

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT GOVERNANCE HANDBOOK

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Approved: May 29, 2024

We, the undersigned, acknowledge that we have received and read the attached Governance Handbook of the West Contra Costa Unified School District Board of Trustees, and along with the district Superintendent, agree that the contents within shall be utilized as the governance structure for the West Contra Costa Unified School District.

President Date

Clerk Date

Trustee Date

Trustee Date

Trustee Date

TABLE OF CONTENTS

TABLE OF CONTENTS.....3

PREFACE.....5

DISTRICT OVERVIEW.....6

THE COUNTY, STATE, AND FEDERAL CONTEXT.....8

OUR GUIDING DOCUMENTS.....9

 1. Graduate Profile.....9

 2. District Strategic Plan.....9

 3. Vision, Mission, and Core Values.....9

 4. LCAP.....9

 5. Annual Board and Superintendent Goals:.....9

 6. California School Dashboard:.....9

 7. Code of Conduct.....9

 8. Board Governance Handbook.....9

 9. The Board’s Policies.....9

THE BOARD’S CODE OF CONDUCT.....10

 A. Prohibition Against Private Inurement and Procedures for Managing Conflicts of Interest..10

 B. Prohibition Against Harassment.....11

 C. Confidentiality:.....11

 D. Active Participation:.....11

 E. Choose Civility:.....11

OVERVIEW OF SCHOOL DISTRICT GOVERNANCE.....14

BOARD OVERSIGHT RESPONSIBILITIES.....18

 A. Strategic Direction.....18

 B. Systems and Structures to Achieve the Vision, Mission, and Goals.....18

 C. Governance and Strategy.....19

 D. Risk Management.....19

 E. Community Engagement.....20

 F. Financial Management.....21

 G. Human Resource Management.....22

 H. Educational Services.....24

 I. Building District Culture.....25

 J. Evaluation: The Board (Board Bylaw 9400) and the Superintendent (Board Bylaw 2110

{SR791725}

and 2140).....	26
ORGANIZING OUR BOARD FOR SUCCESS.....	26
Roles and Duties of Individual Board Members.....	26
Board Election of Officers (Board Bylaw 9100).....	29
Board and District Committees (Board Bylaw 9130; Board Bylaw 9140).....	30
Board Meetings (Board Bylaw 9320).....	33
WCCUSD PROTOCOLS.....	37
Rosenberg’s Rules of Order 2011 Edition:.....	46
Sample Board Governance Calendar.....	60

PREFACE

As WCCUSD Trustees and Superintendents, we have been given one of the best opportunities any of us will ever have to impact the quality of education for the children of our community. Our leadership role is unique and provides opportunities for us to improve the quality of life not just for our students but also for their parents and guardians as well as the community at large. Quite an awesome task!

How we exercise our unique responsibilities and privileges will largely determine how well West Contra Costa Unified will serve all its students and our larger community. This Governance Handbook has been created to help present and future Board Members and Superintendents know the policies and practices we must have in place to best respond to the trust that has been placed in us.

As you read and study it, you will note that there are some right ways to do our work as well as some wrong ones. We are not here to advance our own interests. We are not here to do the work of teachers, counselors, and administrators. We are here to implement the best practices in school governance that will result in excellent education for all students. These best practices have a sound base in research as well as the experiences of other trustees and superintendents over the years in diverse settings.

This handbook and the related Board policies and bylaws are designed to identify those practices, help guide all of our work, and enable us to work as a highly effective governance team. Our students, staff, parents and community deserve no less.

DISTRICT OVERVIEW

West Contra Costa Unified School District serves over 26,000 students in the East Bay region of the San Francisco Bay Area. The District serves the cities of El Cerrito, Richmond, San Pablo, Pinole and Hercules, along with several unincorporated areas of Contra Costa County, including North Richmond, El Sobrante, Tara Hills, Kensington and Montalvin Manor.

The District operates 56 schools. There are 37 elementary schools, six middle schools, nine high schools and one adult education center. In addition, there are 14 charter schools operating within the District's boundaries; eight have been authorized by WCCUSD.

The District's student population, like the community it serves, is diverse. The District's ethnic/racial makeup is: 54% Hispanic/Latino, 13% percent African American, 11% White, 11% percent Asian, 6% Filipino and 1% Pacific Islander. Another 6% of students self-identified as multi-racial, other or declined to state. (Rounding sums the numbers to slightly above 100%).

WCCUSD employs more than 3,000 full- and part-time employees. Some 1,400 classified employees support about 1,750 certificated teachers, counselors, nurses, psychologists, and administrators.

More than 2,000 parent and community volunteers provide support to students and teachers in and out of the classroom. Companies like Chevron and Bio-Rad join with non-profit organizations such as the West Contra Costa Public Education Fund to provide the resources necessary to augment classroom instruction with rich educational experiences. The District also prides itself on involving the community in key decisions through several key avenues including active participation at Board meetings, playing crucial roles on the Local Control Accountability Plan Parent Committee and on local School Site Councils.

As a Full Service Community Schools district, WCCUSD works with its community partners to provide the resources necessary to achieve educational success, well-being and self-efficacy for students, families and communities. Among other initiatives, the District is working hard to ensure that every school has a college- and career-going culture supported by the resources necessary to ensure that students are eligible for, and successful at the college/career of his or her choice. As part of this culture, the District has taken significant steps to close the achievement gap, address the needs of English language learners and provide technology to level the playing field for low-income families.

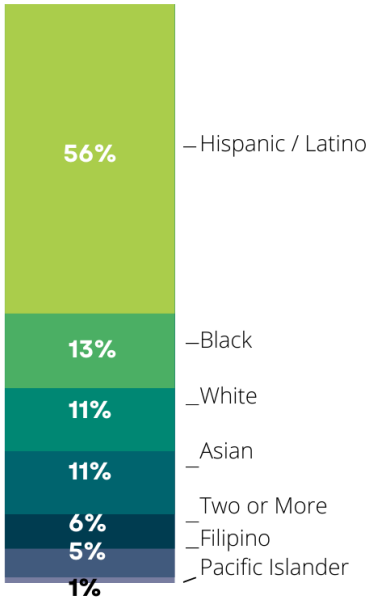
As part of its efforts to ensure that its students are prepared, the District has embarked on an ambitious effort to rebuild and refurbish its oldest and most needy facilities and outfit them with 21st century technology and tools, and provide the essential spaces to support Full Service Community Schools.

WCCUSD

At a Glance 2022-23



Student Race/Ethnicity



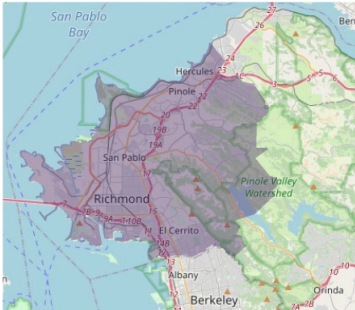
25,737
Students

+702 pre-schoolers



55
School Sites

- High School: 8
- Middle School: 6
- K-8: 5
- Elementary: 32
- State Pre-School Sites: 11
- SpEd Pre-School Sites: 14
- SpEd Assessment Center: 1
- Virtual: 1
- Alternative Ed.: 3
- Adult: 1



TK-12 Subgroups

<p>31%</p> <p>English Learners</p>	<p>58%</p> <p>Socioeconomically Disadvantaged</p>	<p>70%</p> <p>Unduplicated Pupil Count</p>	<p>2%</p> <p>Families in Transition (Homeless)</p>	<p><1%</p> <p>Foster Youth</p>	<p>14%*</p> <p>Students with Disabilities</p>
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Data Sources

Enrollment data from CALPADS as of October 2022. Pre-school count from PowerSchool as of October 2022. School counts from California School Directory <https://www.cde.ca.gov/schooldirectory/>.

*Students receiving Special Education services at Cameron Elementary who are not enrolled in district courses are not included.

Note: American Indian or Alaskan Native students are 0.3% of the WCCUSD student population.



THE COUNTY, STATE, AND FEDERAL CONTEXT

WCCUSD is supported in its work by the Contra Costa County Office of Education, the State of California, and the Federal Government.

The Contra Costa County Office of Education provides programs and services in a variety of areas that serve our students, staff, and community. They monitor our budget and provide recommendations, requirements, and support as needed. Their annual report, which summarizes their services, can be found here: [CCCOE Annual Report](#)

The State of California establishes funding legislation that provides the majority of our money. Through the California Dept. of Education, it provides programs and services, monitors our Local Control Accountability Plan, and also exercises fiscal oversight. The State helps our Board set priorities for the education program and student achievement. The Department of Education may define key results and desired student outcomes for the school system along with accountability systems. They may also define school system cycles of planning, monitoring, and reporting.

The Federal Government provides funding through Title 1 and has established regulations which support our equity work and enforce violations of various federal guidelines such as Title IX (Title 9) and various civil rights guidelines.

OUR GUIDING DOCUMENTS

Every high functioning district has a core set of documents which should guide the work of the Board, Superintendent, leadership teams, staff, students, and community. These documents for WCCUSD include:

1. **Graduate Profile**
 - a. A graduate profile which states what graduating students should know and be able to do upon graduation
2. **District Strategic Plan**
 - a. A District Strategic Plan which charts the direction of the district over a 3-5 year planning period.
3. **Vision, Mission, and Core Values**
 - a. The Plan includes a clear statement of the District's Vision, Mission, Core Values and Long Term Strategic Goals. Also included are the intended strategies to achieve the goals, and metrics to measure progress.
4. **LCAP**
 - a. The District's LCAP
5. **Annual Board and Superintendent Goals:**
 - a. Yearly Goals for the Board and Superintendent
6. **California School Dashboard:**
 - a. A Dashboard summarizing regular progress toward the achievement of long term and annual goals.
7. **Code of Conduct**
8. **Board Governance Handbook**
9. **The Board's Policies**

These documents have been developed to give everyone who works in WCCUSD a culture that respects the diverse needs of our students, the importance of equity-driven decision making and daily practices, and a [unity of purpose](#) (see Board Bylaw [9005](#)) that defines a common direction and the actions that will help us get there. The documents can and should be updated over time but always respected and valued by all of us in WCCUSD. Every trustee and superintendent is obligated to know these documents and use them as a guide to policy making and daily practices.

THE BOARD'S CODE OF CONDUCT

West Contra Costa Unified School District Board members observe the following Codes of Conduct:

A. Prohibition Against Private Inurement and Procedures for Managing Conflicts of Interest

No member of the Board shall derive any personal profit or gain, directly or indirectly, by reason of his or her service as a Board member. Members of the board shall conduct their personal affairs in such a manner as to avoid any possible conflict of interest with their duties and responsibilities as members of the Board. Nevertheless, conflicts may arise from time to time.

- a. The Governance Team's actions and decision making processes must always be guided by the principles of equity, fairness, anti bias and anti racism.
- b. No Board member should receive compensation for any work done as a Board Member other than that approved in Board policy.
- c. Any conflicts of interest, including, but not limited to financial interests, on the part of any Board Member, shall be disclosed to the Board when the matter that reflects a conflict of interest becomes a matter of Board action, and through an annual procedure for all Board members to disclose conflicts of interest. Any Board Member having a conflict of interest shall not vote unless required to do so by law or use his or her personal influence to address the matter, and they shall not be counted in determining the quorum for the matter.
- d. All conflicts disclosed to the Board will be made a matter of record in the minutes of the meeting in which the disclosure was made, which shall also note that the Board member with a conflict abstained from the vote and was not present for any discussion, as applicable and was not included in the count for the quorum for that matter.
- e. Any new Board member will be advised of these guidelines during Board orientation and all Board members will be reminded of the Board Member Code of Conduct and of the procedures for disclosure of conflicts and for managing conflicts on a regular basis, at least once a year.

B. Prohibition Against Harassment

The West Contra Costa Unified School District strives to maintain a District that is free from illegal discrimination and harassment. Board Members are expected to observe the

{SR791725}

Board policies which define and prohibit harassment. (BP [0410](#) - Non Discrimination in District Programs and Activities and BP [4119.11](#) Sexual Harassment and BP [4030](#) Non Discrimination in Employment)

C. Confidentiality:

Board members are reminded that confidential financial, personnel and other matters concerning the District, staff, students, families, community members and others may be included in Board materials or discussed from time to time. Board members should not disclose such confidential information to anyone.

D. Active Participation:

Board members are expected to exercise the duties and responsibilities of their positions with integrity, collegiality, and care. This includes:

- a. Making attendance at all meetings of the Board a high priority.
- b. Being prepared to discuss the issues and business on the agenda; having read all background material relevant to the topics at hand.
- c. Cooperating with and respecting the opinions of fellow Board members, and leaving personal prejudices out of all Board discussions, as well as supporting actions of the Board with one voice even when the Board member personally did not support the action taken.
- d. Putting the interests of the organization above personal interests.
- e. Representing WCCUSD in a positive and supportive manner at all times and in all places.
- f. Showing respect and courteous conduct in all Board and committee meetings.
- g. Refraining from intruding on administrative issues that are the responsibility of management, except to monitor the results and ensure that procedures are consistent with Board policy.
- h. Observing established lines of communication and directing requests for information or assistance to the Board President or the Superintendent.

E. Choose Civility:

Being civil means being constantly aware of others and weaving restraint, respect and kindness into our interactions. When we choose civility, we choose to:

- Acknowledge Others
- Actively Listen
- Speak Kindly
- Accept and Give Praise
- Respect the Opinions of Others

- Be Inclusive
- Respect Other People's Time
- Accept Responsibility and Blame
- Apologize Earnestly
- Accept and Give Constructive Criticism
- Assume Best Intentions

(Adapted from P.M. Forni, Co-Founder of the Johns Hopkins Civility Project)

Board members should:

1. Strive at all times to serve the best interests of the WCCUSD as a whole regardless of personal interests.
2. Use sound judgment to make the best possible decisions for the District taking into consideration all available information, circumstances and resources.
3. Act within the boundaries of their authority as defined by law and the governing policies of the District.
4. Provide opportunities for stakeholders to comment on decisions facing the District.
5. Perform their duties without bias for or against any individual or group of owners or non-owner residents.
6. Disclose personal or professional relationships with any company or individual who has or is seeking to have a business relationship with the District.
7. Maintain open, fair and well-publicized elections.

Board members should not:

1. Reveal confidential information provided by contractors or share information with those bidding for District contracts unless specifically authorized by the Board.
2. Make unauthorized agreements or promises to a contractor or bidder without the permission of the Board.
3. Advocate or support any action or activity that violates a law or regulatory requirement.
4. Use their positions or decision-making authority for personal gain or to seek advantage over another Board member.
5. Spend District funds for their own personal use or benefit.
6. Accept any individual gifts - directly or indirectly - from staff, community members, contractors or suppliers.
7. Misrepresent known facts in any issue involving District business.
8. Divulge personal information about any Board or staff member, student, community member, or contractor, that was obtained in the performance of Board duties.
9. Make personal attacks on colleagues, staff, students, and community members.

10. Harass, threaten or attempt through any means to control or instill fear in any Board member, staff member, student, community member or resident, employee or contractor. Reveal the discussions, decisions and comments made at any meeting of the Board held in Closed session.

OVERVIEW OF SCHOOL DISTRICT GOVERNANCE

School district governance is the process of reaching agreements that balance and reflect community values, beliefs, and priorities in policies that focus and align all district efforts to enhance student achievement.

There are three dimensions of effective governance:

- the actions of an individual,
- a group coming together to govern, and;
- and the performance of governance responsibilities of the group.

The Board and Superintendent work together to maintain unity of purpose, agree on and govern within appropriate rules, create and sustain a positive governance culture, and create a support structure for effective governance. The result enables the governance team to remain focused on improved student learning and achievement, and create a climate of excellence.

Authority is granted to the board as a whole, not each trustee individually; therefore the board with the Superintendent must work together to make decisions that best serve all students.

We stay focused on ensuring the success of all students by making decisions that fulfill legal mandates and align district systems and resources to ensure the long-term fiscal stability of the district. To do this, we must act collectively and openly, be guided by community interests, informed by recommendations from the Superintendent and professional staff.

As trustees, we “govern,” not manage. That means we direct and control by setting the strategic direction of the WCCUSD and then monitor and evaluate results. We oversee the educational affairs of the WCCUSD, and exercise general supervision and control over the schools through our policies, bylaws and resolutions, along with Board goals, priorities, and approval of the annual budget. We also supervise and control, and the Superintendent administers and manages (delegated to and monitored by the board of trustees).

There are important distinctions between the board's role and that of the Superintendent and staff. The Board of Trustees sets direction and operates at a governance level. The Board does not manage or become involved in the day-to-day operations of the district. Direction to the Superintendent is only given at board meetings through actions taken by the board. It is important for the board and Superintendent to understand and respect the separate roles, yet work together as a "governance team," taking collective responsibility for building unity and creating a positive organizational culture.

In addition we maintain an active professional development program which is designed to improve our ability to work together successfully. Our professional development includes:

- Awareness of education trends and practices as well as governance roles, knowledge and skills.

{SR791725}

- Monitoring and evaluating board performance by setting governance performance targets, monitoring these and conducting board evaluations.
- Focus on successful reform as a foundation for change efforts in:
 - Systems thinking: intentional about learning the dynamics of the systems they govern and recognize how changes will impact the entire system.
 - Culture of continuous learning: intentionally invest in and maximize the performance of educators by recognizing and understanding the characteristics of quality professional development.
 - Distributed leadership: building instructional and leadership capacity based on the belief that sustained improvement is achieved when all educators are focused on improving learning.
- Use data to inform governing work.
- Data at the system level: focus on district level data & the board’s response to it.
- Data guides decision-making and accountability and progress toward goals to raise student achievement through continuous improvement.
- Data use guided by policy that clarifies its purpose, content, and cycle of review.
- Clarify the board’s unifying agreements that serve as the foundation for a cohesive and effective governance board.
- Observe specific governing activities that are expressions of their common commitments and increase their capacity to make governing decisions.
- Take action to provide direction, align resources, and ensure accountability.
- Create intentional processes to learn the interests of the communities they represent, engage them in district efforts, and report to them about district performance.

Beyond our core governance (legal) roles of leadership and stewardship, we are expected to engage with key stakeholders, ensuring that the institution has effective connections with all those who have a stake in the effective education and well-being of children and youth.

While the board focuses on these, the Superintendent and their staff perform the actual day-to-day work of providing a quality education to the young people of our communities: there is a “bright line” between the responsibilities of each.

We are an important part of the democratic process and provide a connection between the community and the education system. This connection helps us guide the direction of resources in a manner that will best suit the communities we serve. We also provide a valuable outlet for parents to connect with the system in a more meaningful way.

As trustees, we are required to conduct ourselves at all times in a professional manner and to fulfill fiduciary duties. That means acting in the best interest of the WCCUSD, even when the needs of the District conflict with our own needs or desires. This goes beyond simple conflict of interest where financial gain is at stake, but also means we must put the needs of the board ahead of our own political aspirations.

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Finally, our Board has elected student representatives who may participate in Board discussions and offer an advisory vote on action items.

Roles of the Board and Superintendent

A. Board ([Board Bylaw 9000](#), [9005](#) and [9400](#)):

- a. Setting the direction for the district through a process that involves parents/guardians, students, staff and community, and is focused on student learning and achievement.
- b. Maintaining the role as governors of the district and not day-to-day managers.
- c. Establishes an effective and efficient organizational structure for the District by:
 - i. Employing the Superintendent and setting policy for the hiring of other personnel.
 - ii. Overseeing the development and adoption of policies.
 - iii. Establishing academic expectations and adopting the curriculum and instructional materials.
 - iv. Establishing budget priorities and adopting the budget.
 - v. Providing safe, adequate facilities that support the district's instructional program.
 - vi. Setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements.
- d. Provides support to the Superintendent and staff as they carry out the Board's direction by:
 - i. Establishing and adhering to standards of responsible governance.
 - ii. Making decisions and providing resources that support District priorities and goals.
 - iii. Upholding Board policies.
 - iv. Being knowledgeable about district programs and efforts.
- e. Ensures accountability to the public for the performance of the District's schools by:
 - i. Evaluating the Superintendent and setting policy for the evaluation of other personnel.
 - ii. Monitoring and evaluating the effectiveness of policies.
 - iii. Serving as a judicial (hearing) and appeals body in accordance with law, Board policies, and negotiated agreements.
 - iv. Monitoring student achievement and program effectiveness and requiring program changes as necessary.
 - v. Monitoring and adjusting District finances.
 - vi. Monitoring the collective bargaining process.
 - vii. Evaluating the Board's own effectiveness in carrying out its role.

- f. Provides community leadership and advocacy on behalf of students, the District's educational program, and public education in order to build support within the local community and at the state and national levels. The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (Education Code 35160)
- B. Superintendent (Board Policy 2000 Working with the school board to develop an effective governance leadership team)**
- a. Serves as the chief executive officer for the school district and provides professional expertise in the day-to-day operations of the district.
 - b. Advises the board on the need for new and/or revised policies and making policy recommendations based on data and input from staff and advisory committees.
 - c. Submits to the board recommendations relative to all matters requiring Board action, together with the materials needed for informed decisions.
 - d. Reports periodically on all district operations.
 - e. Conducts special studies requested by the board.
 - f. Secures legal opinions when needed.
 - g. Submits staff members' communications to the board or to board committees at regular Board meetings, with or without recommendations.
 - h. Provides advice and leadership to the board and to the district's chief negotiator during the collective bargaining process.

As secretary to the board, prepares the agenda and minutes of Board meetings with the input from the board's President and Clerk. Handles board correspondence, and maintains all board records, contracts, securities and other documents.

BOARD OVERSIGHT RESPONSIBILITIES

A. Strategic Direction

As board members we act on behalf of the citizens we represent and have authority over the school system and its resources. We usually do this by developing policies and monitoring outcomes to determine progress toward desired results and gaining assurance that WCCUSD is headed in the direction that was set. To do this, we:

1. Review and approve the Strategic Plan and the Local Control Accountability Plan.
2. Hire the Superintendent and monitor the performance of the Superintendent and that office's oversight of District staff.
3. Monitor and report on the performance of the District.
4. Oversee risk management, including compliance with policies.
5. Review and approve financial reports and audits.
6. Exercise oversight of the systems and structures that enable WCCUSD to achieve its vision, mission, and goals.
7. Monitor our own performance.

The Board sets directions for local schools by focusing on student learning, assessing district needs, continuously reviewing, revising (with inclusive processes), and reinforcing governing documents, e.g. priorities, strategic goals, success indicators, LCAP, budget, etc.

B. Systems and Structures to Achieve the Vision, Mission, and Goals

The Board helps to build the systems and structures for WCCUSD and enforces their importance by fulfilling its oversight responsibilities; modeling a professional demeanor that supports achievement of the District's vision, mission core values, and positive school climate; and being knowledgeable about district initiatives and operations. The Board serves as community leaders by engaging the community in schools and activities, educating the community about issues facing the District and public education, and advocating for the interests of all students.

Questions to Ask About Systems & Structures

- a. What are the systems and structures we have in place to achieve our vision, mission, and goals?
- b. Are the roles, responsibilities and expectations for each position clearly defined?
- c. What is the Superintendent's plan for organizing the district?
- d. Is everyone clear about the balance between district wide expectations and individual autonomy?
- e. How is the importance of continuous improvement addressed by all staff?
- f. How are people held accountable for their performance?

- g. What are the key strategies we have in place to achieve our goals?
- h. How do we know we have the right resources assigned to various programs and services?

C. Governance and Strategy

- a. Where are we headed and are we all in agreement on that vision?
- b. Why do we exist, and will our strategic plan accomplish our purpose?
- c. Have we expressed our values clearly enough, and how well do the people who need to understand and live them?
- d. How well do our goals express the results we want to achieve?
- e. How well do our objectives clarify the outcomes we expect to see along with ways to achieve our goals?
- f. How well is our strategy expressed and understood?
- g. To what extent does the business plan being implemented by management agree with and align to the strategic plan?
- h. How well does our District scorecard reflect and measure what we are trying to accomplish?

D. Risk Management

What gets measured gets done. Creating a strategic plan is just the first stage of achieving results. A plan is merely an intention to act, real action must then take place, and we need to have a way to be confident that these intentions are being realized.

“Risk” deals with the uncertainty of achieving objectives – in the real world, no outcomes are certain! The goal of risk management is to optimize risk, not to minimize risk. For instance, we could eliminate all sports activities at schools to minimize the risk of sports injuries, but that would not serve our students well. Risk taking is the essence of how school boards exist, generate student outcomes, and sustain themselves. Without risk taking there would be no innovation, no progress, and no advances in student outcomes. The Superintendent and staff manage risks by identifying, assessing, measuring, mitigating, and monitoring them. Beyond this, the Board has three roles in risk— risk direction, oversight, and control.

Management reporting provides regular updates for us to assess progress towards objectives, and whether this is within risk tolerances.

The school board is responsible for ensuring a safe and supportive environment for teaching and learning. Because the school board is ultimately accountable when things go wrong, it makes sense that the board will take proactive steps to ensure that schools are safe places to learn and work. School boards need to take a broad perspective. Issues

range from air quality and bullying, to establishing a positive work environment, to retaining staff.

As good risk managers, the Board:

- Sets risk tolerances and appetites - range of outcomes for objectives.
- Exercises oversight by asking how well are risks being managed and what are we learning from actuals.
- Ensures proper controls by asking how effective are the controls we have established and are we really in control.

Examples of good risk management questions:

- What are the most significant risks faced by the District and do we have a strategy in place to mitigate these?
- What is our risk appetite and tolerance levels in each of these areas?
- Are we taking the right amount of risk?
- How well is our risk management plan integrated with our strategic plan?
- How effective are our controls? And, are we “in control”?
- How well are risks being managed by the Superintendent?
- How appropriate is the information received by the board relative to our risks? (Is it the right information, at the right level, in the right format?)
- How confident are we in the information we receive at the board level?
- How well are we monitoring and evaluating risks at the board level?
- What can we learn from our actual results?

E. Community Engagement

Engaging with the community is an important part of our board’s job. All community members have a need and a right to know what children are learning and how well they are learning it. They also have a right to know how their tax dollars are being spent and to participate in discussions about the allocation of education resources in their community. The Board wants to be sure that the District is responsive to the values, beliefs, and priorities of the community.

Our Board has three main roles when it comes to communications and stakeholder engagement, just as we do with other areas of governance:

- Review and approve a Communications Plan and Policies.
- Monitor effectiveness of the above, to gain reasonable assurance, using periodic and incident reports, dashboard, meetings.
- Engage, when appropriate, in public and community consultations.

While public relations are primarily the role of staff, there are times that we will directly engage with members of the public. Should this be necessary, we need to be prepared, honest, clear, calm, alert and proactive.

Examples of good Community Engagement questions:

- How are parents and other community members welcomed into our schools and district gatherings?
- What strategies are used to secure meaningful input from our stakeholders?
- How are stakeholders welcomed at our Board meetings?
- Does each school and the Superintendent have advisory groups that include parents and other stakeholders?

F. Financial Management

We have a responsibility to gain reasonable confidence (assurance) in the District’s financial performance and integrity. The board does this by fulfilling 3 main roles:

1. Approving and monitoring the annual budget
2. Reviewing and approving financials
3. Using financial reports for performance oversight

The process used to develop the yearly budget begins with identification of board priorities and makes provisions for ongoing monitoring to ensure the desired educational results are being achieved.

The budget reflects the values and beliefs of the school system. It is one of the most powerful tools that a school board has for governing the school system. The board uses the budget and financial plan as a primary tool to achieve the strategic priorities of the District.

Our second role in financial governance (education finance) is to review and approve the financial statements of the District. Our purpose in reviewing financial statements and reports is to gain reasonable confidence (assurance) that these are fair, accurate and reliable (have “integrity”).

The good news is that we do this by reviewing the work of others, especially the auditors, rather than doing the work ourselves. Just as with other roles in governance, our role is to oversee, to ask questions, and to gain confidence.

Our third role in financial governance (education finance) is using the financial reports for performance oversight. After the financial statements are reviewed and approved, we

are the first user of these. Our purpose here is to gain reasonable confidence (assurance) in the financial performance of WCCUSD, and of management.

We also use financial reports to be confident in the faithful stewardship of funds, and as an indicator or evidence of ethical conduct. The school board is legally and ethically responsible for all money it collects/receives and spends. Thus, it is important to have systems that ensure funds are spent as planned, accurate records are kept, and the board receives the financial reports it needs.

Examples of good fiscal management questions:

- “Is this budget reasonable?”
- “Is it plausible that this proposed allocation of resources matches up with and can achieve the strategic plan?”
- “Would this expenditure of money be consistent with our core beliefs and values?”
- “Would this expenditure of money be consistent with the outcomes we want to achieve?”
- Is there resonance between all of the people who touch the financial statements? (CFO, Superintendent, internal auditor, external auditor, State Auditor, other independent professionals)
- What are the most significant risks we face and how are they reflected in financial statements?
- What are the main assumptions behind statements?
- What are the main estimates and judgements used, and does the auditor have complete confidence in these?
- What can be learned from the cash flows, other secondary statements, notes?
- If you had additional fees/scope/time, what would you look at next, and why?
- How adequate are our Reserves?
- How is Position Control exercised in WCCUSD?

G. Human Resource Management

We have two main human resources responsibilities:

- The Superintendent is appointed by, and accountable to, the board; because this is a direct employment relationship
- The other staff, whether teachers or administrative, effectively report through the Superintendent; and so we have an indirect employment relationship. We approach each of these quite differently.

To ensure clarity, the school board should negotiate and put in place a contract with the Superintendent to spell out the terms and conditions of employment.

The contract provides for an annual written performance appraisal and specifies salary and benefits. It also provides a process that will allow employment to be terminated by either party.

Drafting an appropriate contract is complicated and has significant implications; so we always obtain legal advice.

Overseeing the Superintendent's effectiveness is one of our most important and impactful responsibilities on the board, and also one of the most sensitive. We want to ensure a good Superintendent performance management process is in place. Formal performance reviews should be conducted at least annually, with informal discussions on progress throughout the year, after every board meeting or at least quarterly.

We will get the most out of our relationship with the Superintendent when we:

- Treat our Superintendent with respect – they work tirelessly and are often underappreciated.
- Expect great things from our Superintendent – acknowledge them when they are achieved and push them when they are not.
- Are open and direct – just like boards, Superintendents do not like surprises – they want to succeed – their success depends on our oversight role.

Our relationship with the Superintendent is a direct employment relationship that calls for the board to manage this. The other staff all report through the Superintendent.

The Board has other defined responsibilities related to Human Resources. One is the area of collective bargaining. Boards must make decisions ranging from the values that will direct labor relations, to the role that board members will play in bargaining. Different boards take, more or less, direct involvement in collective bargaining. Certain aspects are determined at the state/county level, others at the individual school board level.

As Board members, we entrust the responsibility for collective bargaining to the Superintendent and do not act in such a way as to compromise the authority and responsibility of the Superintendent.

A second area is staff performance. The Board establishes policies which define expectations regarding staff performance and ensures that good systems are in place to support professional growth and regularly evaluate performance. The Board is careful not to intervene in matters related to employee conduct since it may eventually have to exercise final judgment on employee actions.

Examples of Good Human Resources Questions

- How appropriate is the plan for assessing the effectiveness of the District's Human Resources Management systems, structures, and practices?
- How appropriate is our succession plan for the Superintendent at all 3 levels: Emergency, Orderly, Beyond the Next Transition?
- How clear are we on our role in human resources and collective bargaining?
- How well do we encourage the Superintendent?
- How appropriate is our plan for the School Board assessment and evaluation system?
- How effective is our onboarding and orientation program for School Board Members?
- How committed are we to continuous education for the Superintendent and School Board Members?
- To what extent are our board and committee meetings linked to and aligned with our board and committee charters/terms of reference and work plans: before, during and after the meetings?
- How healthy is our board culture and how might we strengthen it?
- To what extent am I fulfilling my responsibilities to the work of the board?

H. Educational Services

There are multiple components that comprise the Educational/instructional services provided by the WCCUSD. These include curriculum and instruction, research and evaluation, student support services, and special education. Much of our equity work falls in this domain.

We exercise our oversight of these areas by establishing student achievement goals and metrics that tell us the extent to which all of our students are meeting the academic and social emotional standards established by WCCUSD. We ask for regular reports on student progress and the support systems that are provided to ensure that success. We set goals for improvement and provide the resources required to achieve our vision, mission, and goals.

Examples of Good Instructional Services Questions:

- What goals has the Board established to address student achievement, social emotional wellness, and equity?
- What metrics do we use to measure student success and staff effectiveness?
- How does the district develop and implement standards that guide the curriculum at all grade levels and in all subject areas?
- How well do all students meet these standards?
- What support services are provided to students to ensure their success in school? Are they effective? How do we know?

- How well is the district serving our Special Needs students? How do we know?
- Do we have the right instructional strategies in place to support student achievement and success?
- How do we address the professional development needs of our staff and support continuous improvement? Are the strategies we use successful and how do we know that?
- Does the Board understand its role in matters related to student discipline and attendance?

I. Building District Culture

The culture of WCCUSD is a powerful determiner of our success. A positive culture will support achievement of our vision, mission, and goals. A toxic culture will undo almost any reform and improvement effort. Our core beliefs and values define the kind of culture we want to have. Our own behavior as Board members and Superintendents reinforces or undermines the behaviors we would like to see in every classroom, school, office and meeting.

As a Board we endeavor to build a culture which:

1. Fosters and supports an environment that demonstrates to the public the board's shared commitment to a positive culture that will help ensure that the district will be successful in meeting its goals and remain focused on student learning.
2. Commits to keeping the district focused on the primacy of teaching and learning leading to high levels of achievement for all students.
3. Guides our own behavior on how we expect our students and staff to conduct their behavior.
4. Requires us to spend the requisite time to govern effectively and will come prepared for meetings.
5. Form an effective team by building good working relationships among ourselves.
6. Share accountability for how we operate as an effective governance team. We agree to promptly address individual issues that hinder the board's effectiveness.
7. Work diligently to find common ground through effective deliberation and collaboration.

Examples of Good Culture Questions:

- How is the annual Climate Survey used to identify strengths of the District's culture and areas for improvement?
- What does WCCUSD do to imbed its core values in the daily actions of students and staff?
- Does each school and classroom use core values to guide everyone's behavior?
- How is the importance of character education addressed in the District?

- How are the issues surrounding equity and racism addressed on a regular basis in WCCUSD?
- How does the District address issues related to the social and emotional well being of our students and staff?
- When toxic behaviors occur, how does the District address these and with what level of success?

J. Evaluation: The Board (Board Bylaw [9400](#)) and the Superintendent (Board Bylaw [2110](#) and [2140](#))

The Board is committed to monitoring and annually evaluating their collective board performance and that of the Superintendent to demonstrate accountability to the community and ensure that district governance effectively supports student achievement and the attainment of the district’s vision and goals. The Board may periodically seek feedback, distribute surveys, or use existing district data as appropriate in assessing and addressing the Board's ability to govern effectively.

Evaluations give the board an opportunity to identify and remove obstacles to better performance and to highlight best practices. Boards derive the highest values from evaluation practices that are shaped on by five key principles:

1. The board and Superintendent have clear objectives for evaluation.
2. A board leader and Superintendent work collaboratively to drive the process.
3. The process incorporates perspectives from senior management who regularly interact with the board.
4. The assessment process goes beyond compliance issues to examine board and Superintendent effectiveness across a broad range of measures.
5. The board and Superintendent commit to reviewing the results of the assessment together and address the issues that emerge.

If thoroughly conducted, board and Superintendent evaluations have the potential to significantly enhance board and sSuperintendent effectiveness, maximize strengths, and tackle weaknesses. The primary driver for the evaluation should be a desire to build a high-performing board and Superintendent, well suited to achieve WCCUSD’s vision, mission, and goals as well as anticipate, meet and overcome challenges ahead.

ORGANIZING OUR BOARD FOR SUCCESS

Roles and Duties of Individual Board Members

- A. **Role of the Board President:** Please see Board Bylaw [9121](#) and [9010](#) for a complete list)

{SR791725}

- a. Fosters an environment of communication by promoting a culture of open, transparent communication.
- b. Runs board meetings and is responsible for the orderly conduct of meetings.
- c. With the Superintendent and clerk, prepare the Board agendas. Explains what the effect of a motion would be if it is not clear to members.
- d. Serves, in collaboration with the Superintendent, as the official media contact for the Board.
- e. The Board President responds to media requests in collaboration/congruence with district Superintendent, but only speaks on behalf of the Board on matters where a decision has been made by the group.
- f. Serves as a mentor to the Board Clerk.

B. Role of the Board Clerk ([Board Bylaw 9123](#))

- a. Serves as the presiding officer in the absence of the President.
- b. When required by law:
 - i. Certifies actions taken by the Board.
 - ii. Maintains records and reports.
- c. Signs approved Board meeting minutes.
- d. Signs documents on behalf of the Board.
- e. Monitors the time allocated to agenda items.
- f. In the absence of a parliamentarian, and at the request of the Board President, the Clerk may serve as an advisor to the Board when rules are challenged or there is a need for additional guidance.
- g. The position of board clerk should be generally viewed as the position which helps prepare the occupant for eventual service as the Board President. The Board Clerk, at the direction and with permission of the President, may serve as presiding officer for one or more meeting(s) during their term.

C. Role of the Board Secretary (See [Board Bylaw 9122](#) for a full list)

- a. The Superintendent serves as the Secretary to the Board. The Secretary takes the meeting's minutes and brings them to the Board for approval. The secretary also keeps the Board informed of district meetings, activities, posts agendas, and maintains calendars of the district's and Board's activities. The secretary may provide other support services as needed.

D. Role of the Parliamentarian

- a. The Board may designate the Clerk to serve as Parliamentarian or employ someone to serve in that role. The Parliamentarian helps Board leadership to properly conduct its meetings and adhere to its rules of order. The Board follows [Rosenbeg's Rules of Order](#).

E. Student Board Representative ([Board Bylaw 9150](#))

The WCCUSD Board believes that it is important to seek out and consider students' ideas, viewpoints, and reactions to the educational program. Our Board includes student representatives to provide student input and involvement. By creating opportunities for students to participate in the democratic process, the WCCUSD Board can help student board members learn how to observe all laws and rules, resolve conflicts peacefully, demonstrate a commitment to the public good, and work for a community and cooperate with all stakeholders.

The Superintendent of Schools or appointed designee is responsible for ensuring student trustee selection and service aligns with CA Education Code [35012](#) that governs the selection and service of student trustees including equitable, accessible and well publicized election processes. Student trustees must be high school students enrolled in the district and be elected from amongst their peers.

A. Roles and Responsibilities:

- a. Serve as a liaison between all students and the school board, and between the school board to students.
- b. Represent student interests (student voice) on policy and procedures.
- c. Be a voice to the board regarding student issues, questions, concerns and successes.
- d. Represent students at education events.
- e. Provide communication between school-based leadership and the school board and community.
- f. Cast “advisory only” votes.
- g. Be present at all school board meetings. If they need to be absent, they will notify the Superintendent.
- h. Report major updates on student accomplishments and activities.
- i. Attend legislative and WCCUSD-sponsored events and report back to the school board with updates.
- j. Connect with other student liaisons from school and community groups regarding highlights, issues, concerns and celebrations from school board meetings.

B. Orientation for Student Board Members

Our Board and Superintendent assist student representatives by providing an orientation which includes:

- a. How to contact school-based representatives.
- b. What to do at a school board meeting.
- c. How to use social media.
- d. How to communicate with school board members and other school board student representatives.

- e. Overview a “dry-run” board meeting to understand the flow.
- f. Attend a new student board member orientation conducted by CSBA or other organization approved by the Superintendent.
- g. Understand the role of a school board member, issues, what we discuss, rules of a board.
- h. How to participate in Board deliberations.
- i. Have regular check-ins with the Superintendent.
- j. The Superintendent will designate a mentor for the Student Trustees.

C. Special Board Notes Regarding Student Board Members

- a. Student Trustees cast their votes prior to official votes.
- b. Student Trustees shall be seated with members of the governing board of the school district, and shall be recognized as full members receiving open session documents and briefings.
- c. Student Trustees may be reimbursed for mileage.
- d. Student Trustees may make motions on matters of business, except on matters dealing with employer-employee relations pursuant to Chapter 10.7 (commencing with section 3540) of division 4DF of Title 1 of the Government Code.
- e. Student Trustees shall have preferential (advisory) voting rights that are recorded in the minutes, but do not serve in determining the final numerical outcome of the vote.
- f. Student Trustees are excluded from closed session discussions, motions on certain labor matters and are excluded from the Brown Act.

Board Election of Officers -([Board Bylaw 9100](#))

In electing its officers, the Board must always be guided by the District's core values, individual adherence to the Board's Code of Conduct, and the principles of anti racism, equity, diversity, and anti bias. Each Board member has a serious obligation to reflect these values in their conduct at Board meetings and the election of its officers and the assignment of Board members to task forces and committees.

It is the intent of the Board that all Board members have an opportunity for Board leadership. In actual operation, this means that a board president and clerk are elected yearly at the annual organizational meeting. To run and be seated as president, the member must have served at least one year on the board, and the election complies with the calendar requirements as indicated in CA Law [35143 \(a\)](#).

In the event no member of the governing board has served for at least one year nor wants to serve, any member may be nominated and elected to the presidency.

The clerk is elected from amongst board peers.

Members must accept the nominations prior to the vote.

Both president and clerk may serve a maximum of two consecutive terms and are eligible to serve again if no one else is willing.

Even though anyone may be elected to either President or Clerk position with a Board majority, the elected Clerk of the Board shall serve with the intent to serve and be trained to step up as President in the following year.

Any Board Member may self nominate for either position.

There is no voting by proxy.

The following procedure is recommended to be followed at the reorganization meeting:

- At the beginning of the Board’s annual organizational meeting, the Superintendent will ask the Board for nominations, which must then be seconded.
- An individual nominated for either position can decline the nomination. Traditionally, the nominated trustee will second the motion as a means of accepting the nomination.
- The Superintendent will then ask for a vote for each nomination. Once one person receives at least three votes, the vote is final.
- The new Board President and Clerk will immediately assume their duties.

Board and District Committees ([Board Bylaw 9130](#); [Board Bylaw 9140](#))

The Board, from time to time, may establish standing or ad hoc committees. Generally, a Board-established committee is subject to the provisions of the Brown Act - especially in regard to the timely posting of agendas. The President is responsible for the assignment of Board members to committees subject to approval by the Board. All standing committees will be identified in the Board meeting calendar. Terms of committees are established by the Board.

The District has several committees. Some are established by the school district and others are required by either California state or federal law.

Legally Required Committees	Description
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{SR791725}

Citizens Bond Oversight Committee (CBOC)	A CBOC is required when certain conditions are met under Proposition 39. This committee provides citizen oversight of WCCUSD's school rebuild and remodeling program. Reviews annual finance and performance audits. Publishes a yearly annual report.
Citizens Oversight Committee for Parcel Taxes	Ensures that parcel tax funds are spent according to ballot measure language and reports annually to the Board and to the public regarding the expenditure of such monies. This committee is required to form and meet per the ballot language.
Multilingual District Advisory Committee (MDAC)	Provides engagement opportunities for parents of English Learners. This committee is required by law.
Community Advisory Committee for Special Education (CAC)	Parent/community advisory committee for Special Ed required by federal law.
District Local Control Accountability Committee (DLCAPS)	Parent/student advisory committee required to advise on by the Local Control Funding Formula (LCFF). This committee is required by law.
Superintendent and Other Committees	Description
Solutions Team	A labor/superintendent committee designed to improve operational effectiveness.
All-Student Congress	Provides student representatives from all high schools the opportunity to inform the Board on issues of importance to our youth.
African American Site Advisory Team (AASAT)	The WCCUSD African American Site Advisory Team (AASAT) is an advisory group made up of parents/guardians and community members dedicated to promoting quality education for African American/Black students.

A. Board Member Conduct at Committee Meetings (Board Bylaw 9320):

A “meeting” that must comply with the Brown Act includes “any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the body.” (Gov. Code §54952.2(a).) Generally a quorum of the Board cannot attend a meeting to “hear” or “discuss” any issue that is within the Board’s jurisdiction. This would generally include anything about public school related issues within the District.

There are some express exceptions where a quorum can attend the meeting of another body, as long as they do not discuss District business among themselves. Examples include but are not limited to conferences; open, public meetings organized by other persons or public agencies; and purely social or ceremonial occasions,

For meetings of standing committees of the District, a quorum may attend, but they cannot participate in any way – they can only observe. This means that they cannot speak, they cannot ask questions, they cannot be seated at the dais, etc. They must just silently observe.

As best practice, a quorum of the Board should not attend meetings of other bodies, so as to avoid the appearance of a Brown Act violation, or a possible inadvertent violation of the Act. It is also a best practice for Board members to keep the District and Board apprised if they are going to attend the meeting of another body, to avoid surprises, and to allow for coordination to avoid a potential Brown Act problem.

B. Board of Education Committee Liaisons:

School board members may be appointed to committees as a liaison. Your role is to:

- Develop a deep knowledge of the committee's function, its goals and the issues with which it is tasked to advance.
- Help the committee stay within the charge it has been given through statute, regulation, policy or board action.
- The school board member is to remember that their presence at meetings is appreciated, but is also influential. The meeting belongs to committee members and not the school board members. Deep listening is recommended and comments should be kept to a bare minimum.
- Board members are to be very clear as to when they are offering a personal opinion as opposed to a board position. Take all cautions to avoid putting the board, or you as an individual member, in an awkward position - especially when the board has not taken a stand through a vote.

The Board president designates trustees to serve as liaisons to high school graduations. Generally, a lead board member will be assigned to attend the graduations located within their trustee area. In a short speech (2-5 minutes), this board member's responsibility is to extend the entire board's congratulations to the graduates and wish them well in future endeavors. Any board member may attend any graduation, and attendance is encouraged. Brown Act requirements do not apply to attendance by a majority of members at a purely social or ceremonial occasion provided that a majority of members do not discuss among themselves matters of public business (Section 54942.2(c)(5)).

High School Family Assignments and Graduations

<p><u>Trustee Area #1</u></p> <ul style="list-style-type: none"> ❖ Pinole Valley High School ❖ Hercules High School 	<p><u>Trustee Area #4</u></p> <ul style="list-style-type: none"> ❖ DeAnza High School ❖ Middle College High School ❖ Vista High School ❖ Vista Virtual K-12 ❖ Transition Program
<p><u>Trustee Area #2</u></p> <ul style="list-style-type: none"> ❖ Kennedy High School ❖ Greenwood Academy 	<p><u>Trustee Area #5</u></p> <ul style="list-style-type: none"> ❖ El Cerrito High School ❖ Adult Education ❖ Alternative High Schools ❖ Extended Year Graduation
<p><u>Trustee Area #3</u></p> <ul style="list-style-type: none"> ❖ Richmond High School 	

Board Meetings ([Board Bylaw 9320](#))

Board meetings are meetings of the Board in public. They are designed to help the Board meet its fiduciary responsibilities and develop the policies which enable the District to achieve its vision, mission core values, and goals.

A. Our Board generally holds four types of meetings:

- a. **Open:** Open Meetings are conducted in public and allow time for staff and community input. These are scheduled annually.
- b. **Closed:** Closed Session in which only certain agenda items may be discussed and confidentiality is of the utmost importance. **Closed Session** ([Board Bylaw 9321](#))
All Board meetings are open to the public, except those noticed in advance as Closed Session. Closed Sessions are permitted by law and held in accordance with the state Open Meeting laws to allow Board Members to discuss confidential legal, personnel, and collective bargaining matters; certain real estate issues; confidential student matters; and public security matters. Closed sessions may normally only be conducted during a regular or special meeting when the meeting has been called with proper notification and properly agendaed. However, in limited circumstances the board may hold a closed session during an emergency meeting. (Government Code 54956.5)

The Board must:

- Disclose in open session the items to be discussed in closed session that includes citing the legal authority.
- Allow the public to comment on the issues being discussed.
- Consider in closed session only those matters covered in the agenda.

- Board president is responsible to preside in a closed session but all members of the board share the responsibility of ensuring the discussion remains focused on the agenda items.
 - Return to the open session to adjourn and announce certain actions taken in the closed session. (Govt. Code 54957.1)
- c. **Special:** Occasionally the Board will hold a Special Meeting. These are scheduled as needed and may include workshops designed to help the Board and Superintendent improve their effectiveness.
- d. **Study Session:** The Board may also on occasion schedule a study session which provides an opportunity for the Board to take a “deep dive” into an issue, topic or perspective.

B. Guidelines for Board Meeting Conduct

We serve as role models for our students, staff, parents and community. We always want to:

- Keep focused on the meeting, the agenda and the work at hand. Talking with attendees, staff, or texting during the meetings can be distracting to all.
- Create inclusivity, candor, and clarity in problem solving.
- Listen powerfully for possibility and positive intention.
- Remain focused on issues, not people.
- Be informed, thoughtful, and open to all ideas.
- Maintain awareness of agenda and time constraints.
- Model the practices we wish others to observe. The behaviors we expect to see in our classrooms, schools, and offices are ones which we ourselves should model.
- Choose to be civil, respectful, and empathetic with each other and those we serve.
- Respectfully call attention to behaviors which are inconsistent with our core values and teaching and learning mission.
- Never let our behavior become the problem.
- Adhere to our core values including equity, diversity, fairness and anti bias/racism.

All Board meetings are a reflection of how well the Board is doing their work. At all times they should model the teaching and learning practices we expect to see in all our classrooms and school.

They are also one of the primary means through which the Board may listen to the community. The Board should provide opportunities for the public to share its views while still enabling the Board to meet its legal responsibilities.

C. Agenda Setting ([Board Bylaw 9322](#))

Requests for agenda items from Board Members, staff, stakeholders and other members of the public may be submitted for consideration to the Superintendent. The President of the Board and the Superintendent then make a determination as to the action that will be taken. With input from the Clerk where possible, the Board President and Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session. Items deemed to be more urgent would be placed on the agenda more expeditiously than less urgent ones. Other factors considered would be the number, type and public interest that may be generated by the items.

When Board members submit items for consideration they have to provide context of the item, preferred timeline, and any other supporting documents they want to be considered as part of the item.

After the Superintendent, Board President, and Board Clerk have discussed the item in a future agenda setting session, they will respond to the request of the specific Board member with a tentative/possible timeline for when the item might be agendized.

Every item brought forward should include its potential impact on the budget.

The Superintendent will prepare a draft agenda that is shared and discussed with the President and Clerk of the Board prior to the meeting.

Agendas will regulate the time of presentations and celebrations to ensure effective use of meeting times. Consideration will be given to Board study sessions that will allow for more inclusive conversations. Agendas will provide continual status on previous agenda items or work of staff (i.e. process, continuing work, completion).

D. Preparing for Meetings (Board Bylaw 9322)

Effective meetings are the result of well-planned agendas. An established and transparent agenda development process enables all stakeholders to request that an item be agendized for board discussion or consideration.

Adequate time is needed for staff members to develop agenda items and to post agendas in compliance with the Brown Act. All agendas and all needed materials will be available to the Board and public 72 hours before a regularly scheduled meeting and at least 24 hours prior to a special meeting. All agendas and back up materials are posted on the district's Agenda Online website. A link is provided on the district's home page. Agenda items may be brought back for additional discussion at future meetings, if necessary.

If a Trustee needs more information or has questions, he/she/they should contact the Superintendent. If there are requests for information after Board members review the

agenda, they will request this information in their agenda review meeting with staff or will forward the request to the Superintendent with at least 24 hours of notice if reasonable. When an individual Board member requests information pertaining to an agenda item, it will be provided to all Trustees if the Superintendent feels it might be needed by the full Board.

If a Trustee requests to share supporting or clarifying documents for an agenda item, he/she/they will provide them to the Superintendent. The Superintendent in consultation with the Board president will decide the appropriate way to share the information (i.e. email or include it as a discussion item for a meeting).

E. Agenda Questions Before Board Meetings

Board members should be equally informed and knowledgeable on agenda items. Whenever possible, it is important that staff members also know about and prepare to answer questions at the board meeting. Advance preparation by staff regarding informational questions from the board members enables the board meeting time to be more effectively used. To this point, the Superintendent will set up agenda review meetings with each Trustee prior to the meeting.

All communications are a matter of public record and must comply with the Brown Act and public meeting requirements. Trustees will make every attempt to ask substantive questions prior to the board meeting.

F. Conducting Meetings ([Board Bylaw 9323](#))

Meetings will follow [Rosenberg's Rules of Order](#).

The President ensures all Board members have equal opportunities to participate, and facilitates effective deliberation.

Board will allow the public to provide input at the time allotted to ensure multiple community voices and inform Board deliberations.

Individual trustees do not have authority to make decisions or give direction. A majority vote or consensus of the board at a board meeting provides direction to the Superintendent. If individual Board members provide direction to the Superintendent or staff outside of Board meetings, the Superintendent will inform the Board President and Clerk so that they may remind the full Board of this procedure.

Board members will make every effort to attend all board meetings including work study, planning, and special meetings.

The Board agrees that when no conflict of interest requires abstention, its members have the duty to vote on issues before them.

Board members agree to accept and support the will of the Board majority even if it is contrary to their vote.

G. Governance Calendar (Board Bylaw 9100)

A governance calendar helps the board and Superintendent to organize the year's work and fulfill their governance responsibilities in a logical sequence (e.g., setting annual goals before setting budget priorities.) Ideally, the calendar includes both legally required items as well as events and priorities of importance to each individual district. Board Bylaw 9100 requires the board to develop a governance calendar at the yearly annual organization meeting. Samples may be found in this document's Appendix.

WCCUSD PROTOCOLS

Perhaps the most important governance principle is the agreement on the procedures the board and Superintendent will utilize to govern the district. Exceptional boards make governance intentional and invest in structures and practices that can be thoughtfully adapted to the changing circumstances. Protocols are tools to strengthen the capacity of the board to engage in a constructive relationship with staff - one that is grounded in a mutual understanding of their respective roles and responsibilities. Explicit protocols, agreed to and upheld by the board and Superintendent, provide transparency and stability. The protocols were developed for and by the members of the governance team, and may be modified over time in the governance relationship as the board carries out its roles and responsibilities.

The following protocols were developed to support and promote the effectiveness of the district governance team and to ensure a positive and productive working relationship among the board members, the Superintendent, district staff, students, and the community.

A: Conflict Resolution and Professional Conduct Among Board Members

The West Contra Costa Board of Education is committed to fostering a respectful and collaborative environment among its members in order to effectively serve the community and make informed decisions for the betterment of the district. This protocol outlines the procedures for addressing complaints or concerns about the behavior of a board member toward another member. By adopting this protocol, the West Contra Costa Board of Education aims to maintain a harmonious and professional working environment, ensuring that all board members can contribute positively to the district's goals and mission.

{SR791725}

Objectives:

Promote Professionalism: Ensure that all board members engage in respectful and professional conduct when interacting with their colleagues, regardless of differences in opinion or approach.

Effective Conflict Resolution: Establish a structured process for addressing and resolving complaints between board members to maintain a positive working relationship and focus on the district's mission.

Transparency and Accountability: Provide a transparent framework for addressing complaints, ensuring accountability, and building trust within the board and the community.

Guidelines:

1. Informal Resolution: When a board member has a complaint about the behavior of another member, the member is encouraged to attempt an informal resolution first. This can involve open communication between the concerned parties to express their feelings, clarify misunderstandings, and work towards finding common ground. If the complaint is minor and can be resolved amicably, it should be pursued through this informal route.

2. Formal Complaint Process: If an informal resolution is not successful, or if the complaint involves a serious breach of professional conduct, the following steps should be taken:

a. **Written Complaint:** The complainant should submit a written complaint detailing the specific behavior they find problematic. The complaint should be submitted to the Board President or another designated officer within a reasonable timeframe after the incident occurred. If a complaint is written against the Board President it will then be provided to the Clerk of the Board who in consultation with the Superintendent will follow the next steps.

b. **Initial Assessment:** The Board President or designated officer will assess the validity and seriousness of the complaint. If the complaint is deemed legitimate, the process will proceed to the next step or an investigation if the Board President deems it necessary.

c. **Mediation:** A mediation process involving an impartial third party (a mediator) should be initiated if the complaint is between two Board members or a Board member and the Superintendent. The mediator will be chosen by mutual agreement of the participants from a list of chosen individuals by the Superintendent. The mediator will facilitate a structured discussion between the complainant and the subject of the complaint. The goal of mediation is to find a mutually acceptable resolution and restore a productive working relationship.

d. **Escalation to Board Ethics Committee:** If mediation fails or if the complaint is of a severe nature, it will be referred to a Board Ethics Committee, composed of at least two board members not involved in the complaint. The committee, in collaboration with legal counsel, will conduct a thorough investigation, gather evidence, and speak to or receive statements from all parties

{SR791725}

involved. The ethics committee may also request a third-party investigator and/or support from the Title IX office. The ethics committee will be appointed by the Board President unless the complaint is against the Board president in which case the Clerk will appoint the committee. If the complaint involves both the Board President and Clerk, or if a majority of the Board is involved in the complaint, CSBA and/or legal counsel will be contacted for advice on how to proceed.

e. **Resolution and Action:** Based on results of the mediation, appropriate actions will be recommended. These actions may include counseling, training, public acknowledgment of misconduct, censure, or other disciplinary measures, as deemed appropriate. The entire board will vote on the recommended actions.

3. Confidentiality: All parties involved in the complaint process, including the complainant and the subject of the complaint shall maintain confidentiality throughout the process to ensure a fair and unbiased assessment.

4. Non-Retaliation: No board member shall face retaliation or adverse consequences for raising a valid complaint or participating in the complaint resolution process.

5. Annual Review: This policy shall be reviewed annually to ensure its effectiveness and make any necessary updates based on feedback and changing circumstances.

B. Site Visits

Visiting schools should serve as a reminder to Trustees that students and student learning are the primary focus of their work. Visits include school events, site meetings, and classroom visits. Site visits can also demonstrate support of staff and students and provide valuable insight into how Board policy is implemented at the school site level. Trustees should have knowledge of the schools and programs that are achieving the District's goals and show appreciation and support for the staff's work. Board members want to be visible, stay informed and see new and ongoing programs. The Board will follow the following procedures when visiting schools in their official capacity as Board members:

- a. All schools are open to the Board members at all times but they must inform either the Superintendent or site leadership that they are visiting the site prior. Best practice is to provide at least 24 hours notice to the site principal.
- b. Visits to schools require the Board member to wear their identification, check in at the office and make arrangements with the principal or Superintendent.
- c. Board members will ensure no disruption to the site and classrooms.
- d. Protocols apply to professional development and staff meetings by making arrangements with the principal.

- e. While visiting schools pursuant to these protocols, Board members shall act as observers, and will not direct District staff, or engage in activities being conducted by District staff unless invited to do so by staff. ([Board Bylaw 9200](#))
- f. Board members should inform the Superintendent before volunteering at school sites. ([See Board Bylaw 9200](#))
- g. If Board members observe issues that should be addressed by staff at the site when visiting a school, they should email the observations to the Superintendent.

C. Requests from the Media ([Board Bylaw 9010](#)):

At times, individual Board members may be contacted by the media for comment on a variety of issues.

In general, it is a best practice to refer these inquiries to the district Superintendent and allow the board president and Superintendent to respond. The Superintendent will respond to the media on issues that relate to district operations, employees, students and facilities. The Board President will respond to requests when asked by the Superintendent, or, if representing the outcome of a majority board decision. This is especially important in the event of a controversial topic.

The Governing Board also recognizes the rights of Board members to freely express their views under the First Amendment. When speaking to community groups, the media, or other members of the public, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board or the school district. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board or district.

D. Setting Direction

- h. Direction to the Superintendent and staff will only be set at Board Meetings, special meetings, and/or closed sessions by the majority of the Board. Individual Board Members may not provide direction to the Superintendent or staff.
- i. The Board will participate in the development and updating of the district's Strategic Plan.
- j. Goals, objectives and measuring metrics for the District will be developed from the Strategic Plan, and set annually in the fall. The Superintendent will draft an initial proposal upon which the Board will provide input. The strategic plan, goals and metrics will be approved at a regular Board meeting.
- k. The Superintendent will report progress towards these goals and objectives periodically to the Board, not necessarily presenting all goals each time. Progress of the goals and objectives will be based on predetermined measurements.

E. Setting/Revising Board Policy

- l. The Superintendent will ensure Board policies are kept up to date.
- m. All new and revised policies will be placed on agendas and approved by the majority of the Board throughout the year.

F. Reviewing the Governance Handbook

- n. The Board will review and update the Governance Handbook as needed.
- o. Governance Handbook updates that are substantive in nature will be made and approved by the Board as needed.

G. Collective Bargaining Process:

- p. The Superintendent is responsible for proposing items to sunshine during the Closed Session for the Board to review and provide input. These items are then placed on a later agenda to be sunshined publicly.
- q. The Board delegates responsibility for negotiating to the Superintendent and will not actively participate in the collective bargaining process; however, the board will provide parameters for District Staff to work within. The Superintendent will provide the Board with regular updates on the status of negotiations, ask for guidance and direction when necessary, and receive Board approval for the final contract.

H. Confidentiality

A board member must keep confidential information confidential. Items discussed in closed session are required to be kept confidential and a Board member can be subject to prosecution for revealing these discussions. Failure to keep confidential information confidential can result in:

- r. A breach of the attorney/client privilege,
- s. Jeopardizing of the District's legal position,
- t. Compromising the District's bargaining position in negotiations,
- u. Destroying people's lives,
- v. Undermining the District's climate of trust, and
- w. Exposing the District to financial liability.

I. The Brown Act:

- x. The Brown Act requires that all Board business, with the exception of certain items allowable in closed session, be discussed and acted upon in public. As such, no more than two members of the Board may meet outside of a Board

- meeting where Board business may be discussed.
- y. For District meetings or gatherings such as staff or volunteer hosted town hall or informational presentations, more Board Members may be in attendance when no more than two trustees are active participants, and any other trustees are in attendance for observation purposes only. Board members should be mindful of balancing the importance of community engagement and any possible misconceptions/appearances of violations.
 - z. Board members may not use e-mail or other electronic means to communicate with more than one other Board member on any district business.

J. Workshops/Conferences:

- aa. Board members are encouraged to attend conferences and workshops to expand their capacity to serve effectively. These include but are not limited to workshops sponsored by the California School Boards Association (CSBA) and School Services.
- bb. A request should go to the Board through an agenda item.

K. New Board Members ([Board Bylaw 9320](#)):

- cc. Newly expected/appointed board members will be expected to:
- dd. Meet with the Superintendent or designee to receive orientation on the district. Meet with the Board President to receive orientation regarding the roles and responsibilities of being a WCCUSD board member.
- ee. Meet with key staff members to learn about their areas of responsibility and the district.
- ff. Visit school sites in their trustee areas at least once a year, and other sites as possible. It is recommended that these visits occur with the Superintendent if possible.
- gg. Enroll in CSBA's New Board Member/Masters in Governance Program(s).
- hh. Fulfill all committee appointments.

L. Public, Staff and Vendor Communications

Board members will use email in a manner that ensures the Board does not violate the Brown Act.

The Brown Act prohibits a quorum of the Board from doing any of the following on a subject within the jurisdiction of the Board, whether through direct communications, personal intermediaries, or technological devices:

- Discussing the matter
- Deliberating on the matter

{SR791725}

- Taking action

Board members should recognize that using the 'reply all' feature in response to an email creates the risk of a Brown Act violation.

Board members should be responsive and consistent to constituents; however, they need to stay within their role as a Trustee.

- Information should be referred to the Superintendent.
- Correspondence sent to all Board members will be forwarded to the Superintendent who will respond and cc the Board members.
- Correspondence sent to one Board member will be responded to by that Board member.
 - Individual Board members should acknowledge receipt of the correspondence and forward to the Superintendent.
 - When there is any question or concern it will be forwarded to the Superintendent.
- Staff and community complaints must comply with the Uniform Complaint Policy and the District's agreements with the bargaining groups.

M. Guidelines on Communications

1. Posting on Social Media ([Board Bylaw 9010](#); [9012](#))

Individual board members are cautioned not to post comments about actual or potential board action items on any Social Media platform as this may create a potential violation of the Brown Act and/or create issues related to indemnification. This is best left to the District's Communications Department. If Board Members become aware of comments about the District, schools, staff and stakeholders, Board members should apprise the Superintendent of what was observed and not engage in dialogue with those posting the material.

2. Vendor Communications and Relations

Board members should limit their direct communications with vendors, consultants, contractors and others either doing business with, or seeking to do business with the District, unless otherwise decided and directed by the Board.

The Board should refrain from performing management functions that are the responsibility of the Superintendent and staff. ([Board Bylaw 9005](#))

- Information and communications received from such individuals or businesses should be referred to the Superintendent.

- Board members will not direct the work of any vendors, consultants, contractors or others doing business with the District.
- Board members will not individually negotiate with or influence the selection of such individuals or businesses.

Board members should not influence the making of a contract or amendment to an existing contract with such individuals or businesses.

- The negotiation and terms of contracts should be handled by District staff and/or District legal counsel. The Board acts as the decision making body regarding such contracts. This includes all amendments to contracts as well.
- Questions or comments regarding terms of existing contracts and/or the possible amendment of such contracts should be directed to the Superintendent.
- The Board shall take staff input into consideration when contracts or amendments to contracts are being considered by the Board.

Board members should disclose their current or prior relationships with vendors, consultants, contractors and others either doing business with or seeking to do business with the District to the Superintendent, the rest of the Board, and the public, to the extent required by applicable conflicts of interest laws and the District's conflict of interest policy, and further, to the extent necessary to avoid the appearance of impropriety or of a conflict of interest.

3. Handling Complaints

It is not unusual for Board members to receive calls from parents, staff, and community members expressing concerns or complaints. WCCUSD has a complaint policy which should always be observed in these matters. Board members should listen but be clear that the best way to resolve issues is to speak with the parties directly involved. If that has already occurred, the District policy will indicate next steps to be taken. Board members should also notify the Superintendent of the conversation. Especially in potentially serious student discipline and personnel matters, it is important that Board members not become directly involved since there is a possibility that the matter could eventually involve a hearing by the full Board. Information can be found on the [Educational Equity/Title IX website](#).

4. Communication Between Board and Superintendent

The Board believes that open, honest communication is essential to any well-functioning team and that Board members wish to be well informed regarding district programs and issues. We know that good deliberations and decision making are enhanced when all members have the same information.

Board members will notify the Superintendent of their preferred mode of communication. The Superintendent will provide information to board members in their preferred mode of communication

[Friday Memo](#) - This weekly publication is used to communicate additional information to the Board and public on calendars, events and engagements, academic programs and occasional follow-ups from Board meetings.

The Superintendent will ensure that all notices and invitations are sent to all board members, whether by the district and/or sites.

The Superintendent will ensure that all board members receive the same information. It is important for members to be equally well informed regarding student performance.

Trustees recognize that they have no power as individuals to direct staff actions.

Compiling information in response to trustee requests takes staff away from their duties of the day-to-day operations of schools and the district. It is necessary to balance these potentially competing interests.

Staff will make every effort to ensure that board agenda items include thorough background information. Requests for further information regarding an agenda item will be sent to the Superintendent or appropriate cabinet member. If sent directly to a cabinet member, the Superintendent will be copied in the request. Staff will gather the requested information and distribute it to all members at the board meeting.

For information requests regarding items not on board agendas, the request shall be made directly to the Superintendent. The Superintendent will inform the other trustees so that they understand the context of the information being provided. Board members need to understand that some information is protected under FERPA as well as other laws, and is not available to members, either individually or as a board. All information provided by the administration in response to a request by a trustee shall be provided to all other trustees at the same time.

{SR791725}

APPENDIX

Rosenberg's Rules of Order 2011 Edition: Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running

a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of, say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

- 1. Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
- 2. Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.

3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In

either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input.

If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

{SR791725}

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ... ”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

- 1. Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
- 2. Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
- 3. Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item

but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser. **The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move to a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different.

A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them.

{SR791725}

This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

{SR791725}

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move, we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I will table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.”

As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body,

“any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

Note: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-

thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Supermajority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice? Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes.

{SR791725}

Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and an effective vote of 3-2 is not enough to pass a two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

{SR791725}

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of a minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public- friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did

References

CSBA sample:

88 9320- Meetings and Notices

88 9321- Closed Session Purposes and Agendas

88 9321.1- Closed Session Actions and Reports Government Code 54954.2, 54956,54956.5, 54957.1 Education Code 35145

Helpful Documents from California School Board Association

- **CSBA What Every Board Member Needs to Know**
[*What Every New Board Member Needs to Know*](#)
- **CSBA Welcoming with Open Arms**
[*Welcoming with Open Arms*](#)
- **CSBA School Board Leadership**
[*https://www.csba.org/~media/51E3FBB839504700825CB16B7265F3C4.ashx*](https://www.csba.org/~media/51E3FBB839504700825CB16B7265F3C4.ashx)

Script for Introducing Public Comment

Public comment is an opportunity for members of the public to address the Board of Education in an open meeting. Members of the public are encouraged to address the Board concerning any item on the agenda or any item of interest within the subject matter jurisdiction of the Board. The Board will not take action or discussion on any item not appearing on the posted agenda, except as authorized by law.

We note that the views and comments expressed during public comment are those of the individual speaker and do not necessarily reflect the opinions, beliefs or positions of the District, the Board, or District staff. The District believes in an inclusive, welcoming and safe environment for its meetings for all of our community. The Board respects each individual's rights to express ideas and opinions. Pursuant to applicable law and Board policy, the Board will not prohibit public criticism of the Board or District.

It is an ongoing objective of the District to serve all our students and prepare them to flourish as responsible, ethical and productive citizens. In preserving this mission, we kindly ask that when making public comment you refrain from the use of profanity, exercise tolerance of others and their viewpoints, and exemplify model behavior. Please be mindful that District students may be watching. You are encouraged to address the Board and the public in a respectful manner such that all those observing, from children to adults, are made to feel welcome, safe and valued.

The Board will not permit any disturbance or willful interruption of Board meetings.

[OPTIONAL: Speech that constitutes a threat, that is highly inappropriate for minors, or that is likely to interfere with the Board's conduct of its business or the District's provision of a legally compliant, safe educational program and workplace may be determined to be a disruption.]

{SR791725}

Persistent or excessive disruption by any individual group shall be grounds for the Board President to terminate the privilege of addressing the Board.

We appreciate the public's participation and your assistance in helping the Board keep its meetings are efficient, effective and respectful. Lozano Smith, Sep 27, 2022

Sample Board Governance Calendar

Board Meeting Items	Board Committee Dates
July Annual Resolutions Assessed Value Report from County	
August Summer Program Report	August Citizens Bond Oversight Facilities Subcommittee Governance Subcommittee Solutions Team
September Opening of School Report State Testing Report Unaudited Actuals Report LCAP Actions & Services Latino / Hispanic Heritage Recognition Joint Meeting With CBOC	September Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight Citizens Oversight Committee for Parcel Taxes District Budget Engagement Committee Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress
October CALPERs Annual Resolutions Textbook Sufficiency	October Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight Facilities Subcommittee Governance Committee

{SR791725}

	<p>Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress</p>
<p>November Board Self-Evaluation</p>	<p>November Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight Citizens Oversight Committee for Parcel Taxes Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress</p>
<p>December 1st Interim Report Annual Organization Meeting: Election of Officers</p>	<p>December Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight District Budget Engagement Committee Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress</p>
<p>January Budget Study Session – special meeting Financial Audit Report</p>	<p>January Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight Citizens Oversight Committee for Parcel Taxes</p>

	District Budget Engagement Committee Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress
February LCAP Actions & Services Budget Study Session – Special Meeting African American Heritage Recognition	February Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight District Budget Engagement Committee Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress
March LCAP Measures & Outcomes: Student Learning Data Charter School Partnership Report Employee Status – layoffs, non-renewals, non-reelects 2 nd Interim Report Performance Audit Report Joint meeting with CBOC	March Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight District Budget Engagement Committee Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress
April Long Term Enrollment Projection Report	April Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight

	Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress
May EdFund Scholarship Recognition	May Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress
June Local Control Accountability Plan Public Hearing & Adoption District Budget Hearing & Adoption Annual Service & Budget Plan for Sp. Ed. Superintendent's Evaluation	June Academic Subcommittee Budget Audit Subcommittee Community Advisory for Special Education Citizens Bond Oversight District Budget Engagement Committee Facilities Subcommittee Governance Committee Local Control Accountability Plan Safety/Climate Subcommittee Solutions Team All Student Congress

Sample Governance Calendar, CSBA

https://www.csba.org/Services/Services/GovernanceServices/GovernanceConsulting/~/_media/713C45D197AF400BA6505CAD0A6E8285.ashx