

Bylaws of the Board

AGENDA/MEETING MATERIALS

BB 9322

Agenda Content

Governing Board meeting agendas shall reflect the district's vision and goals and the Board's focus on student learning and well-being.

Each agenda shall state the meeting time and location and shall briefly describe each 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 item before or during the 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 by a committee comprised exclusively of Board members, provided that members of the public were afforded an opportunity to comment on the item, before or during the committee's consideration of the item, and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular Board meeting shall also provide members of the public an opportunity to provide comment on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of documents related to an open session item that have been distributed to the 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 for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the Board meeting. (Government Code 54954.2)

Each agenda shall include a statement regarding the option for students and parents/guardians to request that directory information or personal information of the student or parent/guardian, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes. The agenda shall also state that the request must be made in writing to the secretary or clerk of the

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Board.

Agenda Preparation

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

Any Board member or 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 shall be submitted in writing to the **Board President and Superintendent or designee** with supporting documents and information, if any, at least **10 calendar days** before the scheduled meeting date **in order to provide the superintendent the opportunity to evaluate the request with staff at the prior Executive Leadership Team meeting.** Items submitted less than **10 calendar days** before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board president and Superintendent shall decide whether a request from a member of the public 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 Board president and Superintendent shall determine if the item is merely a request for information, and if so, respond accordingly.

If an issue comes before the board that was previously discussed in open session, Board President will poll the board as to whether or not the item should be reagendaized at the next regular board meeting.

If the Board president and Superintendent deny a request from a Board member to place an item on the agenda, the Board member may request the Board to take action to determine whether the item shall be placed on the agenda.

The Board president and Superintendent shall also decide whether an 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 an information item that does not require immediate action.

In order to promote efficient meetings, the Board may bundle a number of

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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 and items for which Board discussion is not anticipated and for which the Superintendent recommends approval. When any 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.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item unless such item has been previously considered at an open meeting of a committee comprised exclusively of Board members. (Government Code 54954.3)

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 Board policies and administrative regulations.

Agenda Dissemination to Board Members

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

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

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, 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 Board.

Agenda Dissemination to Members of the Public

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Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. Only those documents which are disclosable public records under the Public Records Act (PRA) 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 Superintendent or designee shall post the agenda on the homepage of the district web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the district's 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 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. (Government Code 54957.5)

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. (Government Code 54954.1)

The Superintendent or designee shall email a copy of, or a web site link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the Superintendent or designee determines that it is technologically infeasible to do so, a copy of the agenda or a web site link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (Government Code 54954.1)

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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 Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the district or 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 PRA. (Government Code 54957.5)

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. (Government Code 54954.1)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 35144

Ed. Code 35145

Ed. Code 35145.5

Ed. Code 49061

Ed. Code 49073.2

Gov. Code 53635.7

Gov. Code 54954.1

Gov. Code 54954.2

Gov. Code 54954.3

Gov. Code 54954.5

Gov. Code 54956.5

Gov. Code 54957.5

Description

Special meeting

Public meetings

Agenda; public participation; regulations

Student records; definitions

Meeting minutes; directory or personal information

Separate item of business for borrowing of \$100,000 or more

Request for copy of agenda or agenda packet by member of public

Agenda posting requirements, board actions

Opportunity for public to address legislative body

Closed session item descriptions

Emergency meetings

Public records

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Gov. Code 54960.2
Gov. Code 6250-6270
Gov. Code 95000-95004

Challenging board actions; cease and desist
California Public Records Act
California Early Intervention Services Act

Federal

28 CFR 35.160
28 CFR 36.303
42 USC 12101-12213

Description

Effective communications
Auxiliary aids and services
Americans with Disabilities Act

Management Resources

Attorney General Opinion
Attorney General Opinion
Attorney General Publication

Description

99 Ops. Cal. Atty. Gen. 11 (2016)
78 Ops. Cal. Atty. Gen. 327 (1995)
The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Caldwell v. Roseville Joint Union High School District, (2007) U.S. Dist. LEXIS 66318
Mooney v. Garcia, (2012) 207 Cal.App.4th 229
Call to Order: A Blueprint for Great Board Meetings, 2018
The Brown Act: School Boards and Open Meeting Laws, rev. 2019
[California Attorney General's Office](#)
[CSBA](#)

Court Decision

Court Decision
CSBA Publication

CSBA Publication

Website
Website

Cross References

Policy

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Description

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[Goals For The School District](#)
[Nondiscrimination In District Programs And Activities](#)
[Communication With The Public](#)
[Media Relations](#)
[District And School Web Sites](#)
[District And School Web Sites](#)
[District And School Web Sites](#)
[Complaints Concerning District Employees](#)
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1312.4-E(1)	<u>Williams Uniform Complaint Procedures</u>
1312.4-E(2)	<u>Williams Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
2210	<u>Administrative Discretion Regarding Board Policy</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3312	<u>Contracts</u>
3320	<u>Claims And Actions Against The District</u>
3320	<u>Claims And Actions Against The District</u>
3460	<u>Financial Reports And Accountability</u>
3460	<u>Financial Reports And Accountability</u>
4312.1	<u>Contracts</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
9012	<u>Board Member Electronic Communications</u>
9121	<u>President</u>
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9130	<u>Board Committees</u>
9150	<u>Student Board Members</u>
9200	<u>Limits Of Board Member Authority</u>
9310	<u>Board Policies</u>
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9321	<u>Closed Session</u>
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9321-E(2)	<u>Closed Session</u>
9323	<u>Meeting Conduct</u>
9323.2	<u>Actions By The Board</u>
9323.2-E(1)	<u>Actions By The Board</u>
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9324	<u>Minutes And Recordings</u>

Bylaw

Adopted: April 9, 2013

Revised: 8/8/14; 3/28/19; 11/18/21; 4/28/22

PASADENA UNIFIED SCHOOL DISTRICT

Pasadena, California