

AGENDA/MEETING MATERIALS

Agenda Content

The Board of Trustees meeting agendas shall state the meeting time and place and shall briefly describe each agenda item to be transacted or discussed, including items to be discussed in closed session.

The agenda shall provide members of the public the opportunity to address the Board on any agenda item during the Board's consideration of the item. The agenda shall also provide members of the public an opportunity to comment at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board.

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.

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.

Agenda Preparation

The Superintendent, as secretary of the Board, shall prepare an agenda for each regular meeting to be discussed with the president of the governing board. Any board member may request a future item or new idea during a board meeting. The board member will provide rationale for the item. When there is urgency to the request, board members will call the Superintendent or the board president to request the item on the board agenda.

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 shall be in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least 10 school days prior to the legally required public posting of the agenda. Items submitted less than 10 school days before the legally required public posting of the agenda may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board president and Superintendent shall decide whether a request 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 the 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 subject to Board vote, an information item that does not require action, or a consent item that is routine in nature and for which no discussion is anticipated.

AGENDA/MEETING MATERIALS (continued)

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

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

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.

Agenda Dissemination to Board Members

The agenda for a regular meeting shall be prepared by the Superintendent and discussed with the president of the Board. A copy of this agenda shall be forwarded to each Board member not less than six calendar days prior to a regular meeting, together with the Superintendent's report; minutes to be approved; copies of communication; reports from committees; staff; citizens, and others; and such other documents and exhibits which are available and pertinent to the meeting.

Board members will review the Board meeting information and contact the Superintendent or designee with any questions no later than two school days prior to the meeting.

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

Agenda Dissemination to Members of the Public

The Superintendent or designee shall mail a copy of the agenda or email a copy of all the documents constituting the agenda a 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)

AGENDA/MEETING MATERIALS (continued)

If a document 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 the time the document is distributed to a majority of the Board provided that the document is a public record under the Public Records Act and relates to an agenda item for an open session of a regular Board meeting.

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

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

Any request for mailed copies of agendas and/or agenda documents or emailing of electronic versions of the agendas/documents, shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed on or before January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or emailing of the electronic version of the agenda/documents, may be required to pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

Legal Reference: (see next page)

AGENDA/MEETING MATERIALS (continued)

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*

54954.1 *Mailed agenda of meeting*

54954.2 *Agenda posting requirements; board actions*

54954.3 *Opportunity for public to address legislative body*

54954.5 *Closed session item descriptions*

54956.5 *Emergency meetings*

54957.5 *Public records*

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

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