

December 13, 2006

To: Board Members
From: Tom Bishop
Subject: Organizational Meeting

Education Code requires the School Board to hold its annual organizational meeting prior to December 15th. The purposes of the organizational meeting are:

- 1) To elect Board officers for the 2007 calendar year.
- 2) To appoint Board members to external committees.
- 3) To adopt a revision to Board Policy 9320 on meetings.
- 4) To adopt the dates, time and place of regular meetings of the Board of Trustees for the calendar year 2007.

RECOMMENDED: The Board is Required to Take Action on the Above Listed Officers/Actions for the 2007 Calendar Year.

2.0

December 13, 2006

To: Board Members
From: Tom Bishop
Subject: Oath of Office – Dr. Annette Easton, Steven McDowell, Katherine White

The Superintendent will conduct the Oath of Office Ceremony for Dr. Annette Easton, Steven McDowell and Katherine White.

Oath of Office:

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter”.

RECOMMENDED: For Information Only.

2.0.1

December 13, 2006

To: Board Members

From: Tom Bishop

Subject: Election of 2007 President of the Board of Trustees

The Board will select one of its members to serve as the Board President for the 2007 calendar year.

Process: The current Board Clerk will ask members of the Board to nominate officers for the 2007 calendar year. The first office to be considered will be the office of President.

“Do any Members of the Board have any nominations for the office of President”?

Nomination for President: _____ Nominated by: _____

Nomination for President: _____ Nominated by: _____

Nomination for President: _____ Nominated by: _____

“Hearing no more nominations, we will move to the election for President of the Board.

All in favor of nominee _____, please raise your hand.

All in favor of nominee _____, please raise your hand.

All in favor of nominee _____, please raise your hand.

Congratulations to nominee _____, you have been elected President of the Board for the 2007 calendar year”.

RECOMMENDED: The Board will approve the selection of the Board’s 2007 President.

2.0.2

December 13, 2006

To: Board Members

From: Tom Bishop

Subject: Election of 2007 Board Clerk

The Board will select one of its members to serve as the Clerk of the Board for the 2007 Calendar Year.

The next office to be considered will be the office of Clerk.

“Do any Members of the Board have any nominations for the office of Clerk?”

Nomination for Clerk: _____ Nominated by: _____

Nomination for Clerk: _____ Nominated by: _____

Nomination for Clerk: _____ Nominated by: _____

“Hearing no more nominations, we will move to the election for Clerk of the Board.

All in favor of nominee _____, please raise your hand.

All in favor of nominee _____, please raise your hand.

All in favor of nominee _____, please raise your hand.

Congratulations to nominee _____, you have been elected Clerk of the Board for the 2007 calendar year”.

RECOMMENDED: The Board will approve the selection of the Board’s 2007 Clerk.

2.0.3

December 13, 2006

To: Board Members

From: Tom Bishop

Subject: Board Appointments for Calendar Year 2007

The Board will make the following appointments for the 2007 calendar year:

- 1) Secretary to the Board of Trustees –Thomas F. Bishop, Superintendent
- 2) Board Representative to the North Coastal Consortium for Special Education (NCCSE)
Representative: _____
- 3) Board Representative to the North City West School Facilities Finance Authority (CFD #1)
Representative: _____
- 4) Board Representative to the Del Mar Schools Education Foundation (DMSEF)
Representative: _____
- 5) Board Representative to the Legislative Action Network (LAN)
Representative: _____

Motion: _____ *Second:* _____ *Ayes:* _____ *Nays:* _____

RECOMMENDED: The Board will approve the selection of the Board's 2007 Appointments for Secretary to the Board, Representative to the North Coastal Consortium for Special Education (NCCSE), Representative to the North City West School Facilities Finance Authority (CFD #1), Representative to the Del Mar Schools Education Foundation (DMSEF), and Representative to the Legislative Action Network (LAN).

2.0.4

December 13, 2006

To: Board Members

From: Tom Bishop

Subject: Board Approval of Revision to Board Bylaw 9320: Meetings and Notices

The Administration has revised the proposed calendar of Board Meeting dates for 2007, with the proposal to return to a 12-month meeting schedule. In order to consider a 12-month schedule, Board Bylaw 9320 must be revised, since it now states that the Board will meet on an 11-month meeting schedule.

The revision to Board Bylaw 9320 is presented here for your approval.

RECOMMENDED: The Superintendent Recommends Approval of the Revision to Board Bylaw 9320: Board Meetings and Notices.

2.0.5

DEL MAR UNION SCHOOL DISTRICT
BYLAWS/ADMINISTRATIVE REGULATIONS OF THE BOARD

BOARD BYLAW 9320: MEETINGS AND NOTICES

The Governing Board recognizes that the district is a local public agency within the meaning of Ralph M. Brown Act. Consequently, the Board recognizes that it is subject to the open meetings provisions of this Act and shall adhere to all of the procedures and requirements set forth in the Act.

Meetings of the Board are conducted for the purpose of accomplishing district business.

All meetings of the Board, except closed sessions, shall be open to the public.

The Board shall adopt at its annual meeting in December a calendar specifying the date, time, and place of each regular meeting.

Regular Meetings

The Board shall hold at least one regular meeting each *every* month ~~except July when there is no meeting.~~

Notice of Regular Meetings

At least 72 hours prior to the regular meeting, the agenda shall be posted at designated public locations.

A notice of each regular meeting shall be mailed to any person who requests it in writing. The notice shall be mailed at least one week prior to the meeting. Requests are valid for one year from the date filed and must be renewed yearly. Persons requesting notices shall pay an annual mailing fee (Government Code 54954.1). The Governing Board shall determine the annual mailing fee, if applicable.

Special Meetings

Special meetings of the Board may be called by the presiding officer or a majority of the members of the Board.

All Board members and the Superintendent shall be notified at least 24 hours prior to the special meeting. The notice shall contain the time, place, and the business to be transacted.

Notice of special meetings will be given to the local media and property owners who have requested such notice in writing.

First Reading, Bylaws of the Governing Board 9000 Series

Adopted at the Regular Board Meeting on December 8, 1999

Submitted for 1st Reading by the Board of Trustees: September 27, 2005

Revisions to BB 9320 Approved by the Board of Trustees: October 26, 2005

Revisions to BB 9320 Presented for Approval by the Board of Trustees: December 13, 2006

An agenda shall be prepared and delivered with the notice to Board members. The notice and agenda shall be posted at least 24 hours prior to the meeting.

Only those items of business listed in the call for the special meeting shall be considered at the special meeting.

Emergency Special Meeting

The Board may hold a special meeting without complying with the 24 hour notice requirement in the case of an emergency situation. An emergency situation means:

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

The President of the Board or designee shall give notice of the emergency special meeting to the local media by telephone one hour before the meeting. If telephone services are not functioning, the notice requirement of one hour is waived. As soon after the meeting as possible the Board shall notify the local media that the meeting was held, the purpose of the meeting, and any action taken by the Board.

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

Adjourned Meetings

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

If no members are present at any regular or adjourned regular meeting, the Secretary to ~~the Clerk~~ **to the Board** may declare the meeting adjourned and shall give notice in the same manner required for special meetings (Government Code 54955).

Annual Organizational Meeting

The Board shall hold an annual organizational meeting. The organizational meeting shall be held annually in December within the time limits prescribed by Education Code 35143.

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At this meeting, the Board shall:

1. Elect a Board President, and Clerk of the Board from its members and appoint a Secretary to the Board.
2. Authorize signatures.
3. Develop a schedule of regular meetings for the year.

Legal Reference:

EDUCATION CODE

- 35140 *Time and place of meetings*
 35143 *Annual organizational meeting, date, and notice*
 35144 *Special meeting*
 35145 *Public meetings*
 35145.5 *Agenda; public participation; regulations*
 35146 *Closed sessions*
 35147 *Open meeting law exceptions and applications*

GOVERNMENT CODE

- 54950-54957.9 *Meetings, especially:*
 54953 *Meetings to be open and public; attendance*
 54953.2 *Compliance with Americans with Disabilities Act*
 54954 *Time and place of regular meetings*
 54954.1 *Mailed notices*
 54954.2 *Agenda posting requirements, board actions*
 54954.3 *Opportunity for public to speak*
 54956 *Special meetings; call; notice*
 54956.5 *Emergency meetings*
 54957.5 *Agenda distribution*
 54961 *Prohibition on use of certain facilities*

UNITED STATES CODE, TITLE 42

- 12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.160 *Effective communications*
 36.303 *Auxiliary aids and services*

ATTORNEY GENERAL OPINIONS

- 84 *Ops. Cal. Atty. Gen. 181 (2001)*
 84 *Ops. Cal. Atty. Gen. 30 (2001)*
 79 *Ops. Cal. Atty. Gen. 69 (1996)*
 78 *Ops. Cal. Atty. Gen. 327 (1995)*

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*Management Resources:*CSBA PUBLICATIONS*The Brown Act: School Boards and Open Meeting Laws, 1999*ATTORNEY GENERAL PUBLICATIONS*The Brown Act: Open Meetings for Legislative Bodies,, California Attorney General's Office, 2002*WEB SITESCSBA: <http://www.csba.org>California Attorney General's Office: <http://www.caag.state.ca.us>

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December 13, 2006

To: Board Members

From: Tom Bishop

Subject: 2nd Reading and Board Approval of Board Meeting Dates and Location for 2007

The Administration has drafted a proposed calendar of Board Meeting dates for the year 2007. Whenever possible, the Administration recommends meeting on the fourth Wednesday of the month, which aligns with state and county fiscal reporting deadline requirements.

Proposed Board Meeting Dates For The Year 2006

Date	Day	Location
January 17, 2007	3 rd Wednesday	Del Mar Hills Academy, PAC
February 28, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
March 21, 2007	3 rd Wednesday	Del Mar Hills Academy, PAC
April 25, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
May 23, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
June 27, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
July 25, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
August 29, 2007	5 th Wednesday	Del Mar Hills Academy, PAC
September 26, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
October 24, 2007	4 th Wednesday	Del Mar Hills Academy, PAC
November 14, 2007	2 nd Wednesday	Del Mar Hills Academy, PAC
*December 12, 2007	2 nd Wednesday	Del Mar Hills Academy, PAC

*The official approval of this date occurs at the November 2007 Board Meeting in preparation for the Organizational Meeting in December.

The administration also recommends that the Board hold the meetings of the 2007 calendar year in the Performing Arts Center (PAC) at Del Mar Hills Academy. The administration also recommends continuation of the 6:00 p.m. start time for regular Board Meetings for 2007. In addition, the Administration recommends holding monthly CFD meetings at 5:45 p.m.

RECOMMENDED: Superintendent recommends that the Board approve the 2007 Board meeting dates, time and location as described in Agenda Item 2.0.5

2.0.6