

BOARD POLICY 2340 AGENDAS

An agenda shall be posted adjacent to the place of meeting at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:

- a majority decides there is an "emergency situation" as defined in Board Policy BP 2320 Special and Emergency Meetings;
- two-thirds of all members (five affirmative votes) determine there is a need for immediate action and the need to take action came to the attention of the Board subsequent to the agenda being posted;
- an item appeared on the agenda of and was continued from a meeting held not more than five days earlier.

Agendas shall be developed by the Chancellor in consultation with the Board President and/or Vice-President.

Individual Board members may submit agenda items utilizing the Chancellor's Administrative Procedure 2340 Agenda Development. Alternatively, Board members may notice an agenda item at a board meeting for consideration by the Board at a future subsequent meeting. The order of business may be changed by consent of the Board.

Members of the public may request to place matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item to the Chancellor. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

The Chancellor shall establish administrative procedures that provide for public access to agenda development and information. Reasonable fees may be charged for documents.

Reference:

- Education Code Section 72121 and 72121.5;
- Government Code Section 54954 et seq. and 6250 et seq;
- Administrative Procedure 2340.

Replaces a portion of:

Board Policy 1.10 Meetings of the Board of Trustees adopted March 4, 1965 and last revised November 18, 2008.

ADMINISTRATIVE PROCEDURE 2340 AGENDA DEVELOPMENT AND POSTING

A. Agenda Development

Agenda item title, summary, and support material must be submitted to the Chancellor 12 calendar days prior to a regular board meeting, that is, on the Thursday 12 days prior to the Tuesday Board meeting. The Chancellor will consult with the President and/or Vice-President of the Board prior to the posting of agenda items.

Board members can submit agenda requests to the Chancellor and the Board President for Board review at a future meeting. If the Chancellor and the Board President feel that the suggested item is inappropriate or not time sensitive for a future meeting, they shall communicate the reason to the Board member. If the Board member protests, then the full Board should decide whether to agendize the suggested item and the timeframe.

B. Agenda Posting

Whenever a regular meeting of the governing board is called, the Chancellor shall cause the call and written notice to be posted at least 72 hours prior to the meeting as specified below:

1. Written or electronic notice delivered to each member of the governing board, including any student trustees.
2. Written notice posted on the bulletin board adjacent to the District Board Room 333 East Eighth Street, Oakland, California.
3. Electronic notice posted on the district web site: www.peralta.edu

The Chancellor shall attempt to provide notice using the methods under special meeting notification described above. However, if the media are not functional due to the nature of the emergency, the Chancellor shall provide notice by whatever means are possible.

C. Content

The notice shall specify the time and place of the special or emergency meeting and the business to be transacted or discussed.

Approved by the Chancellor:

collegial manner to place the item on the agenda.

However, if there is a disagreement with the Board President or the Chancellor, the Board member may make the request in writing as prescribed above or at a regular Board meeting under "Future Agenda Items," and the Board member making the request shall subsequently memorialize the request in writing. All items of business requested by a Board member in this manner shall be placed on the agenda for the following regular Board meeting.

2. The final agenda and order of business at all regular meetings of the Board of Trustees will be determined by the Board. By consensus, a Board member may remove an item, including an item requested by the general public or a Board member. At the time the Board approves the agenda, the Board President or a presiding Board member shall announce why any requested item that was not in fact agendized was not placed on the agenda.

Members of the public who wish to place an item on the agenda must ask at least one Board member to make the request.

3. To the extent possible, items shall be prioritized and placed on the agenda in the order of urgency.

As a matter of policy, no action shall be taken on any item not identified as an "Action Item," and this statement shall be noted in the board meeting agenda.

All items shall be accompanied with written documentation.

4. The parliamentary authority for the orderly conduct of meetings shall be Robert's Rules of Order, Revised, except when it is inconsistent with state law or Board policy. No rules under Robert's Rules of Order shall override a majority vote by the Board.

I. PUBLIC PARTICIPATION.

Although the order of business of any official meeting includes an opportunity for the public to address the Board on any item of business, the Board does not obligate itself to act upon any request or proposal unless such request has been submitted in writing to the Chancellor of the District prior to 12 Noon on the eighth working day preceding the Board meeting.

Members of the Public may request to address the Board on any item within the Board's jurisdiction, except as public participation may be restricted under the Brown Act. To request to do so, a card must be secured from the Recording Secretary, completed, and turned in prior to the Board's consideration of the item.

Unless other limitations have been adopted and announced by the Board, all presentations by members of the public will be limited to three minutes each. Speakers who have appropriately submitted cards requesting to address the same agenda item may yield their time to another speaker, up to a limit of six additional minutes. When deemed necessary for the timely and orderly conduct of business of the Board, these rules may be modified for any meeting by a vote of the majority of the Board.

1. AGENDA ITEMS.

Within the consideration of individual agenda items, requests to speak will be honored in the order the cards are received by the recording secretary.

Persons submitting cards to address an item included on the agenda will be called upon at the time the agenda item is considered by the Board.

2. COMMUNICATIONS FROM MEMBERS OF THE PUBLIC.

Persons submitting cards to address items *not* included on the agenda will be called upon when the Board considers the agenda item "Communications from Members of the Public." This agenda item may be limited to a maximum of 15 minutes per meeting, exclusive of brief responses by Board Members and staff. If more requests are received than can be honored within the time limit at a meeting, they will be scheduled for subsequent meetings in the order received.

Requests to address the Board under "Communications from Members of the Public" may be submitted in advance of the meeting or at the meeting prior to this agenda item. No distinction shall be made between requests received prior to the meeting and those received at the meeting. Speakers may submit material to the Recording Secretary for distribution to the Board members prior to or following the meeting. No person may have more than one pending request to address the Board under the heading "Communications from Members of the Public" at any time.

No action will be taken on any item which does not appear on the agenda unless authorized by the Government Code of the State of California. Such items which are introduced may be placed on a future agenda for action. Trustees and District staff are only allowed to respond briefly, in accordance with the Brown Act.

J. MINUTES OF MEETINGS OF THE BOARD.

A record of all transactions of the Board will be set forth in the minute book of the Board, and the minute book will be kept by the Secretary as a permanent official record of all Board actions and policy decisions in the District. The minutes will be open to the inspection of the public at any time. Minutes will record the name of the person making a motion, the name of the person seconding the motion, and the vote. Voting ordinarily will be by voice, except when formal resolutions are required, in which case a roll call vote will be used. A roll call vote shall also be used when requested by any member of the Board. A member's reasons for his/her vote will be recorded in the minutes, if he/she so requests at the time of the voting.

Source of Law:

Educational Code § 72000 (c)(2)(A), § 72000(d), §72129, §72122

Government Code § 54950- § 54962 (Brown Act)

Board Policy 1.04

Adopted by Board of Trustees: March 4, 1965

Revised by Board of Trustees: March 4, 1986

Revised by Board of Trustees: January 12, 1988

Revised by Board of Trustees: September 11, 1990

Revised and Approved by Board of Trustees: February 9, 1993

Revised by Board of Trustees: September 14, 1993

Revised by Board of Trustees: April 12, 1994

Approved by Board of Trustees: July 12, 2005

Revised by the Board of Trustees: November 18, 2008