

MEETINGS AND NOTICES

State open meeting laws define a “meeting” as any congregation of a majority of the members of the Board at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the Board or County Office. (Government Code 54952.2)

Attendance by a majority of the Board’s members at any of the following events is not subject to state open meeting laws provided that a majority of the 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 that involves a discussion of issues of general interest to the public or to school boards.
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. A purely social or ceremonial occasion.

Except for authorized video teleconferences, any use of direct communication, personal intermediaries or technological devices by a majority of Board members to develop a collective concurrence as to an action the members will take on an item is prohibited. (Government Code 54952.2)

Individual contacts or conversations between a Board member and any other person are not subject to open meeting laws. (Government Code 54952.2)

Board meetings shall be open to the public and held within County Office’s boundaries, except as allowed by law. They shall be held in a facility that is accessible to all persons, including disabled persons, without charge. (Government Code 54954)

Regular Meetings

The Board shall hold one regular meeting each month. Regular meetings shall be held at 10:00 a.m., but the Board may occasionally schedule regular meetings to begin at 3:00 p.m. to facilitate public attendance. Typically, Board meetings will be scheduled on the second Monday of each month.

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)

Board meeting agendas, minutes, meeting dates and locations are posted to the Mendocino County Office of Education website (www.mcoe.us).

MEETINGS AND NOTICES (continued)

It is the policy of the Board to hold its regular meetings at various school sites throughout the county as well as at the main facility of the Mendocino County Office of Education.

Special Meetings

Special meetings of the Board may be called by the presiding officer or a majority of the Board members. (Government Code 54956)

Notice of special meetings shall be delivered either by mail or personally at least 24 hours before the meeting to all Board members, the Superintendent, and the local media who have requested such notice in writing. This notice also shall be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed; no other business shall be considered at these meetings. (Education Code 35144, Government Code 54956)

When a special meeting is called at least one week in advance, a notice of the meeting shall be mailed at least one week before the meeting to any person who has appropriately filed with the Board a written request for notice of regular meetings. (Government Code 54954.1)

Emergency Meeting

The Board may hold an emergency meeting without complying with the 24-hour notice requirement in the following cases: (Government Code 54956.5)

1. A work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.
2. A crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.

The Board president or designee shall give notice of the emergency meeting to the local media by telephone at least one hour before the meeting. If telephone services are not functioning, the notice requirement of one hour is waived. As soon after the meeting as possible, the Board shall notify local media which have requested notice for special meetings, describing the purpose of the meeting and any action taken by the Board. (Government Code 54956.5)

No closed session may be held during an emergency meeting. All other rules governing special meetings shall be observed, with the exception of the 24-hour notice requirement. The minutes of the meeting, a list of persons the 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)

MEETINGS AND NOTICES (continued)

Adjourned Meetings

A majority vote by the Board may adjourn any meeting to a later time and place which shall be specified in the order of adjournment. Within 24 hours after a meeting has been adjourned to a later time, a copy of the order of adjournment shall be posted at the meeting site.

If no members are present at any regular or adjourned regular meeting, 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 54955)

Annual Organizational Meeting

The County Board shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the County Board shall:

1. elect a president from its members.
2. elect a vice-president.
3. review subcommittees and liaisons; designate subcommittee representatives as needed.
4. conduct a County Board self-evaluation.

Meetings by Teleconference

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through either audio or video, or both.

The Board may use teleconferences for all purposes within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within county boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. Agendas shall state that all teleconference locations are ADA accessible and open to the public. (Government Code 54953)

MEETINGS AND NOTICES (continued)

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 Board, including the right of the public to access the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations and bylaws shall apply equally to meetings that are conducted by teleconference.

Public Statements

Before voting on any issue, all County Board members shall be encouraged to present whatever evidence they may feel important to the matter at hand. The County Board shall fully consider the implications and relevancy of all information so presented. All opinions, reactions and positions shall be openly discussed so that each member may understand all aspects of the issue before the County Board decides the outcome or direction it will take.

Legal Reference:

EDUCATION CODE

35140 Time and place of meetings

35143 Annual organizational meeting, date, and notice

35144 Special meeting

35145 Public meetings

35145.5 Agenda; public participation; regulations

GOVERNMENT CODE

54950-54957.9 Meetings, especially

54953 Meetings to be open and public; attendance

54954 Time and place of regular meetings; holidays; emergencies

54954.1 Mailed notices

54954.2 Agenda posting requirements, board actions

54956 Special meetings; call; notice

54956.5 Emergency meetings in emergency situations

54957.5 Agenda distribution

54961 Prohibition on use of certain facilities

MENDOCINO COUNTY BOARD OF EDUCATION

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