

CLASSIFICATION: Bylaws of the Board**ADOPTED: 3/8/95****REVISED: 2/11/09****SUBJECT: Meetings (Including
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A meeting of the County Board of Education (Board) occurs whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board.

All meetings of the Board, except closed sessions, shall be open and public and conducted in compliance with the Brown Act.

A majority of the members of the Board shall not, outside a regular or special meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Board.

Regular and special meetings shall be held within San Diego County unless otherwise permitted by law. The Board shall not conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of a characteristic listed in Government Code section 11135, including, but not limited to, race, religion, color, national origin, ethnic group identification, age, sex, sexual orientation, or mental or physical disability. No meetings shall be conducted in any facility that is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase.

Meeting Notices

Notices of all meetings of the Board shall be posted in accordance with the Brown Act and any other applicable state or federal laws and regulations.

The media and members of the public may submit written requests to receive meeting notices or copies of all documents constituting the agenda packet. Requests must be filed with the office of the County Superintendent of Schools and are valid for one year from the date of receipt. Requested materials shall be mailed or e-mailed at the time the meeting notice is posted or upon distribution to a majority of the Board, whichever occurs first.

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Notices of regular and special meetings of the Board shall contain the meeting time and place and a brief general description of each business item to be transacted or discussed. Only those items of business listed in the notice shall be considered at the meeting except as authorized by Government Code section 54954.2.

Every meeting notice shall provide an opportunity for members of the public to directly address the Board in accordance with law and procedures established by the Board.

Meeting notices shall include information regarding how, to whom, and by when a request for any disability-related accommodations or modifications may be made by a person with a disability in order to participate in the Board meeting. Disability-related accommodations or modifications, including the availability of agendas, agenda packets, and other meeting materials in alternative formats, shall be provided upon request in accordance with the Americans with Disabilities Act.

Every notice of a regular meeting shall include the location designated for public inspection of any non-exempt agenda materials distributed to a majority or all of the Board less than 72 hours prior to a meeting.

Regular Meetings

The Board shall hold an annual organizational meeting in accordance with law and provisions of Board Bylaw 9120. At its organizational meeting, the Board shall adopt a yearly calendar specifying the date, time, and place of each regular meeting. By Board action, the Board may deviate from its adopted calendar for the convenience of its members or for other reasons.

Upon request, the local media shall be mailed the annual calendar of regular Board meetings, and any changes to the calendar shall be mailed prior to the meeting.

At least 72 hours prior to a regular meeting, notice of the meeting shall be posted in one or more locations accessible to the public and employees at any time during the 72 hours immediately preceding the meeting.

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Special Meetings

Special meetings of the Board may be called by the President or upon the request of any three members of the Board. All Board members and County Superintendent of Schools shall be notified at least 24 hours prior to a special meeting.

Notice of a special meeting shall be posted at least 24 hours before the time of the meeting in one or more locations accessible to the public and employees at any time during the 24 hours immediately preceding the meeting.

The notice shall specify the time and place of the special meeting and the business to be transacted. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the Board concerning item(s) in the notice. Such written notice shall be delivered personally or by any other means to all Board members and to local media and members of the public who have requested such notice in writing. The notice shall be sent or delivered in a manner to reasonably ensure receipt 24 hours before the meeting.

Such written notice may be dispensed with as to any Board member who, at or prior to the time the meeting convenes, files with the County Superintendent a written waiver of notice.

At special meetings, no business shall be considered except for the business listed on the notice.

Public notice shall be given at least 24 hours before any retreats, study sessions, training sessions, or public forums at which a quorum of the Board will be in attendance. All such meetings shall be held in open session and within the boundaries of San Diego County, and action items shall not be included on the agenda.

Teleconference Meetings

A teleconference meeting of the Board is a regular or special meeting of the Board during which one or more Board members are in different locations, connected by electronic means, through either audio, or video or both. During the teleconference, at

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least three of the members of the Board shall participate from locations within the boundaries of San Diego County.

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call.

A Board member may participate in a regular or special meeting of the Board via a teleconference under the following circumstances:

1. The Board member's illness.
2. The illness of an immediate family member.
3. The Board member's presence at the regular meeting site is prevented due to an emergency situation.
4. The Board member is unable to attend the regular meeting site because of circumstances beyond his/her control.

Agendas shall be posted at all teleconference locations as required by law and shall identify each teleconference location. Additional teleconference locations may be provided to the public.

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location.

All policies, administrative regulations, and bylaws shall apply to meetings that are teleconferenced.

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Public Hearings

The Board may convene public hearings at which no Board action is to be taken. Such public hearings are held solely to allow the Board and members of the public to receive information. A hearing may take place at any time and place as designated by the Board.

Notice of the public hearing shall be provided according to procedures specified for regular or special meetings unless otherwise required by law or direction of the Board.

Emergency Meetings

In the case of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and posting requirements for special meetings. An "emergency situation" means:

1. A work stoppage or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the Board.
2. A "dire emergency" pursuant to Government Code section 54956.5, as determined by a majority of the members of the Board.

The President or his/her designee shall give notice of the emergency special meeting to the local media that have requested to be notified of special meetings by telephone or electronic mail one hour before the meeting. In the case of a dire emergency, the Board president or designee shall give the notice at or near the time he/she informs the other members of the Board.

If telecommunication services are not functioning, the notice requirement is waived. As soon after the meeting as possible, the Board shall notify the local media that the meeting was held, the purpose of the meeting, and any action taken at the meeting by the Board.

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The minutes of any emergency meeting and a list of persons that the Board notified or attempted to notify shall be posted for at least ten days in a public place.

A closed session may be held during an emergency meeting pursuant to Government Code section 54957, if agreed to by a two-thirds vote of the members of the Board in attendance or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

Adjourned Meeting

A majority vote by the Board may adjourn any meeting to a later time and place, which shall be specified in the order of adjournment. If no members are present at any regular or adjourned regular meeting, the County Superintendent of Schools may declare the meeting adjourned to a later time and give written notice in the same manner required for a special meeting. Within 24 hours after adjournment, a copy of the order of adjournment shall be posted conspicuously on or near the door of the place where the meeting was held.

Continuance of Hearing

Any hearing being held, or noticed or ordered to be held, by the Board at any meeting may be continued or recontinued to any subsequent meeting of the Board in the same manner as for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting.

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Bylaws: 9120, 9324

Legal Reference: Education Code
1009, 1011, 1012, 1040
Government Code
54950, 54952.2, 54953, 54954, 54954.1, 54954.2, 54955, 54955.1, 54956,
54956.5, 54956.5, 54961
United States Code, Title 42
12132
Code of Federal Regulations, Title 28
35.160, 36.303