

## BYLAWS OF THE BOARD — 9000 SERIES

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Objectives of Council Operations

In keeping with the stated purpose in the Joint Powers Agreement, the Council's primary objective is to provide students in the participating districts the highest quality vocational education. This objective is the ultimate criterion for the Council's educational and operational judgment. It shall be the foundation of policy, rules, and regulations.

Duties of the Council Members

The duties of individual Council Members are:

1. To be familiar with the Joint Powers Agreement and all applicable codes, with policies and procedures, and with the philosophy and operational principles.
2. To represent the Council and the ROP in such a way as to promote interest in and support of the program. No individual Council Member or groups of Council Members have independent authority to speak for the Council unless explicitly directed to do so by the Council.
3. To vote and act for the overall good of the ROP while still representing his/her own district.
4. To refer complaints to the Superintendent and to abstain from individual action.

Governance Functions

The Governing Council, acting in accordance with the Joint Powers Agreement, exercises complete jurisdiction over all aspects of the program. The Council shall set policies which will be in accord with the Joint Powers Agreement, all applicable codes, and the desires of the participating districts, to ensure the orderly transaction of business and the fulfillment of program goals. The Council shall provide direction in relationship to planning and evaluation. The Council shall have final approval on the appointment of all staff.

The Governing Council shall provide for an annual budget, prepared under the direction of the Superintendent, and shall examine and approve each stage of the budget, provide for a public hearing, adopt the budget and keep it on file for public inspection. (Education Code 4200 et seq.)

The Council shall provide for budget control, auditing, and otherwise account for ROP receipts and expenditures through means of accounting and cost accounting systems. It shall prescribe policies and procedures in connection with the administration

thereof, and it shall prescribe such procedures and forms not in conflict with the state authority which it deems necessary.

The Council shall consider and adopt an annual calendar for the ROP.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Delegation of Authority

BB 9000 (2)

The Superintendent shall be the chief executive officer of the Council. The Council hereby delegates to the Superintendent all administrative authority within its power with the exception of the Superintendent's appointment or dismissal. This delegation shall carry with it full responsibility and the proper use of such authority.

The Superintendent shall develop rules and regulations for the administration of the ROP not inconsistent with adopted Council policy.

Although the Council delegates authority to the Superintendent, the Council, itself, is ultimately responsible to the electorate for the efficient and effective conduct of the affairs of the ROP.

Legal Reference:

Education Code:

35010	Control of district by board of trustees or board of education
35014	Adoption of rules by governing board
35020-35046	Officers and agents (power of governing board to appoint)
35100-35351	Governing boards - esp.
35160-35181	Powers and duties
35230-35240	Corrupt practices
35291	Rules
39013	Manner of acquisition; school site on property contiguous to district
39600-39621	Property maintenance and control
52300-52333	Regional Occupational Centers

Joint Powers Agreement

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Public Statements

BB 9010

All public statements in the name of the Council shall be issued by the Council President, or if appropriate, by the Superintendent at the direction of the Council President. No individual Council member shall make public statements in the name of the Council or statements that contravene the policies and actions of the Council, or that jeopardize the ability of the Council to act effectively.

When a Council decision has been reached, all Council members shall support that decision until amended or rescinded by Council action. Any Council member who may wish to criticize or oppose any specific Council action should do so only in a Council meeting.

No member of the Governing Council shall release information from a closed session.

Legal Reference:

Education Code

35014

Adoption of rules by the governing board for its own governance

First Reading:

11/6/90

Second Reading:

1/3/91

Adopted:

1/3/91

Revision  
BP 9120

Officers of the Council

The Council shall consist of three officers called the President, Vice President, and Clerk.  
The Superintendent, who is not a member of the Council, shall serve as secretary to the Council.

First Reading:	5/25/00
Second Reading:	6/22/00
Adopted:	6/22/00

Officers of the Council

9120

The Council shall consist of one officer, called the Chairperson. The Superintendent, who is not a member of the Council shall serve as secretary to the Council.

First Reading: Second	11/6/90
Reading: Adopted:	1/3/91
	1/3/91

No individual member and no group comprised of less than the full membership shall be designated as a permanent committee to perform any of the Council's functions except those for which state law requires signatories.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Temporary Council Committees

9140

At the request of the Council, the Chairperson shall appoint temporary committees comprised of less than the full membership for special purposes. These committees shall be discharged on the completion of their assignments.

The Chairperson of the Council shall be an ex-officio member of all committees.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Council members are the designated representatives of the school districts participating in the Joint Powers Agreement.

Council members are charged with the responsibility of directing the affairs of the ROP. The ROP shall operate according to the policies determined by members of the Council. When sitting as a Council, members have complete and full authority over personnel, policies, and the administration of the ROP through its appointed staff.

Members of the Council shall have authority only when acting as a Council legally in session. The Council shall not be bound in any way by any statement or action on the part of any individual Council member except when such statement or action is made in pursuance to specific instructions of the Council.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Duties of Council Member in Charge

9230

In the absence of the Chairperson, a Council member shall perform the duties of the Chairperson. He/she shall also be authorized to sign for the Council official documents such as notices of employment, contracts of employment, and other official papers as designated by the Education Code.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

The Superintendent is the Executive Secretary to the Council with duties as follows:

1. To keep accurate records of the transactions of the Council during meetings.
2. To transcribe the records of the Council meetings into Minutes of the meeting.
3. To supply copies of the Minutes of the Council meetings to members sufficiently soon after each meeting to allow study prior to acceptance of the Minutes.
4. To cause to be stored in a safe place Minutes of the Council meetings for each fiscal year.
5. To maintain a calendar of the Council's unfinished business and scheduled meetings and events.
6. To maintain official record of policies and bylaws of the Council.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

Adoption, Amendment, and Recision of Policies and Bylaws

BB9310

In order to assure that policy adopted by the Council is timely, legal, consistent, and in the public interest, the Council appoints the Superintendent as policy coordinator.

The Superintendent shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the Council at the first reading of the draft.

Prior to adoption, policies shall be given a first and second reading by the Council. The initial draft of a policy shall be presented at the first reading. The Council shall discuss the draft policy and make revisions if needed. The policy as revised shall be given a second reading at a subsequent meeting. The Council may make further revisions to the policy at that time. The policy shall then be adopted by a majority vote of all members of the Governing Council after the second reading. The action shall be recorded in the minutes. Only those written statements adopted and recorded shall constitute official Council policy.

If a policy or bylaw does not reflect the intent of the Governing Council or the law, it shall be rescinded by the same voting process by which it was adopted.

Council bylaws shall be handled in the same manner as policies.

Legal Reference:                      Education Code

35014	Adoption of rules by governing board
35163	Official actions, minutes, and journal
35164	Vote Requirements

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91

## **Bylaws of the Board**

### **Agenda/Meeting Materials**

**BB 9320**

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

The agenda shall provide members of the public the opportunity to address the Board on any agenda items before or during the Board's consideration of the item. The agenda shall also provide members of the public an opportunity to comment on items not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5, Government Code 54954.3)

At a time so designated on the agenda, members of the public may bring before the Board, at a regular meeting, matters that are not listed on the agenda. The Board may refer such a matter to the Superintendent or designee or take it under advisement, but shall not take action or comment at that time except as allowed by law. The matter may be placed on the agenda of a subsequent meeting for action or discussion by the Board, as deemed appropriate. (Education Code 35145.5, Government Code 54954.2)

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

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 calendar. 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 to the law, the public has a right to comment on and/or ask for the removal of any consent item. At the request of any member of the Board, staff or public, any item on the consent agenda shall be removed (or pulled) and given individual consideration for action as a regular agenda item.

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

### **Order of Meeting Agenda**

The order of agenda items may be modified to facilitate an effective meeting.

#### **1. Call to order**

#### **2. Pledge of Allegiance**

### **3. Roll Call**

### **4. Approval of Agenda**

### **5. Communication**

- a. Items from the Board
- b. Items from the Staff
- c. Oral Communications
- d. Written Communications
  
- e. Public Comment — Citizens wishing to comment on items not on the agenda  
*Individuals who wish to speak on items not on the agenda need to submit a green speaker card to the Superintendent's Administrative Assistant prior to Public Comment section of the agenda.*

*(Individuals who wish to make comments on items on the agenda need to submit a blue speaker card to the Superintendent's Administrative Assistant prior to discussion of agenda item.)*

### **6. Consent Calendar**

- a. Minutes
- b. Business & Finance
- c. Curriculum & Instruction
- d. Employment & Personnel

### **7. Regular Agenda Items**

- a. Business & Finance
- b. Board of Education

**9. Adjourn to Closed Session, if necessary**

**10. Reconvene to Open Session**

**11. Action from Closed Session, if  
appropriate**

**12. Board Requests**

**13. Adjournment**

<b>First Reading:</b>	<b>April 18, 2007</b>
<b>Second Reading:</b>	<b>May 16, 2007</b>
<b>Adopted:</b>	<b>May 16, 2007</b>

Annual Organizational Meeting

9333

The Council shall hold an annual organizational meeting on a day in December. Unless otherwise provided by rule of the Council, the day and time of the annual meeting shall be selected by the Council at its regular meeting held at that time and the Council shall notify the County Superintendent of Schools of the day and time selected. The Executive Secretary shall, within five (5) days prior to the date of the annual meeting, notify in writing all members of the date and time selected for the meeting.

At the annual meeting, the Council shall organize by electing a chairperson from its members.

First Reading:	11/6/90
Second Reading:	1/3/91
Adopted:	1/3/91