

MIDDLETOWN UNIFIED SCHOOL DISTRICT

Bylaw 9130: Board Committees

Original Adopted Date: 3/1/2024

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. 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. Unless specifically authorized by the Board to act on its behalf, the committee shall act in an advisory capacity.

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 meetings in accordance with Government Code 54950-54963 (the Brown Act).

However, Board subcommittees 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. (Government Code 54952)

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. (Government Code 54952.2)

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. (Government Code 54954)

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.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State | Description |
|-----------------------------|---|
| Ed. Code 35010 | Control of district; prescription and enforcement of rules |
| Ed. Code 35024 | Executive committee |
| Ed. Code 35160 | Authority of governing boards |
| Ed. Code 35160.1 | Broad authority of school districts |
| Gov. Code 54950-54963 | The Ralph M. Brown Act |
| Gov. Code 54952 | Legislative body; definition |
| Gov. Code 54952.2 | Meeting; defined |
| Gov. Code 54954 | Time and place of regular meetings |
| Gov. Code 54954.3 | Opportunity for public to address legislative body |
| Gov. Code 54957 | Complaints against employees; right to open session |
| Management Resources | Description |
| Attorney General Opinion | 79 Ops.Cal.Atty.Gen. 69 (1996) |
| Attorney General Opinion | 80 Ops.Cal.Atty.Gen. 308 (1997) |
| Attorney General Opinion | 81 Ops.Cal.Atty.Gen. 156 (1998) |
| Court Decision | 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 |
| Website | CSBA District and County Office of Education Legal Services |
| Website | National School Boards Association |
| Website | CSBA |

Cross References

| Code | Description |
|-------------|---|
| 0400 | Comprehensive Plans |
| 1220 | Citizen Advisory Committees |
| 1220 | Citizen Advisory Committees |

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| 1312.1 | <u>Complaints Concerning District Employees</u> |
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| 2230 | <u>Representative And Deliberative Groups</u> |
| 3100 | <u>Budget</u> |
| 3100 | <u>Budget</u> |
| 3280 | <u>Sale Or Lease Of District-Owned Real Property</u> |
| 3280 | <u>Sale Or Lease Of District-Owned Real Property</u> |
| 3430 | <u>Investing</u> |
| 3430 | <u>Investing</u> |
| 3460 | <u>Financial Reports And Accountability</u> |
| 3460 | <u>Financial Reports And Accountability</u> |
| 9121 | <u>President</u> |
| 9140 | <u>Board Representatives</u> |
| 9150 | <u>Student Board Members</u> |
| 9223 | <u>Filling Vacancies</u> |
| 9310 | <u>Board Policies</u> |
| 9320 | <u>Meetings And Notices</u> |
| 9321 | <u>Closed Session</u> |
| 9321-E(1) | <u>Closed Session</u> |
| 9321-E(2) | <u>Closed Session</u> |
| 9322 | <u>Agenda/Meeting Materials</u> |
| 9323 | <u>Meeting Conduct</u> |