

Meeting Conduct

Meeting Procedures

All Board meetings shall begin on time and shall be guided by an agenda prepared and delivered in advance to all Board members and to other persons upon request.

The Board President shall conduct Board meetings in accordance with Board bylaws and procedures that enable Board members to efficiently present and consider their ideas and carry out the will of the majority. The law does not require the use of Robert's Rules of Order, and although Robert's Rules can serve as a useful guide to enable the orderly conduct of meetings, the Board may deviate from Robert's Rules as long as it operates with consistency under whatever reasonable rules its members agree will best accommodate its needs.

The Board believes that late night meetings deter public participation, and can be a burden to staff. Regular Board meetings shall not exceed three hours unless extended to a time certain by a majority of the Board. The meeting shall be extended no more than once and may be adjourned to a later date.

A majority of the number of filled positions on the Board constitutes a quorum.

Unless otherwise provided by law, affirmative votes by a majority of the Board are required to approve any action under consideration, regardless of the number of members present.

Abstentions

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains because of a conflict of interest or for any other reason, his/her abstention shall be considered to concur with the action taken by the majority of those who vote, whether affirmatively or negatively.

Public Participation

Any attendance register or questionnaire posted near the entrance or circulated during a Board meeting shall clearly state that members of the public are not required to sign in or provide any requested information as a condition to attending the meeting. If the member of the public wishes to address the Board on an item, they must submit a completed Request to Address the Board on an Item form (BOP 9323.00).

In order to conduct County Office business in an orderly and efficient way, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each regular meeting agenda item. The Board shall give members of the public an opportunity to address the Board on special meeting items before taking action on those items.
2. 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 but are within the subject matter jurisdiction of the Board. The Board may refer such a matter to the County Superintendent or designee or take it under advisement, but shall not take action 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.
3. Without taking action, Board members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda but are within the subject matter jurisdiction of the Board. Additionally, on their own initiative or in response to questions posed by the public, Board members may ask a question for clarification, may provide a reference to staff or other resources for factual information, or may ask staff to report back to the Board at a subsequent meeting concerning any matter. The Board or a Board member also may request that the matter be placed on a future agenda.
4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard it, the Board shall provide an opportunity for the public to speak in accordance with law.
5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers will be allowed three minutes to address the Board. The Board shall limit the total time for each agenda item to 20 minutes. The president may take a poll of speakers for or against a particular issue and may ask that only those individuals with something new to add request to speak. With Board consent, the president may modify the time allowed for public presentation.

6. The Board President may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented. The Board shall not prohibit

public criticism of its policies, procedures, programs, services, acts or omissions. No oral presentation shall include charges or complaints against any employee of the County Office of Education, including the Superintendent, regardless of whether or not the employee is identified in any way. All charges or complaints against employees must comply with the Superintendent's policies and regulations regarding employee notification.

7. The Board President shall not permit any disturbance or willful interruption of Board meetings. Persistence, by an individual or group, shall be grounds for the chair to terminate the privilege of addressing the Board. The Board may remove disruptive individuals and order the room cleared if necessary; in this case, further Board proceedings shall concern only matters appearing on the agenda.

The County Superintendent or designee shall designate locations from which members of the public may broadcast, photograph or record open meetings without causing a distraction.

If the Board finds that noise, illumination or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board.

cf: 1312.1 - Complaints Concerning School Personnel
9130 - Board Committees
9321 - Closed Session Purposes and Agendas
9323.2 - Actions by the Board
9324 - Minutes and recordings

Legal References:

Education Code, 5095, 32210, 35010, 35145.5, 35163, 35164, 35165
Government Code, 54953.5, 54953.6, 54954.2, 54954.3, 54957.9

Adopted: December 15, 1994
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