

## **Bylaws of the Board BB 9322(a) AGENDA/MEETING MATERIALS**

### ***Agenda Content***

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

Each agenda 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)

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

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 an 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. (Education Code 35145.5, 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 25145.5; Government Code 54954.3)*

*(cf. 9323 - Meeting Conduct)*

Each meeting agenda shall list the address designated by the Superintendent or designee for public inspections 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 her/she requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting.

### **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. Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.

A 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 be submitted to Superintendent or Board president with supporting documents and information, if any, at least

ten days before the scheduled meeting date. Items submitted less than a week before the 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 is within the 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 or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

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 subject to Board vote, an information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

#### **Bylaws of the Board BB 9322(b) AGENDA/MEETING MATERIALS**

~~A three-part process for placing items onto future agendas was developed by the MVWSD board of trustees at its board retreat on September 26, 2015. It consists of the following:~~

A member of the Board of Trustees may request for an item to be placed on the agenda of a regular meeting. The request must be in writing and be submitted to Superintendent with a summary / rationale of the request.

During the agenda item at the end of regular board meeting agendas titled “future agenda items” the superintendent, or designee, will read all requested items to the board for consideration.

Items that received a majority vote to be placed on a future agenda shall be placed onto the board’s agenda within a reasonable period of time. Staff may be requested to provide background on this item, and sufficient board discussion time shall be allotted on the agenda.

~~Part One: During the agenda item at the end of regular board meeting agendas titled “future agenda items” any board member may propose an item for consideration by the board. The proposed item should be one sentence long and shall receive no comment by the other board members or by the person making this request. The board’s executive assistant shall make a list of the one-sentence items for inclusion in the next meeting’s agenda. If the proposal receives an immediate 2<sup>nd</sup> and 3<sup>rd</sup> at this time, it becomes an item to be agendized for a future board meeting.~~

~~Part Two: The next meeting’s agenda shall have an agenda item for preliminary presentations and consideration of each one-sentence future agenda item proposal by the trustee who originally~~

~~suggested that item. The trustee with the proposal shall have up to 3 minutes to “make his or her case” regarding why that proposed future agenda item should be scheduled for fuller discussion by the board and staff at a later meeting. After that explanation of why that item should be scheduled for a fuller discussion, the board will vote regarding placing that item on a later agenda. Presentation and discussion of these items are presumed to take no more than 5 minutes. A majority vote of the board is required to move that item to a future agenda for a fuller discussion.~~

~~Part Three: Items that received a majority vote to be placed on a future agenda shall be placed onto the board’s agenda within a reasonable period of time. Staff may be requested to provide background on this item, and sufficient board discussion time shall be allotted on the agenda.~~

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.

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5144.1 - Suspension and Expulsion/ Due Process) (cf. 9323.2 - Actions by the Board)*

### **Consent Agenda/Calendar**

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 agenda. Consent items are items of a routine nature or items for which Board discussion is not anticipated and for which the Superintendent recommends approval.

### **Bylaws of the Board BB 9322(c) AGENDA/MEETING MATERIALS**

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.

### **Agenda Dissemination to Board Members**

At least three days before each regular meeting each Board member shall be provided with 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, 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 distribute the agenda and support 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 request additional information on agenda items or express any related concerns. 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**

If a document 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 the time the document is distributed to a majority of the Board provided that the document is a public record under the Public Records Act and relates to an agenda item for an open session of a regular Board meeting. The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

Any documents prepared by the district or the Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any documents prepared by another person shall be made

The Superintendent or designee shall mail or email 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 or emailed 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)  
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. (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)  
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)

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BB 9322(d)**

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee as determined by the Superintendent or designee.

*Legal Reference:*

*EDUCATION CODE*

*35144 Special meetings*

*35145 Public meetings*

*35145.5 Right of public to place matters on agenda*

*GOVERNMENT CODE*

*53635.7 Separate item of business*

*54954.1 Mailed agenda of meeting*

*54954.2 Agenda posting requirements; board actions*

*54954.3 Opportunity for public to address legislative body*

*54954.5 Closed session item descriptions*

*54956.5 Emergency meetings*

*54957.5 Public records*

*UNITED STATES CODE, TITLE 42*

*12101-12213 Americans with Disabilities Act*

Bylaw amended / adopted:

**MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT**

Mountain View, California