

BYLAWS OF THE BOARD

Agenda/Meeting Materials

Board Relations

Although recognized as separate legal entities, the Superintendent supports a cooperative working relationship between the San Joaquin County Office of Education (SJCOE) and the County Board of Education (Board). To that end, the office of the Superintendent regularly provides staff for the following:

- secretary (board agenda)
- standing committees
- reports to the Board

Agenda Content

Board 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. All agendas shall be posted as required by law.

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. The agenda shall also provide members of the public the opportunity to testify 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 should contact the Superintendent or designee if he/she requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting.

Agenda Preparation

The Superintendent, as secretary to the Board, shall develop the agenda for each regular and special meeting of the Board.

Any Board member may place any item on the agenda no later than fourteen (14) days before the scheduled meeting date. The Board president or Superintendent may add an item to the agenda no later than 72 hours prior to the scheduled meeting.

The Superintendent directs that all reports of programs and services, recommendations and other communications to the Board shall be copied to the Superintendent's office. Any item to be placed on a Board agenda shall be submitted to the Superintendent's office at least fourteen (14) days prior to the scheduled Board meeting.

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 must be in writing and submitted to the Superintendent with supporting documents and information, if any, at least ten (10) working days before the scheduled meeting date.

Any items submitted after the time lines mentioned above may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

When constructing the agenda, the Superintendent will 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, before placing the item on the agenda, the Superintendent shall determine if the item is merely a request for information.

The Superintendent shall decide whether the agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote or information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

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 policies and administrative regulations.

Agenda Dissemination to Board Members

A copy of the agenda and agenda packet shall be forwarded to each Board member at least three days before each regular meeting date, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens, and others; and other available documents pertinent to the meeting.

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

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not directly or

through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

Agenda Dissemination to Members of the Public

The Superintendent or designee shall 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 Board, whichever occurs first.

If a document which relates to an open session agenda item of a regular Board meeting 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 a designated location at the same time the document is distributed to all or a majority of the Board, provided the document is a public record under the Public Records Act. The Superintendent or designee may also post the document on the SJCOE website in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting.

Any document prepared by SJCOE or the Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document 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.

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.

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.

- cf:*
- 0000 Concept and Roles
 - 0200 Goals of the County Office of Education
 - 1120 Governing Board Meetings
 - 1312.1 Complaints Concerning Personnel or Programs
 - 1312.2 Complaints Concerning Instructional Materials
 - 1312.3 Uniform Complaint Procedures
 - 1312.4 Williams Uniform Complaint Procedures
 - 1340 Access to Public Records
 - 3320 Claims and Actions Against the County Office of Education
 - 5144.1 Suspension and Expulsion/Due Process
 - 9320 Meetings and Notices
 - 9321 Closed Session Purposes and Agendas
 - 9323 Meeting Conduct

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
- 54954.3 Agenda item allowing public input
- 54956.5 Emergency meetings
- 54957.5 Public records
- 54960.2 Challenging board actions; cease and desist

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