



# San Juan Unified School District Facilities Committee

- |                                                    |                                        |                                             |
|----------------------------------------------------|----------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Anderson Berry, Chair     | <input type="checkbox"/> Maggie Cooper | <input type="checkbox"/> Peter McKane       |
| <input type="checkbox"/> Melinda Avey, Asst. Chair | <input type="checkbox"/> Tina Cooper   | <input type="checkbox"/> Murad "Moe" Sarama |
| <input type="checkbox"/> Lupita Alcala             | <input type="checkbox"/> Ashley Freer  | <input type="checkbox"/> Steve Ward         |
| <input type="checkbox"/> Rachel Andrakowicz        | <input type="checkbox"/> Vacant        | <input type="checkbox"/> Fedros Yavrom      |

**We commit to:**

- |                                                                   |                                                                                 |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------|
| o Being responsive to the needs of students                       | o Clearly defining and agreeing upon mission                                    |
| o Conducting meetings that are: Effective, Efficient and Decisive | o Members having open minds and being creative                                  |
| o Focusing on solving problems                                    | o Abide by Brown Act concept and principles                                     |
| o Working together through the committee chair                    | o Being responsive to the direction of the Board as a whole                     |
| o Recognizing the committee's role as a recommending body         | o Members being polite, respectful, and supportive of other's time and opinions |
| o Differentiating between fact and opinion                        |                                                                                 |

## AGENDA

September 5, 2023

District Office Board Room - 3738 Walnut Avenue, Carmichael, CA 95608

**I. CALL TO ORDER – 6:30 P.M.**

**II. VISITOR COMMENTS\*- 6:35 P.M.**

**III. BUSINESS ITEMS – 6:40 P.M.**

**1. Board Member Report** (Hernandez)

**2. Organizational Meeting** (Avey)

**A: Annual Meeting Schedule (Action)**  
Material Provided (Page 2)

**B: Committee Chair Election (Action)**

**C: Committee Assistant Chair Election (Action)**

**D: Annual Brown Act Training – Fhanysha C. Gaddis, General Counsel, SJUSD (Report)**  
Material Provided (Pages 3-21)

**E: Annual Facilities Committee Bylaws Review -Trent Allen, Chief of Staff, SJUSD (Report)**  
Material Provided (Pages 22-27)

**3. Approval of the Minutes – June 6, 2023 (Action)** (Chair)  
Material Provided (Pages 28-30)

**4. Chair Report** (Chair)

**5. Avey/Sub. Committee Update, Non-Permitted School Use – Report** (Avey)

**IV. FUTURE AGENDA ITEMS – Discussion 7:30– 7:40 p.m.**

**V. INFORMATION – 7:40 p.m.**

- |                                                |             |
|------------------------------------------------|-------------|
| 1. Attendance Summary.....                     | Page 31     |
| 2. Board of Education Future Agenda Items..... | Pages 32-34 |

**VI. ADJOURNMENT – 7:45 p.m.**

\* Public comments are welcome at Facilities Committee meetings. Each agenda allows time for visitor comments at the beginning of the meeting, as well as during consideration of specific agenda items. To give everyone a chance to be heard, we ask that you limit your comments to two minutes. To speak to the Committee, you must fill out a "Request to Address the Facilities Committee" card, which is available at each meeting. This card will be given to the Chair. You will be called at the appropriate time.



**San Juan Unified School District  
Facilities Committee  
2023-2024 Meeting Dates**

**Tuesday, September 5, 2023 – 6:30 p.m.**

**Tuesday, October 3, 2023 – 6:30 p.m.**

**Tuesday, November 7, 2023 – 6:30 p.m.**

**Tuesday, December 5, 2023 – 6:30 p.m.**

**Tuesday, January 2, 2024 – 6:30 p.m.**

**Tuesday, February 6, 2024 – 6:30 p.m.**

**Tuesday, March 5, 2024 – 6:30 p.m.**

**Tuesday, April 2, 2024 – 6:30 p.m.**

**Tuesday, May 7, 2024 – 6:30 p.m.**

**Tuesday, June 4, 2024 – 6:30 p.m.**

# UNDERSTANDING THE BROWN ACT

PRESENTED TO THE  
**FACILITIES COMMITTEE**  
**REGULAR COMMITTEE MEETING**  
TUESDAY, SEPTEMBER 5, 2023

FHANYSHA GADDIS  
GENERAL COUNSEL - SAN JUAN UNIFIED SCHOOL DISTRICT

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## Understanding The Brown Act AGENDA

- ▶ Telephone.
- ▶ What is the intent/purpose of the Brown Act?
- ▶ Who is subject to the Brown Act?
- ▶ What does the Brown Act require committees to do?
- ▶ How are the committees impacted by Brown Act?
- ▶ How committee members can use social media in accordance with Brown Act?
- ▶ Handling Disruptive Behavior, Interruption and Threats.
- ▶ Consequences of Brown Act Violations.

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# Understanding The Brown Act

- ▶ INTENT AND PURPOSE OF THE BROWN ACT
  - ▶ Definition
  - ▶ Who is Ralph M. Brown
  - ▶ CA Constitution (codified)
  - ▶ Right of the People

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# Understanding The Brown Act

## Intent of the Brown Act

- To keep the public informed of the actions, debates, and views of locally elected representatives
- To provide the procedural framework for local legislators to meet, debate, act, and listen collectively to their constituents.
- Found in Government Code sections 54950 through 54963.
- The Intent is to ensure:
  - deliberations and actions of a local agency legislative body are **open and public**,
  - meaningful **public access to local government decisions**, and
  - the public is **fully informed** and able to participate in decisions involving the public agency (section 54950).

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# Understanding The Brown Act

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## Open and Public



Ralph M. Brown 1959

Photo courtesy The Mendocino Press

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."  
California Government Code §54950

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# Understanding The Brown Act

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## Open Meetings – California Constitution

"The people have the right of access to information concerning the conduct of the people's business, and, therefore the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny. A statute, court rule, or other authority . . . shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access."

California Constitution, Article 1, section 3

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# Understanding The Brown Act

## Rights of the Public

- ▶ Right to be notified of items on agenda
- ▶ Right to attend without identifying oneself
- ▶ Right to record the meeting
- ▶ Right to speak before or during consideration of an item
- ▶ Right to see Board materials
- ▶ Right to say anything, even if unrelated to agency business



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# Understanding The Brown Act

- ▶ WHO IS SUBJECT TO THE BROWN ACT?
  - ▶ Legislative bodies
  - ▶ Committees (roles/conduct)

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# Understanding The Brown Act

## Committee Roles and Conduct

- ▶ Committee members have collective, not individual authority.
- ▶ No individual committee member has authority other than as conferred by a majority of the Committee.
- ▶ Committee bylaws
- ▶ **Subject to the Brown Act**

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# Understanding The Brown Act

## Who is subject to the Brown Act?

- ▶ Legislative bodies/local government, including anyone who has been elected but has not yet assumed office.
- ▶ Committees and subordinate bodies created by formal action of the Board of Education, which would include the Curriculum, Standards, Instructional & Student Services Committee.

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## Understanding The Brown Act

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### What Does the Brown Act Require Committees to Do?

- ▶ Meetings must be held on a regular schedule,
- ▶ Meetings be conducted in public,
- ▶ Meetings be conducted with an agenda available in advance of the meeting,
- ▶ Meeting agendas must be posted on the District's website and made available upon request in appropriate alternative formats to persons with disabilities.
- ▶ All persons must be permitted to attend and participate in meetings, **and**
- ▶ Actions and deliberations must be taken openly, in public.

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## Understanding The Brown Act

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- ▶ HOW ARE COMMITTEES IMPACTED BY BROWN ACT?
  - ▶ Meeting requirements
    - ▶ During and post-pandemic
    - ▶ Serial meetings
  - ▶ Agenda

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## Understanding The Brown Act

### What constitutes a meeting?

- ▶ Any congregation of a majority of the members of the legislative body at the same time and place (including teleconference locations) to hear, discuss or deliberate on any matters within its jurisdiction.
- ▶ There need not be action taken or planned, for a "meeting" to occur (section 54952.2)

**What this means:** A majority may not consult outside an agency-convened meeting.

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## Understanding The Brown Act

What is NOT a meeting?

The definition of meeting excludes:

- ▶ Appearance of a Committee majority at a general conference open to the public involving a discussion of broad issues and attended by a broad spectrum of officials from a variety of governmental agencies
- ▶ Attendance at open and publicized meetings, organized to address a topic of local concern by a person or organization other than the local agency
- ▶ Individual contacts and conversations
- ▶ Social or ceremonial occasions
- ▶ Attendance by a Committee majority at open and noticed meetings of another body of the same local agency or any other agency
- ▶ If a quorum (a simple majority) doesn't appear, there is no meeting under the Brown Act, and no action can be taken.

For these exclusions to apply, committee members shall not discuss topics within the subject matter of the Committee "other than as part of the scheduled program."

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## Understanding The Brown Act

Is this an improper meeting?

- ▶ 3 members meet for coffee and then two of those members each contact another member.



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## Understanding The Brown Act

### Meetings – Location, Logistics

- ▶ All meetings must be open and public
- ▶ Meeting place must be accessible to public—nondiscriminatory, accessible to disabled, no payment or purchase required
- ▶ Meeting place must be within agency boundaries, with limited exceptions:
  - ▶ To comply with court order or attend a judicial proceeding;
  - ▶ To inspect real or personal property which cannot be brought within bounds of agency;
  - ▶ To meet with state or federal elected or appointed officials, when a local meeting impractical;
  - ▶ To participate in meetings of multi-agency significance.

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## Understanding The Brown Act

Remote Meetings – Post-Pandemic

Three options to holding a meeting in 'person':

- ▶ Traditional teleconference requirements

### Limited Duration

- ▶ AB 361- sunsets in January 1, 2024
- ▶ AB 2449-legislative body members to attend meetings from a remote location for "just cause" or in emergency situations

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## Understanding The Brown Act

DURING PANDEMIC

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## Understanding The Brown Act

### AB 361 – Emergency Meeting Requirements

- ▶ Option to meet electronically (audio or audio/video) without compliance with traditional teleconference requirements.
- ▶ Do not need to:
  - ▶ Provide any public meeting location
  - ▶ Open or notice locations
  - ▶ Have quorum within jurisdiction
- ▶ BUT still need to:
  - ▶ Use roll call for votes
  - ▶ Must allow for remote real-time public comments.

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## Understanding The Brown Act

### AB 361 – Emergency Meeting Requirements:

#### Requirements to use the option:

- ▶ State of emergency; AND
- ▶ Officials have imposed/recommended measures to promote social distancing, OR
- ▶ Committee has determined that meeting in person would present imminent risks to the health/safety of attendees, OR
- ▶ Committee is meeting to make this determination.

CA state of emergency was rescinded February 28, 2023

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# Understanding The Brown Act

## POST PANDEMIC PROVISIONS

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# Understanding The Brown Act: OLD SCHOOL

### Traditional Teleconference Requirements

- ▶ The teleconference location must be **open and accessible to the public**.
- ▶ The agenda shall **identify** all locations, including the teleconference location(s).
- ▶ The **agenda must be posted at all locations**, including the teleconference location(s) at the proper time before the meeting.
  - ▶ The agenda should indicate how/if the meeting will proceed if technical problems prevent teleconferencing.
- ▶ The agenda shall provide for **public comment at all locations**, including the teleconference location.
- ▶ A majority of the Committee must be **within the boundaries of the District**, even if participating by teleconference.
- ▶ All votes during a **teleconference meeting shall be by roll call**.

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# Understanding The Brown Act: NEW SCHOOL

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AB 2449 – Remote Participation:

Effective January 1, 2023 – December 31, 2025

Advantages

- ▶ Remote participation without traditional requirements
- ▶ Not dependent on state of emergency or findings

Disadvantages

- ▶ Use limited to specific circumstances
- ▶ Creates new requirement for Committee approval
- ▶ Requires technological capabilities

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# Understanding The Brown Act

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AB 2449 – Remote Participation

Any location without opening/disclosure of location.

Meeting requirements:

- ▶ Quorum must be in-person at open location in the district.
- ▶ Must allow public access via two-way audiovisual platform or two-way audio service/webcast.
- ▶ Must allow public comment via the remote platform as well as in-person (real time).

Member requirements when remote:

- ▶ Must be able to participate through both audio and video.
- ▶ Must identify any individual over 18 in the room with the member and relationship.

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## Understanding The Brown Act

AB 2449 – When May It Be Used:

Two circumstances:

1. **Just cause**

- Care for a family member, an illness, or a disability, or traveling on government business
- Must notify Committee of the "just cause," by providing a general description, at the earliest opportunity possible.

2. **Emergency circumstance**

- Physical or family medical emergency that prevents a member from attending in-person.
- Requires approval by Committee after it is provided with a general description of the circumstances.

Limits:

- ▶ For "just cause," only two meetings a calendar year.
- ▶ For either reason, no more than:
  - Three consecutive months; or,
  - 20% of regular meetings in a calendar year if Committee meets at least 10 times a year; no more than two meetings in a calendar year if the Committee meets fewer than 10 times a year.

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## Understanding The Brown Act

A meeting can occur no matter how inadvertent or informal the congregation of a majority of the committee.

A majority of Committee members shall not, outside a meeting:

- ▶ use a series of communications of any kind,
- ▶ directly or through intermediaries,
- ▶ to hear,
- ▶ discuss, or
- ▶ deliberate business that is within the subject matter jurisdiction of the committee.

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## Understanding The Brown Act

### Serial meetings

- ▶ “[A] serial meeting is a series of communications, each of which involves less than a quorum of the legislative body, but which taken as a whole involves a majority of the body’s members.” (Attorney General’s Brown Act Handbook)
- ▶ A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. (section 54952.2)
  - ▶ Includes communications through telephone, electronic mail, facsimile, internet, communication through an intermediary
- ▶ Common Serial Meeting Scenarios
  - ▶ Email/text messages in which a majority of Committee members is copied
  - ▶ Consecutive conversations through an intermediary to poll the Committee
  - ▶ Telephone conference calls involving a majority of the Committee
  - ▶ Internet chat rooms and blogs

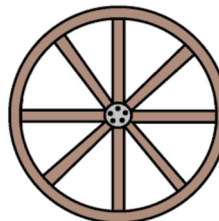
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## Understanding The Brown Act

A to B to C to D:



A to B  
A to C  
A to D



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# Understanding The Brown Act

## Agenda Items

- ▶ A meeting opening
- ▶ A statement triggering roll call and ensure the board has a quorum present at the meeting.
- ▶ For regular meetings, an opportunity for the public to address the Committee on matters within its jurisdiction which are not on the agenda.
- ▶ Descriptions of all items to be discussed.
- ▶ An opportunity for public to address Committee prior to, or during, consideration of any agenda item.
- ▶ A statement of adjournment.

## Non-Agenda Items

- ▶ No action or discussion shall be undertaken on any item not appearing on the posted agenda
- ▶ Without taking action, Committee members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda
- ▶ May ask a question for clarification
- ▶ Committee members may make a brief announcement, or brief report on own activities

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# Understanding The Brown Act

## HOW COMMITTEE MEMBERS CAN USE SOCIAL MEDIA IN ACCORDANCE WITH BROWN ACT?

- ▶ Prohibitions

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# Understanding The Brown Act

## Social Media Prohibitions

A committee member shall not respond directly to any communication regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member.

Majority may not use social media to discuss among themselves business of a specific nature that is within the subject matter of the Committee. "'Discuss among themselves' means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body (section 54952.2)

Includes communications made, posted, or shared between members of the Committee, including comments or use of digital icons that express reaction to communications made by other members of the Committee (e.g., emoji, like, etc.)

### What is allowed on Social Media (that is open and accessible to the public):

- ▶ Answering questions
- ▶ Providing information
- ▶ Soliciting information from the public

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# Understanding The Brown Act

## Social Media Takeaways:

Committee members may use internet-based social media platforms open and accessible to the public to engage in separate conversations or communications to:

- ▶ Answer questions from the public
- ▶ Provide information to the public
- ▶ Solicit information from the public

Committee members may use social media unrelated to board business

Committee members may not directly respond to any communication "made, posted, or shared by" another Committee member regarding committee business

Committee members must avoid otherwise permissible use of social media which results in a discussion between majority of Committee members regarding business of a specific nature

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## Understanding The Brown Act

- ▶ HANDLING DISRUPTIVE BEHAVIOR, INTERRUPTIONS, AND THREATS

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## Understanding The Brown Act

### Disruption, Interruption, Threats

- ▶ Committee president shall not permit any disturbance or willful interruption of Committee meetings.
- ▶ Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds to terminate the privilege of addressing the Committee.
- ▶ Clearing the Room (section 54957.9); Removal for not ceasing disruptive behavior. (section 54957.95)
- ▶ **Prior to removal**, the individual shall be **warned** that their behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the Committee president, or designee, may have the individual removed from the meeting. (section 54957.95)
- ▶ When an individual's behavior constitutes **the use of force or a true threat of force**, the individual shall be removed from a Committee meeting **without a warning**. (section 54957.95)
- ▶ The Committee may order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the board. When the room is ordered cleared due to a disturbance, further board proceedings shall concern only matters appearing on the agenda. (Government Code section 54957.9)
- ▶ When disruptive conduct occurs, the board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. The board may direct the superintendent or designee to contact local law enforcement as necessary.

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# Understanding The Brown Act

- ▶ CONSEQUENCES FOR BROWN ACT VIOLATIONS

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# Understanding The Brown Act

## Consequences of Brown Act Violations

- ▶ Violations of the meeting notice and agenda provisions
  - ▶ may cause a **committee action to be null and void** if judgment is found against the District/committee.
  - ▶ Any interested party or the Sacramento County District Attorney must demand in writing that the committee "**cure or correct**" the alleged violation prior to action being commenced.
  - ▶ Civil Actions
- ▶ Any committee member who attends a committee meeting where action is taken in violation of any provision of the Act, and where the member intends to **deprive the public of information to which the member knows or has reason to know the public is entitled**, is guilty of a **misdemeanor** (section 54959)

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# Understanding The Brown Act

Q&A





## FACILITIES COMMITTEE BYLAWS

### I. Name

The name of the committee shall be the Facilities Committee.

### II. Authority

The Facilities Committee, hereinafter referred to as “the committee,” is a standing committee of the San Juan Unified School District Board of Education as established by formal board action and shall operate in compliance with the state’s open-meeting laws (Ralph M. Brown Act). In this regard, a majority of committee members shall not meet at the same time and place to hear, discuss, or deliberate upon any matter within the jurisdiction of the committee, and shall not make any agreement to take or refrain from taking any particular course of action, except during the course of a public meeting.

### III. Charge

As directed by the board, superintendent or designee, the committee shall consult and provide advice to the Board of Education and superintendent in an advisory capacity on matters pertaining to facilities. Final authority for facilities lies with the Board of Education (“board”).

### IV. Function

The work of the committee shall be aligned with board priorities and available resources, including staff time. At the board’s direction, the committee may collect information, respond to important issues, review materials, and develop recommendations. It may also meet and share information, interpretations or recommendations with other committees and district administration pertaining to planning of facilities.

In implementing the charge and functions, the committee shall review items and advise the board regarding:

- A. Allocation of resources to provide adequate, safe and appropriately maintained schools.
- B. Needs of the district including proposals related to categories which may require a large expenditure of funds or may be controversial in nature.
- C. Effective utilization of facilities due to enrollment problems caused by shifting, increasing, or declining enrollment or boundary issues.

### V. Meetings

- A. Regular committee meetings shall be held as scheduled during the committee’s annual organizational meeting (see section XIII).
- B. Additional meetings of the committee may be called if deemed necessary by the committee chair and staff liaison to ensure adequate time is provided to meet the committee’s charge.
- C. All meetings shall be properly agendized in accordance with these bylaws, district policies and the Ralph M. Brown Act.

### *Facilities Committee Bylaws*

- D. Meeting locations must comply with district policy and state and federal laws including provisions of the Ralph M. Brown Act.
- E. Meetings shall be conducted using the San Juan Unified Rules of Order as detailed in the appendix of the Board of Education's Governance Handbook.

#### VI. Voting and Quorum

For the purpose of taking action, a quorum shall consist of a simple majority of the appointed members of the committee. No action may be taken without a quorum; however, the committee may continue to meet and consider topics without a quorum.

#### VII. Staff Liaison

- A. The superintendent shall appoint a senior administrative staff liaison for this committee.
- B. The staff liaison shall serve as a resource, providing information and materials to the committee, as well as feedback to district administrators from the committee.
- C. The staff liaison, or designee, shall prepare and post agendas as required for the committee as well as compile minutes of each meeting for the committee's approval.
- D. The staff liaison and other district staff serve under the direction of the superintendent, who prioritizes their time and other resources. Individual committee members shall not direct staff or contact staff to request data or other information. Such requests will come from the committee chairperson to the staff liaison, who will determine if staff resources are available and if the request aligns with the priorities of the superintendent and board.

#### VIII. Board Liaison

- A. One board member will serve as liaison to the committee and will be a non-voting member of the committee.
- B. The board liaison may provide a brief update at committee meetings at their discretion.
- C. The board liaison will provide clarification to the committee at their discretion as deemed appropriate.

#### IX. Composition

The committee shall be composed of two appointees from each member of the board.

- A. Each individual board member shall appoint committee members subject to ratification by a majority vote of the board.
- B. One appointee of each board member must reside within the trustee area of the appointing board member.
- C. Committee members may only serve on one board-appointed advisory committee.
- D. Employees who are represented by an employee group (CSEA, Confidential, Educationally Related Mental Health Worker, SJAA, SJPEC, SJTA, Supervisors, Teamsters) shall not serve as board-appointed members of the committee.

#### X. Selection of Members

The process for selection of community members is as follows:

- A. The staff liaison will inform the board administrative assistant of all committee vacancies.
- B. The board administrative assistant will inform the appropriate board member of vacancies.

### *Facilities Committee Bylaws*

- C. Interested individuals will submit an application to the board administrative assistant. Applications may be submitted at any time, even if an opening is not currently available, and will be kept on file for the current school year.
- D. Each board member shall appoint two community members to the committee after reviewing their applications by notifying the board administrative assistant who shall schedule the appointment for ratification by the board.
- E. The appointment becomes effective upon ratification by majority vote of the board.

#### XI. Term

- A. Committee members shall serve two-year terms.
- B. A committee member may only serve up to three consecutive full terms for a total of six years. Members who are appointed to fill a vacancy may complete up to three full consecutive terms if reappointed. Board members must notify the board administrative assistant of their intent to reappoint and reappointments must be ratified by majority vote of the board.
- C. Terms will begin in August and end in July. Terms shall be staggered such that half of the committee members' terms will expire in even-numbered years and the remaining half of committee members' terms will expire in odd-numbered years.
- D. All members should be prepared to attend all regularly scheduled meetings. Two absences from regularly scheduled meetings within the academic school year will initiate a notice to the appointing board member. The appointing board member will determine whether the committee member should continue on the committee.
- E. Newly elected board members will be given the option to appoint their own committee members or continue with the current appointee. New appointments are subject to ratification by majority vote of the board.
- F. The board member who appoints a committee member may remove that committee member at any time. A new appointment may then be made, subject to ratification by majority vote of the board, by notifying the board administrative assistant.
- G. Civil and appropriate behavior are expected of all committee participants. Committee members who fail to meet the requirements of board policy 0201 and the district's volunteer code of conduct are subject to removal by majority vote of the board.
- H. Any existing committee members who become ineligible to serve upon adoption of these bylaws shall be allowed to complete the remainder of their term, subject to removal by their original appointing board member or under the terms of item F above.

#### XII. Vacancies

- A. The staff liaison and board administrative assistant shall collaborate to promptly identify any vacancies on the committee and ensure notification of the appropriate board member(s).
- B. The appropriate board member shall appoint a replacement member to serve the remainder of the term. If the board member fails to make an appointment within thirty (30) days after notification, the board president will serve a written reminder notice of the need to fully staff the committee to the appropriate board member.



*Facilities Committee Bylaws*

XIII. Organizational Meeting

The annual organizational meeting of the committee shall occur at the committee's first meeting of each academic year. The committee shall do all of the following at its organizational meeting:

- A. Establish an annual schedule of regular meetings.
- B. Review the committee bylaws and receive training on the Brown Act.
- C. Elect committee officers. (See section XIV, below.)

XIV. Elections

Elections shall be held during the committee's organizational meeting, and the committee shall:

- A. Seek nominations from all eligible committee members.
- B. With a quorum at the organizational meeting, the committee shall elect by majority vote the following officers:
  1. A chairperson who shall be elected for one year and be eligible for re-election for one additional term. The chairperson shall:
    - a. Preside at all meetings.
    - b. Coordinate with the staff liaison in developing each meeting's agenda.
    - c. Work with the staff liaison to ensure compliance with the Brown Act, these bylaws and all district policies and procedures.
    - d. Review a draft of meeting minutes prior to their presentation to the committee.
    - e. Prepare or delegate the preparation of the annual summary report and any committee reports.
    - f. Sign all letters, reports and other communications representing the committee.
    - g. Meet with the board liaison, staff liaison, superintendent and/or board president as needed.
  2. A vice chairperson who shall be elected for one year and be eligible for re-election for one additional term. The vice chairperson shall assume the duties of the chair in the chair's absence.
- C. If the committee cannot have an election or does not reach a majority decision, the board liaison shall select a chairperson to serve until the committee elects a successor.
- D. If an officer position becomes vacant, the chairperson may appoint any eligible member in good standing to fill the remaining term of the position. If both the chairperson and vice chairperson become vacant at the same time, the board liaison shall appoint officers until such time that the committee can elect new officers at a regularly scheduled meeting.
- E. Training for the chairperson and vice chairperson shall be held annually.

XV. Agendas

To provide consistency in how the public may expect to engage with district committees, the committee's agenda and minutes format will mirror that of the school board and other appointed committees.

- A. Visitor Comments
  1. General visitor comments regarding topics not on the agenda shall be heard prior to the regular business discussion or action items.

### *Facilities Committee Bylaws*

2. Visitor comments related to an agenda item shall be heard after the item is presented but prior to discussion by the committee to allow for consideration of comments in the committee's discussion.
  3. Visitor comments will be limited to two minutes. Time shall be extended for those who require the use of a translator or need other communication supports.
  4. Visitors must submit a speaker card to the designated committee member or staff person at the meeting informing the committee of their interest to speak.
- B. Agenda Items
1. Agenda item requests from committee members shall be forwarded to the committee chairperson and staff liaison. If the chairperson and staff liaison jointly determine that the topic meets the charge of the committee, is aligned with current board priorities and staff resources are available, the item shall be placed on a future agenda. The superintendent or superintendent's designee may also place an item on the committee agenda in preparation for a future board discussion.
  2. If the chairperson and staff liaison are not in agreement that a requested agenda item meets the charge of the committee, is aligned with current board priorities, or can be met with available staff resources, the question may be appealed to the superintendent who shall make a final determination.
  3. To determine if a majority of the board would like committee input on a specific topic, the committee may, after majority vote, request that the board liaison present the topic to the board president and superintendent. At the discretion of the board president and superintendent, the item may be placed on a board agenda for discussion. A majority of the board, through action or consent, may or may not refer the topic back to the committee for further research and discussion.
- C. Posting Requirements
1. Agendas for regular meetings must be posted to the committee's webpage at least 72 hours prior to the meeting.
  2. Agendas for emergency meetings must be posted at least 24 hours prior to the meeting on the committee's webpage.
  3. Members of the public who require agendas in an alternative format may request accommodations through the committee's staff liaison.
- XVI. Annual and Board Reports
- A. The committee chairperson will prepare an annual summary report for the board no later than June 15 of each year.
    1. The report will compare committee activities and products with its charge and function.
    2. The report should be concise and no more than one to two letter size pages.
    3. The report will outline work in progress, unforeseen issues and provide a summary of input and feedback collected by and generated from the committee.
  - B. The committee chairperson may provide update reports to the board on topics and business directly related to the committee's work.
    1. Written updates may be delivered to board members via email.

*Facilities Committee Bylaws*

2. Time is provided on each regular agenda of the Board of Education for board-appointed and other district committees to provide updates. Because the specific committees and topics provided under this agenda item are not agendized in advance for public consideration, updates provided should be brief in nature and for the purpose of informing members of the board. If a topic requires or would benefit from significant board discussion or public participation it must be agendized as a business item on the board agenda and should not be presented as a committee update report. As a courtesy, the committee chair should notify the staff liaison of their intent to provide an update at a board meeting no later than noon on the day of the meeting.

XVII. Budget

The board will determine the budget, which will cover the operating costs of all board advisory committees.

XVIII. Amendments

As the authorizing and appointing body, the Board of Education must approve changes to the committee bylaws. Amendments can be made in one of two ways:

- A. A majority of the committee, at a scheduled and agendized committee meeting, may vote to recommend changes. The staff liaison will present changes supported by a majority vote to the superintendent, or designee, for consideration and recommendation to the board.
- B. District staff may propose revisions to align the bylaws with Board of Education interests, current practices or changes to legal requirements when necessary. Such recommendations will be presented to the committee for input and feedback prior to being placed on the board agenda for consideration.

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12/06/94	Approved by the Facilities/Transportation/Finance Committee
12/13/94	Approved by the Board of Education
03/24/98	Revised/Approved by the Board of Education
03/05/12	Revised/Adopted by FT & F
10/09/12	Revised/Approved by the Board of Education
06/23/15	Revised/Approved by the Board of Education
06/27/17	Revised/Approved by the Board of Education
08/28/18	Revised/Approved by the Board of Education
03/28/23	Revised/Approved by the Board of Education



# San Juan Unified School District Facilities Committee

- Anderson Berry, Chair
- Melinda Avey, Asst. Chair
- Lupita Alcalá
- Rachel Andrakowicz

- Maggie Cooper
- Tina Cooper
- Ashley Freer
- Fred Latu

- Peter McKane
- Murad "Moe" Sarama
- Steve Ward
- Fedros Yavrom

**We commit to:**

- o *Being responsive to the needs of students*
- o *Conducting meetings that are: Effective, Efficient and Decisive*
- o *Focusing on solving problems*
- o *Working together through the committee chair*
- o *Recognizing the committee's role as a recommending body*
- o *Differentiating between fact and opinion*
- o *Clearly defining and agreeing upon mission*
- o *Members having open minds and being creative*
- o *Abide by Brown Act concept and principles*
- o *Being responsive to the direction of the Board as a whole*
- o *Members being polite, respectful, and supportive of other's time and opinions*

## MINUTES

June 6, 2023

District Office Board Room

3738 Walnut Avenue, Carmichael, CA 95608

**I. CALL TO ORDER – 6:30 p.m.**

Mr. Berry called the meeting to order at 6:31 p.m.

**II. VISITOR COMMENTS\*- 6:35 p.m.**

Kimberly Klippel, Whitney Avenue Elementary teacher, made comments regarding site security and the need for a gate to be installed at her school site

Randy Lively, custodian at Whitney Avenue Elementary, made comments pertaining to site security at Whitney.

Leslie Dulaney, Whitney Avenue Elementary employee, made comments on Whitney's site security.

Emily Baker, Whitney Avenue Elementary teacher, commented on the site's security and encouraged a gate be installed at the school site.

Susan Simin, Trajan Elementary teacher, made comments about TK classroom furniture and implementation plan.

Tiba Jasim, Whitney Avenue Elementary student, spoke to the need for a gate to be installed at her school site and shared her concerns regarding site security and student safety.

**III. BUSINESS ITEMS – 6:40 p.m.**

**1. Approval of the Minutes – May 2, 2023 - Action**

**(Berry)**

Material Provided (Pages 2-4)

As so moved by Ms. Avey, seconded by Mr. Sarama. The vote passes unanimously.

**2. Chair Report**

**(Berry)**

Mr. Berry had nothing to report.

**3. Board Member Report**

**(Hernandez)**

Mr. Hernandez reported that today was the last day of school. All graduation ceremonies are done.

There are exciting changes occurring, we have a new superintendent after Mr. Kern served 35 years at SJUSD.

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#### 4. Surplus Property Process – Report

(Camarda/Macy)

Material Provided (Pages 5-16)

Mr. Camarda opened the item. He would like to walk the committee through the entire La Entrada surplus property process as it occurs. Mr. Camarda introduced Ms. Macy, attorney for Lozano Smith, who presented the PowerPoint to the committee. Ms. Macy went over the steps to the surplus process: the 7/11 committee, required offers, public notices, declarations, actions that would occur during Board of Education meetings, the state waiver process, and an estimated timeline of the surplus property process.

##### Questions/Comments:

Mr. Sarama asked about the total acreage for the San Juan Unified School District.

Mr. Camarda is not sure about total acreage but will find the information.

Mr. Berry asked how the 7/11 committee is formed.

Ms. Macy replied that the 7/11 committee is appointed by the Board and explained the application process.

Ms. M. Cooper asked at what point the community can provide feedback on the process.

Ms. Macy replied that feedback, via public comment, can be given at any of the district's board meetings, Facilities Committee or BOC meetings, or at the 7/11 committee meetings.

Mr. Hernandez referred to the old Sylvan Middle School and its surplus process. More family homes equates to more students, which is good for the district.

Mr. Camarda added that there will be a best use analysis done on the property and recommendations will be made after that is done.

Ms. Macy pointed out that long-term use could also be an option after the analysis. If the property is not titled for its intended purpose, the buyer must go through the entitlement process.

Mr. Hernandez commented that serving on the 7/11 committee is a great learning experience.

Mr. McKane asked if Sylvan Middle School went through the Naylor Act process.

Mr. Camarda answered no, he does not believe so. The fields were kept for future new Sylvan use.

Mr. Berry asked for information on the timeline of this process.

Mr. Camarda referred to and recapped the timeline provided in the meeting packet (page 13).

Ms. Macy added that if all stays on schedule, it is around an 18-month process.

#### 5. Boundary Map Adjustment and Enrollment Demographics – Report/Action?

(Camarda)

Material Provided (Pages 17-26)

Mr. Camarda recapped the item from the last meeting. The committee had requested demographic data and community profiles for each involved area. This data was provided, and Mr. Camarda explained the demographic tables with the ethnicity breakdowns versus what is reported for community profiles.

##### Questions/Comments:

Ms. M. Cooper stated she likes scenario one, the lines are cleaner. Scenario two has jagged lines, which she does not care for. Based on the ESRI community profile data, she is curious where the students are going.

Mr. Camarda replied that they may be open enrolling out of their resident boundary. It is hard to say without really digging into the ESRI data.

Mr. Ward, in looking at the 2029/2030 data, asked if we are trying to match resident populations with site capacity. What happens if sites are overloaded?

Mr. Ginter answered that sites do have capacity limits. Once they reach that limit, resident students can be overloaded into the next closest school site.

Mr. Ward asked when KJMS is expected to be completed. A boundary map scenario needs to be selected by when?

Mr. Camarda answered that he would like to bring a recommendation to the board in September 2023.

Ms. Freer asked about transportation and if it will be made available to the general student population.

Mr. Camarda replied general transportation via SJUSD is not offered at this time. We are trying to plan boundaries out so that the majority of students are within a 1.5 mile walking range. After a map is selected, Safe Routes to School can really dig into the walking paths to ensure the safest routes to school.

Ms. Freer mentioned that some families depend on proximity, and this is important to her.

Mr. Camarda replied the west end middle schools will be nicely geographically spaced. The new boundaries should improve proximity issues. We tried to condense boundaries as best as possible.

Mr. Sarama asked about parking at the new KJMS site. Are we really expecting 400 cars during the start/end of school?

Mr. Camarda answered that is average of middle schools within the area. After a new boundary map is chosen, a new

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traffic study will be conducted as well.

Mr. Sarama moves to adopt boundary map scenario No. 1 as the committee’s recommendation. This was seconded by Ms. Avey. The vote passes unanimously.

**6. Avey/Sub. Committee Update, Non-Permitted School Use – Report**

**(Avey)**

Ms. Avey gave the committee an update on the sub. committee’s progress thus far. They are working on a Google survey which will be sent out to the high school’s athletic directors to gather feedback for feasibility. She expects to have results in September 2023. The sub. committee is utilizing the FACE department as well to cast a wider net for feedback.

**Questions/comments:**

Mr. Sarama asked if they have reached out to principals on this subject, yet.

Ms. Avey replied just the athletic directors for now.

Mr. Sarama said he has spoken with some people about this subject and not many are enthusiastic about the idea.

Ms. Freer is interested in the survey responses and would like to see a committee discussion item about it in the future.

Mr. Berry reopened the floor for public comment on this item.

Susan Simin, Trajan Elementary teacher, stated she is concerned about after-hours public use. What about potential vandalism?

**IV. FUTURE AGENDA ITEMS – Discussion 7:30– 7:40 p.m.**

Mr. Sarama requests a transportation update/presentation.

Ms. Freer would like to learn more about the TK plan for Facilities, including room specifications and CDE recommendations.

**Next meeting date: Tuesday, September 5, 2023**

**V. INFORMATION – 7:40 p.m.**

1. Attendance Summary..... Page 27

2. Board of Education Future Agenda Items..... Pages 28

**VI. ADJOURNMENT – 7:45 p.m.**

Mr. Berry adjourned the meeting at 8:02 p.m.

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# Facilities Committee Attendance Summary 2023-2024

Committee Members (Initials: board members)	09-05-2023	10-03-2023	11-07-2023	12-05-2023	01-02-2024	02-06-2024	03-05-2024	04-02-2024	05-07-2024	06-04-2024
Maggie Cooper (ZC)										
Rachel Andrakowicz (TK)										
Steve Ward (SH)										
Ashley Freer (PV)										
Anderson Berry (BA)										
Tina Cooper (PC)										
Lupita Alcalá (PV)										
Melinda Avey (SH)										
Fedros Yavrom (PC)										
Vacant (ZC)										
Murad "Moe" Sarama (Vacant)										
Peter McKane (BA)										

**Board of Education / Appointees (Term Expires)**

Pam Costa (12/24)	<i>Fedros Yavrom (12/23)</i>	<i>Tina Cooper (12/24)</i>
Saul Hernandez (12/24)	<i>Steve Ward (12/24)</i>	<i>Melinda Avey (12/24)</i>
Paula Villescaz (12/24)	<i>Lupita Alcalá (12/23)</i>	<i>Ashley Freer (12/24)</i>
Zima Creason (12/26)	<i>Maggie Cooper (12/23)</i>	<i>Fred Latu (12/23)</i>
Ben Avey (12/26)	<i>Anderson Berry (12/23)</i>	<i>Peter McKane (12/24)</i>
Vacant (12/26)	<i>Murad "Moe" Sarama (12/24)</i>	-
Tanya Kravchuk (12/26)	<i>Rachel Andrakowicz (12/24)</i>	-

\*Chair

\*\*Assistant Chair

**SAN JUAN UNIFIED SCHOOL DISTRICT  
TENTATIVE BOARD AGENDA ITEMS  
2023-2024**

**SEPTEMBER 12**

*Meet and Greet (before board meeting)*

- Recognition: 2024 Teachers of the Year – A Toto
- Professional Learning Update – R Slavensky
- Cultivating Leaders Program – R Calvin
- 2022-2023 Unaudited Actuals and 2023-2024 Revised Budget – A Stahlheber
- Public Hearing: Katherine Johnson MS Conveyance of Easement to SMUD – A [Discussed 08/22/23] Camarda
- Exemption to the Separation-From-Service Requirement – A Toto
- \*Resolution: GANN Limit – A Stahlheber

**SEPTEMBER 26**

- Recognition: Week of the School Administrator (Oct. 8-14) – A Toto
- Summer School Update – R Schnepf
- Special Education Inclusive Practices – R Calvin
- Early Literacy Support Block Grant Annual Report – A Townsend-Snider
- Public Hearing: Sufficiency of Textbooks and Instructional Materials and Adoption of Resolution – A Slavensky
- \*Consolidated Application, 2023-2024 – A Calvin
- \*Commit Fund Balance – A Stahlheber

**OCTOBER 10**

- Proposition 28: The Arts and Music in Schools Funding Guarantee and Accountability Act Plan – R Slavensky
- Arts, Music, Instructional Media Block Grant – A Slavensky
- La Vista Center Update – D Calvin
- Variable Term Waivers – A Toto
- Assignment of Teachers Outside Regular Base Credential – A Toto
- Provisional Internship Permits – A Toto

**OCTOBER 24**

- Recognition: School Psychology Awareness Week (Nov. 6-10) – A Calvin
- 2022-2023 End of Year Data Summary – R Slavensky
- Public Hearing: Proposed Fee Increase for Fee-Based ECE Programs – D Townsend-Snider
- Williams Complaint Report – R Gaddis

**NOVEMBER 14**

- Learning Recovery Emergency Block Grant – R Slavensky
- Innovative School Update – R Townsend-Snider
- Proposed Fee Increase for Fee-Based ECE Programs – A [Discussed 10/24/23] Townsend-Snider
- Set Annual Organizational Meeting – A Board

**DECEMBER 12**

*Board Reception/Swearing-In (before board meeting)*

- Annual Organizational Meeting – A Board
- Family and Community Engagement Update – R Allen
- 2022-2023 Audit Report – A Stahlheber
- 2023-2024 First Interim & Budget/Financial Status Report – A Stahlheber
- \*Minimum Wage Increase (Short Term, Temporary) – A Toto

**JANUARY 9**

- Workshop: The Brown Act, Board Governance, Governance Handbook – D Gaddis
- Universal Prekindergarten Planning and Implementation Update – R Townsend-Snider
- Williams Complaint Report – R Gaddis



Annual Policy Review – D	Gaddis
BP 3430 Investing and Debt Management	
BP 5116.1 Intradistrict Open Enrollment	
BP 6145 Extracurricular/Cocurricular Activities	
BP 6020 Parent Involvement	
*Resolution: Emergency Contracting – A	Stahlheber
*Resolution: Authorized Signature - Power to Contract on Behalf of the District – A	Stahlheber
*Resolution: Delegating Signature Authorization to the Superintendent – A	Stahlheber

**JANUARY 23**

Recognition: 2024 Classified Employees of the Year – A	Toto
Recognition: National School Counseling Week (Feb. 5-9) – A	Schnepf
Bond Program Update – R	Camarda
Government Affairs (Legislative) Update – R	Thigpen
*Annual Policy Review – A [Discussed 01/09/24]	Gaddis
BP 3430 Investing and Debt Management	
BP 5116.1 Intradistrict Open Enrollment	
BP 6145 Extracurricular/Cocurricular Activities	
BP 6020 Parent Involvement	
*School Accountability Report Cards (SARCs) – A	Slavensky
*LCAP Federal Addendum Annual Revision – A	Calvin
*Continued Funding Application CSPP & CCTR – A	Townsend-Snider
*Early Head Start/Head Start Year 1 Budget Mod/Carryover Funds – A	Townsend-Snider
*Resolution: Federal Surplus Property participation renewal – A	Stahlheber

**FEBRUARY 13**

Public Hearing: Camp Winthers Fee Increase – D	Schnepf
Mid-Year LCAP Update 2023-2024 – R	Slavensky
Choices Charter School Mid-Year LCAP Update 2023-2024 – R	Ginter
Recommendation for Reductions in PKS & Criteria for Tie Break (Certificated TK-12) – D	Toto
Recommendation for Reductions in PKS & Criteria for Tie Break (Certificated ECE) – D	Toto
Recommendation for Reductions in PKS & Criteria for Tie Break (Certificated Adult Ed) – D	Toto
Notice of Intent to Reduce Classified Positions – D	Toto
*EHS/HS Year 2 Budget Carryover Funds – A	Townsend-Snider

**FEBRUARY 27**

Recognition: Arts Education Month (March) – A	Townsend-Snider
Recognition: National School Social Work Week (Mar. 3-9) – A	Calvin
Instructional Materials Update – R	Slavensky
Second Interim Budget Report – R	Stahlheber
Camp Winthers Fee Increase – A [Discussed 02/13/24]	Schnepf
Resolutions: Reductions in PKS & Criteria for Tie Break (Certificated TK-12) – A [Discussed 02/13/24]	Toto
Resolutions: Reductions in PKS & Criteria for Tie Break (Certificated ECE) – A [Discussed 02/13/24]	Toto
Resolutions: Reductions in PKS & Criteria for Tie Break (Certificated Adult Ed) – A [Discussed 02/13/24]	Toto
Resolution: Notice of Intent to Reduce Classified Positions – A [Discussed 02/13/24]	Toto
2024 CSBA Delegate Assembly Election – A	Board

**MARCH 19 (3rd Tuesday)**

Elevating Youth Voice – R	Calvin
District K-12 Mathematics Update – R	Slavensky
Nutrition Services Update – R	Camarda
*Resolution: Election Order – A	Board
*2024-2025 Transportation Plan – A	Camarda
*Head Start and Early Head Start Grant Application 2022-2023 – A	Townsend-Snider
*Audit Report for Measures J, N, P and S – A	Stahlheber

**APRIL 9**

Recognition: Week of the Young Child (Apr. 1-5) – A	Townsend-Snider
Recognition: School Bus Driver’s Appreciation Day (Apr. 23) – A	Toto
Instructional Materials Adoptions – D	Slavensky
New High School Courses – D	Slavensky
Williams Complaint Report – R	Gaddis
Proposed Board Meeting Dates for 2024-2025 – A	Board

**APRIL 23**

Recognition: California Day of the Teacher (May 8) – A	Toto
Recognition: National Nurses Week and National School Nurse Day (May 6-12 & May 8) – A	Calvin
Expanded Learning Opportunities Update (Secondary) – R	Schnepf
Technology Update – R	Skibitzki
Safety and Safe Schools Update – R	Allen
*Instructional Materials Adoptions – A [Discussed 04/09/24]	Slavensky
*New High School Courses – A [Discussed 04/09/24]	Slavensky

**MAY 14**

Recognition: National Speech Pathologist Day (May 18) – A	Calvin
Recognition: Classified School Employee Week (May 19-25) – A	Toto
English Learner Update – R	Calvin
Expanded Learning Opportunities Update (Elementary) – R	Townsend-Snider
Hearing Officer’s Recommendation-2024 RIF (if applicable) – A	Gaddis
*Approval of CTE 2024 Advisory Committee Roster – A	Schnepf
*Head Start/Early Head Start COLA Funding Allocation 2024-2025 – A	Townsend-Snider
*Resolution: CSPP Continued Funding Application Designated Personnel 2024-2025 – A	Townsend-Snider

**MAY 28**

Recognition: National Science Bowl (if applicable) – A	Schnepf
Recognition: Science Olympiad (if applicable) – A	Schnepf
Recognition: Academic Decathlon (if applicable) – A	Schnepf
Expanded Learning Opportunities Program (ELO-P) Update – R	Calvin
Early Childhood Education Update – R	Townsend-Snider
*Head Start/Early Head Start Contract Resolution FY 2024-2025 – A	Townsend-Snider

**JUNE 11**

Public Hearing: LCAP – D	Slavensky
Public Hearing: LCAP/Choices Charter School – D	Ginter
Early Literacy Support Block Grant Annual Report – R	Townsend-Snider
Public Hearing: Adoption of the 2024-2025 Budget – D	Stahlheber
Temporary Interfund Borrowing of Cash – A	Stahlheber
*CIF Superintendent Designation of Representatives 2024-2025 – A	Schnepf
*ECE Program Self-Evaluation for CDE – A	Townsend-Snider

**JUNE 25**

California School Dashboard Local Indicators – R	Slavensky
LCAP – A [Public Hearing 06/11/24]	Slavensky
Choices Charter School California School Dashboard Local Indicators – R	Ginter
LCAP Choices Charter School – A [Public Hearing 06/11/24]	Ginter
Adoption of the 2024-2025 Budget – A [Public Hearing 06/11/24]	Stahlheber
*2023-2024 Actuarial Report (OPEB) – A	Stahlheber
*Charter School 2022-2023 Audit Reports (AAT, CMP, GIS, GV, OFY, VIE) – A	Stahlheber
*2024-2025 School Plan for Student Achievement (SPSAs) – A	Calvin

D=discussion; A=action; \*=consent; R=report; PC=public comment