

CVUSD District Advisory Council (DAC) Meeting – September 14, 2021

Welcome

- Please use the chat feature to enter the following information only
 - ✓ Your name – first and last
 - ✓ School or organization that you represent

Zorms

- Use the Chat feature for attendance ONLY (no side conversations)
- Use the Hand Raise feature to speak
- Mute upon entering meeting
- Mute when not speaking.
- Respect others thoughts and opinions
- Full engagement and Active participation for DAC stakeholders. This includes school site representatives, DAC executive board members, and committee members.

Zoom Webinar Panelist Controls

The image shows a Zoom Webinar interface in Speaker View. The main content area displays the name "Terri Culpepper" on a dark background. The bottom toolbar contains several controls: Mute, Stop Video, Participants (with a count of 2), Q&A, Chat, Share Screen, Record, Leave, Invite, Mute Me, and Raise Hand. A sidebar on the right shows the "Participants (2)" list, with tabs for "Panelists (2)" and "Attendees (0)". The list includes "Jayna Suter (Me)" and "Terri Culpepper (Host)".

Callouts provide the following instructions:

- Mute/Unmute Yourself
- Click to Show Participants' List and Raise Hand button
- Use the Chat for Attendance and Technical Problems
- Raise Hand for Questions and/or to Speak

Participant Name	Role	Microphone	Video
Jayna Suter (Me)	Panelist	Muted	Off
Terri Culpepper (Host)	Host	Muted	Off



The Brown Act & The Greene Act

An Overview of Open Meeting Laws that Govern CVUSD's Parent Committees

Presented by:
Heather Skelly, DAC Chairperson
Susan Hanscom, DAC Parliamentarian
September 14, 2021



Spirit of the Brown Act

Open and public
deliberations
Meaningful public
access



“In enacting this chapter, the Legislature finds and declares that the public commissions, boards, and councils and the other public agencies in this State **exist to aid in the conduct of the people’s business.** It is the intention of the law that their **actions** be taken **openly** and that their **deliberations** be conducted **openly.**”

Gov. Code § 54950

The Essence of the Brown Act



The Brown Act Legislative Bodies

Government Code § 54950 et seq.

- ↳ What is a legislative body?
 - ↳ the governing body of a local agency (Board of Education)
 - ↳ any commission, committee, or board created by the local agency
 - ↳ standing committees
 - ↳ advisory committees (District Advisory Council)
 - ↳ appointed bodies

- ↳ Note: The Brown Act applies to newly-elected members who have not yet officially assumed office.



The Brown Act Meetings

Government Code § 54950 et seq.

↳ What is a meeting?

- ↳ a congregation of the majority of members to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the legislative body
- ↳ The meeting can involve formal action or deliberative considerations

↳ Types of Meetings

1. Regular meetings
2. Special meetings
3. Emergency meetings
4. Adjourned meetings

(cf. Government Code 54952.2)



The Brown Act Meetings

Government Code § 54950 et seq.



Serial Meetings → prohibited by the Brown Act

- ↳ serial meetings are meetings that at one time involve a portion of the legislative body, but eventually involve a majority
- ↳ Examples of potentially problematic communications applies to:
 - ↳ Emails and text messages
 - ↳ Blogs and social media
 - ↳ Hub Spoke communication
- ↳ Appropriate communication on DAC topics
 - ↳ DAC
 - ↳ SSC
 - ↳ Other school meetings/events



The Brown Act Notice

Government Code § 54950 et seq.

- ↳ To properly notice a meeting...
 - ↳ the agenda must be posted at least 72 hours before the regular meeting in a location freely accessible to the public
 - ↳ the 72 hours may fall on a weekend
 - ↳ agenda must be posted on the agency website (if it has one), but **only** posting on an agency's website is inadequate
 - ↳ agenda must state the meeting time and place
 - ↳ agenda must contain a brief description of each item of business to be transacted or discussed, including items to be discussed in closed session
 - ↳ include the location of any teleconference sites



The Brown Act Public Participation

Government Code § 54950 et seq.

- ↴ There cannot be any conditions to a member of the public attending the meeting. Note: sign-in sheets for the public are voluntary.
- ↴ Meeting facilities must be open to the public with no prohibition or barrier.
- ↴ Members of the public must be able to address the legislative body from a teleconference location.
- ↴ Action by secret ballot, whether preliminary or final, is flatly prohibited.
- ↴ There can be no semi-closed meetings – meetings are either open or closed.
- ↴ The legislative body may remove persons from a meeting who **willfully interrupt proceedings** .
- ↴ The public is allowed to use audio or video tape recorders or still or motion picture cameras at a meeting to record the proceedings.





The Brown Act Violations

Government Code § 54950 et seq.

- ↴ Members of a legislative body who intend to deprive the public of information to which the member knows or has reason to know that the public is entitled may be convicted of a misdemeanor
 - ↴ Up to \$1,000 fine and/or up to one year in jail.
- ↴ Actions of the body may be voided.
- ↴ Injunctions against the body.
- ↴ Reasonable attorneys' fees and court costs may be awarded.



The Greene Act

Education Code § 35147



- ↴ The Greene Act exempts certain parent committees from the Brown Act, but creates a separate set of rules to ensure that meetings are open.
 - ↴ meetings must be open to the public and allow for public input and access to all meeting materials discussed and/or distributed at the meeting
 - ↴ notices and agenda must be posted at least 72 hours in advance at the school site or other appropriate place accessible to the public
 - ↴ notice and agenda must include date, time, and location of the meeting and the items to be discussed or acted upon
 - ↴ action cannot be taken on non-agendized items without a unanimous vote





Parliamentary Procedure & Bylaws

↳ Robert's Rules of Order

↳ Bylaws (SSC and DAC)





Questions.....

