

**Riverside County Office of Education
Board Bylaw 9322 Agenda/Meeting Material**

BYLAWS OF THE BOARD

SUBJECT: Agenda/Meeting Materials

Agenda Content

Riverside County Board of Education (County Board) meeting agendas shall reflect the County Board's vision and goals, including a focus on student learning and well-being.

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

In order to promote efficient meetings, the County Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall address matters of a routine nature for which County Board discussion is not anticipated and for which approval is recommended. When any County Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a separate agenda item.

The agenda shall provide members of the public an opportunity to address the County Board on any agenda item, including any consent agenda item, before or during the County Board's consideration of the item. The agenda for a regular meeting shall also provide members of the public an opportunity to address the County Board on matters within the subject matter jurisdiction of the County Board which are not on the agenda. (Education Code 35145.5; Government Code 54954.3)

The agenda does not need to provide an opportunity for public comment on an item that has previously been considered at an open meeting by a committee comprised exclusively of County Board members, provided that members of the public were afforded an opportunity to comment on the item before or during the committee's consideration of the item, and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The notice and agenda shall describe the means available for the public to access the meeting and provide public comment in-person and, if a County Board member is appearing remotely due to an emergency circumstance or for just cause pursuant to Government Code 54953, through an internet-based service or call-in option. (Government Code 54953)

The agenda shall include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the County Board meeting as well as the procedure for receiving and resolving such requests as required by law. (Government Code 54953, 54954.2)

Any County 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)

***Riverside County Office of Education
Board Bylaw 9322 Agenda/Meeting Material***

Each agenda for a regular meeting shall list the address designated for public inspection of documents related to an open session item, or for records of a statement threatening litigation against the Riverside County Office of Education (County Office) to be discussed in closed session, when such documents have been distributed to the County Board less than 72 hours before the meeting. (Government Code 54956.9, 54957.5)

Each agenda shall include a statement regarding the option for students and parents/guardians to request that directory information or personal information of the student or parent/guardian, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes. The agenda shall also state that the request must be made in writing to the secretary or clerk of the County Board.

Agenda Preparation

The County Board president and the County Superintendent of Schools or designee (County Superintendent), as secretary to the County Board, shall work together to develop the agenda for each regular and special meeting.

Any County Board member or member of the public may request that a matter within the jurisdiction of the County Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the County Superintendent and County Board president with supporting documents and information.

The County Board president and County Superintendent shall initially decide whether a request from a member of the public is within the subject matter jurisdiction of the County Board. Items not within the subject matter jurisdiction of the County Board shall not be placed on the agenda. In addition, before placing the item on the agenda, the County Board president and County Superintendent shall determine if the item is merely a request for information, and if so, respond accordingly.

If a request from a County Board member to place an item on the agenda is approved, it will be placed on an agenda with their name as the requestor/presenter. If a request from a County Board member is denied, the member may ask the County Board to take action during a County Board meeting to determine whether the item shall be placed on the agenda.

The County Board president and County Superintendent shall also decide whether an agenda item is appropriate for discussion in open or closed session, whether the item should be an action item subject to County Board vote or an information item, and when the item is placed on the agenda.

Agenda Dissemination to County Board Members

At least 72 hours before each regular meeting, each County Board member shall be provided a copy of the agenda and agenda packet, including any reports from the County Superintendent; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available documents pertinent to the meeting.

Riverside County Office of Education
Board Bylaw 9322 Agenda/Meeting Material

When special meetings are called, County Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

County Board members shall review agenda materials before each meeting. Individual members may confer directly with the County Superintendent to ask questions and/or request additional information on agenda items. However, a majority of County Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the County Board.

Agenda Dissemination to Members of the Public

Agenda and related materials distributed to the County Board shall be made available to the public upon request without delay. However, only those documents which are public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting or which contain a claim or written threat of litigation which will be disclosed in closed session shall be made available to the public. (Government Code 54956.9, 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the agenda shall be posted on the homepage of the County Office website. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the County Office's agenda management platform in accordance with Government Code 54954.2. When the County Office utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the website with the County Board meeting agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a writing which relates to an open session agenda item, or which contains a claim or written threat of litigation which will be discussed in closed session during a regular County Board meeting is distributed to the County Board less than 72 hours prior to the meeting, the writing shall be made available for public inspection at a designated location at the same time the document is distributed to all or a majority of the County Board. However, if the writing is distributed to at least a majority of the County Board at a time when the designated location is closed to the public, this requirement may be satisfied by posting the writing on the County Office website if the following conditions are met: (Government Code 54957.5)

1. An initial staff report or similar document containing an executive summary and any staff recommendations related to the agenda item is made available for public inspection at the designated location at least 72 hours before the meeting
2. The writing is immediately posted on the County Office's website in a position and manner that makes it clear that the writing relates to an agenda item for the upcoming meeting

Riverside County Office of Education
Board Bylaw 9322 Agenda/Meeting Material

3. The County Office lists the website address where such writings may be accessed on all County Board meeting agendas
4. A physical copy of the document is made available for public inspection at the designated location at the beginning of the next regular business hours, but not less than 24 hours before the relevant County Board meeting

As County Board secretary, it is the responsibility of the County Superintendent to mail a copy of the agenda or the documents constituting the agenda packet to any person who requests the items and, if the person requests delivery by email, to email the materials or a website link to the materials to that person. The requested materials shall be emailed or mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the County Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the County Superintendent, not to exceed the cost of providing the service.

Any document prepared by the County Board or County Office and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person and presented at the meeting shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

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

Federal

28 CFR 35.160 Effective communications

28 CFR 36.303 Nondiscrimination on the basis of disability; public accommodations; auxiliary aids and services

42 USC 12101-12213 Equal opportunity for individuals with disabilities

Management Resources

Attorney General Opinion 78 Ops.Cal.Atty.Gen. 327 (1995)

Attorney General Opinion 99 Ops.Cal.Atty.Gen. 18 (2016)

Attorney General Publication The Brown Act: Open Meetings for Local Legislative Bodies, rev. 2003

Court Decision Fowler v. City of Lafayette (2020) 45 Cal.App.5th 68

Court Decision Sierra Watch v. County of Placer (2022) 69 Cal.App.5th 86

Court Decision Mooney v. Garcia (2012) 207 Cal.App.4th 229

Court Decision Caldwell v. Roseville Joint Union High School District (2007) U.S. Dist. LEXIS 66318

CSBA Publication The Brown Act: School Boards and Open Meeting Laws, rev. 2019

CSBA Publication Call to Order: A Blueprint for Great Board Meetings, 2018

Riverside County Office of Education
Board Bylaw 9322 Agenda/Meeting Material

Website [CSBA](#)

Website [California Attorney General's Office](#)

State

Ed. Code 35144 Special meeting

Ed. Code 35145 Public meetings

Ed. Code 35145.5 Agenda; public participation and regulations

Ed. Code 49061 Student records; definitions

Ed. Code 49073.2 Privacy of student and parent/guardian personal information; minutes of board meeting

Gov. Code 53635.7 Separate item of business

Gov. Code 54953 Meetings; Americans with Disabilities Act accessibility

Gov. Code 54954.1 Mailed notice to property owners

Gov. Code 54954.2 Agenda posting requirements; board actions

Gov. Code 54954.3 Opportunity for public to address legislative body

Gov. Code 54954.5 Closed session item descriptions

Gov. Code 54956 Special meetings

Gov. Code 54956.5 Emergency meetings

Gov. Code 54956.9 Lawyer-client privilege for purpose of conducting closed session

Gov. Code 54957.5 Public records

Gov. Code 54960.2 Challenging board actions; cease and desist

Gov. Code 7920.000-7930.170 California Public Records Act

Gov. Code 7920.000-7930.215 California Public Records Act

Gov. Code 95000-95029 California Early Intervention Services Act

Cross References

Code

0420.44 [Appeals Of District Decisions Regarding Charter Schools](#)

1113 [County Office Of Education And School Websites](#)

1113-E(1) [County Office Of Education And School Websites](#)

3100 [Budget Adoption And Revision](#)

9121 [President](#)

9150 [Student Board Members](#)

9320 [Meetings And Notices](#)

9321 [Closed Session](#)

9321-E(1) [Closed Session](#)

9321-E(2) [Closed Session](#)

9323 [Meeting Conduct](#)

9324 [Minutes And Recordings](#)