MprTMVXSH2aUCslshA==</a>
6161.1-E(1)	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/b9DR42M1EdCANrzwKB7O8g==">https://simbli.eboardsolutions.com/SU/b9DR42M1EdCANrzwKB7O8g==</a>
9012	Board Member Electronic Communications - <a href="https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==">https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==</a>
9121	President - <a href="https://simbli.eboardsolutions.com/SU/VFkklttzfg8m9yajislshjpog==">https://simbli.eboardsolutions.com/SU/VFkklttzfg8m9yajislshjpog==</a>
9122	Secretary - <a href="https://simbli.eboardsolutions.com/SU/USpHxsVXw0BRERAtwFaeZA==">https://simbli.eboardsolutions.com/SU/USpHxsVXw0BRERAtwFaeZA==</a>
9130	Board Committees - <a href="https://simbli.eboardsolutions.com/SU/hgCK0A6mlyM1J1OIWJHEnA==">https://simbli.eboardsolutions.com/SU/hgCK0A6mlyM1J1OIWJHEnA==</a>
9150	Student Board Members - <a href="https://simbli.eboardsolutions.com/SU/LrYqdsLsh0yxq9mFPVJe4VosQ==">https://simbli.eboardsolutions.com/SU/LrYqdsLsh0yxq9mFPVJe4VosQ==</a>
9200	Limits Of Board Member Authority - <a href="https://simbli.eboardsolutions.com/SU/OhKRSAtVLHUI2u41Y5PPKQ==">https://simbli.eboardsolutions.com/SU/OhKRSAtVLHUI2u41Y5PPKQ==</a>
9310	Board Policies - <a href="https://simbli.eboardsolutions.com/SU/w1Hju6YkZpluilAx4r6plQpg==">https://simbli.eboardsolutions.com/SU/w1Hju6YkZpluilAx4r6plQpg==</a>
9320	Meetings And Notices - <a href="https://simbli.eboardsolutions.com/SU/OxDNy6bT6iJslshUjLW43u4bg==">https://simbli.eboardsolutions.com/SU/OxDNy6bT6iJslshUjLW43u4bg==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==">https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==</a>
9323	Meeting Conduct - <a href="https://simbli.eboardsolutions.com/SU/XO5XSujJK74GwuOSsfilDg==">https://simbli.eboardsolutions.com/SU/XO5XSujJK74GwuOSsfilDg==</a>
9323.2-E(1)	Actions By The Board - <a href="https://simbli.eboardsolutions.com/SU/OBmCx0euH7NprbtSkVpEqQ==">https://simbli.eboardsolutions.com/SU/OBmCx0euH7NprbtSkVpEqQ==</a>

9323.2-E(2)

Actions By The Board -

<https://simbli.eboardsolutions.com/SU/2ZplusQnFI11h4QRSzMQb909A==>

9323.2

Actions By The Board -

<https://simbli.eboardsolutions.com/SU/0lplus42Ric0ikCvuN5KkoAFQ==>

9324

Minutes And Recordings -

<https://simbli.eboardsolutions.com/SU/soUJFnL8INplusXOw3UtoNvXg==>