



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 11.1m

**Meeting Date:** August 5, 2021

**Subject:** **Approved Revised Board Bylaws 9121 (President) and 9322 (Agenda/Meeting Materials)**

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Legal Services

**Recommendation:** Approve revisions to Board Bylaws 9121 and 9322.

**Background/Rationale:** In accordance with Board Bylaw 9000 (Role Of the Board) (Powers and Responsibilities)), the Board is required to work with the Superintendent to fulfill its major responsibilities, which include “[s]etting the direction for the district through a process that involves the community, parents/guardians, students, and staff and is focused on student learning and achievement.”

The revised board bylaws now streamline the agenda setting process to the Board President and Superintendent. Moreover, the revisions confirm the process for the public and other Board Members to submit requests for agenda topics.

No prior updates to the board bylaws have occurred since 2008. Such updates are consistent with the processes used by other school districts throughout California in setting agendas.

**Documents Attached:**

1. Executive Summary
2. BB 9121 (Redlines)
3. BB 9322 (Redlines)

<p><b>Estimated Time of Presentation:</b> N/A <b>Submitted by:</b> Raoul Bozio, In House Counsel <b>Approved by:</b> Jorge A. Aguilar, Superintendent</p>
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# Board of Education Executive Summary

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# Board of Education Executive Summary

## Legal Department

Revision to Board Bylaws 9121 (President) and 9322 (Agenda/Meeting Materials)

August 5, 2021



# Sacramento City USD

## Board Bylaw

President

BB 9121

Board Bylaws

The president shall preside at all Governing Board meetings. He/she shall:

1. Call the meeting to order at the appointed time.

2. Announce the business to come and help ensure applicable requirements of the Brown Act.

persons who desire to speak and protect the speaker who has the floor from interference.

5. Explain what the effect of a motion would be if it is not clear to every member.

6. Restrict discussion to the question when a motion is before the Board.

7. Rule on issues of parliamentary procedure.

8. Put motions to a vote, and state clearly the results of the vote.

9. Be responsible for the orderly conduct of all Board meetings.

(cf. 9323 - Meeting Conduct)

The president shall have all the rights of any member of the Board, including the right to move, second, discuss, and vote on all questions before the Board.

The president shall also perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts, and orders necessary to carry out state requirements and the will of the Board.

2. Consulting with the Superintendent or designee ~~and Board Executive Committee~~ on the preparation of the Board's agenda as needed

(cf. 9322 - Agenda/Meeting Materials)

3. Appoint and disband all committees subject to Board approval.

(cf. 9130 -Board Committees)

4. Call such meetings of the Board as she/he may deem necessary giving notice as prescribed by law.

(cf. 9320- Meetings and Notices)

(cf. 9321- Closed Session Purpose and Agendas)

5. Confer with the Superintendent or designee on crucial matters which may occur between Board meetings.

6. Work with the Superintendent to ensure that Board members have necessary materials and information.

7. Share informational mail with other Board members.

8. Representing the district as governance spokesperson, in conjunction with the Superintendent.

(cf. 1112 -Media Relations)

When the president resigns or is absent or disabled, the first vice president shall perform the president's duties. When both the president and first vice president are absent, the second vice president shall perform the president's duties.

Legal Reference:

EDUCATION CODE

35022 President of the board

35143 Annual organizational meetings; dates and notice

GOVERNMENT CODE

5495054963 Ralph M. Brown Act



# Board Bylaw

## Agenda/Meeting Materials

BB 9322

Board Bylaws

Governing Board meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

provide members of the public an opportunity to testify at regular meetings not on the agenda but which are within the subject matter jurisdiction of the Board. (Government Code 35145.5; Government Code 54954.3)

(cf. 9323 -Meeting Conduct)

The agendas shall specify that an individual who requires disability accommodations including auxiliary aids and services in order to attend a meeting should contact the Board of Education Office at least two days before the meeting.

### Agenda Preparation

The Board ~~President Executive Committee~~ and the Superintendent shall prepare the agenda for each regular and special meeting.

Any Board member, the Superintendent, a staff member, or any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and be submitted to the Board President and Superintendent or designee with supporting documents and information, if any, ~~at least~~ ten days before the scheduled meeting date. Items submitted less than ten days before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. ~~The Board of Education Specialist will place the request on the Board Executive Committee agenda.~~

Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, the Board ~~President Executive Committee~~ and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

The Board ~~President Executive Committee~~ and Superintendent shall decide whether an item is appropriate for discussion in open or closed session, and whether the item should be an action item, informational item or consent item. The individual or group who submitted the item for the ~~Board Executive Committee~~ agenda will be notified by the Board of Education Specialist of the status of their request. In addition, this status will be reported to Board members.

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

(cf. 9323.2 -Actions by the Board)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

(cf. 1312.1 -Complaints Concerning District Employees)  
(cf. 1312.2 -Complaints Concerning Instructional Materials)  
(cf. 1312.3 -Uniform Complaint Procedures)  
(cf. 1340 -Access to District Records)  
(cf. 3320 -Claims and Actions Against the District)  
(cf. 5144.1 -Suspension and Expulsion/Due Process)

#### Consent Items

In order to promote efficient meetings, the Board may act upon more than one item by a vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the ~~Board~~ ~~President Executive Committee~~ and the Superintendent recommend approval.

In accordance with law, the public has a right to comment on any consent item. At the request



Upon request, the Superintendent or designee shall make the agenda and/or agenda packet available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

The Superintendent or designee shall make available the agenda on the district website and mail a copy of the agenda, or a copy of all the documents constituting the agenda packet, to any person who requests the items. The materials shall be mailed, and made available on the district's website, at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. Failure of the requesting person to receive the agenda or agenda packet, or failure to make available the documents constituting the agenda packet on the district's website pursuant to this Bylaw, shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received or the agenda packet was not

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Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2007

Guide to Effective Meetings, rev. 2007

Maximizing School Board Leadership: Boardsmanship, 1996

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, rev. 2003

CALIFORNIA CITY ATTORNEY PUBLICATIONS

Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000

WEB SITES

CSBA, Agenda Online:

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

California Attorney General's Office: <http://www.caag.state.ca.us>

Bylaw SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

adopted: November 16, 1998 Sacramento, California

reviewed: November 5, 2001

revised: November 20, 2008