

Fresno Unified Board Bylaw (BB) 9130

Board Committees

The Governing Board may establish a Board 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.

(cf. 1220 – Citizen Advisory Committees)

(cf. 2230 – Representative and Deliberative Groups)

(cf. 9140 – Board Representatives)

Upon establishing a committee, the Board shall clearly define 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, Board committees shall act in an advisory capacity. Any committee not required by law may be dissolved when its duties or term have been completed or whenever the Board deems necessary.

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.

(cf. 9121 – President)

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 nonvoting 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.

Committee Meetings

Unless otherwise exempted by law, Board-created committees shall provide public notice of their meetings and conduct these meetings in accordance with Government Code 54950-54963 (the Brown Act).

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

However, Board subcommittees composed solely of less than a quorum 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 with a continuing subject matter jurisdiction or a meeting schedule established by 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, and legislation.

(cf. 3100 – Budget)

(cf. 3430 – Investing)

(cf. 9310 – Board Policies)

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 the 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 closed session only for those purposes specifically authorized by law for closed sessions held by the Board.

(cf. 9321 – Closed Session Purposes and Agenda)

The Superintendent or designee may serve as an advisor to any committee at the discretion of the Board.

Whenever so charged, any committees may actively seek input and participation by parents/guardians, staff, community and students, and may consult with local public boards and agencies.

Recommendations or actions of committees shall be decided by the majority vote of the membership of the committee and shall be consistent with applicable laws, Board-adopted Policies and procedures, and other Board Bylaws. In order to vote, members must participate in the meeting either in person or by telephone at the time of the scheduled meeting. If there is no majority vote, the committee may reconsider the issue at a future meeting.

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, if the Board determines that the item has been substantially changed since it was heard by the committee.

Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.

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
ATTORNEY GENERAL OPINIONS
81 Ops.Cal.Atty.Gen. 156 (1998)
80 Ops.Cal.Atty.Gen. 308 (1997) 79 Ops.Cal.Atty.Gen. 69 (1996)

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
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Policy Section: 9000 Board Bylaws