Rule 1220

Community Relations

Citizen Advisory Committees

Committees Subject to Brown Act Requirements

Pursuant to Government Code 54952, open meeting laws (the Brown Act) apply to any commission, committee, board, or other body created by formal action of the Board, regardless of whether that body is permanent or temporary, decision making or advisory. Exceptions are noted in Education Code 35147 and are listed in the section "Committees Not Subject to Brown Act Requirements below.

The following citizen advisory committees shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation, pursuant to Education Code 54950-54963:

1. Advisory committees established pursuant to Education Code 56190-56194 related to special education

2. Advisory committees established pursuant to Education Code 8070 related to career technical education

3. Committees established to assist in development of a student wellness policy pursuant to 42 USC 1751

4. Committees established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property

5. Citizens' oversight committees established to examine the expenditure of general obligation bond or schools facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3.

6. Other committees created by formal action by the Board of Education.

Committees Not Subject to Brown Act Requirements

The following councils and advisory committees are exempted from The Brown Act and must conform with procedural meeting requirements established in Education Code 35147:

1. School site councils established pursuant to Education Code 41507, 41572, or 52852 related to student retention, school or library improvement, or school-based program coordination

2. District or school advisory committees established pursuant to Education Code 52176 related to programs for students of limited English proficiency

3. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

4. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

5. School site councils established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education

6. School committees established pursuant to Education Code 11503 related to parent involvement

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon.

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information.

Councils or committees violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. Any materials provided to a school site council shall be made available to any member of the public upon request pursuant to the California Public Records Act.

Committees created by the Superintendent or designee to advise the administration do not report to the Board and are not subject to open meeting laws.

Rule
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