



# **The San Jacinto *Difference* GOVERNANCE HANDBOOK**

## **2018/2019**

### BOARD of TRUSTEES

John I. Norman, Board President  
Willie Hamilton, Board Clerk  
Trica Ojeda, Board Member  
Deborah Rex, Board Member  
Jasmin Rubio, Board Member

### SUPERINTENDENT

Diane Perez

This handbook reflects the governance team's work on the creation of a framework for effective governance. This involves ongoing discussions about unity of purpose, roles, commitment to norms and coming to agreement on protocols/formal structures that will enable the governance team to perform its responsibilities in a way that best benefits all students.

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## EFFECTIVE GOVERNANCE

There are three dimensions to the effective governance of any organization: the actions of an individual, a group coming together to govern, and the performance of governance responsibilities by the group.

In a school district, the Board and Superintendent work together as a governance team. For a governance team to work together effectively, members need to:

1. Maintain a Unity of Purpose
2. Agree on and govern within appropriate roles
3. Create and sustain a positive governance culture
4. Create a supportive structure for effective governance

Effective governance tenets encompass the basic characteristics and behaviors of trust, communication and integrity that enable governance team members to effectively create a climate for excellence in a school district and maintain the focus on improved student learning and achievement.

### **Governance—A Definition**

School district governance is the act of transforming the needs, wishes and desires of the community into policies that direct the community's schools.

## **UNITY of PURPOSE**

Unity of Purpose is a common focus, overarching goals, and the values and beliefs governance team members share about children, the district and public education that help them transcend their individual differences to fulfill a greater purpose.

The San Jacinto Unified School District will be dedicated to excellence—providing an education that discovers, nurtures, and fulfills every child’s unique talents and needs.

Our district will radiate the personal touch and kinship of our small town, while rapid growth brings new opportunities and challenges. It will be a welcoming place, where support for each other is visible and tangible. We will value diversity, engage in equitable practices and promote a sense of community among all of our stakeholders and partners. We will unite behind one goal to speak with a powerful voice and advocate for those we serve.

The whole child will be enriched by our varied programs of rigorous academics, arts, career technical education (vocational training), health and physical education. Real world projects will engage students in roles such as mathematicians, scientists, writers, historians and economists. Students will be challenged to communicate, collaborate, think critically and be creative in a hands-on experiential learning environment.

Rigorous learning and social skill character development will be integrated through curricular and extra-curricular activities to ensure students are equipped with a passion for learning, the motivation to act responsibly and the capacity to be critical thinkers. Athletic programs will strengthen teamwork, skills, and sportsmanship. Fine arts and career technical education programs will demonstrate meaningful and relevant student competency through professional-caliber exhibits, performances, and demonstrations that are widely acclaimed.

Academic success will be inspired by a knowledgeable, caring staff who develop supportive relationships to benefit all students. All staff members will model the following attributes: commitment to personal and professional development, accountability, collaboration, innovation, and adaptability to change.

Parents, colleges and businesses will partner with our schools to offer students rich possibilities and alternatives, as they prepare for higher education and careers. Partnerships with other governmental agencies and service organizations will help students to understand and practice their future roles as contributing citizens of a larger community.

Allocating sufficient resources (time, money, facilities, and people) to achieve the mission, vision and strategic initiatives will be a high priority.

Our graduates will be college and career ready. They will have the courage and compassion to embrace personal and professional roles as leaders in a complex society.

**THIS WILL BE THE CORE OF GREATNESS FOR SAN JACINTO UNIFIED SCHOOL DISTRICT.**

# **DISTRICT**

## **MISSION STATEMENT**

We exist to educate and empower all students to achieve academic excellence, personal growth and social responsibility.

## **DISTRICT VISION**

We provide a nurturing, innovate, inspiring environment to ensure every student graduates equipped with a passion for learning, the motivation to act responsibly and the capacity to be critical thinkers as they successfully navigate their own unique futures.

## **DISTRICT MOTTO**

*Educating and Inspiring Excellence*

## **CORE VALUES**

***WE LIVE IT! WE DO IT!***

- **EXCELLENCE**

We facilitate excellence by establishing and modeling high standards for personal, organizational and academic growth.

- **STUDENT SUCCESS**

We encourage, support and celebrate student learning by setting high expectations, providing opportunities for exploration and discovery, and fostering student achievement.

- **INTEGRITY**

We demonstrate honest, ethical, and socially responsible behavior by honoring commitments, showing respect and concern for others, and listening to all perspectives, thus demonstrating trustworthiness among all stakeholders.

- **INNOVATION**

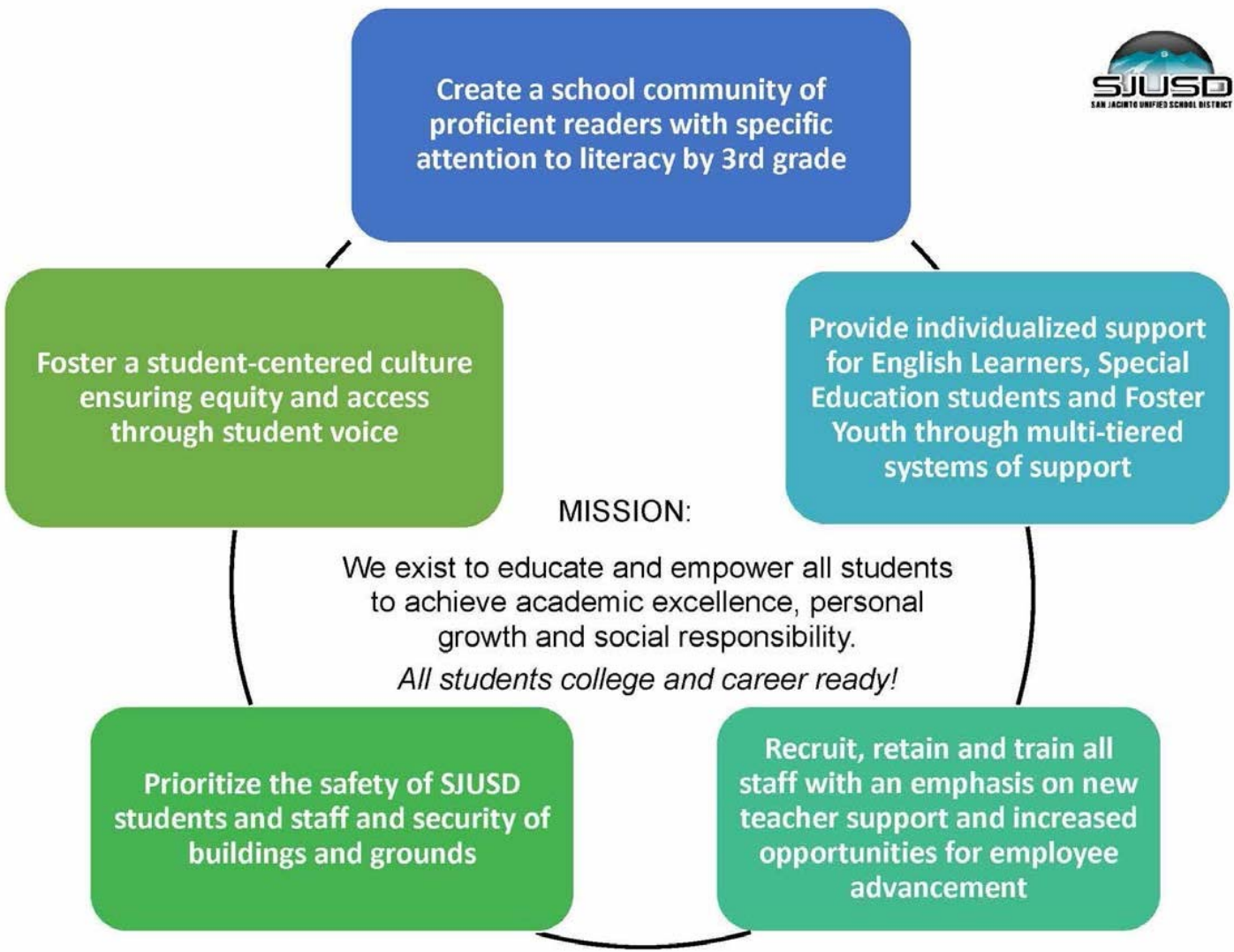
We encourage and support creativity by celebrating diversity, and inspiring new ideas through collaboration, applied and integrated technology, community involvement and global partnerships.

## GRADUATE PROFILE

San Jacinto graduates are college and career ready, empowered with effective communication, critical thinking and life skills, which enable them to compete in a global society.

Effective Communication	Critical Thinking	Life Skills
<ul style="list-style-type: none"> <li>• Oral and written communication skills</li> </ul>	<ul style="list-style-type: none"> <li>• Ability to solve complex problems from multiple perspectives</li> </ul>	<ul style="list-style-type: none"> <li>• Resilience</li> </ul>
<ul style="list-style-type: none"> <li>• Listening</li> </ul>	<ul style="list-style-type: none"> <li>• Resourcefulness</li> </ul>	<ul style="list-style-type: none"> <li>• Social Adaptability</li> </ul>
<ul style="list-style-type: none"> <li>• Digital literacy</li> </ul>	<ul style="list-style-type: none"> <li>• Making good/wise decisions</li> </ul>	<ul style="list-style-type: none"> <li>• Creativity</li> </ul>
<ul style="list-style-type: none"> <li>• Collaborative Interaction (Collaboration)</li> </ul>	<ul style="list-style-type: none"> <li>• Global perspective</li> </ul>	<ul style="list-style-type: none"> <li>• Innovation</li> </ul>
	<ul style="list-style-type: none"> <li>• Reading comprehension</li> </ul>	<ul style="list-style-type: none"> <li>• Ethical Behavior</li> </ul>
		<ul style="list-style-type: none"> <li>• Cultural Competency</li> </ul>

# BOARD PRIORITIES



## **GOVERNANCE ROLE AND RESPONSIBILITIES**

Citizen oversight of local government is the cornerstone of democracy in the United States. The role of the trustees who sit on locally elected school boards is to ensure school districts are responsive to the values, beliefs and priorities of their communities. Boards fulfill this role by performing five major responsibilities. These are setting direction; establishing an effective and efficient structure; providing support; ensuring accountability; and providing community leadership as advocates for children, the school district and public schools.

These five responsibilities represent core functions that are so fundamental to a school system's accountability to the public that they can only be performed by an elected governing body. For example, school systems accountability, (LCAP meetings, focus group meetings, etc.) Authority is granted to the Board as a whole, not each member individually. Therefore, board members fulfill these responsibilities by working together as a governance team with the Superintendent to make decisions that will best serve all the students in the community.

The Board carries out these responsibilities in each of the following job areas:

- Setting the District's direction
- Student learning and achievement
- Finance
- Facilities
- Human resources
- Policy
- Judicial review
- Collective bargaining
- Community relations and advocacy

The Superintendent carries out the Board's vision and supports the Board in carrying out its responsibilities in each of the job areas, and leads the staff toward the accomplishment of the agreed upon District vision and goals. The following pages provide more detail on how the Board performs its governance responsibilities in each job area. It's important to remember that boards who inadvertently get involved in staff functions undercut their ability to hold the Superintendent accountable for the result of those efforts.



## PERFORMING GOVERNANCE RESPONSIBILITIES

We agree with the responsibilities of school boards as described below by the California School Boards Association:

### Set the direction for the community's schools

- Focus on student learning
- Assess needs/obtain baseline data\
- Generate, review or revise setting direction documents (beliefs, vision, strategic action pathways, mission)
- Ensure an appropriate inclusive process is used
- Ensure these documents are the driving force for all District efforts

### Establish an effective and efficient structure for the School District

- Employ and support the Superintendent
- Establish a human resources framework that includes policies for hiring and evaluating other personnel
- Oversee the development of and adopt policies
- Set a direction for and adopt the curriculum of and require data-producing assessment systems
- Establish budget priorities, adopt the budget and oversee facilities issues
- Provide direction for and vote to accept collective bargaining agreements

### Provide support through our behavior and actions

- Act with professional demeanor that models the District's beliefs and vision
- Make decisions and provide resources that support mutually agreed upon priorities and goals
- Uphold Board-approved District Policies and support staff implementation of Board direction
- Ensure a positive working climate exists
- Be knowledgeable enough about District efforts to explain them to the public
- Reflect the District's Core Values of Student Success, Excellence, Integrity and Innovation

### Ensure accountability to the public

- Evaluate the Superintendent
- Monitor, review and revise policies
- Serve as a judicial and appeals body
- Monitor student outcomes and program effectiveness; require program changes as indicated
- Monitor and adjust district finances and periodically review facilities issues
- Monitor the collective bargaining process

### Act as community leaders

- Speak with a common voice about District priorities, goals and issues
- Engage and involve the community in District schools and activities
- Communicate clear information about policies, programs and fiscal condition of the District
- Educate the community and the media about the issues facing students, the District and public education
- Advocate for children, District programs and public education to the general public, key community members and local, state and national leader

## **POSITIVE GOVERNANCE TEAM CULTURE**

Culture is the positive or negative atmosphere created by the way people in an organization treat each other. Teams have unwritten (implicit) or written (explicit) agreements about how they will behave with each other and others. These behavioral ground rules, often called norms, enable teams to build and maintain a positive culture or shift a negative one.

Because the community elects School Board members to set and monitor the direction of the School District, and the District Superintendent translates all efforts into action, it is vital that the Board and Superintendent have a respectful and productive working relationship based on trust and open communication.

## **OUR GOVERNANCE NORMS**

We agree to:

- Be a team player thereby placing the good of the team and district ahead of personal goals.
- Maximize Board effectiveness and public confidence by governing responsibly and holding myself to the highest standards of ethical conduct.
- Be present, focused and engaged at district events, trainings and Board of Trustee Meetings.
- Keep confidential things confidential.
- Participate openly and honestly.
- Listen actively to ideas of others.
- Wait until someone is finished speaking before responding.
- Keep our remarks brief and to the point.
- Agree to disagree and always maintain our own integrity.
- Be supportive of each other rather than judgmental.
- Deal with things openly with transparency —no hidden agendas, no surprises

## STRUCTURES AND PROCESSES TO SUPPORT EFFECTIVE GOVERNANCE

Effective governance teams discuss and agree on the formal structures and processes used by the Trustees and the Superintendent in their functioning as a team (e.g. processes or structures for agenda setting, set-up of Board Room and table, agenda structure, handling complaints or concerns from the community, bringing up a new idea). In addition, effective governance teams discuss how they will operate and how they will do business. These agreements about how they will operate are called protocols.

### OUR PROTOCOLS

Issue	Protocol
Board members dealing with staff about their own families	Should a situation arise with a school board member's family, child, or relative, the board member shall use his/her best judgment on a case-by-case basis to determine how to work through the situation with staff. Board members shall start at the most appropriate level in the chain of command to seek assistance in the situation, and will honor district lines of authority. In some situations the board member may decide to confer with the superintendent to determine the best or most sensitive way to seek assistance to the situation. Whenever a board member has had an exchange with a district staff member about a situation with his/her family, child, or relative, the board member shall inform the superintendent or the superintendent's designee.
Board room layout and seating arrangement	Board Room layout will allow for easy discussion among Board members. The president will sit next to the Superintendent and the Clerk next to the President. The Board dais will face the public. Flags will be placed appropriately in the room. Requests to change seats will be discussed and agreed upon by the Board prior to any seating arrangement changes.
Developing the board meeting agenda	Reference Board Bylaw 9322
Getting questions answered about items on the agenda before a meeting	Contact the Superintendent as early as possible after receiving the agenda. Questions may be written, by phone, in person, or in e-mail. E-mail questions should be accompanied by a cc to the Secretary to the Superintendent. Superintendent will distribute questions to appropriate staff, and cc to all Board members. Staff members will respond to All Board Members the information requested. Unless it is an agendized closed session item, questions should be addressed to staff prior to the meeting or in open session.

Issue	Protocol
Deliberations at board meetings	All deliberations will follow norms of deliberation as established by the Board. Staff will be cognizant that this is a meeting of the Board in Open Session. Staff will make presentations and be prepared to respond to Board questions. Board president will solicit input from each member.
Informal board reports at board meetings	Board members will report to other Board members any updates on committees on which they serve as well as school and community event attended. This time is to share updates (not discuss) with other Board members and not the public.

Allowing the majority vote set the direction for the school district-how we act when we aren't in the majority	When asked questions about a Board decision by the public and the media, members in the minority will state something to the effect, "Even though I was in the minority I support the Board's decision." Media can be directed to reference the meeting minutes.
Explaining no votes	See above
Requesting information from staff	Contact the Superintendent. Questions may be written, by phone, in person, or in e-mail. E-mail questions should be accompanied by a cc to the Secretary to the Superintendent. Superintendent will distribute questions to appropriate staff, and cc to all Board members. Staff members will respond to All Board Members the information requested.
Individual board members request for action	Reference Board Bylaw 9322
Handling complaints from the community, staff, and addressing concerns of the community	Concerns/complaints expressed to Board members will be referred back to the Superintendent. The Superintendent or designees will investigate the concern and report back to Board members the resolution of the concern as appropriate.
Role of the president	Reference Board Bylaw 9121
Confidentiality	Reference Board Bylaw 9011
Role in public	Reference Board Bylaw 9010
Board/board communications	Board member to Board member communication is governed by the Brown Act. New members will receive Brown Act training s soon as practically possible, preferably before being seated.
Board/superintendent communications	The Superintendent will keep all Board members informed, following the premise that what "one knows, everyone knows".
Public statements	Reference Board Bylaw 9010

Issue	Protocol
Visiting schools in an official capacity	Board members will give ample notice by calling sites and notifying the Superintendent's secretary ahead of visiting sites when visiting in the official capacity of Board member. Board members will wear their identification badges when visiting in an official capacity. The superintendent, Cabinet, or designee, will make every effort to accompany the Board member, as appropriate.
Self-monitoring of governance team effectiveness	Protocol meetings will be held as needed in order to monitor the effectiveness of the governance team.
Media contact regarding district-wide matters or confidential issues	Board members will direct the media to the superintendent's office or Board President unless otherwise arranged consistent with BB 9010.
Social Media	<p>Board members will not:</p> <ol style="list-style-type: none"> <li>1. Use any social media platform to discuss, deliberate, lobby, exchange facts/ideas/positions, or establish a collective concurrence on any matter of school district business.</li> <li>2. Use any social media platform to make statements or comments that might be perceived to be the statement of the whole Board or of the District or its staff. All statements on social media must clearly state it is the position of the member making the comment.</li> <li>3. Use any social media platform to state the Board member's position, or the rationale for that position, on any specific matter that is or may later be pending as an item of business before the Board. Board members may state general philosophies, positions, and platforms on general topics provided the statement is identified as the personal statement of the Board member.</li> <li>4. Use any social media platform in a manner that is critical of the District or any District staff or Board member.</li> </ol>
Request for review of programs not currently being implemented	To ensure coherence and focus, Board Members agree to support the San Jacinto Difference, which is SJUSD's LCAP with specific attention to the Board's annual priorities. Any request for review/implementation of programs outside of the current San Jacinto Difference plan may be reviewed by staff with recommendations brought back to the Board during the annual LCAP Board Workshop.
CSBA Masters in Governance	New Board Members will complete MIG and be accompanied by the Superintendent, Board Member or Cabinet member.

## **PROTOCOL for WORKING with SJUSD LEADERSHIP TEAM**

The SJUSD Governance Team is committed to excellence and ensuring positive relationships and communication with our site leaders. To this end, the Board entrusts the Superintendent to carry out the vision, as set by the Board, and oversee/manage SJUSD's daily operations.

The SJUSD Governance Team supports the following guidelines to ensure positive board member relationships with the SJUSD Leadership Team. Board members agree to:

- Notify Superintendent when there is a concern regarding an employee or student or on a campus or other District property

Board members agree to be engaged in "User Friendly" steps when a parent, staff or anyone makes contact regarding a concern as stated above

1. Listen
  2. Take notes
  3. Get information to the Superintendent or Superintendent's Executive Assistant as soon as practicably possible
  4. The Superintendent, or Designee, will assign the concern at the lowest level possible and follow up with Board member regarding resolution.
- Notify Superintendent or Executive Assistant prior to scheduling a site visit or showing up on a campus, other than for scheduled events and issues involving family members
  - Share ideas, vision, goals, etc., with the Superintendent, particularly as it relates to school sites and individual positions
  - Value time of the Leadership Team; Board Members acknowledge the incredibly important role the leadership team plays as it relates to the success of the District and its students, and the Board desires the team to manage their time to ensure completion of objectives and balance of home/work.

**ROLE OF THE BOARD**

The Board of Trustees has been elected by the community to provide leadership and citizen oversight of the district. The Board shall ensure that the district is responsive to the values, beliefs, and priorities of the community.

The Board shall work with the Superintendent to fulfill its major responsibilities, which include:

1. Setting the direction for the district through a process that involves the community, parents/guardians, students, and staff and is focused on student learning and achievement

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

2. Establishing an effective and efficient organizational structure for the district by:

- a. Employing the Superintendent and setting policy for hiring of other personnel

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 2121 - Superintendent's Contract)

(cf. 4000 - Concepts and Roles)

(cf. 4111 - Recruitment and Selection)

(cf. 4211- Recruitment and Selection)

(cf. 4311- Recruitment and Selection)

- b. Overseeing the development and adoption of policies

(cf. 9310 - Board Policies)

- c. Establishing academic expectations and adopting the curriculum and instructional materials

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

- d. Establishing budget priorities and adopting the budget

## **ROLE OF THE BOARD, continued**

**BB 9000 (b)**

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3312 - Contracts)

e. Providing safe, adequate facilities that support the district's instructional program

(cf. 3517 - Facilities Inspection)

(cf. 7110 - Facilities Master Plan)

(cf. 7150 - Site Selection and Development)

(cf. 7210 - Facilities Financing)

f. Setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

3. Providing support to the Superintendent and staff as they carry out the Board's direction by:

a. Establishing and adhering to standards of responsible governance

(cf. 9005 - Governance Standards)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9200 - Limits of Board Member Authority)

(cf. 9270 - Conflict of Interest)

b. Making decisions and providing resources that support district priorities and goals

c. Upholding Board policies

d. Being knowledgeable about district programs and efforts in order to serve as effective spokespersons

(cf. 9240 - Board Development)

(cf. 9400 - Board Self-Evaluation)

4. Ensuring accountability to the public for the performance of the district's schools by:

a. Evaluating the Superintendent and setting policy for the evaluation of other personnel

(cf. 2140- Evaluation of the Superintendent)

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)



## **ROLE OF THE BOARD, continued**

**BB 9000 (c)**

- b. Monitoring and evaluating the effectiveness of policies
- c. Serving as a judicial (hearing) and appeals body in accordance with law, Board policies, and negotiated agreements

(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. 4031 - Complaints Concerning Discrimination in Employment)  
(cf. 4117.3 - Personnel Reduction)  
(cf. 4117.4 - Dismissal)  
(cf. 4144/4244/4344 - Complaints)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 5116.1 - Intradistrict Open Enrollment)  
(cf. 5117 - Interdistrict Attendance)  
(cf. 5119 - Students Expelled from Other Districts)  
(cf. 5125.3 - Challenging Student Records)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)  
(cf. 6164.6 - Identification and Education Under Section 504)

- d. Monitoring student achievement and program effectiveness and requiring program changes as necessary

(cf. 0500 - Accountability)  
(cf. 0520.1 - High Priority Schools Grant Program)  
(cf. 0520.2 - Title I Program Improvement Schools)  
(cf. 0520.3 - Title I Program Improvement Districts)  
(cf. 6162.5 - Student Assessment)  
(cf. 6162.51 - Standardized Testing and Reporting Program)  
(cf. 6162.52 - High School Exit Examination)  
(cf. 6190 - Evaluation of the Instructional Program)

- e. Monitoring and adjusting district finances

(cf. 3460 - Financial Reports and Accountability)

- f. Monitoring the collective bargaining process

- 5. Providing community leadership and advocacy on behalf of students, the district's educational program, and public education in order to build support within the local community and at the state and national levels

## **ROLE OF THE BOARD, continued**

**BB 9000 (d)**

- (cf. 0510 - School Accountability Report Card)
- (cf. 1020 - Youth Services)
- (cf. 1100 - Communication with the Public)
- (cf. 1112 - Media Relations)
- (cf. 1160 - Political Processes)
- (cf. 1400 - Relations between Other Governmental Agencies and the Schools)
- (cf. 1700 - Relations between Private Industry and the Schools)
- (cf. 9010 - Public Statements)

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (Education Code 35160)

### Legal Reference:

#### EDUCATION CODE

- 5304 Duties of governing board (re school district elections)
- 12400-12405 Authority to participate in federal programs
- 17565-17592 Board duties re property maintenance and control
- 33319.5 Implementation of authority of local agencies
- 35000 District name
- 35010 Control of district; prescription and enforcement of rules
- 35020-35046 Officers and agents
- 35100-35351 Governing boards, especially:
- 35160-35185 Powers and duties
- 35291 Rules

### Management Resources:

#### CSBA PUBLICATIONS

- Maximizing School Board Governance
- Professional Governance Standards, November 2000
- School Board Leadership: The Role and Function of California's School Boards, 1996

#### NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

- The Key Work of School Boards, 2000

#### WEB SITES

- CSBA: <http://www.csba.org>
- CSBA Governance Institute: <http://www.csba.org/gi>
- National School Boards Association: <http://www.nsba.org>

Bylaw  
adopted: January 8, 2008  
reviewed: September 21, 2010

SAN JACINTO UNIFIED SCHOOL DISTRICT  
San Jacinto, California

**GOVERNANCE STANDARDS**

The Board of Trustees believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

(cf. 9000 - Role of the Board)

(cf. 9270 - Conflict of Interest)

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education

(cf. 9010 - Public Statements)

3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential

(cf. 9011 - Disclosure of Confidential/Privileged Information)

6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader

(cf. 9240 - Board Development)

7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff

(cf. 2110- Superintendent Responsibilities and Duties)

8. Understand that authority rests with the Board as a whole and not with individuals

(cf. 9200 - Limits of Board Member Authority)

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the district focused on learning and achievement for all students

2. Communicate a common vision

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

3. Operate openly, with trust and integrity

4. Govern in a dignified and professional manner, treating everyone with civility and respect

5. Govern within Board-adopted policies and procedures

(cf. 9310 - Board Policies)

6. Take collective responsibility for the Board's performance

7. Periodically evaluate its own effectiveness

(cf. 9400 - Board Self-Evaluation)

8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations

(cf. 1220 - Citizen Advisory Committees)

(cf. 9323 - Meeting Conduct)

**GOVERNANCE STANDARDS, continued**

**BB9005(c)**

Legal Reference:

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35160 Board authority to act in any manner not conflicting with law

35164 Actions by majority vote

GOVERNMENT CODE

1090 Financial interest in contract

1098 Disclosure of confidential information

1125-1129 Incompatible activities

54950-54963 The Ralph M. Brown Act

87300-87313 Conflict of interest code

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

CSBA: [www.csba.org](http://www.csba.org)

Bylaw

adopted: January 8, 2008

reviewed: October 19, 2016

SAN JACINTO UNIFIED SCHOOL DISTRICT

San Jacinto, California

**PUBLIC STATEMENTS**

The Board of Trustees recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative.

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 9121 - President)

(cf. 9200 - Limits of Board Member Authority)

When speaking for the district, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board. (Government Code 54963)

(cf. 9005 - Governance Standards)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When speaking to community groups, the media, or other members of the public, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

In addition, the Board encourages members who participate on social networking sites, blogs, or other discussion or informational sites to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 1340 - Access to District Records)

(cf. 9012 - Board Member Electronic Communications)

**PUBLIC STATEMENTS, CONTINUED**

**BB 9010 (b)**

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

54963 Confidential information in closed session

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

Bylaw

adopted: January 8, 2008

reviewed: October 19, 2010

revised: August 11, 2015

SAN JACINTO UNIFIED SCHOOL DISTRICT  
San Jacinto, California

**DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION**

The Board of Trustees recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties. Confidential/privileged information shall be released only to the extent authorized by law.

*(cf. 9000 - Role of the Board)*  
*(cf. 9005 - Governance Standards)*  
*(cf. 9010 - Public Statements)*

**Disclosure of Closed Session Information**

A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure. (Government Code 54963)

*Confidential information* means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Government Code 54963)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*  
*(cf. 9321.1 - Closed Session Actions and Reports)*

The Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or Board policy, when the person is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

**Other Disclosures**

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member. (Government Code 1098)



**DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION (continued) BB 9011(b)**

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*  
*(cf. 5125 - Student Records)*

**Other Disclosures**

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member. (Government Code 1098)

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*  
*(cf. 5125 - Student Records)*

Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities. (Government Code 1098)

*Legal Reference:*

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35146 Closed session

EVIDENCE CODE

1040 Privilege for official information

GOVERNMENT CODE

1098 Public officials and employees re confidential information

3549.1 Meeting and negotiating in public educational employment

6250-6270 Inspection of public records

54950-54963 Brown Act, especially:

Open meeting laws

Closed meeting for pending litigation

54957 Closed session; "employee" defined; exclusion of witnesses

54957.1 Subsequent public report and rollcall vote; employee matters in closed session

Public records

Closed session; representatives with employee organization

Reasons for closed session

54963 Confidential information in closed session

ATTORNEY GENERAL OPINIONS

80 *Ops. Cal. Atty. Gen.* 231 (1997)

*Management Resources:*

CSBA PUBLICATIONS

*Professional Governance Standards, November 2000*

*Maximizing School Board Leadership, 1996*

WEB SITES

CSBA: <http://www.csba.org>

Bylaw  
adopted: January 8, 2008  
reviewed: October 19, 2010

**SAN JACINTO UNIFIED SCHOOL DISTRICT**  
San Jacinto, California

**PRESIDENT**

The Board of Trustees shall elect a president from among its members to provide leadership on behalf of the Board and the educational community it serves.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9100 - Organization)*

The president shall preside at all Board meetings. He/she shall:

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

*(cf. 9323 - Meeting Conduct)*

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts and orders necessary to carry out state requirements and the will of the Board

**PRESIDENT** (continued)

2. Consulting with the Superintendent or designee on the preparation of the Board's agendas

*(cf. 9322 - Agenda/Meeting Materials)*

3. Working with the Superintendent to ensure that Board members have necessary materials and information

4. Subject to Board approval, appointing and dissolving all committees

*(cf. 9130 - Board Committees)*

5. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

6. Representing the district as governance spokesperson, in conjunction with the Superintendent

*(cf. 1112 - Media Relations)*

The president shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.

When the president resigns or is absent or disabled, the clerk shall perform the president's duties. When both the president and clerk are absent or disabled, the Board shall choose a president pro tempore to perform the president's duties.

*(cf. 9123 - Clerk)*

*Legal References: Next Page*

**PRESIDENT (continued)**

*Legal Reference:*

EDUCATION CODE

35022 *President of the board*

35143 *Annual organizational meetings; dates and notice*

GOVERNMENT CODE

54950-54963 *Ralph M. Brown Act*

*Management Resources:*

CSBA PUBLICATIONS

*Board Presidents' Handbook, revised 2002*

*CSBA Professional Governance Standards, 2000*

*Maximizing School Board Leadership: Boardsmanship, 1996*

WEB SITES

CSBA: <http://www.csba.org>

Bylaw  
adopted: January 8, 2008  
reviewed: November 16, 2015

**SAN JACINTO UNIFIED SCHOOL DISTRICT**  
San Jacinto, California

**STUDENT BOARD MEMBERS**

**BB 9150 (a)**

The Board of Trustees believes that engaging the student body and seeking its input and feedback regarding the district's educational programs and activities are vital to achieving the district's mission of educating district students. To enhance communication between the Board and the student body and to encourage student involvement in district affairs, the Board shall include at least one student representative selected by the district's high school students in accordance with procedures approved by the Board.

The term of a student Board Member representative shall be one year, commencing on July 1 of each year. A student representative shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 - Closed Session Purposes and Agendas)

A student representative may be seated with other members of the Board. In addition, a student representative shall be recognized at Board meetings and shall have access to all materials presented to other Board members except those related to closed sessions, and may participate in questioning witnesses and discussing issues except those related to discipline, personnel, and employer-employee relations. The student representative is encouraged to seek and share the views of the students on issues concerning the educational program. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

Beginning January 1, 2018, Student Board Members will be given preferential voting rights. A Student Board Member may cast preferential votes on all matters except those subject to closed session discussion. Preferential votes shall be cast prior to the official Board vote and shall not affect the final numerical outcome of a vote. Preferential votes shall be recorded in the Board minutes. (Education Code 35012)

(cf. 9324 - Minutes and Recordings)

A Student Board Member representative shall be entitled to be reimbursed for mileage to the same extent as other members of the Board but shall not receive compensation for attendance at Board meetings. (Education Code 35012)

(cf. 3350 - Travel Expenses)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

**Student Board Member Representative Development**

The Superintendent or designee may periodically provide an orientation for student Board Member representative candidates to give them an understanding of the responsibilities and expectations of Board service.

**Legal Reference:**

**EDUCATION CODE**

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; pupil members

Legal Reference, continued:

**GOVERNMENT CODE**

3540-3549.3 Educational Employment Relations Act

Management Resources:

**WEB SITES**

CSBA: <http://www.csba.org>

California Association of Student Councils: <http://www.casc.net>

National School Boards Association: <http://www.nsba.org>

**STUDENT BOARD MEMBERS**

**E 9150 (a)**

STUDENT BOARD MEMBER REPRESENTATIVE GUIDELINES

Duties of Student Board Member Representative

The duties of the student representative may include the following:

1. To strengthen communications between the Board and district students
2. To represent all students and facilitate the discussion of all sides of issues. This duty does not preclude the student Board member from stating his/her individual opinion

Selection and Term

The student representative may be elected or appointed. If appointed, the student must be an elected member of ASB.

1. The term of office shall be July 1 - June 30.
2. If more than one high school indicates a desire for a student Board Member representative, the duties will be divided among the student Board Member representatives, including term of office.

Board Materials/Information

The Superintendent or designee's office shall provide the student representative with online access to full and complete agendas and copies of any materials received by the Board except for those materials covered in closed session and any other confidential materials.

**Exhibit**

approved: August 19, 2014

**SAN JACINTO UNIFIED SCHOOL DISTRICT**

San Jacinto, California

## **Bylaws of the Board**

### **MEETINGS AND NOTICES**

**BB 9320 (a)**

Meetings of the Board of Trustees are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board-adopted bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

In order to help ensure participation in the meeting by disabled individuals at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Meeting notices and agendas shall specify that any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee in writing.

#### **Regular Meetings**

The Board shall hold one regular meeting each month. Regular meetings shall be held at 6:00 p.m. on the second Tuesday of each month, with the following exception: dark in July, no Board Meeting. Board Meetings shall be held at the District Office located at 2045 S. San Jacinto Ave., San Jacinto, California.

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 and on the district's Internet web site. (Government Code 54954.2)



## **MEETINGS AND NOTICES, continued**

**BB 9320 (b)**

(cf. 1113 - District and School Web Sites)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)

(cf. 1340 - Access to District Records)

### **Special Meetings**

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

(cf. 2121 - Superintendent's Contract)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's Internet web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or after the item's consideration. (Government Code 54954.3)

### **Emergency Meetings**

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An emergency situation means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time he/she notifies the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

#### Adjourned Meetings/Continued Meetings

A majority vote by the Board may adjourn/continue any regular or special meeting to a later time and place that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within 24 hours after the time of adjournment. (Government Code 54955)

**Study Sessions, Retreats, Public Forums, and Discussion Meetings**

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. No action item shall be included on the agenda for these meetings.

**Other Gatherings**

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district

10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the Board president or designee, who shall so inform, by the most rapid available means of communication, all news media who have requested notice of special meetings. (Government Code 54954)

#### Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

Legal References (next page):

Legal References:

**EDUCATION CODE**

- 35140 Time and place of meetings
- 35143 Annual organizational meeting, date, and notice
- 35144 Special meeting
- 35145 Public meetings
- 35145.5 Agenda; public participation; regulations
- 35146 Closed sessions
- 35147 Open meeting law exceptions and applications

**GOVERNMENT CODE**

- 3511.1 Local agency executives
- 11135 State programs and activities, discrimination
- 54950-54963 The Ralph M. Brown Act, especially:
  - 54953 Meetings to be open and public; attendance
  - 54954 Time and place of regular meetings
    - 54954.2 Agenda posting requirements, board actions
  - 54956 Special meetings; call; notice
  - 54956.5 Emergency meetings

**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**

- Wolfe v. City of Fremont, (2006) 144 Cal.App. 544

**ATTORNEY GENERAL OPINIONS**

- 88 Ops.Cal.Atty.Gen. 218 (2005)
- 84 Ops.Cal.Atty.Gen. 181 (2001)
- 84 Ops.Cal.Atty.Gen. 30 (2001)
- 79 Ops.Cal.Atty.Gen. 69 (1996)
- 78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

**CSBA PUBLICATIONS**

- The Brown Act: School Boards and Open Meeting Laws, rev. 2009

**INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS**

- The ABCs of Open Government Laws

**LEAGUE OF CALIFORNIA CITIES PUBLICATIONS**

- Open and Public IV: A Guide to the Ralph M. Brown Act, rev. 2010

Legal References, continued:

**WEB SITES**

CSBA: <http://www.csba.org>

CSBA, Agenda Online: <http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

California Attorney General's Office: <http://www.caag.state.ca.us>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

League of California Cities: <http://www.cacities.org>

Bylaw  
adopted: January 8, 2008  
revised: January 19, 2010  
revised: June 16, 2015

SAN JACINTO UNIFIED SCHOOL DISTRICT  
San Jacinto, California

## Bylaws of the Board

### AGENDA/Meeting Materials

**BB 9322 (a)**

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

(cf. 9320 - Meetings and Notices)  
(cf. 9321- Closed Session Purposes and Agendas)

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. The agenda shall also provide members of the public an opportunity to testify at regular meetings 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)

(cf. 9323 - Meeting Conduct)

Each meeting agenda shall list the address designated by the Superintendent or designee for public inspection of agenda documents 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 who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing. (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 vision and goals and the Board's focus on student learning.

(cf. 0000 – Vision)  
(cf. 0200 – Goals for the School District)  
(cf. 9121 - President)  
(cf. 9122 - Secretary)

Any Board member or any 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 must be in writing and be submitted 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.



## **AGENDA/MEETING MATERIALS, continued**

**BB 9322 (b)**

The Board president and Superintendent shall decide whether a request 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, 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 before placing the item on the agenda.

The Board president and Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item, informational item or consent item.

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)

(cf. 9323.2 - Actions by the Board)

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

- (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)

### **Consent Items**

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda 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 item has previously been 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,

Agenda Dissemination to Board Members

A copy of the agenda shall be forwarded to each Board member at least three days before each regular meeting, together with the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens and others; and other available documents pertinent to the meeting.

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

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

(cf. 9012 - Board Member Electronic Communications)

Agenda Dissemination to Members of the Public

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

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)

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)

(cf. 1113 - District and School Web Sites)

(cf. 1340 - Access to District Records)

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.

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee as determined by the Superintendent or designee.

**AGENDA/MEETING MATERIALS, continued**

**BB 9322 (d)**

Legal Reference:

EDUCATION CODE

35144 Special meetings

35145 Public meetings

35145.5 Right of public to place matters on agenda

GOVERNMENT CODE

6250-6270 Public Records Act

53635.7 Separate item of business

    Mailed agenda of meeting

    Agenda posting requirements; board actions

    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. 4<sup>th</sup> 229

Caldwell v. Roseville Joint Union HSD, 2007 U.S. Dist. LEXIS 66318

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2007

Guide to Effective Meetings, rev. 2007

Maximizing School Board Leadership: Boardsmanship, 1996

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, rev. 2003

CALIFORNIA CITY ATTORNEY PUBLICATIONS

Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000

WEB SITES

CSBA, Agenda Online:

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

California Attorney General's Office: <http://www.caag.state.ca.us>

Bylaw

adopted: January 8, 2008

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SAN JACINTO UNIFIED SCHOOL DISTRICT

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revised 8/18/17

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