October 1, 2014

TO: Santa Clara County Board of Education

FROM: Darcie Green, Chair, Policy Development Subcommittee

VIA: Jon R. Gundry, County Superintendent of Schools

SUBJECT: First Reading of Revised Board Policies 6141, 6162.51 and Board Bylaw 9320

Associated Goals
GOAL 4: Improve organizational effectiveness and efficiency

Background
On September 17, 2014 the Policy Development Subcommittee met and approved the revision of the following Board Policies and Board Bylaw:

BP 6141 Curriculum Development and Evaluation
Policy updated to create one policy that establishes curriculum development and instructional plans for the SCCOE due to recommended deletion of board policies 6142.6 Visual and Performing Arts Education, 6142.91 Reading/Language Arts Instruction, 6142.92 Mathematics Instruction, and 6162.5 Student Assessment.

BP 6162.51 State Academic Achievement Tests
Retitled policy updated to reflect new law (AB 484) which establishes a new state assessment system, designated by the CDE as the California Assessment of Student Performance and Progress (CAASPP), beginning in the 2013-14 school year. Policy also reflects new law (SB 247) which requires the CDE to identify existing tests that may be used by classroom teachers for diagnostic purposes in grade 2. Policy reflects NEW LAW (AB 97) which repealed law that encouraged boards to examine state assessment results by school, grade, and student subgroup during their annual discussion of each school's Academic Performance Index, but which still requires demonstration of comparable improvement in academic achievement by numerically significant student subgroups.

BB 9320 Meetings and Notices
Bylaw updated to correct starting time of Board meetings from 5:30 p.m. to 5:00 p.m.
**Fiscal Implications**

The proposed revisions have no fiscal implications.
The Santa Clara County Board of Education (County Board) desires to provide a research-based, sequential curriculum which promotes high levels of student achievement and emphasizes the development of basic skills, problem solving, and decision making. Upon recommendation of the Santa Clara County Superintendent of Schools (County Superintendent) or designee, the County Board shall adopt standards-based instructional materials for core subject areas in accordance with applicable law, Board policy, and administrative regulation.

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6000 - Concepts and Roles)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.5 - Environmental Education)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6142.93 - Science Instruction)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6143 - Courses of Study)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6161.3 - Toxic Art Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 9000 - Role of the Board)

The County Superintendent or designee shall develop and maintain a curriculum and instructional plan that will:

1. Provide challenging content and performance standards in all subject areas.
2. Address the unique needs of SCCOE students based on ongoing assessment.
3. Promote high expectations for student achievement.
4. Assist students in meeting requirements for high school graduation and prepare them for higher educational opportunities.
5. Assist students in school to career transitions.
6. Increase opportunities for career technical education.
7. Incorporate educational technology to enhance student learning.

(cf. 0400 - SCCOE Technology Plan)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6011 - Academic Standards)

The curriculum shall be aligned with the Santa Clara County Office of Education's (SCCOE) vision and goals for student learning, Board policies, academic content standards, state curriculum frameworks, state and SCCOE assessments, graduation requirements, school and SCCOE improvement plans, and, when necessary, related legal requirements.

(cf. 0000 - Vision)
(cf. 0200 - Goals for SCCOE)
(cf. 0420 - School Plans/Site Councils)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 0520.4 - Quality Education Investment Schools)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program, State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)
(cf. 6171 - Title I Programs)
(cf. 9310 - Board Policies)

The County Superintendent or designee shall establish a process for curriculum development, selection, and/or adaptation which utilizes the professional expertise of teachers, principals, and administrators representing various grade levels, disciplines, special programs, and categories of students as appropriate. The process also may provide opportunities for input from students, parents/guardians, representatives of local businesses and postsecondary institutions, and other community members.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1700 - Relations Between Private Industry and the Schools)

The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

(cf. 1312.2 - Complaints Concerning Instructional Materials)
When presenting a recommended curriculum for adoption, the County Superintendent or designee shall provide research, data, or other evidence demonstrating the proven effectiveness of the proposed curriculum. He/she also shall present information about the resources that would be necessary to successfully implement the curriculum and describe any modifications or supplementary services that would be needed to make the curriculum accessible to all students.

The County Board-Superintendent or designee shall establish a review cycle for regularly evaluating the taught curriculum in order to ensure continued alignment with state and SCCOE goals for student achievement. At a minimum, these reviews shall be conducted whenever the State Board of Education adopts new or revised content standards or the curriculum framework for a particular subject or when new law requires a change or addition to the curriculum.

In addition, the County Board may require a review of the curriculum in one or more subject areas as needed in response to student assessment results; feedback from teachers, administrators, or parent/guardians; new research on program effectiveness; or changing student needs.
Legal Reference:
EDUCATION CODE
221.5 Equal opportunity
35160 Authority of governing boards
35160.1 Broad authority of school districts
51050-51057 Enforcement of courses of study
51200-51263 Required courses of study
51500-51540 Prohibited instruction
51720-51879.9 Authorized classes and courses of instruction
60000-60424 Instructional materials
GOVERNMENT CODE
3543.2 Scope of representation
CODE OF REGULATIONS, TITLE 5
4000-4091 School improvement programs
4400-4426 Improvement of elementary and secondary education

Management Resources:
CSBA PUBLICATIONS
Maximizing School Board Leadership: Curriculum, 1996
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Content Standards for California Public Schools: Kindergarten Through Grade 12
Curriculum Frameworks for California Public Schools: Kindergarten Through Grade 12
WEB SITES
CSBA: http://www.csba.org
Association for Supervision and Curriculum Development: http://www.ascd.org
Association of California School Administrators: http://www.acsa.org
California Association for Supervision and Curriculum Development: http://www.casco.org
California Department of Education, Curriculum and Instruction: http://www.cde.ca.gov/ci

Policy adopted: October 20, 2010
The Santa Clara County Board of Education desires to provide a research-based, sequential curriculum which promotes high levels of student achievement and emphasizes the development of basic skills, problem solving, and decision making. Upon recommendation of the Santa Clara County Superintendent of Schools or designee, the County Board shall adopt a written Santa Clara County Office of Education curriculum which describes, for each subject area and grade level, the content objectives which are to be taught in all SCCOE schools.

(cf. 6000 - Concepts and Roles)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.5 - Environmental Education)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6142.93 - Science Instruction)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6143 - Courses of Study)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 9000 - Role of the Board)

The curriculum shall be aligned with SCCOE's vision and goals for student learning. Board policies, academic content standards, state curriculum frameworks, state and COE assessments, graduation requirements, school and SCCOE improvement plans, and, when necessary, related legal requirements.

(cf. 0000 - Vision)
(cf. 0200 - Goals for SCCOE)
(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 0520.4 - Quality Education Investment Schools)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)
(cf. 6171 - Title I Programs)
(cf. 9310 - Board Policies)

The County Superintendent or designee shall establish a process for curriculum development, selection, and/or adaptation which utilizes the professional expertise of teachers, principals, and administrators representing various grade levels, disciplines, special programs, and categories of students as appropriate. The process also may provide opportunities for input from students, parents/guardians, representatives of local businesses and postsecondary institutions, and other community members.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1700 - Relations Between Private Industry and the Schools)

The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6163.1 - Library Media Centers)

When presenting a recommended curriculum for adoption, the County Superintendent or designee shall provide research, data, or other evidence demonstrating the proven effectiveness of the proposed curriculum. He/she also shall present information about the resources that would be necessary to successfully implement the curriculum and describe any modifications or supplementary services that would be needed to make the curriculum accessible to all students.

(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)
(cf. 3100 - Budget)
(cf. 4131 - Staff Development)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 5149 - At-Risk Students)
(cf. 6141.5 - Advanced Placement)
(cf. 6159 - Individualized Education Program)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Language Learners)
(cf. 6179 - Supplemental Instruction)

The County Board shall establish a review cycle for regularly evaluating the taught curriculum in order to ensure continued alignment with state and SCCOE goals for student achievement. At a
minimum, these reviews shall be conducted whenever the State Board of Education adopts new or revised content standards or the curriculum framework for a particular subject or when new law requires a change or addition to the curriculum.

In addition, the County Board may require a review of the curriculum in one or more subject areas as needed in response to student assessment results; feedback from teachers, administrators, or parent/guardians; new research on program effectiveness; or changing student needs.

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:
EDUCATION CODE
221.5 Equal opportunity
35160 Authority of governing boards
35160.1 Broad authority of school districts
51050-51057 Enforcement of courses of study
51200-51263 Required courses of study
51500-51540 Prohibited instruction
51720-51879.9 Authorized classes and courses of instruction
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Management Resources:
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Curriculum Frameworks for California Public Schools: Kindergarten Through Grade 12
WEB SITES
CSBA: http://www.csba.org
Association for Supervision and Curriculum Development: http://www.ascd.org
Association of California School Administrators: http://www.acsa.org
California Association for Supervision and Curriculum Development: http://www.cascd.org
California Department of Education, Curriculum and Instruction: http://www.cde.ca.gov/ci

Policy SANTA CLARA COUNTY OFFICE OF EDUCATION
adopted: October 20, 2010 San Jose, California
Santa Clara County Office of Education
Board Policy

Standardized Testing And Reporting Program State Academic Achievement Tests

BP 6162.51
Instruction

The Santa Clara County Board of Education (County Board) desires to use the results of the achievement tests to evaluate the performance of Santa Clara County Office of Education students in achieving state academic standards and in comparison to the performance of students across the state. recognizes that state achievement test results provide an indication of student progress in achieving state academic standards and may be used to promote high-quality teaching and learning. The Santa Clara County Superintendent of Schools (County Superintendent) or designee shall administer mandatory student assessments within the state Standardized Testing and Reporting (STAR) Program - California Assessment of Student Performance and Progress (CAASPP) as required by law and in accordance with Board policy and administrative regulation.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.54 - Test Integrity/Test Preparation)

The County Board strongly encourages all students at the applicable grade levels to participate in the STAR-state assessments in order to maximize the usefulness of the data and enable the SCCOE to meet participation levels required for state and federal accountability systems. The County Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 6011 - Academic Standards)

The County Board Superintendent shall annually examine STAR-the state assessment results by school site, grade level, and student subgroup in the County Board's discussion of each school's ranking on the statewide Academic Performance Index. If the STAR performance level of the school is below the County Board's established expectations, the County Board may conduct an assessment of the reasons for the performance results and may adopt a performance improvement plan in accordance with Education Code 52056, in order to revise the local control and accountability plan and other SCCOE or school plans as necessary to improve student achievement for underperforming student groups.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 0500 - Accountability)
(cf. 0520.1 - High Priority Schools Grant Program)
Legal Reference:
EDUCATION CODE
49076  Student records; access
51041  Evaluation of educational program
52056  Board discussion of Academic Performance Index rankings, including STAR results
52052  Academic Performance Index; numerically significant student subgroups
52060-52077  Local control and accountability plan
56345  Individualized education program, contents
60600-60630  Assessment of academic achievement
60640-60649  Standardized Testing and Reporting Program California Assessment of Student Performance and Progress
60660-60663  Electronic learning assessment resources
60810  Assessment of language development
99300-99301  Early Assessment Program
CODE OF REGULATIONS, TITLE 5
850-86470  Standardized Testing and Reporting Program State Assessments
UNITED STATES CODE, TITLE 20
1412(a)(17)  Participation of students with disabilities in state assessments
6311  Adequate yearly progress
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1  Standards and assessment

Management Resources:
CSBA PUBLICATIONS
Supporting Student Achievement: Student Assessment System in Flux, Governance Brief, June 2013
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments, Assembly Bill 484 Questions and Answers
CALIFORNIA STATE UNIVERSITY PUBLICATIONS
The Early Assessment Program: Handbook for School Site Leaders, 2008
SMATER BALANCED ASSESSMENT CONSORTIUM PUBLICATIONS
Usability, Accessibility, and Accommodations Guidelines, September 2013
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
WEB SITES
CSBA:  http://www.csba.org
California Department of Education, STAR Program Testing, and Accountability: http://www.cde.ca.gov/ta/tg/st
California Learning Resources Network: http://clrn.org
California State University, Early Assessment Program: http://www.calstate.edu/eap
Smarter Balanced Assessment Consortium:  http://www.smarterbalanced.org
Santa Clara COE
Board Policy
Standardized Testing And Reporting Program

BP 6162.51
Instruction

The Santa Clara County Board of Education desires to use the results of the achievement tests to evaluate the performance of Santa Clara County Office of Education students in achieving state academic standards and in comparison to the performance of students across the state. The Santa Clara County Superintendent of Schools or designee shall administer mandatory student assessments within the state Standardized Testing and Reporting (STAR) Program as required by law and in accordance with Board policy and administrative regulation.

(cf. 6162.5 - Student Assessment)
(cf. 6162.54 - Test Integrity/Test Preparation)

The County Board strongly encourages all students at the applicable grade levels to participate in the STAR assessments in order to maximize the usefulness of the data and enable the SCCOE to meet participation levels required for state and federal accountability systems. The County Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 6011 - Academic Standards)

The County Board shall annually examine STAR results by school, grade level, and student subgroup in the County Board's discussion of each school's ranking on the statewide Academic Performance Index. If the STAR performance level of the school is below the County Board's established expectations, the County Board may conduct an assessment of the reasons for the performance results and may adopt a performance improvement plan in accordance with Education Code 52056.

(cf. 0500 - Accountability)
(cf. 0520.1 - High Priority Schools Grant Program)

Legal Reference:
EDUCATION CODE
51041 Evaluation of educational program
52056 Board discussion of Academic Performance Index rankings, including STAR results
Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments
CALIFORNIA STATE UNIVERSITY PUBLICATIONS
The Early Assessment Program: Handbook for School Site Leaders, 2008
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
California Department of Education, STAR Program: http://www.cde.ca.gov/tg/sr
California Learning Resources Network: http://clrn.org
California State University, Early Assessment Program: http://www.calstate.edu/eap
U.S. Department of Education, Office for Civil Rights:
http://www.ed.gov/about/offices/list/ocr/index.html

Policy adopted: October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California
Meetings of the Santa Clara County Board of Education ("County Board") are conducted for the purpose of accomplishing County Board business.

A County Board meeting occurs whenever a majority of its members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the County Board (Government Code § 54952.2.)

In accordance with California's open meeting laws found at Government Code Section 54950 et seq. ("the Brown Act"), the County Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law.

The meetings of standing committees of the County Board are subject to the Brown Act and all references herein to the County Board shall include all standing committees. Ad hoc advisory committees composed solely of Board members and constituting less than a quorum of the County Board shall not be subject to the Brown Act. (Government Code 54952.)

To encourage community involvement in the schools, County Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with the law and County Board bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)
(cf. 9323 - Meeting Conduct)

A majority of members of the County Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. However, a Santa Clara County Office of Education ("County Office") employee or official 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 County Office employee or official does not communicate the comments or position of any County Board members to other County Board members. (Government Code 54952.2)
Participation by Disabled Individuals

In order to help ensure participation in County Board meetings by disabled individuals, the Santa Clara County Superintendent of Schools (County Superintendent) or designee shall provide appropriate disability-related accommodations or modifications upon request and in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Upon request, the County Superintendent or designee shall make every reasonable effort to provide 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)

Meeting notices and agendas shall specify that any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in a County Board meeting should contact the County Superintendent or designee at least two working days prior to the meeting. (Government Code 54954.2)

No surcharge shall be imposed for providing the agenda, agenda packet, and/or any writings distributed at a County Board meeting in alternative formats to persons with disabilities. (Government Code 54957.5.)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall be held in a facility that is accessible to all persons, including disabled persons, without charge. (Government Code 54961)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Meetings shall be held within County boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the County Office is a party

2. Inspect real or personal property which cannot conveniently be brought into the County Office, provided that the topic of the meeting is limited to items directly related to the property

3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law

4. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the County Office over which the state or federal officials have jurisdiction
5. Visit the office of the County Office's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs.

Meetings exempted from the boundary requirements, as specified above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the County Board attends the meeting.

In the event of an emergency, or where a majority of the County Board will not be able to attend a due to a reason approved by resolution of the County Board, the County Board President may change the date and/or time of a regular County Board meeting. Such situations shall include, but are not limited to: fire, flood, earthquake, absence of County Board members due to attendance at a Board-sanctioned conference, illness, or injury. Where the schedule for a regular County Board meeting is to be changed, the County Superintendent or designee shall notify all County Board members and the public by the most rapid available means of communication.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the County Board President or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

(cf. 9322 - Agenda/Meeting Materials)

Regular Meetings

The County Board shall hold an annual organizational meeting in accordance with law and the provisions of Board Bylaw 9100. At its organizational meeting, the County Board shall adopt a yearly calendar for its regular meetings. By Board action, the Board may deviate from its adopted calendar for the convenience of its members or for other reasons. (Education Code 1009.)

Regular meetings of the County Board shall be held at such time and place as members determine, but shall not be held less frequently than one meeting per month. The County Board shall generally hold two regular meetings each month, except for January, July, August, and December, when the County Board shall generally meet only once. Unless otherwise posted, regular County Board meetings shall be held on the first and third Wednesdays of each month, at 5:30-5:00 p.m., in the San Jose Room of the Santa Clara County Office of Education, 1290 Ridder Park Dr., San Jose. The County Board Meeting Schedule shall be made available on the County Office website at [website address].

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings may, for the duration of the emergency, be held in at a place designated by the County Board President or designee, who shall so inform all news media that have requested notice of meetings, by the most rapid means of communication available at the time. (Government Code 54954.)

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)
Each agenda shall also list the address(es) designated by the County Superintendent or designee for public inspection of agenda documents that are distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

Special Meetings

Special meetings of the County Board shall be called by the County Board President whenever, in his or her judgment, the exigencies of County Board business require it, or upon the written request of any three County Board members. (Education Code 1012; Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all County Board members and the local media who have requested such notice in writing. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. Any 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 clerk or secretary of the County Board or by being present at the meeting at the time it convenes. (Government Code 54956)

The notice shall specify the time and place of the meeting and shall include a brief general description of each item to be acted upon or discussed. Every notice of a special meeting shall also provide an opportunity for members of the public to directly address the County Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3) Except as permitted by law, no other business shall be considered at the meeting. (Education Code 1016; Government Code 54956)

An emergency situation means either of the following: (Government Code 54956.5)

Emergency Meetings

The County Board may hold an emergency meeting without complying with the 24-hour notice and posting requirements for special meetings. In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the County Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health or safety, or both, as determined by a majority of the members of the County Board

   (cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the County Board to provide one-hour notice before holding an emergency meeting may endanger the public health or safety, or both, as determined by a majority of the members of the County Board
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, as defined above, the County Board President or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour shall be deemed waived and, as soon after the meeting as possible, the County Board President or designee shall notify those media representatives that the meeting was held, the purpose of the meeting, and any action taken at the meeting by the County Board. In the case of a dire emergency, the County Board President or designee shall give such notice at or near the time he/she notifies the other members of the County Board about the meeting. (Government Code 54956.5)

The County Board may meet in closed session during an emergency meeting pursuant to Government Code section 54957, if agreed to by a two-thirds vote of the members of the County Board in attendance, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 54956(c).)

The minutes of the emergency meeting, a list of persons the County Board President or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned Meetings

A majority vote of County Board members present may adjourn any regular or special meeting to a later time and place that shall be specified in the order of adjournment. If less than a quorum of the County Board is not present at a County Board meeting, the members present may adjourn the meeting. Within 24 hours after adjournment, a copy of the order of adjournment shall be posted conspicuously on or near the door of the place where the meeting was held. (Government Code 54955.)

If no members of the County Board are present at any regular or adjourned regular meeting, the Santa Clara County Superintendent of Schools ("County Superintendent") may declare the meeting adjourned to a later time and give written notice in the same manner required for a special meeting. (Government Code 54955.)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The County Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The County Board may also convene a retreat or discussion meeting to discuss County Board roles and relationships.
Public notice shall be given in accordance with law when a majority of the County Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within County boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of County Board members at any of the following events is not subject to the Brown Act provided that a majority of County Board members do not discuss specific County Office business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to County Board members

2. An open, publicized meeting organized by a person or organization other than the County Office to address a topic of local community concern

3. An open and noticed meeting of another body of the County Office

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(cf. 9130 - Board Committees)

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the County Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

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All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the County Board, including the right of the public to address the County Board directly at each teleconference location. (Government Code 54953)

All County Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The County Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

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35.160 Effective communications
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COURT DECISIONS
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Management Resources:
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The Brown Act: Open Meetings for Legislative Bodies, 2003
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
WEB SITES
CSBA:  http://www.csba.org
CSBA, Agenda Online:
http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx
California Attorney General's Office:  http://www.caag.state.ca.us
Institute for Local Government:  http://www.cacities.org/index.jsp?zone=ilsg

Bylaw  SANTA CLARA COUNTY OFFICE OF EDUCATION
adopted: November 2, 2011  San Jose, California
Santa Clara COE
Board Bylaw
Meetings And Notices

BB 9320
Board Bylaws

Meetings of the Santa Clara County Board of Education ("County Board") are conducted for the purpose of accomplishing County Board business.

A County Board meeting occurs whenever a majority of its members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the County Board (Government Code Â§ 54952.2.)

In accordance with California's open meeting laws found at Government Code Section 54950 et seq. ("the Brown Act"), the County Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law.

The meetings of standing committees of the County Board are subject to the Brown Act and all references herein to the County Board shall include all standing committees. Ad hoc advisory committees composed solely of Board members and constituting less than a quorum of the County Board shall not be subject to the Brown Act. (Government Code 54952.)

To encourage community involvement in the schools, County Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with the law and County Board bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)
(cf. 9323 - Meeting Conduct)

A majority of members of the County Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. However, a Santa Clara County Office of Education ("County Office") employee or official 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 County Office employee or official does not communicate the comments or position of any County Board members to other County Board members. (Government Code 54952.2)

Participation by Disabled Individuals

In order to help ensure participation in County Board meetings by disabled individuals, the Santa
Clara County Superintendent of Schools or designee shall provide appropriate disability-related accommodations or modifications upon request and in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Upon request, the County Superintendent or designee shall make every reasonable effort to provide 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)

Meeting notices and agendas shall specify that any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in a County Board meeting should contact the County Superintendent or designee at least two working days prior to the meeting. (Government Code 54954.2)

No surcharge shall be imposed for providing the agenda, agenda packet, and/or any writings distributed at a County Board meeting in alternative formats to persons with disabilities. (Government Code 54957.5.)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall be held in a facility that is accessible to all persons, including disabled persons, without charge. (Government Code 54961)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Meetings shall be held within County boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the County Office is a party

2. Inspect real or personal property which cannot conveniently be brought into the County Office, provided that the topic of the meeting is limited to items directly related to the property

3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law

4. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the County Office over which the state or federal officials have jurisdiction

5. Visit the office of the County Office's legal counsel for a closed session on pending
Meetings exempted from the boundary requirements, as specified above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the County Board attends the meeting.

In the event of an emergency, or where a majority of the County Board will not be able to attend a meeting due to a reason approved by resolution of the County Board, the County Board President may change the date and/or time of a regular County Board meeting. Such situations shall include, but are not limited to: fire, flood, earthquake, absence of County Board members due to attendance at a Board-sanctioned conference, illness, or injury. Where the schedule for a regular County Board meeting is to be changed, the County Superintendent or designee shall notify all County Board members and the public by the most rapid available means of communication.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the County Board President or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

(cf. 9322 - Agenda/Meeting Materials)

Regular Meetings

The County Board shall hold an annual organizational meeting in accordance with law and the provisions of Board Bylaw 9100. At its organizational meeting, the County Board shall adopt a yearly calendar for its regular meetings. By Board action, the Board may deviate from its adopted calendar for the convenience of its members or for other reasons. (Education Code 1009.)

Regular meetings of the County Board shall be held at such time and place as members determine, but shall not be held less frequently than one meeting per month. The County Board shall generally hold two regular meetings each month, except for January, July, August, and December, when the County Board shall generally meet only once. Unless otherwise posted, regular County Board meetings shall be held on the first and third Wednesdays of each month, at 5:30 p.m., in the San Jose Room of the Santa Clara County Office of Education, 1290 Ridder Park Dr., San Jose. The County Board Meeting Schedule shall be made available on the County Office website at www.sccoe.k12.ca.us.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings may, for the duration of the emergency, be held in at a place designated by the County Board President or designee, who shall so inform all news media that have requested notice of meetings, by the most rapid means of communication available at the time. (Government Code 54954.)

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)

Each agenda shall also list the address(es) designated by the County Superintendent or designee...
for public inspection of agenda documents that are distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

Special Meetings

Special meetings of the County Board shall be called by the County Board President whenever, in his or her judgment, the exigencies of County Board business require it, or upon the written request of any three County Board members. (Education Code 1012; Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all County Board members and the local media who have requested such notice in writing. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. Any 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 clerk or secretary of the County Board or by being present at the meeting at the time it convenes. (Government Code 54956)

The notice shall specify the time and place of the meeting and shall include a brief general description of each item to be acted upon or discussed. Every notice of a special meeting shall also provide an opportunity for members of the public to directly address the County Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3) Except as permitted by law, no other business shall be considered at the meeting. (Education Code 1016; Government Code 54956)

An emergency situation means either of the following: (Government Code 54956.5)

Emergency Meetings

The County Board may hold an emergency meeting without complying with the 24-hour notice and posting requirements for special meetings, in the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities. The County Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health or safety, or both, as determined by a majority of the members of the County Board

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the County Board to provide one-hour notice before holding an emergency meeting may endanger the public health or safety, or both, as determined by a majority of the members of the County Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
Except in the case of a dire emergency, as defined above, the County Board President or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour shall be deemed waived and, as soon after the meeting as possible, the County Board President or designee shall notify those media representatives that the meeting was held, the purpose of the meeting, and any action taken at the meeting by the County Board. In the case of a dire emergency, the County Board President or designee shall give such notice at or near the time he/she notifies the other members of the County Board about the meeting. (Government Code 54956.5)

The County Board may meet in closed session during an emergency meeting pursuant to Government Code section 54957, if agreed to by a two-thirds vote of the members of the County Board in attendance, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 54956(c).)

The minutes of the emergency meeting, a list of persons the County Board President or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned Meetings

A majority vote of County Board members present may adjourn any regular or special meeting to a later time and place that shall be specified in the order of adjournment. If less than a quorum of the County Board is not present at a County Board meeting, the members present may adjourn the meeting. Within 24 hours after adjournment, a copy of the order of adjournment shall be posted conspicuously on or near the door of the place where the meeting was held. (Government Code 54955.)

If no members of the County Board are present at any regular or adjourned regular meeting, the Santa Clara County Superintendent of Schools ("County Superintendent") may declare the meeting adjourned to a later time and give written notice in the same manner required for a special meeting. (Government Code 54955.)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The County Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The County Board may also convene a retreat or discussion meeting to discuss County Board roles and relationships.

(cf. 2000 - Concepts and Roles)
(cf. 2111 - Superintendent Governance Standards)
Public notice shall be given in accordance with law when a majority of the County Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within County boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of County Board members at any of the following events is not subject to the Brown Act provided that a majority of County Board members do not discuss specific County Office business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to County Board members

2. An open, publicized meeting organized by a person or organization other than the County Office to address a topic of local community concern

3. An open and noticed meeting of another body of the County Office

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Institute for Local Government:  http://www.cacities.org/index.jsp?zone=ilsg