

Bylaws of the Board

A POLICY OF THE LUCERNE VALLEY UNIFIED SCHOOL DISTRICT, RELATING TO TRANSPARENCY IN THE CARRYING OUT OF THE SCHOOL DISTRICT'S BUSINESS.

In General

Findings and Purpose

(a) The purpose and intent of this chapter is to establish transparency rules in the carrying out of the District's business in the areas of open meetings, access to public records and other areas critical to carrying out the District's business in an open and transparent manner.

(b) It is the intent of the District to promote transparency in the District's decision making process by laws designed to ensure that the process of making public policy remains visible and to protect the public's interest in open government.

(c) Public access to meetings, documents, and records of the Lucerne Valley Unified School District is an essential component of transparency, and as such, failure to allow public access to these meetings, documents, and records compromises the strength and integrity of our local government.

(d) Employees, elected officials, commissions, boards, committees, and other bodies within the Lucerne Valley Unified School District exist to serve the public and to conduct the people's business. The people do not cede to these entities the right to decide what the people should know about the operations of school district governance.

(e) In order to ensure public participation in and scrutiny of the decisions and conduct of the District's governing Board, meetings of such bodies must be open and records pertaining to the conduct of the people's business must be readily available to the public, unless exempt from disclosure under the law.

(f) The District has a fiduciary responsibility to the people to exercise sound judgment and take great care to be good stewards of their tax dollars and as such, all District expenditures of public funds should be accounted for and fully disclosed where not prohibited by law.

(g) Members of the public should not need to engage in prolonged or burdensome efforts, or need to retain the services of an attorney, to obtain meaningful access to meetings, public records and information. Rather, it is the duty of every officer, and official of the District to ensure prompt and meaningful access to meetings and public records, and to assist the public in obtaining such access.

(h) Honesty, integrity, and openness in the exercise of government authority are fundamental prerequisites to an effective and efficient decision-making body that serves the needs and interests of its citizens.

(i) The District has determined the provisions of this policy more appropriately address the specific needs of the community it serves, and this chapter is more effective than the minimum provisions of state law set out in the California Government Code.

(j) These provisions are supplementary and additional to the provisions of the Government Code and shall be read and construed as an integral part of the regulations and controls established thereby.

Definitions

(a) "Public Information" includes the content of "public records" as defined in the California Public Records Act (Government Code Section 6252), whether provided in documentary form or in an oral communication.

Public Access to Meetings

Meetings to be Open and Public; Application of Brown Act

All meetings of the Board or Board created committee shall be open and public and governed by the provisions of the Ralph M. Brown Act of the State of California (Government Code Sections 54950 et. seq.) and of this article. In case of inconsistent requirements under the Brown Act and this Article, the requirement which would result in greater or more expedited public access shall apply. References herein to the Board also apply to Board created committees.

Time and Place for Meetings; Agenda Requirements; Recording of Meetings

(a) The Board shall establish by resolution or motion the date, time and place for holding regular meetings. Standing committees of the Board shall hold regular meetings at least quarterly.

(b) At least 72 hours before a regular meeting, the District shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting. Agendas shall specify for each item of business the proposed action or a statement the item is for discussion only. The agenda shall specify the time and location of the regular meeting and shall be posted in locations that are freely accessible to members of the public. In addition, the District shall post a current agenda on the District website site at least 72 hours before a regular meeting. If the meeting is not needed or needs to be rescheduled, a notice of cancellation or notice of rescheduling should be published in the same manner as an agenda would be published and noticed, including 72-hour notice when possible.

(c) A description is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information on the item. The description should be brief, concise and written in plain, easily understood English. It shall refer to any explanatory documents that have been provided to the Board in connection with an agenda item, such as correspondence or reports, and such documents shall be posted adjacent to the agenda or, if such documents are of more than one page in length, made available for public inspection and copying at a location indicated on the agenda during normal office hours.

(d) The notice shall specify the time and place of any special meeting and the business to be transacted. Such notice of a special meeting shall be posted as described in subdivision (b) at least 24 hours before the time of such meeting as specified in the notice.

(e) Except as specifically permitted by Government Code section 54954.2 (b), no action or discussion shall be undertaken on any item not appearing on the posted agenda of a regular or special meeting, except that members of the Board may respond briefly to statements made or questions posed by persons exercising their public testimony rights, to the extent of asking a question for clarification, providing a reference to staff or other resources for factual information or requesting staff to report back to the body at a subsequent meeting concerning the matter raised by such testimony.

(f) The Board shall ensure that notices and agendas for regular and special meetings shall include the following notice:

KNOW YOUR RIGHTS UNDER
THE LVUSD SUNSHINE POLICY

Government's duty is to serve the public, reaching decisions
in full view of the public.

The Board and Board-committees exist to conduct the people's business.

This policy assures that deliberations are conducted before the people and
that District operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER
THE LUCERNE VALLEY UNIFIED SCHOOL DISTRICT
SUNSHINE POLICY OR TO REPORT A VIOLATION
OF THE POLICY, CONTACT THE
LUCERNE VALLEY UNIFIED SCHOOL DISTRICT

Each agenda for a public meeting covered by this chapter shall include the address, area code and phone number, fax number, e-mail address, and a contact person's name for the obtaining further information or how to access documents.

(g) The Board shall audio record or audio and video record in its entirety every open session of a noticed regular meeting, special meeting, study session or hearing open to the public (including the entire public portion of the closed session meeting), except to the extent that such facilities may not be available for technical or other reasons. Each such audio or video recording shall be a public record subject to inspection pursuant to the California Public Records Act (Government Code Section 6250 et

seq.) and shall not be erased or destroyed. The District shall make such audio or video recording available in digital form at a centralized location on the District web site within 72 hours of the date of the meeting or hearing and for a period of at least five years after the date of the meeting or hearing. Inspection of any such recording shall also be provided without charge on an appropriate play back device made available by the District.

(cf.9320 – Meetings and Notices)

(cf. 9322 – Agenda/Meeting Materials)

Board Committees

(a) A board committee shall be created by policy, resolution, or formal action of the Board at a meeting. Upon such creation of the committee, the Board shall in the authorizing resolution or formal action set out the jurisdiction and appoint the members of the committee, whether it is standing or ad hoc, and establish its specific task and estimated sunset date if it is ad hoc. Within 30 days after the entry into effect of this chapter, the Board shall pass a resolution setting out the information mentioned above with respect to its committees that existed prior to the entry into effect of this chapter.

(b) Ad hoc status shall be reserved for any Board committee that is charged with accomplishing a specific task in a finite period of time. The Board committee shall not have an expected duration longer than 12 months. The Board committee shall be decommissioned by formal action of the Board when the task is completed, or otherwise additional time shall be justified by formal action of the creating Board if still needed.

(c) The District shall maintain, keep up to date and post in a central location on the District’s official website a complete list of all Board committees setting out for each its purpose and members, the date of appointment of its members, whether it is standing or ad hoc, and its specific task and estimated sunset date if it is ad hoc.

(d) Board committees, whether standing or ad hoc, shall report back to the Board at each meeting of the Board when the committee has met in between meetings of the Board. Committees should whenever possible submit brief written reports that are included in the agenda packet for the Board meeting, so the public has the opportunity to provide informed public testimony on the committee’s work.

(cf.9130 – Board Committees)

Agendas and Related Materials: Public Records

(a) Agendas of meetings and any other documents on file with the District or the designated secretary of a particular Board committee, when intended for distribution to all, or a majority of all, of the members of a Board committee in connection with a matter anticipated for discussion or consideration at a meeting, shall be made available to the public. Such documents shall also be made available through the District’s website at least 72 hours before the meeting. If the staff report for an agenda item is not available at the time of posting the agenda, the item will be removed from the agenda. However, this disclosure need not include any material exempt from public disclosure under this chapter.

(b) Records that are subject to disclosure under subdivision (a) and that are intended for distribution to the Board or Board committee prior to commencement of a meeting shall be made available for public inspection and copying upon request prior to commencement of such meeting, whether or not actually distributed to or received by the body at the time of the request.

(c) Records that are subject to disclosure under subdivision (a) and that are distributed during a meeting but prior to commencement of their discussion shall be made available for public inspection prior to commencement of and during their discussion.

(d) Records that are subject to disclosure under subdivision (a) and that are distributed during their discussion at a meeting shall be made available for public inspection immediately or as soon thereafter as is practicable.

(e) The Board or Board committee may charge a duplication fee for a copy of a public record prepared for consideration at a public meeting in accordance with this policy. Neither this section nor the California Public Records Act (Government Code Section 6250 et seq.) shall be construed to limit or delay the public's right to inspect any record required to be disclosed by that act, whether or not distributed to a governing board or committees.

(f) In case of multiple items of business under the same category, lines may be added and the location of information may be reformatted to eliminate unnecessary duplication and space, so long as the relationship of information concerning the same item is reasonably clear to the reader. As an alternative to the inclusion of lengthy lists of names or other information in the agenda, or as a means of adding items to an earlier completed agenda, the agenda may incorporate by reference separately prepared documents containing the required information, so long as copies of those documents are posted adjacent to the agenda within the time periods required by Government Code Sections 54954.2 and 54956 and provided with any mailed or delivered.

Additional Requirements for Closed Sessions

(a) Prior to any closed session, the Board chairperson shall state the general reason or reasons for the closed session and shall cite the statutory authority, including the specific section and subdivision or other legal authority under which the session is being held. In the closed session, the Board may consider only those matters covered in its statement. In the case of regular and special meetings, the statement shall be made in the form of the agenda disclosures and specifications required by this policy. In the case of adjourned and continued meetings, the statement shall be made with the same disclosures and specifications required by this policy, as part of the notice provided for the meeting.

(b) In the case of an item added to the agenda as a matter of urgent necessity, the statement shall be made prior to the determination of urgency and with the same disclosures and specifications as if the item had been included in the agenda. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

Closed Sessions: Permitted Topics

The Board or Board Committee may, but is not required to, hold Closed Sessions:

(a) With the Attorney General, San Bernardino County District Attorney, San Bernardino County Sheriff, San Bernardino County Fire Chief, or their respective deputies, on matters posing a threat to the security of District buildings or a threat to the public's right of access to services provided by the District.

(b) To consider the appointment, employment, evaluation of performance or dismissal of a District employee, if the Board has the authority to appoint, employ or dismiss the employee or to hear complaints or charges brought against the employee by another person or employee unless the employee complained of requests a public hearing. The Board may exclude from any such public meeting, and shall exclude from any such closed meeting, during the comments of a complainant, any or all other complainants in the matter. The term "employee" as used in this section shall not include any elected official, member of the Board or applicant for such a position or person providing services to the District as an independent contractor or the employee thereof, including but not limited to independent attorneys or law firms providing legal services to the District for a fee rather than a salary.

(c) Based on advice of its legal counsel, to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would likely prejudice the position of the District in that litigation. Litigation shall be considered pending when any of the following circumstances exist:

- (1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer or arbitrator, to which the District is a party, has been initiated formally; or,
- (2) A point has been reached where, in the opinion of the Board on the advice of its legal counsel, based on existing facts and circumstances as set out in Government Code Section 54956.9(e), there is a significant exposure to litigation against the District only to decide whether a closed session is authorized pursuant to that advice or, based on those facts and circumstances, the body has decided to initiate or is deciding whether to initiate litigation.

A closed session may not be held to consider the qualifications or engagement of an independent contract attorney or law firm, for litigation services or otherwise, unless discussion in open session concerning those matters would likely prejudice the position of the District in pending litigation and as a result a closed session is permissible under Government Code Section 54956.9.

(d) With the District's designated representatives regarding matters within the scope of collective bargaining when the Board has authority over such matters. Such closed sessions shall be for the purpose of reviewing the Board's position and instructing its designated representatives and may take place solely prior to and during active consultations and discussions between the District's designated representatives and the representatives of employee organizations or the unrepresented employees. The Board shall not discuss compensation or other contractual matters in closed session with any unrepresented employee, who as a result of the action approving the collective bargaining agreement will receive an increase in compensation.

Disclosure of Closed Session Discussions and Actions

(a) After every closed session, the Board may in its discretion and in the public interest, disclose to the public any portion of its discussion that is not confidential under federal or state law, the District policy, or non-waivable privilege. The disclosure shall be made through the presiding officer of the body or such other person, present in the closed session, the Board designates to convey the information.

(b) The Board shall publicly report any action taken in closed session and the vote or abstention of every member present thereon, as follows:

(1) Real Property Negotiations: Approval given to a Board's negotiator concerning real estate negotiations pursuant to Government Code Section 54956.8 shall be reported as soon as the agreement is final. If its own approval renders the agreement final, the Board shall report that approval, the substance of the agreement and the vote thereon in open session immediately. If final approval rests with another party to the negotiations, the body shall disclose the fact of that approval, the substance of the agreement and the body's vote or votes thereon upon inquiry by any person, as soon as the other party or its agent has informed the body of its approval. If notwithstanding the final approval there are conditions precedent to the final consummation of the transaction or there are multiple contiguous or closely located properties that are being considered for acquisition, the document referred to in Subdivision (c) of this section need not be disclosed until the condition has been satisfied or the agreement has been reached with respect to all the properties, or both.

(2) Litigation: Direction or approval given to the body's legal counsel to prosecute, defend or seek or refrain from seeking appellate review or relief or to otherwise enter as a party, intervenor or amicus curiae in any form of litigation as the result of a consultation pursuant to Government Code Section 54956.9 shall be reported in open session as soon as given, or at the first meeting after an adverse party has been served in the matter if immediate disclosure of the District's intentions may prejudice the position of the District in pending litigation. The report shall identify the adverse party or parties, any co-parties with the District, any existing claim or order to be defended against or any factual circumstances or contractual dispute giving rise to the District's complaint, petition or other litigation initiative.

Settlement: The District shall neither solicit nor agree to any term in a settlement that would preclude the release of the text of the settlement itself and any related documentation communicated to or received from the adverse party or parties.

(3) Employee Actions: Action taken to appoint, employ, dismiss, transfer or accept the resignation of a public employee in closed session pursuant to Government Code Section 54957 shall be reported upon such action becoming final in a manner that names the employee, the action taken and position affected and, in the case of dismissal for a violation of law or of the policy of the District, the reason for dismissal. "Dismissal" within the meaning of this chapter includes

any termination of employment at the will of the employer rather than of the employee, however characterized. The proposed terms of any separation agreement shall be immediately disclosed upon request upon the agreement becoming final.

(4) Collective Bargaining: Any collectively bargained agreement shall be made publicly available at least 10 calendar days before the meeting of the Board to which the agreement is to be reported.

(c) Reports required to be made immediately may be made orally or in writing, but shall be supported by copies of any contracts, settlement agreements or other documents related to the transaction that were finally approved or adopted in the closed session and that embody the information required to be disclosed immediately shall be provided to any person who has made a written request regarding that item following the posting of the agenda or who has made a standing request for all such documentation as part of a request for notice of meetings pursuant to Government Code Sections 54954.1 or 54956.

(cf. 9321 – Closed Session Purposes and Agendas)

(cf. 9321.1 – Closed Sessions Actions and Reports)

Public Testimony

(a) Every agenda for regular and special meetings shall provide an opportunity for members of the public to directly address the Board on items of interest to the public that are within the Board's subject matter jurisdiction.

(b) Every agenda for regular and special meetings shall provide an opportunity for each member of the public to directly address the Board on any agenda item before or during the Board's consideration of the item, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by this policy. While GC 54954.3 allows the prohibition of public participation on agenda items previously considered at a committee meeting where public participation was already afforded, the board will waive this allowance and always afford public testimony on such agenda items.

(c) The Board may adopt reasonable regulations to ensure that the intent of subdivisions (a) and (b) are carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. For non-public hearing agenda items, these comments may, at the option of the speaker, be deferred until the point of the meeting where the item is being considered. Time limits shall be applied uniformly to members of the public wishing to testify.

(d) The Board shall not abridge or prohibit public criticism of the policy, procedures, programs or services of the District or of any other aspect of its proposals or activities or of the acts or omissions of the body, on the basis that the performance of one or more public employees is implicated, or on any basis other than reasonable time constraints unless otherwise required by law.

(e) To facilitate public input, any agenda changes or continuances shall be announced by the presiding officer of the Board at the beginning of a meeting, or as soon thereafter as the change or continuance becomes known to such presiding officer.

(cf. 9323 – Meeting Conduct)

The Board’s Consent Calendar

(a) An item on the consent calendar for any regular board meeting may be removed from the consent calendar for separate discussion and consideration at any time before a vote on the item is taken. Any member of the Board, or staff may request to remove an item from the consent calendar.

(b) The consent calendar shall only contain routine items that are non-controversial in nature and do not need public debate. The following items may be placed on the consent calendar:

- Approval of Minutes
- Approve Personnel Items
- Approve Volunteers
- Approve Conference Requests
- Ratify Conference Requests
- Approve Field Trip Requests
- Ratify Field Trip Requests
- Approve Inter-District Transfers
- Approve Warrants and District Orders, Batches

(c) Notwithstanding subdivision (b) above, an item shall not be eligible for inclusion in the consent calendar if a conflict of interest with respect to that item has been identified.

(d) The Superintendent shall ensure that agendas for regular board meetings include the following introduction to the consent calendar:

The consent calendar contains routine and non-controversial matters pending before the Board, and all items listed may be approved by one motion of the Board unless a request is made by a member of the Board, or staff to remove an item for separate discussion and consideration at this time or under Approval of the Agenda. Members of the public may request to speak on any consent calendar item before the consent calendar is approved. The title is deemed to be read and further reading waived on any policy listed on the consent calendar for introduction or adoption.

(cf. 9322 – Agenda/ Meeting Materials)

Public Access to Records

Making a Request for Information

While a written request often has advantages for the requester and the District, nothing in the California Public Records Request Act requires the request to be submitted in writing. Except when requesting information about pesticides or seeking the addresses of persons arrested or victims of crimes, the District may not require requesters to identify themselves. Furthermore, aside from these two exceptions, the District may not demand to know the purpose of the request as a condition to filling the request.

Public Information That Must Be Disclosed

(a) **Litigation Material.** Notwithstanding any exemptions otherwise provided by law, the following are public records subject to disclosure:

- (1) A pre-litigation claim against the District (excluding any investigative reports);
- (2) A record previously received or created by a department in the ordinary course of business that was not attorney/client privileged or attorney-work product when it was previously received or created.

(b) **Contracts, Bids, and Proposals**

(1) All initial District Requests for Proposals ("RFP's") shall be kept in a central repository and shall be made available for public inspection. In addition, RFP's shall be placed on the District's website for a period from the date the RFP was issued to the date that the RFP is due.

(2) Contracts, contractors' bids, responses to requests for proposals and all other records of communications between the department and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefit. All bidders and contractors shall be advised that information provided which is covered by this subdivision will be made available to the public upon request. Immediately after any review or evaluation or rating of responses to a RFP has been completed, evaluation forms and score sheets and any other documents used by persons in the RFP evaluation or contractor selection process shall be available for public inspection. The names of scorers, graders or evaluators shall be deleted from score sheets or comments on related documents, shall be made immediately available after the review or evaluation of a RFP has been completed.

(c) **Budgets and Other Financial Information.** Budgets, whether tentative, proposed or adopted, for the District or any of its departments, programs, projects or other categories, and all bills, claims, invoices, vouchers or other records of payment obligations as well as records of actual disbursements showing the amount paid, the payee and the purpose for which payment is made, other than payments for social or other services whose records are confidential by law, shall not be exempt from disclosure.

(d) Appraisals, offers and counteroffers relating to the District's purchase of real property are exempt, but only until an agreement is executed.

Immediacy of Response

Notwithstanding the 10 calendar day period for determination of a response to a request permitted in Government Code Section 6253, a request for a public record described in any nonexempt category that is received by a Department Head shall be satisfied no later than the close of business on the day following the request unless the Department Head advises the requestor in writing that the request will be answered by a specific future date. The statutory deadlines are appropriate for more extensive or demanding requests, but shall not be used to delay fulfilling a simple, routine or otherwise readily answerable request. If the voluminous nature of the information requested, its location in a remote storage facility or the need to consult with legal counsel warrants an extension of 10 calendar days as provided in Government Code Section 6256.1, the requestor shall be noticed as required within three business days of the request. Nothing in this section shall prohibit the requestor and Department Head or his/her designee from agreeing to a longer time than provided for herein for the provision of requested records. Any such mutual agreement shall be in writing and signed by the requestor.

Withholding Kept to a Minimum

Information that is exempt from disclosure shall be masked, deleted or otherwise segregated so that the nonexempt portion of a requested record may be released and keyed by footnote or other clear reference to the appropriate justification for withholding.

Justification of Withholding

Any withholding of information shall be justified, in writing, as follows:

(a) A withholding under a specific permissive exemption in the California Public Records Act, or elsewhere, which permissive exemption is not forbidden to be asserted. The District must cite that authority.

(b) A withholding on the basis that disclosure is prohibited by law shall cite the specific statutory authority in the Public Records Act or elsewhere.

(c) A withholding on the basis that disclosure would incur civil or criminal liability shall cite specific statutory or case law, if available, or any other public agency's litigation experience, supporting that position.

(d) When a record being requested contains information, most of which is exempt from disclosure under the California Public Records Act and this section, the Department Head shall inform the requester of the nature and extent of the nonexempt information and may suggest alternative sources for the information requested, if available.

Public Employee Compensation Records That Must Be Disclosed

The following policies shall govern specific types of documents and information and shall provide enhanced rights of public access to information and access:

Notwithstanding Government Code Section 6254, subdivision (c), the following information shall be considered a public record and shall be made available for review upon request by any person, business or association: A listing of gross earnings by name and job title, including base salaries and other compensation. Other compensation shall include allowances, overtime, deferred compensation, leave cash-out payments, and the percentage of base salaries that the District pays as the employer's CalPERS contribution.

Fees for Duplication

- (a) No fee shall be charged for making public records available for review.
- (b) No fee shall be charged for a copy of documents routinely produced in multiple copies for distribution, e.g. meeting agendas and related materials that are 20 or fewer pages in length per document.
- (c) A fee of one cent per page may be charged for a copy of documents routinely produced in multiple copies for distribution, e.g. meeting agendas and related materials which contain more than 20 pages per document.
- (d) For documents assembled and copied to the order of the requester, a fee not to exceed 10 cents per page may be charged, plus any postage costs.
- (e) The District may, rather than making the copies itself, contract at market rate to have a commercial copier produce the duplicates and send the charges directly to the requester.

(cf. 1340 – Access to District Records)

Correspondence and Records Shall Be Maintained

- (a) The Superintendent shall for a reasonable period maintain, preserve, and archive documents and correspondence, including but not limited to letters, e-mails, drafts, memoranda, invoices, reports and proposals that pertain to or are within the subject matter jurisdiction of the official's duties and shall disclose all such records in accordance with this chapter.
- (b) Any e-mail that is created or received in connection with the transaction of public business and which (1) the department or office retains as evidence of its activities, or (2) relates to the legal or financial rights of the District or of persons directly affected by the activities of the District is a public record. The standard for determining if e-mail is a public record that must be retained is identical to the standard that applies to any document. See California Government Code § 6252(e). If an e-mail must be retained, it should be printed out and the hard copy retained in the appropriate file unless the department or office can reliably retain and retrieve all e-mail in electronic format.
- (c) Board members and District employees may not use personal email accounts to conduct official District business, unless in emergency situations when their District accounts are not accessible.

No Board members and District employees may create or send an e-mail using a non-official e-mail account unless such Board member or employee:

- (1) Copies an official e-mail account of the Board member or employee in the original creation or transmission of the e-mail; or
- (2) Forwards a complete copy of the e-mail to an official e-mail account of the Board member or employee not later than five business days after the original creation or transmission of the e-mail.

Any email copied or forwarded in accordance with subdivisions (1) or (2) above shall be subject to the provisions of subdivision (b) of this section.

Board Appointment Application Disclosure

(a) When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board of Trustees may solicit candidate applications for interviews at a public meeting. (BB 9223)

(b) Once an application is received by the District at the designated location, it will immediately become a public document and will be disclosable upon any request for public documents under the California Public Records Act (CPRA).

(c) The agenda packet for the open and public meeting of the interviews and possible candidate selection will contain all applications for candidates being considered at the meeting.

(d) Only personal information like address, phone number, and Social Security Number will be redacted when fulfilling a request for public documents and including the applications in the meeting agenda packet. The application will clearly indicate what information will be redacted.

(e) No application received after the deadline established in the public notice will be considered.

Transparency on the District's Website

Minimum Standards

The District shall maintain on the District's official website information that it is required to make publicly available. Each department is encouraged to make publicly available through the District's website as much information and as many documents as possible concerning its activities. These include but are not limited to statements of economic interest, campaign report forms and other transparency and ethics documents as provided in Section of this chapter, operating and capital budgets, meeting agenda, meeting minutes, public notices and, when feasible, staff meeting reports. Within 12 months after the entry into effect of this chapter, the District shall post on the District's website all meeting notices required under this chapter, all agendas and the minutes of all previous meetings of the governing board or board committees from that point in time forward. Notices and agendas shall be posted no later than the time that the District otherwise distributes this information to the public, allowing reasonable time for posting.

(a) Minutes of meetings of the governing board or board committees shall be posted as soon as possible, but in any event within one week after they have been approved by the body. The District shall make reasonable efforts to ensure that its web site is regularly reviewed for timeliness and updated on at least a weekly basis. The District shall also make available on its web site, or on a comparable, readily accessible location on the Internet, a current copy of the District's policies, regulations, and bylaws.

(cf. 1113 – District and School Web Sites)

Transparency and Ethics Section of District's Website

A section of the District's official website shall provide, in an easy to use format, detailed up-to-date information on the following:

California Form 700:

- a. Current year and prior year budgets with detailed information on all revenues and expenditures;
- b. Meeting notices and agendas
- c. Information on committees and all other subsidiary bodies
- d. Instructions regarding how to make public records requests;
- e. Approved document retention policy;
- f. Approved policies regarding credit card use, travel/expense, petty cash;
- g. An explanation of how members of the public can participate in public meetings;
- h. Information on procurement and contracting

Transparency on Board Member Compensation on District's Website

A section of the District's official website shall provide, in an easy to use format, detailed up-to-date information on Board Member Compensation including:

- (a) Monthly stipend received by Board Members for Board Meeting attendance.
- (b) Health and Welfare benefits offered to Board Members
- (c) Any additional compensation or stipend that each Board Member will be entitled to receive.

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

Other Transparency Requirements

Review of Form 700, Statement of Economic Interests

(a) Once annually, in the first two weeks of April, the District shall conduct a prima facie review of all completed Form 700s (the statement of economic interests required by Government Code 85700 of certain enumerated local officials) submitted by the Superintendent.

(b) Board members are required to file Form 700 not later than April 15th of each year. The District shall scan the Form 700s and copy them into the District website.

(cf. 9270 – Conflict of Interest Code)

Procurement and Contracting Information

A section of the District's official website shall provide, in an easy to use format, detailed up-to-date information on the District's procurement and contracting policies, including the following:

- (a) A summary of the District's procurement and contracting policies,
- (b) The District's goals and objectives in procurement transparency and effective contract monitoring, including its adopted best practices;
- (c) Online access to government procurement contracts; and
- (d) Transparency scorecards and ratings.

(cf. 3312 – Contracts)

Ethics Laws Compliance and Training

California AB1234 requires all elected or appointed officials who are compensated for their service or reimbursed for their expenses receive periodic mandatory ethics training. While it is generally accepted that the law requiring training does not apply to school board members, nonetheless the State's Ethics and Conflict of Interest laws still apply to school board members.

Lucerne Valley Unified School District board members will receive the training within 6 months of being elected or appointed, and every two years thereafter. Certificates of Completion for each board member will be displayed at the board meeting room, and the District website will serve as public notice that the approved training for each board member has been completed.

Board Member Development

LVUSD board members are encouraged to attend various conferences, seminars and other meetings related to their duties with the Board. In order to ensure funding is adequately budgeted for necessary board member participation at such events, and to maximize the development benefits to individual board members attending such events, and to the board as a whole:

(a) Any attendance by board members to events that will be expensed by the District must be approved in advance by the board, when possible.

(b) Board members shall report to the Board, orally or in writing, on the board training activities they attend, for the purpose of sharing the acquired knowledge or skills with the full Board and enlarging the benefit of the activity to the Board and District.

(cf. 9240 – Board Development)