

**KERN COUNTY BOARD OF EDUCATION****BOARD BYLAWS****BOARD MEETINGS, NOTICES, MINUTES AND RECORDINGS****MEETINGS**

Meetings of the Kern County Board of Education are conducted for the purpose of accomplishing County Board business. In accordance with state open meeting laws (Brown Act), the County Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, county board meetings shall provide opportunities for comment by members of the public. All meetings shall be conducted in accordance with law and the county board's bylaws, policies, and administrative regulations.

A county board meeting occurs whenever a majority of county board members gather at the same time and location, including teleconference location, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the County Board. (Government Code section 54952.2)

Outside of an authorized meeting, a majority of the County Board shall not use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. (Government Code section 54952.2)

However, the Kern County Superintendent of Schools or an employee of the Office of the Kern County Superintendent of Schools may engage in separate conversations with county board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the County Board, as long as that person does not communicate the comments or position of any county board member to other county board members. (Government Code section 54952.2)

To facilitate participation of individuals with disabilities at county board meetings, appropriate disability-related accommodations or modifications shall be provided upon request in accordance with the Americans with Disabilities Act. (Government Code sections 54953.2, 54954.1, 54954.2)

**REGULAR MEETINGS**

The schedule for regular meetings of the County Board shall be established at the annual organizational meeting. Regular meeting date(s) may be revised by board action at any scheduled meeting, as needed.

The agenda shall be posted at least 72 hours before a regularly scheduled board meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting. Posting shall include placement on the website of the Kern County Superintendent of Schools. The agenda shall specify the time and location of the regular meeting and shall be posted in a location freely accessible to members of the public. No action shall be taken on any item not appearing on the posted agenda, except as authorized by law.

Whenever agenda materials relating to an open session of a regular meeting are distributed to the County Board less than 72 hours before the meeting, the secretary to the County Board or

the secretary's designee shall make the materials available for public inspection at that time at a public office or location designated for that purpose. (Government Code section 54957.5)

### **SPECIAL MEETINGS**

Special meetings of the Board may be called by the president whenever circumstances require that they be held. Upon the written request of any three members of the Board, the president shall call a special meeting (Education Code section 1012).

At special meetings, no business shall be transacted other than that specified in the call of the president, except certificates to teach may be renewed at any meeting of the Board. Notice of a special board meeting shall be delivered personally or by mail to each board member and to each local newspaper of general circulation, radio, or television station requesting notice in writing. The notice shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public. Posting shall include placement on the website of the Kern County Superintendent of Schools. A county board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the secretary of the County Board or by being present at the meeting at the time it convenes. (Government Code section 54956). A meeting notice shall be deemed received if timely delivered to an email address provided by the recipient. A majority of the members shall constitute a quorum for the transaction of business. Four votes are needed for a quorum to take action. (Education Code section 1013).

The president of the Board shall preside at regular and special meetings of the Board. In the absence of the president, the vice president shall preside. In the absence of both the president and vice president, the membership shall elect one of its members to serve as temporary presiding officer.

### **EMERGENCY MEETINGS**

Emergency meetings, as defined by Government Code Section 54956.5, may be held without complying with either the 24-hour posting or notice requirements; however, if telephone service is functioning, each local newspaper of general circulation and radio or television station which has requested notice of special meetings shall be notified one hour prior to the emergency meeting. All telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings shall be exhausted. If telephone service is not functioning, the notice requirements shall be deemed waived and the media will be notified as soon after the meeting as possible.

### **MEETING BY TELECONFERENCE**

Meetings by teleconference are permitted not only through video technologies, but also through audio or a combination of the two. Agendas must be posted at each teleconferencing site and each teleconference location must be identified in the meeting notice and agenda. In addition, each teleconference location must be accessible to the public.

As a condition of a teleconferenced board meeting, at least a quorum of the County Board must participate from within the county boundaries.

Under specified circumstances during a proclaimed state of emergency, the Brown Act permits remote participation without complying with the usual rules for teleconferencing,

provided appropriate public notice and opportunity for participation are given.  
(Government Code section 54953(e).)

### **ADJOURNED/CONTINUED MEETINGS**

The County Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the County Board may adjourn such a meeting. If no county board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code section 54955)

Notice of adjourned meetings, as referenced in Government Code section 54955, shall be given in the same manner as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held, within 24 hours after the time of the adjournment. When the order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

### **MEETING MINUTES**

The Kern County Superintendent of Schools shall take, or cause to be taken, minutes of all regular and special meetings of the Board.

Copies of official minutes of meetings of the Board shall be transmitted to each board member prior to the next succeeding meeting of the Board, so that members may have an opportunity to review them prior to official adoption at a subsequent or next regular meeting.

Copies of official adopted minutes shall be maintained in the office of the Kern County Superintendent of Schools for public inspection.

Motions or resolutions shall be recorded as having passed or failed. Individual votes on resolutions and motions shall be recorded. Board resolutions shall be numbered consecutively from the beginning of each calendar year.

The minutes shall not include the directory information or the personal information of a pupil or a parent or guardian of a pupil, except as required by judicial order or federal law, if a pupil who is 18 years of age or older or a parent or guardian of a pupil has provided a written request to the secretary or clerk of the County Board to exclude his or her personal information or the name of his or her minor child from the minutes of a meeting of the County Board.

### **RECORDINGS**

A video- or audiotape recording may be made at any board meeting to aid in the preparation of minutes. Recordings made during regular or special board meetings are public records. They shall be kept for a minimum of 30 days and upon request shall be made available for inspection by members of the public utilizing office equipment, without charge. The recording may be erased or destroyed 30 days after it was created. (Government Code section 54953.5)

Legal Reference:

Education Code

1009 Organizational Meeting

1011 Meetings of the Board

1012 Special Meetings

1013 Quorum

1015 Voting

1016 Special Meetings

Government Code

54950 et seq. Brown Act

United States Code, Title 42

12101-12213 Americans with Disabilities Act