

Board Bylaws

Board Bylaw 9320(a)

MEETINGS AND NOTICES

Meetings of the Governing Board are conducted for the purpose of accomplishing district business.

A Board meeting exists whenever a majority of its members gather at the same time and place to hear, discuss or deliberate upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

In accordance with state open meeting laws, the Board shall hold its meetings in public and shall conduct closed sessions during these meetings only to discuss confidential matters specified by law. To encourage community involvement in the schools, meetings shall provide opportunities for questions and comments by members of the public and shall be conducted in accordance with law and Board-adopted bylaws.

(cf. 9321 – Closed Session Purposes and Agendas)

(cf. 9322 – Agenda/Meeting Materials)

(cf. 9323 – Meeting Conduct)

Direct communication, person intermediaries, and technological devices shall not be used by a majority of Board members to develop a collective concurrence as to an action that members will take on any item of district business. (Government Code 54952.2)

Meetings shall be held within district boundaries, except when otherwise allowed by law. (Government Code 54954)

Meetings shall be held in a facility that is accessible to all persons, including disabled persons, without charge. (Government Code 54961)

Meeting notices and agendas shall specify that individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in accessible formats, etc.) should contact the Superintendent or designee at least three days before the meeting date.

Regular Meetings

The Board shall hold one regular meeting each month. Date, time and place of this meeting shall be established at the annual organizational meeting.

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)

A notice of each regular meeting shall be mailed to any person who has filed with the Board a written request for such notice. The notice shall be mailed at least one week before the meeting. Requests are valid for one year from the date filed unless renewed.

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Renewal requests must be filed with 90 days after January 1 of each year. (Government Code 54954.1)

(cf. 1340 – Access to District Records)

In a fire, flood, earthquake or other emergency renders the regular meeting place unsafe; meetings may temporarily be held at a place designated by the president or designee, who shall so inform, by the most rapid available means of communication, all news media who have requested notice of special meetings. (Government Code 54954)

Special Meetings

Special meetings of the Board may be called by the presiding officer or a majority of the Board members. (Government Code 54956)

Notice of special meetings shall be delivered either by mail or personally at least 24 hours before the meeting to all Board members, the Superintendent, and the local media who have requested such notice in writing. This notice also shall be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed; no other business shall be considered at these meetings. (Education Code 35144, Government Code 54956)

When a special meeting is called at least one week in advance, a notice of the meeting shall be mailed at least one week before the meeting to any person who has appropriately filed with the Board a written request for notice of regular meetings. (Government Code 54954.1)

Notices of special meetings at which action is proposed shall provide an opportunity for the public to address the Board on the item before action is taken. (Government Code 54954.3)

(cf. 9323 – Meeting Conduct)

At least 72 hours public notice shall be given for any retreats, study sessions or training sessions held by the Board. All such meetings shall be held within district boundaries, and action items shall not be included.

Emergency Meetings

The Board may hold an emergency meeting without complying with the 24-hour notice requirement in the following cases: (Government Code 54956.5)

1. A work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.

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2. A crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.

The Board president or designee shall give notice of the emergency meeting to the local media by telephone at least one hour before the meeting. If telephone services are not functioning, the notice requirement of one hour is waived. As soon after the meeting as possible, the Board shall notify local media which have required notice for special meetings, describing the purpose of the meeting and any action taken by the board. (Government Code 54956.5)

No closed session may be held during an emergency meeting. All other rules governing special meetings shall be observed, with the exception of the 24-hour notice requirement. (Government Code 54956.5)

The minutes of the meetings, a list of persons the president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned Meetings

A majority vote by the Board may adjourn any meeting to a later time and place which shall be specified in the order of adjournment. Within 24 hours after a meeting has been adjourned to a later time, a copy of the order of adjournment shall be posted at the meeting site.

If no members are present at any regular or adjourned regular meeting, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Video Teleconferencing

The Board may use video teleconferences for Board meetings when receiving public comment or testimony and during Board deliberations. Agendas shall be posted at all video conference locations whenever they are posted elsewhere. (Government Code 54953)

All Board policies and administrative regulations shall apply equally to meetings that are video conferenced. The Superintendent or designee shall facilitate public participation in the meeting at each video teleconference location.

Hearings

The Board may occasionally convene public hearings at which no Board action is to be taken. Such hearings are held solely to allow the Board and members of the public to receive information. A hearing may take place immediately prior to a Board meeting.

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If a quorum of Board members is present at a hearing, notice of the hearing shall be provided according to procedures specified above for regular meetings.

Other Gatherings

Attendance by a majority of the Board's members at any of the following events is not subject to state open meeting laws provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering that involves a discussion of issues of general interest to the public or to school boards.
2. An open, publicize meeting organized by a person or organization other than the district to address a topic of local community concern.
3. A purely social or ceremonial occasion.

Individual contacts or conversations between a Board member and any other person are not subject to open meeting laws. (Government Code 54952.2)

Legal Reference:

EDUCATION CODE

35140 *Time and place of meetings*
35143 *Annual organization meeting, date and notice*
35144 *Special meeting*
35145 *Public meetings*
35145.5 *Agenda; public participation; regulations*
35146 *Closed session*

GOVERNMENT CODE

54950-54957.9 *Meetings, especially;*
54953 *Meetings to be open and public; attendance*
54954 *Time and place of regular meetings; holidays; emergencies*
54954.1 *Mailed notices*
54954.2 *Agenda posting requirements, board actions*
54954.3 *Opportunity for public to speak*
54956 *Special meetings; call; notice*
54956.5 *Emergency meetings in emergency situations*
54957.5 *Agenda distribution*
54961 *Prohibition on use of certain facilities*

UNITED STATES CODE, TITLE 42

12101 *et seq. Americans With Disabilities Act*
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 *Effective communications*
36.303 *Auxiliary aids and services*
78 *Ops. Cal. Atty. Gen. 827 (1995)*
79 *Ops. Cal. Atty. Gen. 69 (1996)*

Management Resources:

Open Meeting Laws, California Attorney General's Office, 1989

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WEST SONOMA COUNTY UHSD
Sebastopol, California