



BYLAWS

POLICY – AGENDA/MEETING MATERIALS

BP 9322

Agenda Preparation

The County Board president and the County Superintendent of Schools, as secretary to the County Board, shall work together to develop the agenda for each regular and special meeting.

Any County Board member or member of the public may request that a matter within the jurisdiction of the County Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the County Superintendent and County Board president with supporting documents and information, if any, at least ten working days before the scheduled meeting date. The date upon which the item may appear on the agenda will be based on sufficient time for consideration and research of the request as determined by the County Superintendent of Schools and Board President.

The County Board president and County Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the County Board. Items not within the subject matter jurisdiction of the County Board shall not be placed on the agenda. In addition, before placing the item on the agenda, the County Board president and County Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing County Board policy, administrative regulation, or other guidance document.

If a request from a County Board member to place an item on the agenda is denied, the member may ask the County Board to take action to determine whether the item shall be placed on the agenda.

The County Board president and County Superintendent shall also decide whether an agenda item is appropriate for an information item that does not require immediate action, discussion in open or closed session, or whether the item should be an action item subject to County Board vote.

Agenda Content

Each agenda 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)

Each agenda for a regular meeting shall list the address designated for public inspection of documents related to an open session item that have been distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall include information regarding how, when, and to whom a request should be made if an individual requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the County Board meeting. (Government Code 54954.2)

The agenda shall provide members of the public the opportunity to address the County Board on any agenda item, including any consent agenda item, before or during the County Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the agenda item has previously been considered at an open meeting of a committee comprised exclusively of County Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular County Board meeting shall also provide members of the public an opportunity to comment on matters which are not on the agenda, but which are within the subject matter jurisdiction of the County Board. (Government Code 54954.3)

The County Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature for which County Board discussion is not anticipated and for which approval is recommended. When any County Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

Any County 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)

Agenda Dissemination to County Board Members

At least 72 hours before each regular meeting, each County Board member shall be provided a copy of the agenda and agenda packet, including any reports from the County Superintendent; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available documents pertinent to the meeting.

When special meetings are called, County Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

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

Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the County Board shall be made available to the public upon request without delay. Only those documents which are public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the agenda shall be posted on the homepage of the county office of education (COE) web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the COE's agenda management platform in accordance with Government Code 54954.2. When the COE utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the County Board meeting agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a document which relates to an open session agenda item of a regular County Board meeting is distributed to the County Board less than 72 hours prior to the meeting, the document shall be made available for public inspection at a designated location at the same time the document is distributed to all or a majority of the County Board. (Government Code 54957.5)

As County Board secretary, it is the responsibility of the County Superintendent or designee to 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 County Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the County Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the County Board or COE and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person and presented at the meeting 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 County 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)

Federal	Description
12101-12213	Americans with Disabilities Act
28 CFR 35.160	Effective communications
28 CFR 36.303	Auxiliary aids and services
35.160	Communications, general
35145.5	Right of public to place matters on agenda
36.303	Auxiliary aids and services
42 USC 12101-12213	Americans with Disabilities Act
49061	Student records; definitions
49073.2	Privacy of student and parent/guardian personal information
53635.7	Separate item of business
54954.1	Mailed agenda of meeting
54954.2	Agenda posting requirements, county board actions
54954.3	Opportunity for public to address legislative body
54954.5	Closed session item descriptions
54956	Special meeting notices
54956.5	Emergency meeting notices
54957.5	Public records
54960.2	Challenging board actions; cease and desist
6250-6270	California Public Records Act
78	Ops.Cal.Atty.Gen. 327 (1995)
99	Ops.Cal.Atty.Gen. 11 (2016)
Management Resources	Description
Attorney General Opinion	99 Ops. Cal. Atty. Gen. 11 (2016)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 327 (1995)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Mooney v. Garcia, (2012) 207 Cal.App.4th 229
Court Decision	Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2014
CSBA Publication Website	Call to Order: A Blueprint for Great Board Meetings, 2015 California Attorney General's Office
State	Description
Ed. Code 35144	Special meeting

Ed. Code 35145	Public meetings
Ed. Code 35145.5	Agenda; public participation; regulations
Gov. Code 53635.7	Separate item of business
Gov. Code 54954.1	Mailed notice to property owners
Gov. Code 54954.2	Agenda posting requirements, board actions
Gov. Code 54954.3	Opportunity for public to address legislative body
Gov. Code 54954.5	Closed session item descriptions
Gov. Code 54956.5	Emergency meetings
Gov. Code 54957.5	Public records
Gov. Code 54960.2	Challenging board actions; cease and desist
Gov. Code 6250-6270	California Public Records Act
Gov. Code 95000-95029	California Early Intervention Services Act

Cross References

Code Description

- 9012 [Board Member Electronic Communications](#)
- 9121 [President](#)
- 9320 [Meetings And Notices](#)
- 9321 [Closed Session](#)
- 9321 [Closed Session](#)
- 9323 [Meeting Conduct](#)

ADOPTED BY COUNTY BOARD:

February 5, 1987

REVISED:

April 7, 1994

November 2, 1995

April 7, 2022