

BOARD COMMITTEES

This bylaw addresses the establishment and operation of Governing Board subcommittees consisting of less than a quorum of the Board and other standing and advisory committees created by the Board.

- I. The Governing Board may establish Board committees as Trustees deem necessary. 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.
- II. Such committees may be subcommittees of the Board or committees that include members of the community, staff, or other stakeholder groups. Committee members shall, as appropriate, be recommended by the Superintendent or designee and subject to Board approval.
- III. The Board shall determine the duties of the committee at the time of its appointment. 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.
- IV. Unless specifically authorized by the Board to act on its behalf, Board committees shall act in an advisory capacity. When the duties of the Board committee have been completed, the committee shall be dissolved. (*see 1220 - Citizen Advisory Committees*).
- V. Board committees shall provide public notice of their meetings and conduct these meetings in accordance with the state's open meeting laws. Board advisory committees composed solely of less than a quorum of the Board are not subject to open meeting laws unless they are standing committees with a continuing subject matter jurisdiction or a meeting schedule established by the Board. (*Government Code 54952*)
 - A. 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. (*Government Code 54954*)
 - B. Standing committees with a continuing subject matter jurisdiction include, but are not limited to, those responsible for providing advice on budgets, audits, 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. (*Government Code 54952.2*)
 - C. The Superintendent or designee may serve as an advisor to any committee at the discretion of the Board. The Superintendent or designee shall provide committee members with information and assistance necessary for the fulfillment of the committee's charges. The Superintendent or designee may serve as a non-voting advisor to the committee at the discretion of the Board.

- D. Whenever so charged, committees may actively seek input and participation by of parents/guardians, staff, community and students, and may consult with local public boards and agencies, subject to the advice of the Superintendent or designee and with Board approval.
- E. 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, the Board determines that the item has been substantially changed since it was heard by the committee. *Government Code 54954.3*)

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

COURT DECISIONS

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

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, 2014

WEB SITES:

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

ADOPTED: 3/28/79

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