

CONEJO VALLEY UNIFIED SCHOOL DISTRICT

# DISTRICT ADVISORY COMMITTEE & COUNCIL HANDBOOK



# TABLE OF CONTENTS

<b>Introduction.....</b>	<b>Page 3</b>
<b>Quick Reference.....</b>	<b>Page 4</b>
<b>Role of District Advisory Committees and Councils.....</b>	<b>Pages 5-8</b>
<b>Types of District Advisory Committees and Council.....</b>	<b>Pages 9-10</b>
<b>Responsibilities of Committee or Council Members.....</b>	<b>Pages 11-12</b>
<b>Meeting Protocol.....</b>	<b>Pages 13-16</b>
<b>Ralph M. Brown Act.....</b>	<b>Page 17-19</b>
<b>The Greene Act.....</b>	<b>Pages 20-24</b>
<b>Meeting Agenda Structure.....</b>	<b>Page 25</b>
<b>2024-2025 Meeting Schedule.....</b>	<b>Pages 26-27</b>
<b>List of Common Acronyms.....</b>	<b>Pages 28-30</b>
<b>Related CVUSD Board Policies and Administrative Regulations.....</b>	<b>Pages 31-40</b>



# INTRODUCTION

The Conejo Valley Unified School District (CVUSD) proudly hosts several District Advisory Committees and Councils to review District matters related to education programs, policies, procedures, community issues, and to assist the District in strengthening the effectiveness of its operations and student learning.

Heartfelt appreciation is extended to the parents and guardians who generously volunteer their time and share their important perspectives to make CVUSD an exceptional school district. Their commitment plays a crucial role in shaping the educational experience and success of all students. These volunteer groups provide greater community participation and input into local public education and into CVUSD's related plans, including the Local Control Accountability Plan, that work in conjunction to implement the CVUSD's four district wide goals:

- **Goal 1:** Implement targeted actions and services that support conditions for optimal learning, equitable access, and positive student outcomes.
- **Goal 2:** Recruit, develop, and retain highly qualified, diverse, and effective staff.
- **Goal 3:** Provide two-way communication and targeted outreach that engages and informs the community of programs, policies, and opportunities, and also builds strong connections among families, community members, and CVUSD schools.
- **Goal 4:** Enhance the social, emotional, physical, and mental well-being for all students through targeted actions and services.

During its annual special board meeting to discuss district goals on May 23 2024, the CVUSD Board of Education requested that additional clarification and guidance be provided to CVUSD Advisory Committee and Council members regarding the role and scope of these important groups. This handbook reflects the discussion of the CVUSD Board of Education and is designed as an informational tool outlining the role, responsibilities, and protocols for these District created committees and councils.

In order to ensure compliance with Board of Education policy, administrative regulations, and California Education Code, members are asked to adhere to the guidelines contained in this handbook.

# QUICK REFERENCE

**The following summary is provided as a quick reference to the roles of District Advisory Committee and Councils:**

- District Advisory Committees and Councils are meant to provide meaningful opportunities that support two-way communication amongst members to increase the sharing of ideas, best-practices and suggestions among student or parent members.
- District Advisory Committees and Councils do not determine policy, nor direct District staff or the Board of Education. CVUSD Board Policy 1220 states that “Citizen advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.”
- Individual District Advisory Committee or Council members should present views and recommendations representing their constituent group. Individual opinions must be identified as such.
- Only issues presented on the public agenda may be discussed and deliberated, in accordance with the requirements of California law. Members of Brown Act committees must avoid “serial meetings” (Page 19), which are private discussions, in person or electronic, involving a majority of committee members pertaining to matters involving the committee.





# ROLE OF DISTRICT ADVISORY COMMITTEES AND COUNCILS

## Advisory Role

As a volunteer serving on a committee or council, a member’s role is **advisory**. Advisory refers to the role of providing informed suggestions, feedback, and recommendations to decision-makers. Advisory committees and councils consist of parents, students, and community members who work collaboratively with district staff to examine issues, review information, and offer guidance. The primary goal of an advisory committee or council is to share insights and perspectives, with the final decision-making authority remaining with the district or governing body.

## Advisory is not Activism

Activism involves actively supporting or arguing for a particular cause or policy. Activists seek to influence public opinion, policy, and decision-makers to bring about change. Activism efforts can be individual or collective and often include activities such as campaigning, lobbying, public speaking, and writing. Unlike advisory roles, activists typically seek to persuade others to adopt a specific viewpoint or take specific actions.

District Advisory Councils or Committees are not activist groups; instead, they work in partnership with district leadership to provide input, feedback, and recommendations.

## Advisory Committees and Councils are not Governing Boards

Volunteers on District Advisory Committees and Councils are not governing members. This is a key distinction as governance is the role for school board members. School board members are locally elected public officials entrusted with governing a community’s public schools. The role of the school board, and not the role of District Advisory Committee and Councils, is to ensure that school districts are responsive to the values, beliefs and priorities of their communities. Boards fulfill this role by performing five major responsibilities:

- 1**

Setting direction
- 2**

Establishing an effective and efficient structure
- 3**

Providing support
- 4**

Ensuring accountability
- 5**

Providing community leadership as advocates for children, the school district and public schools

## **Role of the Board of Education**

According to CVUSD Board Bylaw 9320, attendance by a majority of Board of Education members at District Advisory Committees and Councils, which are open and noticed meeting of another body of the district, is permitted and not subject to the Brown Act 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). Board of Education members are not participants in the following District Advisory Committees and Councils: AADAC, DAC, DELAC, GATE DAC, LGBTQ+ AC, SDAC and SEDAC, but instead listen to the discussion of the District Advisory Committee and Council. A non-majority of Board of Education members are permitted members in the following: Wellness Committee and Career Technical Education (CTE) Advisory Committee.

## **Role of the Superintendent**

The Superintendent and District staff implement the decisions of the Governing Board, and take into advisement suggestions from District Advisory Committees and Councils. CVUSD BP 2110 states, “As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage the instructional and non instructional operations of the schools. The Superintendent also serves as a member of the district’s governance team and has responsibilities to support Board operations and decision making.”

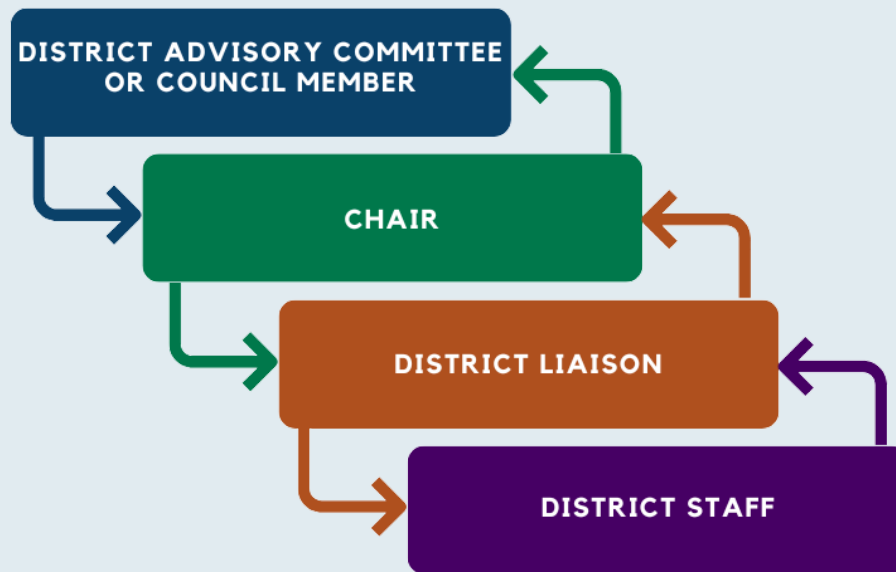
## **Role of District Staff Liaisons**

Each District Advisory Committee or Council maintains at least one CVUSD staff member designated to provide support. Staff liaisons are responsible for the preparation of agendas approximately one week in advance of the meeting. In compliance with the Brown Act/Greene Act, agendas must be posted at least 72 hours in advance of regular meetings and at least 24 hours in advance of a special meeting. Staff should be available to respond to member requests for additional information. Staff liaisons may assist the Chair in starting the meeting on time and provide guidance in meeting protocol. However, it is the responsibility of the Chair to facilitate the public meeting.

There may be limited times when presentations from district staff are requested by the Executive Committee and those will be taken under advisement by its district liaison. District staff will take the request and make key considerations which include, but are not limited to, if the presentation is better suited for a different format or audience (e.g. Board of Education, SUPER DAC meeting of all District Advisory Committee or Councils), time and resources required to create the presentation, and the types of data and information requested which should be publicly available and not violate student confidentiality. Emphasis will be placed on limiting the amount of time that school staff, such as teachers, counselors and administrators, are asked to be away from the school and therefore not able to provide direct services to students at school.

The assigned District Staff Liaison also serves as the intermediary between any District Advisory Committee and Council members and any other District staff. Requests for presentation or information must first be provided to the District Staff Liaison who is then responsible to contact other individuals or departments based on the nature of the request.

## Communication Flowchart To/From District Staff:



## Making A Formal Recommendation

While the primary role of each District Advisory Committee and Council is to engage in meaningful two-way discussions surrounding key issues, each committee or council may also make non-binding recommendations to the Superintendent and District staff. Recommendations can be formalized by the District Advisory Council or Committee through the voting and approval of a written recommendation to CVUSD District Staff. This recommendation must be formally placed on a public agenda by the Executive Board, then as “Information / Discussion” and finally as an “Action” item in order to provide the District Advisory Committee or Councils members, along with the general public, the opportunity to provide input and suggestions. The process is described in more detail in the chart below.

### Meeting #1



**Executive Board** discusses the possibility of the District Advisory Committee or Council making a formal recommendation on a specific topic. If a quorum exists and the topic (or recommendation) is agreed upon, the Executive Board places the item onto the next public meeting agenda as Information/Discussion. The agenda item must state the specific topic which will be discussed and must state that the topic is under consideration as a formal recommendation by the committee or council.

### Meeting #2



**Information/Discussion.** Members of the District Advisory Committee or Council have ample time to discuss. If the members of the committee or council are in agreement, the general membership drafts a formal recommendation during the meeting in which a quorum of members is established.

### Meeting #3



**Action:** The formal written recommendation created in the prior meeting is included onto the board agenda item and noted as a formal recommendation. Members of the District Advisory Committee or Council hold a formal vote in accordance with all by-law requirements of voting members, in which a quorum of members is established.

## **Benefits To District Advisory Council and Committee Members**

Benefits include:

- Increased opportunities to share ideas, best-practices and suggestions among fellow parent or student members of the District Advisory Committee or Council
- Encouraging stakeholder participation
- Providing a viewpoint from neighborhood schools

Benefits do not include:

- Seeking to resolve individual or personal concerns related to one's own child or children during the public meeting.
- Misuse of member emails to solicit perspectives - Serial meeting, Brown Act violation
- Access to information, including records and data that is not a publicly available record





# TYPES OF DISTRICT ADVISORY COMMITTEES AND COUNCILS

CVUSD Board Policy and Administrative Regulation 1220 “Citizen Advisory Committees” specifically designates certain committees that are subject to the Brown Act or the Greene Act.

## **Brown Act Committees and Councils**

According to CVUSD Administrative Regulation 1220, the Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 (Brown Act) shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

- Career Technical Education Advisory Committee
- Measure I Citizen’s Bond Oversight Committee
- Wellness Committee

## **Greene Act Committees and Councils**

According to CVUSD Board Policy 9130 and consistent with Education Code section 35160, the Superintendent may create advisory group committees for the Superintendent and staff to be advised on various issues. These committees may be composed of members so long as the composition is not "in conflict with or inconsistent with, or preempted by, any law". The attributes of an advisory group committee are as follows:

- May be created at any time without formal action of the Board.
- Advisory by nature to a single-decision maker.
- Can be perpetual and not limited in duration.
- Can be disbanded at any time by the single-decision maker.
- Not subject to Brown Act requirements unless a majority of the Board serves on the committee

California Education Code 52063 specifies that certain advisory groups committees, such as DAC, DELAC, SDAC and SEDAC, provide feedback to district staff on the Local Control Accountability Plan (LCAP) and are required to comply with the Greene Act.



According to the Greene Act, CVUSD Administrative Regulation 1220 and for the purposes of maintaining open, transparent meetings in which the community can stay informed and choose to participate, the following committees and councils shall comply with procedural meeting requirements established in Education Code 35147 (Greene Act):

- African-American District Advisory Council (AADAC)
- District Advisory Council (DAC)
- District English Learner Advisory Committee (DELAC)
- Gifted and Talented Education District Advisory Council (GATE DAC)
- LGBTQ+ Advisory Council (LGBTQ+ AC)
- Special Education District Advisory Council (SEDAC)
- Student District Advisory Committee (SDAC)



# RESPONSIBILITIES OF COMMITTEE OR COUNCIL MEMBERS

District Advisory Committees and Councils are not involved in the administration or operation of District departments unless specifically addressed in Board action. Members are not authorized to direct administrative staff to initiate programs. Members may not conduct major studies or establish official policy.

While each District Advisory Committee or Council is different, all members share some basic responsibilities. Members need to stay informed on subjects of interest to their specific District Advisory Committee or Council. Conscientious attendance is also a fundamental responsibility, as irregular attendance lessens one's ability to study all aspects of items under consideration. Additionally, pursuant to the by-laws of each District Advisory Committee or Council, a vacancy may be declared if a member is frequently absent from meetings.

District Advisory Committee or Council members from AADAC, DAC, DELAC, GATE DAC, LGBTQ+AC, and SEDAC are expected to attend the School Site Council (SSC) of the school they are representing. In the case of SDAC, at least one student member is expected to attend their school's SSC meeting. The District Advisory Committee or Council member may or may not be a voting member of the SSC. The committee or council member can provide a report to the SSC as well as receive information and updates on pertinent schoolwide matters. Members should also provide feedback and suggestions for the school's School Plan for Student Achievement (SPSA) that incorporates the topics and discussion from their District Advisory Committee or Council.

It is also expected that the Executive Committee members from AADAC, DAC, DELAC, GATE DAC, LGBTQ+AC, SDAC, and SEDAC submit "Up To Five Key Takeaways" following the general meeting and during the Executive Committee meeting, which will be reviewed by District staff, and then submitted onto a public webpage in order to apprise the larger community of the matters publicly shared during each District Advisory Committee or Council meeting.

## **CONDUCT GUIDELINES FOR COMMITTEE OR COUNCIL MEMBERS**

Work to establish good relationships with other committee or council members. Success may be dependent upon the degree of cooperation evident among individual members of the body. Each member should keep in mind these important points:

- Show respect for another's viewpoint.
- Allow others adequate time to fully present their views before making comments.
- Be open and honest.
- Make new members welcome and help them become acquainted with their duties.
- Strive to minimize political opinions among members.

Individual District Advisory Committee or Council members should present views and recommendations representing their constituent group. Individual opinions must be identified as such.

Public statements should not include promises that may be construed to be binding on the District Advisory Committee or Council, Board of Education or staff. When making a public statement, members should indicate that District Advisory Committee or Council actions are recommendations and that final action will be taken by the Board of Education or staff where appropriate.

## **RESPONSIBILITIES OF CHAIR**

The Chair of each District Advisory Council or Committee serves a critical role during and outside of the council or committee meetings. Each committee or council includes specific by-laws on the election of the Chair as well as that individual's unique responsibilities.

Generally, the Chair serves in a neutral capacity to facilitate and run a meeting that adheres to meeting protocols and legal requirements set forth in this document. The Chair must consider the viewpoints of the membership and not use their capacity to move forward any personal agenda. The Chair should always be mindful, during and outside of meetings, to not represent their individual or personal views as those which represent the committee or council, the District, or the Board of Education.

The Chair must communicate openly and frequently with the assigned District Liaison in order to craft the public agenda based on the input of the general membership and the Executive Board as well as seek consultation and support when addressing questions or concerns.

The Chair may also be asked to provide a verbal report to the Board of Education at a public meeting held by the Board of Education. This report shall reflect the discussion and activities of the District Advisory Council or Committee.

# MEETING PROTOCOL

Members desiring to speak should first address the Chair and be recognized. Once recognized, members should solely discuss the question or issue on the table in the time allotted.

It is the Chair's role to conduct productive meeting protocol. Department staff may assist the Chair in starting the meeting on time and also provide guidance in meeting protocol. Staff should be a facilitator and promote effective communication.

In order to assist managing meetings, each member is expected to maintain professional demeanor, and avoid domination of discussion. In the event of any such occurrence, the Chair may call a brief recess to restore order.

A member, once recognized, should not be interrupted when speaking unless called out of order by the Chair. If a member is called out of order, the member shall cease speaking until the question of order is determined.

The member moving the adoption of a motion has the privilege of making the closing remarks. No member shall be allowed to speak more than once upon any motion on the floor until every other member desiring to do so has spoken.

## **Meeting Discussion Aids for the Chair:**

### Define Problems/Issues:

- As I understand it, the problem is...does anyone have additional information on the issue?
- Would anyone care to suggest facts we need to better understand issues involved?
- Are there any other related issues we need to discuss?

### Broaden Participation:

- We've heard from some of you. Would others who have not spoken like to add your comments?
- How do the ideas presented so far sound to others who have not commented?

### Limit Participation:

- We appreciate your ideas but perhaps we should hear from others. Would some of you who have not spoken care to add your ideas to those already expressed?
- You have made several good comments and I wonder if someone else might like to ask a question or make a statement.
- Since everyone has not yet had the opportunity to speak, I wonder if you would hold your comments until a little later.



### Focus Discussion:

- Where are we in relation to the decision we need to make?
- Would you like me (the Chair) to review my understanding of what's been said and where we are?
- That's an interesting comment; however, I wonder if it relates exactly to the problem that's before us?
- As I understand it, this is the problem...Are there additional comments before we come to a decision?

### To Move the Meeting Along:

- I wonder if we've spent enough time on this and we are ready to move along?
- Have we gone into this aspect of the problem far enough so that we could shift our attention to?
- In view of the remaining agenda, would it be wise to go on to the next item?

### To Help the Group Evaluate Where It Is:

- Do any of you have the feeling we are at an impasse on this, and feel we should try and move ahead?
- Should we look at the original objective?

### To Help Reach a Decision:

- Would someone care to sum up?
- Would someone care to make a motion?
- What have we accomplished up to this point?

### To Provide Continuity:

- This is a continuing discussion from our last meeting. Would someone care to review what we covered so far?
- Would someone care to suggest additional information or issues we need to consider before our next meeting? (Members should be careful not to discuss or take action on any issue not on the agenda, but may refer or request an issue be included on the next agenda)

## **Public Comment**

The Public Comments segment of an agenda permits any member of the public to comment on issues within the jurisdiction of the District Advisory Committees and Councils. As a standard, speakers wishing to comment during Public Comments or on agenda items have up to three minutes speaking time unless determined differently in the by-laws of the specific District Advisory Committee or Council.



This standard allows the District Advisory Committees or Councils to proceed with the agenda and business at hand. Community members should be advised by staff that they may also present comments to the District Advisory Committee or Council by email.

The District Advisory Committee or Council may not engage in discussion, take action, make a motion or vote on any issue arising from a request or concern voiced during Public Comments regarding an issue not included on agenda pursuant to the Brown Act and Greene Act. Each issue may be heard and referred by the Chair to staff as appropriate without discussion or action. Community members may present letters, petitions, etc. for review during Public Comments which are retained for the record and referred to by staff as necessary for response and follow-up.

The Brown Act and Greene Act section of this manual provides guidelines concerning public comments. District Advisory Committees or Councils should schedule one Public Comment section at the beginning of a meeting.

## **Quorum**

The Brown Act applies to gatherings of a quorum of District Advisory Committee or Council members when business is discussed or transacted. This is a best-practice for all District Advisory Committees and Councils to be specified in individually by-laws. A quorum is the majority (more than half) of the total number of established members of the District Advisory Committee or Council. For purposes of determining a quorum if vacancies exist, more than half of the total number of positions as set forth by District Advisory Committee or Council Bylaws, whether or not filled, would need to be present.

A quorum must be present for any business discussion or action to take place. It is suggested that liaisons coordinate with the Chair prior to a meeting to determine if a quorum will be present. If it is determined there will be no quorum, the meeting must skip any business discussion or actions and note this as such in the meeting minutes. Also, to avoid unnecessarily wasting time of District Advisory Committee or Council members and members of the public who are present, it is suggested that District Advisory Committees or Councils adopt a policy for canceling a meeting within a certain time threshold if there is no quorum, for instance, 15 minutes after the scheduled start time.

Additionally, a quorum must be present for the duration of a meeting. If a member leaves during the meeting, resulting in the lack of a quorum, no further business may be conducted.

With that said, and depending on what is on the agenda, the committee could allow non-substantial items such as guest speakers or ceremonies to occur, but should not hear or discuss substantial business without a quorum. To the extent the speaker is providing information about a matter the committee will later take action on, the committee should continue the matter as well.



## **Minutes/Meeting Notes**

### Approval of Previous Minutes/Meeting Notes

There is no legal requirement for District Advisory Committee or Council meeting minutes/notes to be approved. It is recommended that draft minutes/meeting notes be reviewed by the staff liaison before finalizing and distributing to members as a matter of information.

### Record of Action Taken

District Advisory Committees or Councils should provide limited notes or synopsis of actions taken. Since any written record is the best evidence of its contents, a written report or written communication need only be referenced in notes. Oral reports or communications need only be referenced in minutes/notes by name of person or District and disposition made by the District Advisory Committee or Council.

### Record of Oral Debates, Arguments and Discussions

Detailed reference regarding members' or citizens' specific remarks is not required. Record of Public Comments only includes speaker name and community of residence. Any written submittals are included with the official record.

### Adjournment

In recording adjournment, meeting notes should reflect whether adjourned to another time prior to the next regular meeting, or merely adjourned. Some meetings are adjourned by motion; others by the Chair declaring the meeting adjourned.



# RALPH M. BROWN ACT

17

The Ralph M. Brown Act is California's "sunshine law" for local government. It is found in California Government Code beginning at G.C. §54950. It requires local government business to be conducted in open and public meetings, except in certain limited situations. The Brown Act is based upon state policy that the public must be given the opportunity to fully participate in the deliberative process, including discussion, debate and acquisition of information of:

- All local agencies;
- City Council, City Boards, School Boards, Commissions, Committees;
- Any advisory body created by Ordinance, Resolution or action of the Board of Education or any one member of a local agency legislative body;
- District Advisory Committees or Councils on which members serve in official capacity if supported by agency (government or private) funding;
- Any District Advisory Committee or Council or similar multi-member body which exercises authority delegated to it by a legislative body.

## Application of the Brown Act

Requirements of the Brown Act apply to "legislative bodies" of local government agencies. The term "legislative body" is defined to include the governing body of a local agency and some District Advisory Committees or Councils or other bodies of the local agency, whether permanent or temporary, decision making or advisory, that is created by formal action of a legislative body (G.C. §54952).

The following District Advisory Committees or Councils within the Conejo Valley Unified School District must conduct their meetings in accordance with the Ralph M. Brown Act:

- CTE Advisory Committee
- Measure I Citizens' Bond Oversight Committee
- Wellness Committee

Standing sub-committees of a legislative body, which consist solely of less than a quorum of the body, are subject to requirements of the Act. Some common examples include finance, personnel, or similar policy sub-committees of the Board of Education or other school district legislative body that have either some "continuing subject matter jurisdiction" or a meeting schedule fixed by formal action of the legislative body. Standing subcommittees exist to make routine and regular recommendations on a specific subject matter and are a regular part of governmental structure.

However, the Brown Act does not apply to Ad Hoc Committees that are less than a quorum of the legislative body, provided the Committee is composed solely of members of the legislative body and provided that Ad Hoc Committees do not have some "continuing subject matter jurisdiction," and do not have a meeting schedule fixed by formal action of a legislative body. Thus, Ad Hoc Committees would generally serve only a limited or single purpose, are not perpetual and are dissolved when a specific task is completed.

The Brown Act also applies to persons who are elected to serve as members of a legislative body of a local agency who have not yet assumed duties of office.

## Brown Act: Additional Meeting Requirements

The central provision of the Brown Act provides that all "meetings" of a legislative body must be open and public. The Brown Act definition of the word "meeting" (G.C. §54952.2) is a very broad definition that encompasses almost every gathering of a majority of members and includes:

"Any congregation of a majority of members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of a legislative body or the local agency to which it pertains."

In plain English, this means that a meeting is any gathering of a majority of members to hear or discuss any item of District business or potential District business.

There are six specific types of gatherings that are not subject to the Brown Act. These exceptions are referred to as: (1) individual contact exception; (2) seminar and conference exception; (3) community meeting exception; (4) other legislative body exception; (5) social or ceremonial occasion exception; and (6) standing Committee exception. Neither a decision, nor participation in a discussion, is necessary to turn a gathering into a Brown Act meeting. Unless a gathering of a majority of members falls within one of the exceptions discussed below, if a majority of members are in the same room and merely listen to a discussion of District business, then members will be participating in a Brown Act meeting that requires notice, an agenda, and a period for public comment.

**1. Individual contact exception.** Conversations, whether in person, by telephone or other means, between a member of a legislative body and any other person does not constitute a meeting [G.C. §54952.2(c)(1)]. However, such contacts may constitute a "serial meeting" in violation of the Brown Act if the individual also makes a series of individual contacts with other members of the legislative body for the purpose of "developing a collective concurrence."

**2. Seminar and conference exception.** Attendance by a majority of members at a seminar, or conference, or similar educational gathering is also exempted from Brown Act requirements [G.C. §54952.2(c)(1)]. However, in order to qualify under this exception, the seminar or conference must be open to the public and be limited to issues of general interest to the public or to cities. Finally, this exception will not apply to a conference or seminar if a majority of members discuss among themselves items of specific business relating to their own city, except as part of the program.

**3. Community meeting exception.** The community meeting exception allows members to attend neighborhood meetings, town hall forums, chamber of commerce lunches or other community meetings at which issues of local interest are being discussed [G.C. §54952.2(c)(3)]. However, members must observe several rules that limit this exception. First, in order to fall within this exception, the community meeting must be "open and publicized". Also, as with other exceptions, a majority of members cannot discuss among themselves items of District business, except as part of the program. Lastly, the meeting may not be co-sponsored by the District.

**4. Other legislative body exception.** This exception allows a majority of members of any legislative body to attend meetings of other legislative bodies or of another jurisdiction (such as county or another city) without treating such attendance as a meeting of the body [G.C. §54952.2(c)(4)]. Of course, as with other meeting exceptions, members are prohibited from discussing District business among them except as part of the scheduled meeting. In addition, a majority may also observe, but not participate in, an open and noticed meeting of a standing Committee within their own agency.



**5. Social or ceremonial occasion exception.** As has always been the case, Brown Act requirements do not apply to attendance by a majority of members at a purely social or ceremonial occasion provided that a majority of members do not discuss among themselves matters of public business [G.C. §54942.2(c)(5)].

**6. Standing Committee exception.** This exception allows members of a legislative body, who are not members of a standing Committee of that body, to attend an open and noticed meeting of the standing Committee. Members of the legislative body who are not members of the standing Committee may only attend as observers [G.C. §54952.2(c)(6)]. This means that members of the legislative body who are not members of the standing Committee should not speak at the meeting, sit in their usual seat on the dais or otherwise participate in the standing Committee's meeting.

Other than in situations which fall into certain exceptions, all meetings must occur within the boundaries of the local government agency (G.C. §54954). Exceptions to this rule include meeting outside the jurisdiction to comply with a court order or attend a judicial proceeding, to inspect real or personal property, to attend a meeting with another legislative body in that other body's jurisdiction, to meet with a state or federal representative to discuss issues affecting the local agency over which other officials have jurisdiction, to meet in a facility outside of, but owned by, the local agency, or to visit the office of the local agency's legal counsel. These are meetings and in all other respects must comply with agenda and notice requirements.

## **Brown Act: Serial Meetings**

In addition to regulating all gatherings of a majority of members of a legislative body, the Brown Act also addresses individual contacts between members of legislative bodies. The Brown Act specifically states that nothing in the Act is intended to impose Brown Act/Greene Act requirements on individual contacts or conversations between a member of a legislative body and any other person [G.C. §54952.2(c)(1)]. However, the Brown Act also prohibits a series of such individual contacts if they result in a "serial meeting" [G.C. §54952.2(b)].

A serial meeting is a series of meetings or communications between individuals so that even though a majority of members never gather in a room at the same time, ideas are exchanged among the majority through either one or more persons acting as intermediaries or through use of a technological device e.g. telephone, e-mail or voice mail.

Commonly, serial meetings are conducted in one of two ways: either a staff or constituent individually contacts a majority of members of a body to share ideas among the majority or, member **A** will call/e-mail member **B** and member **B** will call/email member **C** and so on to share ideas among a majority. The Brown Act specifically prohibits such meetings.

Of course, prohibition against serial meetings does not prohibit all communication between individuals regarding District business. The Brown Act only prohibits use of serial meetings for the purpose of "developing a collective concurrence" concerning an issue. This does not prohibit a staff person from "briefing" members provided that briefing is limited to furnishing information to members and staff person does not solicit opinions concerning an appropriate course of action for the District.

To help mitigate potential Brown Act violations, be mindful of DAC member legal responsibilities regarding communications. Caution should be particularly noted regarding member communications by email. In an investigation of an alleged Brown Act violation, all communications, including e-mails from members' computers, can be subpoenaed. Please be aware of the meaning and severity of serial meetings.

# THE GREENE ACT

The Greene Act, California Education Code 35147, establishes public meeting rules for the parent committees exempt from the Brown Act. The key provisions are:

1. Any meeting held by a council or committee shall be open to the public.
2. Any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee.
3. Notice of the meeting shall be posted at the school site or other appropriate place accessible to the public\* at least 72 hours prior to the meeting.
4. The meeting notice shall specify the date, time, and location of the meeting and contain an agenda describing each item of business to be discussed or acted upon.
5. The council or committee may not take any action on any item of business unless a) the item appeared on the posted agenda, or b) the council or committee members find, by unanimous vote, that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda.
6. Questions or brief statements made at the meeting by members of the council, committee, or public need not be described on an agenda as items of business if those questions or statements a) do not have a significant effect on pupils or employees in the school or school district; or b) can be resolved solely by the provision of information.
7. If a council or committee violates the procedural meeting requirements described above, and upon the demand of any person, the council or committee shall reconsider the items at its next meeting after allowing for public input on the item.
8. Any materials provided to a school site council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act.
9. The Greene Act creates additional public meeting requirements for school districts while exempting certain parent committees from the Brown Act.
10. The Greene Act establishes distinct public meeting requirements for those parent committees that largely track the Brown Act, with two notable exceptions:
  - Communications among a majority of parent committee members outside of the meetings is not prohibited and
  - Criminal charges are not authorized for violations.

These exceptions were designed to ensure that parent committee members can plan and confer with each other outside of public meetings. These more “user-friendly meeting requirements” were intended to encourage more parents — many of whom come from “ethnically diverse communities with limited English language skills” — to become involved in their children’s education and have a voice in decision-making. (California Bill Analysis, S.B. 355, June 29, 1994.)

11. Notices and agendas should be posted in an area that is visible to all members of the school community, including parents/guardians.

## **Notice and Agenda Requirements**

Two key provisions of the Brown Act and Greene Act which ensure that the public's business is conducted openly are requirements that legislative bodies post agendas prior to their meetings (G.C. §54954.2, §54955, §54956 and California Education Code 35147) and that no action or discussion may occur on items or subjects not listed on the posted agenda (G.C. §54954.2 and California Education Code 35147). Limited exceptions to the rule against discussing or taking action not on a posted agenda are included in the Brown Act and Greene Act.

Meeting agendas must contain a brief general description of each item of business to be transacted or discussed at the meeting [G.C. §54954.2(a) and California Education Code 35147]. The description need not exceed 20 words. Each agenda must be posted in a place that is freely accessible to the public during the entire 72-hour period and on the District's/Committee's website, if one exists (Regular Meetings). Agenda posting requirements differ depending on the type of meeting to be conducted.

If the meeting is a regular meeting of the legislative body, the agenda must be posted 72 hours in advance of the meeting [G.C. §54954.2(a) and California Education Code 35147]. For special meetings under the Brown Act, the "call" of the meeting and agenda must be posted at least 24 hours prior to the meeting (G.C. §54956). Each member of the legislative body called to a special meeting must personally receive written notice of a special meeting either by personal delivery or by “any other means” (such as e- mail or U.S. Mail) at least 24 hours before the time of special meeting unless individual members have previously waived receipt of written notice. Members of the press and other members of the public can also request written notice of special meetings.

Under the Brown Act, notices for adjourned meetings must be posted within 24 hours after the previous meeting was adjourned on the door of the meeting room/chambers where the previous meeting occurred (G.C. §54955). If the adjourned meeting occurs more than five days after the prior meeting, a new agenda for that adjourned meeting must be posted 72 hours in advance of that adjourned meeting [G.C. §54954.2(b)(3)].

Under the Brown Act, any person may request that a copy of the agenda or agenda packet be mailed to them at the same time the agenda is posted or distributed to a legislative body. Each written request is valid for the calendar year it is filed and must be renewed following January 1 of each year and the legislative body may establish a fee to recover costs of copying and mailing (G.C. §54954.1).

Under the Brown Act, agendas and any other writings, when distributed to all or a majority of all the members of a local agency legislative body by any person in connection with a matter subject to discussion/consideration at a meeting of the body, are public records subject to the Public Records Act. This includes public records distributed to the legislative body after the agenda is posted, but before

the meeting is held. It also requires agendas to identify the address of the public office or location where these writings are available for public inspection. As a result, agendas require appropriate wording to identify where “supplemental information” is available. Staff is to have supplemental information readily available for public inspection in the form of a binder or packet along with the agenda packet in the department and at the meetings.

Under the Greene Act, any materials provided to the advisory committee or council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

## **Public Participation**

For those persons wishing to address the legislative body, it is recommended that District Advisory Committee or Council staff utilize a sign-in log (sign-in can only be available and suggested, it cannot be mandatory) or speaker cards requesting name, address (optional) and community of residence in order to allow staff to efficiently respond to inquiries and requests. The speaker should announce their name and community of residence when they appear to speak in front of the District Advisory Committee or Council.

**1. Public Comments.** The Brown Act and Greene Act currently mandates that regular meeting agendas allow for two types of public comment periods. The first is the general audience comment period, where the public can comment on any item of interest that is within subject matter jurisdiction of the local agency. This general audience comment period may come at any time during a meeting (G.C. §54954.3). District norm is for general comment to be scheduled at the beginning.

The second type of public comment period is the specific comment period pertaining to items on the District Advisory Committee or Council agenda. The Brown Act and Greene Act requires the legislative body to allow these specific comment periods on agenda items to occur prior to or during the legislative body’s consideration of that item (G.C. §54954.3), including consent calendar items.

**2. Public Comments at Special Meetings.** The Brown Act requires that agendas for special meetings provide an opportunity for members of the public to directly address the legislative body concerning any item listed on the agenda prior to the body’s consideration of that item (G.C. §54954.3). Therefore, for a special meeting, the legislative body must allow a period for public comments on items on the agenda. However, unlike regular meetings, it does not have to allow the public to comment on any non-agenda matter.

**3. Limitations on Length and Content of Public’s Comments.** A legislative body may adopt reasonable regulations including time limits on public comments, currently set at three minutes. The Acts precludes the legislative body from prohibiting public criticism of policies, procedures, programs, or services of the agency or acts or omissions of the body or staff (G.C. §54954.3(c)). The Brown Act and Greene Act does not shield someone from disturbing a meeting or making slanderous statements.

**4. Discussion of Non-Agenda Items.** Under the Brown Act and Greene Act, a legislative body may not take action or discuss any item that does not appear on the posted agenda (G.C. §54954.2). Under the Brown Act, the exception applicable to District Advisory Committees or Councils if the legislative members present at a meeting finds by two-thirds vote of those present, or if less than two-thirds of the body is present, by unanimous vote, that there is a need to take immediate action on an item and need for action came to attention of the local agency subsequent to agenda being posted

(G.C. §54954.2(b)). This means that if four members of a five-member body are present, three votes are required to add an item; if only three are present, a unanimous vote is required. This exception is rarely used. Under the Greene Act, the council or committee may not take any action on any item of business unless that item appeared on the posted agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda.

In addition, there are several “limited” exceptions to the no discussion on non-agenda items rule. Those exceptions are:

- A. Members of the legislative body or staff may briefly respond to statements made or questions posed by persons during public comment periods;
- B. Members or staff may ask questions for clarification and provide a reference to staff or other resources for factual information;
- C. Members or staff may make a brief announcement, ask a question or make a brief report on his or her own activities;
- D. Members may, subject to procedural rules of the legislative body, request staff to report back to the body at a subsequent meeting concerning any matter; and
- E. The legislative body may itself as a body, subject to rules of procedures, take action to direct staff to place a matter of business on a future agenda.

The legislative body may not discuss non-agenda items to any significant degree under these exceptions. Comments must be brief. These exceptions do not allow long or wide-ranging question and answer sessions between the public and legislative body or between the legislative body and staff.

When the legislative body is considering whether to direct staff to add an item to a subsequent agenda, these exceptions do not allow discussion of merits of the matter or to engage in a debate about the underlying issue.

To protect the legislative body from problems in this area, it may wish to adopt a rule that any one member may request an item be placed on a subsequent agenda, so that discussion of merits of the issue can be easily avoided. If the legislative body does not wish to adopt this rule, then the body's consideration and vote on the matter must take place with virtually no discussion.

It is important to follow these exceptions carefully and interpret narrowly because the District and Board of Education would not want to have an important and complex action tainted by a non-agendized discussion of the item.

### **Public's Right to Photograph, Videotape, Tape-Record and Broadcast Open Meetings.**

Under the Brown Act and Greene Act, the public has the right to videotape or broadcast, tape-record or make a motion picture or still camera record of such meeting (G.C. §54953.5).

There are limits to the right of the public to record meetings. Prohibition of recording requires a reasonable finding by the legislative body that recording cannot continue without noise, illumination, or obstruction of a view that constitutes, or would constitute, a disruption of proceedings (G.C. §54953.5).



The Brown Act requires written material distributed to a majority of the body by any person to be provided to the public. If material is distributed during the meeting and prepared by the District, it must be available for public inspection at the meeting. If it is distributed during the meeting by a member of the public, it must be made available for public inspection after the meeting (G.C. §54957.5).

The Greene Act requires that any materials provided to the advisory committee or council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).



# MEETING AGENDA STRUCTURE

## General:

- Call Meeting to Order
- If applicable, Review Meeting Norms
- Pledge of Allegiance
- Roll Call
- Approval of Agenda

## Public Comments

## Action Items:

- Item A

## Information/Discussion:

- Item A
- Item B

## Reports:

- Standing Committees and District Committees
- Other District Advisory Council/Committee Reports
- Community Reports

## Member Comments:

- Chair
- Members
- District Administrator

## Adjournment

## Executive Board Meeting

- Call Meeting to Order
- Roll Call

## Public Comments

## Information/Discussion

- Discuss Meeting Five Key Takeaways
- Item A

## Action Items:

- Item A

## Member Comments

## Adjournment





# CONEJO VALLEY UNIFIED SCHOOL DISTRICT

## DISTRICT ADVISORY COUNCILS/COMMITTEES 2024-2025 Meeting Schedule

### → African-American District Advisory Council (AADAC)

Meeting Location: 2801 Atlas Ave. - University Center MPR

Meeting Time: 5:30pm to 7pm

Meeting Dates:

- Monday, September 30, 2024
- Wednesday, November 13, 2024
- Wednesday, January 22, 2025
- Wednesday, February 12, 2025
- Wednesday, March 12, 2025
- Wednesday, May 14, 2025



### → Gifted and Talented Education District Advisory Council (GATE-DAC)

Meeting Location: 2801 Atlas Ave. - University Center MPR

General Meetings: 9:15am-11:15am

Meeting Dates:

- Friday, September 13, 2024
- Friday, November 8, 2024
- Friday, December 13, 2024
- Friday, February 7, 2025
- Friday, March 21, 2025
- Friday, May 2, 2025



### → District Advisory Council (DAC)

Meeting Location: 2801 Atlas Ave. - University Center MPR

General Meetings: 9:00am-11:30am

Meeting Dates:

- Tuesday, September 10, 2024
- **Tuesday, October 8, 2024 \***
- Tuesday, November 12, 2024
- Tuesday, December 10, 2024
- Tuesday, January 14, 2025
- Tuesday, February 11, 2025
- **Tuesday, March 11, 2025 \***
- Tuesday, April 8, 2025
- Tuesday, May 6, 2025



**\*Indicates a SUPER DAC meeting, ALL parent/advisory groups are invited to attend.**

### → Lesbian, Gay, Bisexual, Transgender, Queer or Questioning and Others Advisory Council (LGBTQ+ AC)

Meeting Location: 2801 Atlas Ave. - University Center MPR

Meeting Time: 9:30am-11:30am

Meeting Dates:

- Wednesday, September 11, 2024
- Wednesday, October 30, 2024
- Wednesday, December 11, 2024
- Wednesday, February 26, 2025
- Wednesday, April 9, 2025
- Wednesday, May 28, 2025



### → District English Learners Advisory Committee (DELAC)

Meeting Location: 2801 Atlas Ave. - University Center MPR

General Meetings: 10:00am-12:00pm

Meeting Dates:

- Tuesday, September 24, 2024
- Tuesday, October 22, 2024
- Tuesday, November 19, 2024
- Tuesday, January 21, 2025
- Tuesday, February 25, 2025
- Tuesday, March 25, 2025
- Tuesday, April 29, 2025
- Tuesday, May 27, 2025



### → Special Education District Advisory Council (SEDAC)

Meeting Location: 2801 Atlas Ave. - University Center MPR

General Meetings: 9:15am-11:15am

Meeting Dates:

- Tuesday, October 1, 2024
- Tuesday, November 5, 2024
- Tuesday, January 7, 2025
- Tuesday, February 4, 2025
- Tuesday, March 4, 2025
- Tuesday, May 13, 2025



### → Student District Advisory Committee (SDAC)

Meeting Location: CVHS Board Room

General Meetings: 4:00pm-6:00pm

Meeting Dates:

- Monday, August 26, 2024
- Monday, September 23, 2024
- Monday, October 28, 2024
- Monday, January 27, 2025
- Monday, February 24, 2025
- Monday, March 24, 2025
- Monday, April 28, 2025
- Monday, May 19, 2025



To learn more, scan the QR codes above or visit: [www.conejousd.org/parentparticipation](http://www.conejousd.org/parentparticipation)

2024-2025 Regular Meetings will also be held for the following

## DISTRICT ADVISORY COMMITTEES, COUNCILS & TASK FORCES



### CTE Advisory Committee

#### Meeting Scheduled for:

- February 2025



### Measure I Citizens' Oversight Committee

#### Meetings Scheduled for:

- August 2024
- October 2024
- December 2024
- January 2025
- April 2025



### Wellness Committee

#### Meetings Scheduled for:

- October 2024
- January 2025
- April 2025

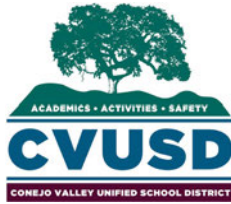
# LIST OF COMMON ACRONYMS

<b><u>Acronym</u></b>	<b><u>Definition</u></b>
AADAC	African American District Advisory Committee
AB	Assembly Bill
ACSA	Association of CA. School Administrators
ADA	American Disabilities Act or Average Daily Attendance
AP	Advanced Placement
AVID	Advancement Via Individual Determination
BCBA	Board Certified Behavior Analyst
BTSA	Beginning Teacher Support & Assessment (now known as Induction)
CAA	California Alternate Assessment (part of CAASPP, for some of our SWD)
CAASPP	California Assessment of Student Performance and Progress
CCSS	Common Core State Standards
CDE	California Department of Education
CDS	County/District/School Code
CHKS	California Health Kids Survey
COLVOP	Conejo, Las Virgines, Oak Park ACSA Charter
CP	College Prep (level of course)
CSEA	California School Employees Association
CSF	Conejo Schools Foundation
CTA	California Teachers Association
CTE	Career Technical Education
CVPPA	Conejo Valley Pupil Personnel Association
CVUSD	Conejo Valley Unified School District
DAC	District Advisory Committee
DEC	District Educational Center
DEI	Diversity Equity and Inclusion
DELAC	District English Learner Advisory Committee
DLI	Dual Language Immersion
DOC	District Operational Center
E.C.	Education Code
EAP	Early Assessment Program
EL*	English Learner (a student)
ELA	English-Language Arts
ELAC	English Learner Advisory Committee
ELD	English Language Development (the program)
ELOP	Expanded Learning Opportunities Program
ELPAC	English Language Proficiency Assessments for California
FAPE	Free Appropriate Public Education
FIT	Facilities Inspection Tool
FPM	Federal Progress Monitoring
FY	Foster Youth
GATE	Gifted and Talented Education
GATEDAC	Gifted and Talented Education District Advisory Council
HS	High School
IB	International Baccalaureate
IDEA	Individual with Disabilities Education Act



IEP	Individualized Educational Plan
ILP	Individual Learning Plan
LCAP	Local Control and Accountability Plan
LCFF	Local Control Funding Formula
LEA	Local Education Agency
LGBTQ+AC	Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Others Advisory Council
LRE	Least Restrictive Environment
ML	Multilingual Learner
MS	Middle School
MTSS	Multi-Tiered System of Supports
N/C	No Cost
NAEP	National Assessment of Educational Progress
NGSS	Next Generation Science Standards
PD	Professional Development
PFA	Parent Faculty Association
PL	Professional Learning
PLC	Professional Learning Community
PSAT/NMSQT	Preliminary SAT/National Merit Scholarship Qualifying Test
PTA	Parent Teacher Association
PTSA	Parent Teacher Student Association
RFEP	Reclassified Fluent English Proficient
RTI	Response To Intervention
RtI2	Response to Instruction/Intervention
SAI	Specialized Academic Instruction
SARB	School Attendance Review Board
SARC	School Accountability Report Card
SAT	Scholastic Aptitude Test
SB	Senate Bill
SBAC	Smarter Balanced Assessment Consortium
SCAC	Secondary Curriculum Articulation Committee
SDAC	Student District Advisory Committee
SED*	Socio-Economically Disadvantaged
SEDAC	Special Education District Advisory Committee
SELPA	Special Education Local Plan Area
SPSA	School Plan For Student Achievement
SRO	School Resource Officer
SSC	School Site Council
SUPER DAC	DAC meeting that includes all CVUSD Advisory Committees and Councils
SWD*	Students With Disabilities
TK	Transitional Kindergarten
TOSA	Teacher on Special Assignment
UACT	Unified Association of Conejo Teachers
VCOE	Ventura County Office of Education
WASC	Western Association of Schools & Colleges
	*Used on CA. Dashboard

# **RELATED CVUSD BOARD POLICIES AND ADMINISTRATIVE REGULATIONS**



Book	Policy Manual
Section	1000 - Community Relations
Title	Citizen Advisory Committees
Code	BP1220
Status	Active

The Governing Board recognizes that citizen advisory committees enable the Board to better understand the interests and concerns of the community.

The Board shall establish citizen advisory committees when required by law, to strengthen the effectiveness of district and school operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the district's vision, mission, and goals. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board deems it necessary.

- (cf. 0000 - Vision)
- (cf. 0200 - Goals for the School District)
- (cf. 0420 - School Plans/Site Councils)
- (cf. 0420.1 - School-Based Program Coordination)
- (cf. 0430 - Comprehensive Local Plan for Special Education)
- (cf. 2230 - Representative and Deliberative Groups)
- (cf. 3280 - Sale, Lease, Rental of District-Owned Real Property)
- (cf. 5030 - Student Wellness)
- (cf. 6020 - Parent Involvement)
- (cf. 6174 - Education for English Language Learners)
- (cf. 6175 - Migrant Education Program)
- (cf. 6178 - Career Technical Education)
- (cf. 9130 - Board Committees)

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, Board policy, and administrative regulation.

Citizen advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The membership of citizen advisory committees should reflect the diversity of the community and represent a diversity of viewpoints.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

- (cf. 3350 - Travel Expenses)

Legal Reference:

EDUCATION CODE

8070 Career technical education advisory committee  
11503 Parent involvement program  
15278-15282 Citizens' oversight committee  
15359.3 School facilities improvement districts  
17387-17391 Advisory committees for use of excess school facilities  
35147 School site councils and advisory committees  
41505-41508 Pupil Retention Block Grant  
41570-41573 School and Library Improvement Block Grant  
44032 Travel expense payment  
52176 Advisory committees, limited-English proficient students program  
52852 Site council, school-based program coordination  
54425 Advisory committees, compensatory education  
54444.1-54444.2 Parent advisory councils, services to migrant children  
56190-56194 Community advisory committee, special education  
62002.5 Continuing parent advisory committees

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 School site council

GOVERNMENT CODE

810.2 Tort claims act, definition employee  
810.4 Tort claims act, definition employment  
815.2 Injuries by employees within scope of employment  
820.9 Members of local public boards not vicariously liable  
6250-6270 California Public Records Act  
54950-54963 Brown Act

UNITED STATES CODE, TITLE 42

1751 Note Local wellness policy

COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Community Leadership, 1996

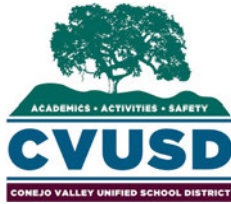
WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

CSBA: (10/94 7/05) 7/07

CVUSD Global Adoption: 10/08



Book	Administrative Regulations
Section	1000 - Community Relations
Title	Citizen Advisory Committees
Code	AR1220
Status	Active

#### Committee Charge

When committees are appointed, committee members shall receive written information which includes, but is not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

#### Committees Subject to Brown Act Requirements

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

1. Advisory committees established pursuant to Education Code 56190-56194 related to special education at the county level (SELPA Community Advisory Committee "CAC")
2. Advisory committees established pursuant to Education Code 8070 related to career technical education
3. Committees established to assist in development of a student wellness policy pursuant to 42 USC 1758b
4. Committee established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property
5. Citizens' oversight committee established to examine the expenditure of general obligation bond or school facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

## Committees Not Subject to Brown Act Requirements

The following committees shall comply with procedural meeting requirements established in Education Code 35147:

1. Parent advisory committee and English learning parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan
2. School site councils established pursuant to Education Code 65000-65001 to develop and approve a school plan for student achievement
3. District or school advisory committees established pursuant to Education Code 52176 related to programs for English learners
4. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education
5. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs
6. School committees established pursuant to Education Code 11503 related to parent involvement

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information. (Education Code 35147)

Any council or committee violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a council or committee shall be made available to any member of the public upon request pursuant to the California Public Records Act, Government Code 6250-6270. (Education Code 35147)

## Committees Created by Superintendent

Committees which are created by the Superintendent or designee to advise the administration, do not report to the Board, and are not specified in Education Code 35147 shall not be subject to the requirements of the Brown Act or Education Code 35147.

## State References

Ed. Code 11503	Parent involvement program in Title I schools
Ed. Code 15278-15282	Citizens' oversight committee
Ed. Code 15359.3	School facilities improvement districts
Ed. Code 17387-17391	Advisory committees for use of excess school facilities
Ed. Code 35147	School site councils and advisory committees
Ed. Code 44032	Travel expense payment
Ed. Code 52060	Local control and accountability plan
Ed. Code 52176	Advisory committees; limited-English proficient students program
Ed. Code 54425	Advisory committees; compensatory education
Ed. Code 54444.1-54444.2	Parent advisory councils; services to migrant children
Ed. Code 56190-56194	Community advisory committee; special education
Ed. Code 62002.5	Continuing parent advisory committees
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils



Ed. Code 8070	Career technical education advisory committee
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 7920.000-7930.170	California Public Records Act
Gov. Code 810.2	Tort claims act; definition employee
Gov. Code 810.4	Tort claims act; definition employment
Gov. Code 815.2	Injuries by employee within scope of employment
Gov. Code 820.9	Members of local public boards not vicariously liable

#### Federal References

[42 USC 1758b Local wellness policy](#)

#### Management Resources References

Court Decision [Frazer v. Dixon Unified School District, \(1993\) 18 Cal.App.4<sup>th</sup> 781](#)  
 Website [California Department of Education](#)

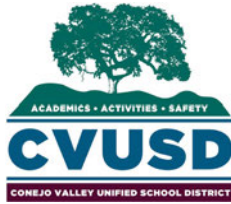
#### Cross References

<a href="#">0200</a>	<a href="#">Goals for the School District</a>
<a href="#">0400</a>	<a href="#">Comprehensive Plans</a>
<a href="#">0420</a>	<a href="#">School Plans/Site Councils (BP)</a>
<a href="#">0420</a>	<a href="#">School Plans/Site Councils (AR)</a>
<a href="#">0430</a>	<a href="#">Comprehensive Local Plan for Special Education (BP)</a>
<a href="#">0430</a>	<a href="#">Comprehensive Local Plan for Special Education (AR)</a>
<a href="#">0440</a>	<a href="#">District Technology Plan (BP)</a>
<a href="#">0450</a>	<a href="#">Comprehensive Safety Plan (BP)</a>
<a href="#">0450</a>	<a href="#">Comprehensive Safety Plan (AR)</a>
<a href="#">0460</a>	<a href="#">Local Control and Accountability Plan (BP)</a>
<a href="#">0460</a>	<a href="#">Local Control and Accountability Plan (AR)</a>
<a href="#">1000</a>	<a href="#">Concepts and Roles</a>
<a href="#">1100</a>	<a href="#">Communication with the Public</a>
<a href="#">1312.3</a>	<a href="#">Uniform Complaint Procedures (BP)</a>
<a href="#">1312.3</a>	<a href="#">Uniform Complaint Procedures (AR)</a>
<a href="#">1330.1</a>	<a href="#">Joint Use Agreements</a>
<a href="#">1340</a>	<a href="#">Access to District Records (BP)</a>
<a href="#">1340</a>	<a href="#">Access to District Records (AR)</a>
<a href="#">2000</a>	<a href="#">Concepts and Roles</a>
<a href="#">2120</a>	<a href="#">Superintendent Recruitment and Selection</a>
<a href="#">3100</a>	<a href="#">Budget (BP)</a>
<a href="#">3100</a>	<a href="#">Budget (AR)</a>
<a href="#">3280</a>	<a href="#">Sale or Lease of District-Owned Real Property (BP)</a>
<a href="#">3280</a>	<a href="#">Sale or Lease of District-Owned Real Property (AR)</a>
<a href="#">3312</a>	<a href="#">Contracts</a>
<a href="#">3350</a>	<a href="#">Travel and Meal Expenses</a>
<a href="#">3430</a>	<a href="#">Investing (BP)</a>
<a href="#">3460</a>	<a href="#">Financial Reports and Accountability (BP)</a>
<a href="#">3460</a>	<a href="#">Financial Reports and Accountability (AR)</a>
<a href="#">3516</a>	<a href="#">Emergencies and Disaster Preparedness Plan (BP)</a>
<a href="#">3516</a>	<a href="#">Emergencies and Disaster Preparedness Plan (AR)</a>
<a href="#">4156.2/4256.2/4356.2</a>	<a href="#">Awards and Recognition</a>
<a href="#">5030</a>	<a href="#">Student Wellness</a>
<a href="#">5126</a>	<a href="#">Awards for Achievement (BP)</a>
<a href="#">5126</a>	<a href="#">Awards for Achievement (AR)</a>
<a href="#">5141.52</a>	<a href="#">Suicide Prevention (BP)</a>
<a href="#">5141.52</a>	<a href="#">Suicide Prevention (AR)</a>
<a href="#">6011</a>	<a href="#">Academic Standards</a>
<a href="#">6020</a>	<a href="#">Parent Involvement (BP)</a>
<a href="#">6020</a>	<a href="#">Parent Involvement (AR)</a>
<a href="#">6141</a>	<a href="#">Curriculum Development and Evaluation (BP)</a>
<a href="#">6141</a>	<a href="#">Curriculum Development and Evaluation (AR)</a>
<a href="#">6142.8</a>	<a href="#">Comprehensive Health Education (BP)</a>
<a href="#">6142.8</a>	<a href="#">Comprehensive Health Education (AR)</a>
<a href="#">6146.11</a>	<a href="#">Alternative Credits Toward Graduation (BP)</a>

6146.11      Alternative Credits Toward Graduation (AR).  
6161.1      Selection and Evaluation of Instructional Materials (BP).  
6161.1      Selection and Evaluation of Instructional Materials (AR).  
6170.1      Transitional Kindergarten  
6171        Title I Programs (BP).  
6171        Title I Programs - Schoolwide Programs (AR).  
6172        Gifted and Talented Student Program (BP)  
6172        Gifted and Talented Student Program (AR).  
6174        Education for English Learners (BP).  
6174        Education for English Learners (AR).  
6175        Migrant Education Program (BP).  
6175        Migrant Education Program (AR).  
6178        Career Technical Education (BP).  
6178        Career Technical Education (AR).  
6178.1      Work-Based Learning (BP).  
6178.1      Work-Based Learning (AR).  
6181        Alternative School/Programs of Choice (BP).  
6181        Alternative School/Programs of Choice (AR).  
7110        Facilities Master Plan  
7214        General Obligation Bonds (BP).  
7310        Naming of Facility  
9005        Governance Standards  
9130        Board Committees  
9140        Board Representatives  
9310        Board Policies  
9320        Meetings and Notices  
9321        Closed Session Purposes and Agendas  
9323        Meeting Conduct

CSBA: (3/01 7/05 7/07) 12/18

CVUSD: (8/08) 3/23



Book	Policy Manual
Section	9000 - Board Bylaws
Title	Board Committees
Code	BB9130
Status	Active

The Governing Board may establish a committee whenever it determines that such a committee would benefit the district by providing diverse viewpoints, specialized knowledge or expertise, or increased efficiency. Such committees may be subcommittees of the Board or committees that include members of the community, staff, or other stakeholder groups.

[\(cf. 1220 – Citizen Advisory Committees\)](#)  
(cf. 2230 – Representative and Deliberative Groups)  
[\(cf. 9140 – Board Representatives\)](#)

Upon establishing a committee, the Board shall clearly define the committee’s purpose, any timeline for completion of assigned responsibilities, any stakeholder groups or individuals to be represented on the committee, length of time that committee members are expected to serve, and expectations for reporting to the Board and/or the Superintendent or designee. Unless specifically authorize by the Board to act on its behalf, the committee shall act in an advisory capacity.

Except for subcommittees of the Board, committee members shall, as appropriate, be recommended by the Superintendent or designee and appointed by the Board president, subject to Board approval.

[\(cf. 9121 – President\)](#)

The Superintendent or designee shall provide committee members with information and assistance necessary for the fulfillment of the committee’s charges, and may serve as a non-voting advisor to the committee at the discretion of the Board.

Whenever so charged, committees may actively seek input and participation by parents/guardians, staff, community, and students and may consult with local public boards and agencies.

Any committee not required by law may be dissolved when its duties or term has been completed or whenever the Board deems necessary.

[\(cf. 1220 - Citizen Advisory Committees\)](#)

#### Committee Meetings

Unless otherwise exempted by law, Board-created committees shall provide public notice of their meetings and conduct meetings in accordance with Government Code 54950-54963 (the Brown Act).

[\(cf. 9320 - Meetings and Notices\)](#)  
[\(cf. 9322 - Agenda/Meeting Materials\)](#)

However, Board subcommittees composed solely of less than a quorum of the members of the Board are not subject to open meeting laws unless they are standing committees. Standing committees of the Board, irrespective of membership, are those that have a continuing subject matter jurisdiction or a meeting schedule

established by action of the Board. (Government Code [54952](#))

Standing committees with a continuing subject matter jurisdiction include, but are not limited to, those responsible for providing advice on budgets, audits, Board policy, contracts, and personnel matters at the Board's request.

[\(cf. 3100 - Budget\)](#)

[\(cf. 3430 - Investing\)](#)

[\(cf. 9310 - Board Policies\)](#)

Whenever any advisory or standing committee, including a committee not otherwise subject to the Brown Act, posts a meeting agenda at least 72 hours in advance of the meeting, that meeting shall be considered as a regular meeting of the Board for purposes of the Brown Act and therefore must be held within district boundaries unless otherwise authorized by law. (Government Code [54954](#))

Committees may meet in a closed session during a regular or special meeting only for those purposes specifically authorized by law for closed sessions held by the Board.

[\(cf. 9321 - Closed Session Purposes and Agendas\)](#)

#### A. Standing Committees

A "standing committee" is defined as a committee that has either continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body. (Gov. Code, § 54952(b).) It is generally created through formal action of the Board and may be comprised of a majority of Board members. Even if the standing committee is comprised of less than a quorum of the Board, the standing committee will be subject to the Brown Act. The attributes of a standing committee are as follows:

1. Created by formal action of the Board.
2. May be comprised of a majority of Board members.
3. Can retain continuing subject matter jurisdiction over an issue.
4. Can be perpetual in duration.
5. Subject to all Brown Act requirements.

#### B. Advisory or Ad-Hoc Committees

An "advisory or ad-hoc committee" is defined as a committee comprised solely of less than a quorum of the Board that serves a limited and temporary single purpose and will be dissolved once its specific task is completed. While an advisory or ad-hoc committee is generally created through formal action of the Board, it cannot be comprised of a majority of the Board and it will not be subject to the requirements of the Brown Act. Further, the committee must be advisory by nature and cannot be delegated any decision-making power. The attributes of an advisory or ad-hoc committee are as follows:

1. Created by formal action of the Board.
2. Must be advisory by nature.
3. Must be comprised solely of less than a quorum of the Board.
4. Must be temporary (cannot be perpetual).
5. Must be created to complete a limited and specific task.
6. Not subject to Brown Act requirements.

#### C. Groups Advisory Committees

A groups advisory committee is not a technical term as it encompasses all other available committees that are not created by the Board and are not subject to the Brown Act. An advisory committee created solely by the Superintendent in order for the Superintendent to be advised on various issues will not be subject to the Brown Act and does not need to be created by formal action of the Board.

Further, while the Brown Act does not expressly permit local agency executives such as the Superintendent to create committees composed of Board members, the Brown Act does not prohibit it either. Pursuant to Education Code section 35160, school districts are permitted to:

initiate and carry on any program, activity, or [to] otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established.

Consistent with Education Code section 35160, the Superintendent's committees may be composed of any persons so long as the composition is not "in conflict with or inconsistent with, or preempted by, any law." Accordingly, while the Superintendent's committee may include Board member(s), if a majority of the Board

serves on the committee, the committee will be subject to the Brown Act. The attributes of a groups advisory committee are as follows:

1. May be created at any time without formal action of the Board.
2. Advisory by nature to a single-decision maker.
3. Can be perpetual and not limited in duration.
4. Can be disbanded at any time by the single-decision maker.
5. Not subject to Brown Act requirements unless a majority of the Board serves on the committee.

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

35024 Executive committee

35160 Authority of governing boards

35160.1 Broad authority of school districts

GOVERNMENT CODE

54950-54963 The Brown Act, especially:

54952 Legislative body, definition

54952.2 Definition of meeting

54954 Time and place of regular meetings; special meetings; emergencies

54954.3 Opportunity for public to address legislative body

54957 Closed Session purposes

ATTORNEY GENERAL OPINIONS

81 Ops.Cal.Atty.Gen. 156 (1998)

80 Ops.Cal.Atty.Gen. 308 (1997)

79 Ops.Cal.Atty.Gen. 69 (1996)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

National School Boards Association: <http://www.nsba.org>

CSBA: (2/97 10/97 2/99) 4/13

CVUSD: (7/08, 11/13) 10/19

