

Lagunitas School District
San Geronimo, California

9000 Board By-Laws

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Lagunitas School District

San Geronimo, California

BOARD POLICY 9001

AGENDA/MEETING MATERIALS

Construction of Agenda

The Superintendent, as Secretary to the Board, in consultation with the Board members, shall prepare the agenda for each regular and special meeting. Governing Board meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session.

Placing an Item on the Agenda

Any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular Board of Trustees meeting. The request must be in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least six school days prior to the scheduled meeting date.

Public Participation

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. The agenda shall also provide members of the public the opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. The Board shall not take action on such matters at that meeting.

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

Consent Agenda

The Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

Advance Delivery of Meeting Materials

A copy of the agenda shall be forwarded to each Board member not less than three (3) days prior to a scheduled meeting date, with minutes to be approved, copies of

communications, reports from committees, staff, citizens, and others, and such other documents and exhibits which are available and pertinent to the meeting.

Board members shall become familiar with the agenda and support materials prior to the meeting. Individual members may confer directly with the Superintendent or designee to request additional information on agenda items.

When special meetings are called, the Superintendent shall make every effort to distribute the agenda and support materials to Board members as soon as possible.

The Superintendent or designee shall mail (or electronically distribute the agenda only) a copy of the agenda, or a copy of all the documents constituting the agenda packet, to any person who requests the items in writing. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first.

Any request for mailed (or electronically distributed) copies of agendas or agenda packets shall be in writing and shall be valid for one school year. Written requests must be renewed annually.

Persons requesting mailing of the agenda or agenda packet may pay an annual fee as determined by the Superintendent or designee.

Legal References:

EDUCATION CODE

35144 Special meetings

35145 Public meetings; posting of agenda; commencement of action

35145.5 Legislative intent; agenda; public participation

GOVERNMENT CODE

53635.7 Separate item of business

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956.5 Emergency meetings

54957.5 Public records

BOARD ADOPTION/REVISION: May 27, 2003
October 18, 2011

Lagunitas School District

San Geronimo, California

BOARD POLICY 9002

CONFLICT OF INTEREST CODE

Incompatible Activities

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Conflict of Interest Code

Board members and designated employees shall adhere to the district's conflict of interest code adopted pursuant to the provisions of Government Code 87300. This code shall comprise the terms of the California Code of Regulations, Title 2, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure required for each position.

Board members and designated employees shall submit statements of economic interests to the district in accordance with requirements of the conflict of interest code. These statements shall be available for public inspection and reproduction. (Government Code 81008) Upon receiving the statements of Board members and the designated employees, the district shall make and retain a copy and shall forward the original to the code reviewing body.

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

The Board shall review the district's conflict of interest code in even-numbered years and send the code reviewing body either an amended code or a statement to the effect that no change is necessary. (Government Code 87306.5)

Financial Interest

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract if any of the exceptions set forth in Government Code 1091.5 apply.

A Board member shall not be deemed to be financially interested in a contract between his/her spouse and the district provided the contract concerns the same employment as that held by the spouse when the Board member was elected or appointed, and provided the spouse has been employed by the district in that same position for at least one year prior to the Board member's election or appointment (Government Code 1091 -5(a)(6) and 69

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

If a Board member or designated employee determines that he/she has a financial interest in a decision, he/she must publicly announce the economic interest involved and the fact that he/she is disqualifying himself/herself from any participation in the decision. In the case of a designated employee, this announcement shall be made in writing and submitted to the Board (Code of Regulations, Title 2, Section 18700)

Gifts/Honoraria

Except as reimbursement for actual travel expenses and reasonable related subsistence, board members and designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law. (Government Code 89501)

The above limitation does not apply to any gift from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle or first cousin or the spouse of any such person unless the donor is acting as an agent or intermediary for a person not herein identified. (Title 2, Section 18942)

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering. This prohibition does not apply to earned income from personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches. (Government Code 89501, S9502)

Legal References:

EDUCATION CODE

1006 Qualifications for holding office; term limits; electoral approval

GOVERNMENT CODE

1090-1098 Prohibitions applicable to specified officers
1125-1129 Incompatible activities
81000-81015 Political Reform Act of 1974, especially:
82019 Definition of "Designated Employee"
82028 Definition of "Gifts"
82030 Definition of "Income"
82033 Definition of "Interest in real property"
82034 Definition of "Investment"
87100-87103.6 General prohibitions
87200-87210 Disclosure
87300-87313 Conflict of interest code
87500 Statements of economic interests
89501-89505 Honoraria and gifts
91000-91015 Enforcements

CODE OF REGULATIONS, TITLE 2

18100 ET SEQ. Regulations of the Fair Political Practices Commission
68 OpsCal.Atty.Gen. 171 (1985)
65 OpsCal.Atty.Gen. 606 (1982)
69 OpsCal.Atty.Gen. 255 (1986)

BOARD ADOPTION/REVISION: December 8, 1998
October 18, 2011

Lagunitas School District
San Geronimo, California

ADMINISTRATION REGULATION 9002

DESIGNATED DISTRICT POSITIONS FOR STATEMENT FILINGS

Superintendent and Business Manager will submit statements of economic interests in the form of Statement of Economic Interests Form 700 as prepared by the Fair Political Practices Commission.

BOARD ADOPTION/REVISION:

October 18, 2011