

LODI UNIFIED SCHOOL DISTRICT

REVISION

Bylaw 9130

Bylaws of the Board

Board Committees

The Board of Education may establish Board committees ~~as necessary~~ **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.**

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. ~~The Board shall determine the duties of the committee at the time of its appointment.~~ Unless specifically authorized by the Board to act on its behalf, Board committees shall act in an advisory capacity. ~~When its duties have been completed, the committee shall be dissolved.~~

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.

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.

Committee Meetings

~~Unless otherwise exempted by law,~~ **Board-created** committees shall provide public notice of their meetings and conduct these meetings in accordance with state open meeting laws.

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.

~~Meetings of advisory committees or standing committees for which an agenda is posted at least 72 hours in advance of the meeting pursuant to Government Code 54954.2, shall be considered, for purposes of the Brown Act, as regular meetings of the Board.~~

However, Board **subcommittees** ~~advisory committees~~ 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.

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.

When a majority of the members of the Board attend an open and noticed meeting of a standing committee, the Board members who are not members of the standing committee shall attend only as observers.

The Superintendent or designee may serve as an advisor to any 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.

When a Board committee composed exclusively of Board members has provided for public comment on an item at a public meeting before or during the committee's consideration of the item, the Board is not obliged to provide for public comment on the item at a subsequent Board meeting. Public comment shall be afforded, however, if the Board determines that the item has been substantially changed since it was heard by the committee.

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.

Legal References: 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 Ralph M. Brown Act
54952 Legislative body, definition
54952.2 ~~Definition of meetings~~, **defined**
54954.3 Opportunity for public to address legislative body
54957 Complaints against employees, right to open session
Management Resources
ATTORNEY GENERAL OPINIONS
81 Ops.Cal.Atty.Gen. 156 (1998)
80 Ops.Cal.Atty.Gen. 308 (1997)
79 Ops.Cal.Atty.Gen. 69 (1996)
COURT DECISIONS
Frazer v. Dixon Unified School District, (1993)
18 Cal.App.4th 781
CSBA Publication
The Brown Act: School Boards and Open Meeting
Laws, rev. 2019

Bylaw

adopted: 03/22/77

revised: 02/18/97

revised: 01/06/98

revised: 05/17/11