

**Modesto City Schools  
Board of Education**

*Board Protocols and Norms*

~~December 10, 2018~~

### **Purpose of These Protocols**

The Modesto City School District Board of Trustees (“Board”) agrees that to be an efficient board they must have formal structures to be used by the Board and the Superintendent in their functioning as a team and how they do business. These Protocols specify how a particular governance function or activity will be accomplished. These Protocols do not reiterate policy, but rather provide a level of detail absent in policy, but helpful to the individual members of the governance team in fulfilling policy, or clarifying matters not addressed in policy.

### **Mission Statement**

Our mission is to ensure that all students become lifelong learners by providing a rigorous and relevant 21<sup>st</sup> century education that prepares our students for college, career, or service to our country and to become contributing members of our global community.

### **Governance Team Norms**

As we work together as a Board we agree to the following:

1. We acknowledge that each of us brings differing personal strengths and focus to issues;
2. We acknowledge that only the Board as a whole has authority to take action and give direction to the Superintendent;
3. We are well prepared for meetings and attempt to clarify questions with staff in advance;
4. To promote student achievement, we will focus our efforts on the present and future needs of the District;
5. We demonstrate concern for the personal well-being of our governance team members;
6. We are respectful and non-judgmental of one another;
7. Minority views are respected and can be expressed, but we stand by the collective will of the Board;
8. We actively listen to each other and encourage full participation in discussions and decisions;
9. We stay on task; and
10. Both in closed and open session, we will not speak over others, and we will follow a method (pressing a button or raising hands) so the President can call on members in order.

**Governance Team Beliefs**

Together, we believe that:

1. Our primary purpose is to provide quality education for the students of our District;
2. What is best for our students informs all of our decisions;
3. Our focus is the needs of our students, staff and community;
4. We seek and encourage innovation;
5. We need to ask the tough questions in order to be wise stewards of the public's money;
6. Public education is fundamental to democracy;
7. Collaboration and cooperation are at the heart of our leadership;
8. All ideas are deserving of discussion and deliberation, and we value input from all stakeholders;
9. We provide a safe and healthy environment for students;
10. As role models for our students, staff and community, we demonstrate respect for others, even when we disagree;
11. We hold our governance team to high expectations, just as we do students and staff;
12. We recognize the value of mutual trust, open team dialogue, and being fully informed as a condition of mutual trust;
13. We govern as a unified team with a shared vision to lead and serve the community;
14. We commit to governing with a shared understanding of roles and responsibilities; and
15. We commit to creating and sustaining a positive governance leadership culture.

**MODESTO CITY SCHOOLS BOARD OF TRUSTEES PROTOCOLS**

<b>Issue</b>	<b>Protocol</b>
<b>#1 Role of the Board</b>	<p>A. The only authority to direct actions rests with the full Board sitting at a Board meeting. A majority vote sets such direction. Individuals can request action by bringing up a new idea, explaining their interest in a particular course of action and working to get a Board majority to support moving in that direction.</p> <p>B. Any Board member has the right to request that an item be placed on the agenda.</p> <p>C. Process for Board member to request placing an item on the Board’s agenda:</p> <ol style="list-style-type: none"> <li>1. <b>Limit of Ten (10) Items per Year</b> – Absent special circumstances, Board members are limited to requesting a total of ten (10) items on agenda each calendar year.</li> <li>2. <b>Process Outside of Board Meeting:</b> Any Board member at any time may submit written request for agenda items to the Superintendent. The Superintendent will then send an email to the rest of the Board that the item has been requested and identify the requesting Board member.</li> <li>3. <b>Process During a Board Meeting:</b> Any Board member during the “Future Agenda Items” time at the Board meeting may submit a written request to place an item on the agenda. The Board member shall announce and describe the issue they wish to have placed on agenda at the meeting.</li> <li>4. <b>Previously Discussed Item:</b> Any agenda item voted on by the Board may be brought back for Board reconsideration as a discussion/action item based on the following procedures: <ol style="list-style-type: none"> <li>a. To place a previously discussed item on an agenda, a non-prevailing Board member can make a request for reconsideration of an item or issue, no sooner than one year after a vote on an issue.</li> <li>b. A prevailing Board member can ask for reconsideration of an item or issue at any time, if circumstances arise. Such a request must be made within the limits above of no more than ten (10) items per year.</li> </ol> </li> <li>5. <b>Timing of an Agenda Item:</b> <ol style="list-style-type: none"> <li>a. The Board President, Vice President and Superintendent shall determine the</li> </ol> </li> </ol>

<b>#1 Role of the Board</b> (continued)	<p>appropriate meeting and timing for the Board to address an item. The Superintendent shall send a draft agenda to the President and Vice President before the Board agenda is printed and publicized.</p> <ul style="list-style-type: none"> <li>b. Superintendent, Board President and Vice President have authority to place an urgent issue on agenda as necessary.</li> <li>c. Absent compelling reasons determined by the Board President and Superintendent, items shall be placed on the agenda and heard in the order received.</li> </ul>
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<b>Issue</b>	<b>Protocol</b>
<b>#2 Role of the Board President</b>	<p>The Board President shall perform the following specific tasks:</p> <ul style="list-style-type: none"> <li>A. Assist with Agenda Preparation               <ul style="list-style-type: none"> <li>1. Meet and consult with the Superintendent and Vice President to review the agenda for all Board meetings to determine the manner information will come before the Board for consideration and action. See Protocol 1, C(4).</li> <li>2. Facilitate the identification and inclusion of agenda items requested by other Board members and the public.</li> <li>3. Work with the Superintendent to ensure Board members receive necessary materials and information to assess and make informed decisions.</li> </ul> </li> <li>B. Preside at the Meeting               <ul style="list-style-type: none"> <li>1. Call the meeting to order at the appointed time.</li> <li>2. Announce the business to come before the Board in its proper order.</li> <li>3. Enforce the Board’s policies and protocols relating to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act.</li> <li>4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.</li> <li>5. Redirect, if necessary, discussion to the question when a motion is before the Board.</li> <li>6. With input from the Board and the District’s legal counsel, rule on issues of parliamentary procedure.</li> <li>7. Put motions to a vote, and state clearly the results of the vote.</li> <li>8. Be responsible for the orderly conduct of all Board meetings.</li> </ul> </li> </ul>

<p><b>#2 Role of the Board President</b> (continued)</p>	<p>C. Stop meeting when necessary and in accordance with the law.</p> <ol style="list-style-type: none"> <li>1. The Board President shall not permit any disturbance or willful interruption of Board meetings.</li> <li>2. In accordance with the law, the Board President may remove a disruptive individual(s) or order the room cleared if necessary.</li> </ol> <p>D. Along with the Superintendent, the Board President shall act as the District’s designated spokesperson in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. We believe that it is important that we speak with one voice in order to maintain the trust of our community.</li> <li>2. The designated spokesperson may vary depending on the issue or situation:             <ol style="list-style-type: none"> <li>a. <b>Crisis/Disaster:</b> The Superintendent will be the primary spokesperson and may involve the Board President at her discretion.</li> <li>b. <b>Meeting Information</b> (i.e. board meetings, agenda items, study sessions): The Board President and the Superintendent will both serve as primary spokespersons.</li> <li>c. <b>General District Information:</b> The Board President and the Superintendent will both serve as primary spokespersons.</li> <li>d. <b>Special Circumstances:</b> The Superintendent will be the primary spokesperson and the Board may identify a Board member to also serve as a designated spokesperson.</li> </ol> </li> <li>3. When contacted by the media, individual Board members may, at their discretion, respond to inquiries regarding questions personal/individual to them. Board members should take care to identify personal viewpoints as such and not as the official or unofficial viewpoint of the Board. As a courtesy, Board members shall inform the Superintendent of conversations with the media.</li> <li>4. Board members should refrain from communicating how they will vote except in public meetings in accordance with the Brown Act.</li> </ol> <p>E. The President shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.</p>
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<b>Issue</b>	<b>Protocol</b>
<b>#3 Removal of the President</b>	<p>A. A President may resign at any time from the position of Board President.</p> <p>B. A President may be removed by the following procedures:</p> <ol style="list-style-type: none"> <li>1. Following the procedures for placing an item on an agenda set forth in Protocol 1, C(2), an item entitled “Removal of the Board President” shall be placed on the next Board meeting agenda. The meeting shall be noticed in accordance with the law. The Board must vote on the issue in open session.</li> <li>2. A majority vote of the Board is required to remove the President. The President may vote on his/her own removal.</li> </ol> <p>C. When the Board President resigns or is removed, absent or disabled, the Vice President shall perform the President’s duties.</p>

<b>Issue</b>	<b>Protocol</b>
<b>#4 Relationship with Legal Counsel</b>	<p>A. California Education Code authorizes the Board to enter into a contract to hire an attorney to provide legal services for purposes deemed appropriate for the Board. When an attorney is hired by the school district, the attorney’s client is the Board as a whole and not an individual Board member or employee. However, at certain times, the Board may retain an attorney to defend a Board member or employee pursuant to the Tort Claims Act, Cal. Government Code 814-895.8.</p> <p>B. The District’s legal counsel may:</p> <ol style="list-style-type: none"> <li>1. Render legal advice to the Board, to the President on the Board’s behalf, and the Superintendent or designee.</li> <li>2. Serve the Board and the Superintendent or designee in the preparation and conduct of District litigation, collective bargaining, and administrative proceedings.</li> <li>3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures.</li> <li>4. Perform other administrative duties as assigned by the Board and Superintendent or designee.</li> </ol> <p>C. Hiring Legal Counsel</p> <ol style="list-style-type: none"> <li>1. When entering into a new contract for legal services, the Board shall use a Request for Proposal (RFP) to advertise and solicit proposals for legal services. In</li> </ol>

<p><b>#4 Relationship with Legal Counsel</b> (continued)</p>	<p>evaluating the proposals, the Board and Superintendent shall consider the firm's or attorney's background, experience and reputation in education law, experience advising or representing school districts in California, and the firm's fees.</p> <ol style="list-style-type: none"><li>2. The Board and Superintendent may evaluate the performance of the firm and/or its attorneys providing legal services in such areas as efficiency and adequacy of advice; results obtained for the District; reasonableness of fees; and responsiveness to and interactions with the Board, administration and community. Upon successful evaluation, the Board may renew the agreement with legal counsel without initiating an RFP.</li><li>3. The Board may also contract for temporary, specialized legal services without initiating an RFP when a majority of the Board determines that the unique demands of a particular issue or emergency situation so requires.</li></ol> <p>D. Contacting Legal Counsel</p> <ol style="list-style-type: none"><li>1. At his/her discretion, the Board President or Superintendent may confer with District legal counsel subject to any limits or parameters established by the Board.</li><li>2. The Board President may directly confer with legal counsel to:<ol style="list-style-type: none"><li>a. Ensure compliance with the Brown Act.</li><li>b. Seek advice on how to avoid conflicts of interest and establishing the record regarding such matters.</li><li>c. Procedural issues concerning the conduct of meetings.</li><li>d. Seek advice to avoid potential liability to the District when such an issue cannot wait until the next Board meeting, or when legal counsel needs to be present at the next Board meeting.</li></ol></li><li>3. The majority of the Board may decide to consult with legal counsel on an issue and may direct the Board President and/or the Superintendent to consult with legal counsel and then advise the Board.</li><li>4. Any Board member may make a request of the Superintendent to confer with legal counsel on any issue. The Superintendent has discretion to forward the request to legal counsel without the consent of the majority of the Board. A Board member may also request the Board President confer with legal</li></ol>
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<b>#4 Relationship with Legal Counsel</b> (continued)	counsel. 5. Individual Board members, other than the Board President, may not seek advice from District legal counsel on matters of District business, unless so authorized by a majority of the Board.
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<b>Issue</b>	<b>Protocol</b>
<b>#5 Communication Between Meetings</b>	<p>A. With other Board members and the Superintendent:</p> <ol style="list-style-type: none"> <li>1. Emailing:           <ol style="list-style-type: none"> <li>a. The Board shall use email carefully to insure that we do not violate the Brown Act, which prohibits Board members from exchanging facts to:               <ol style="list-style-type: none"> <li>1) Develop collective concurrence</li> <li>2) Advance or clarify an issue</li> <li>3) Facilitate agreement or compromise</li> <li>4) Advance ultimate resolution</li> </ol> </li> <li>b. If the Superintendent sends an email to all Board members and needs no response, s/he may indicate this by placing the words “Do not reply” in the subject header of the email.</li> <li>c. If the Superintendent sends an email to all Board members and seeks a response, s/he may indicate this by placing the text “Reply Requested” in the subject header of the email. Board members will use the reply function so that only the Superintendent receives the response. Members will not use “reply to all.”</li> <li>d. When sending an email to less than a majority of the Board concerning an item of business before the Board, the Board member should make sure to not have “serial communications.” To ensure that less than four Board members are linked in to the communication, the Board member should write the following notification on the top of the email: “Brown Act Notification: Shared with Trustees ___ and ____.” The notice should include conversations that were had in person.</li> <li>e. In all cases where a Board member is sending an email to the entire Board, the Board member shall ensure that no business is being discussed. Board members will only send an email to all (or a majority) of the Board in the following situations:               <ol style="list-style-type: none"> <li>1) To ask a calendar-related question, narrowly tailored to only seek consensus on</li> </ol> </li> </ol> </li> </ol>

<p><b>#5 Communication Between Meetings</b> (continued)</p>	<p>a calendar date or location.</p> <p>2) To briefly exchange pleasantries not related to Board business, such as saying “Happy Birthday!”</p> <p>2. Responding: Governance team members will make every reasonable effort to respond to each other’s emails (and calls) within 24 hours.</p> <p>3. Board members will inform the Superintendent as soon as possible regarding serious issues that include, but are not limited to: liability exposure, media exposure, serious injury, and unexpected and dramatic staff issues. The Superintendent has the same obligation to inform Board members.</p> <p>4. Email communication may be subject to disclosure under the California Public Records Act. Board members and the Superintendent should refrain from using any employee names, student names, parent names, or other confidential identifying information when sending emails.</p> <p><b>B. With District staff:</b></p> <p>1. Communication between Board members and District staff, other than the Superintendent will naturally occur doing the normal course of business of the District. Board members shall make all requests of District staff in accordance with these protocols.</p> <p>2. Only the Board, by formal Board action, may direct staff. No individual Board member has the authority to either direct staff or take action or to cause action to be taken by staff indirectly.</p> <p>3. If a Board member has a request for information, confidential or otherwise, or work that will be done by a District employee other than the Superintendent, the request must first be made to the Superintendent. Superintendent will review the request and forward to appropriate staff member for response. The response given will be shared with all Board members.</p> <p>4. Board members will be mindful of the workload of staff and will self-monitor requests to ensure that one member’s requests will not divert an inappropriate amount of time from staff efforts to achieve the District’s goals.</p> <p>5. If a Board member has a school site issue, concern or problem, the Board member must first contact the Superintendent with the issue, concern or problem.</p> <p>6. If a Board member receives a parent complaint</p>
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<p><b>#5 Communication Between Meetings</b> (continued)</p>	<p>about an employee, the Board member shall redirect the parent to the employee and the site principal. The Board member shall inform the Superintendent of the complaint.</p> <p>7. If a Board member has a request for Cabinet decisions or inquiries surrounding decisions by Cabinet, these requests must be made to the Superintendent. The Superintendent can provide updates as necessary.</p> <p>C. Members of the Bargaining Units:</p> <ol style="list-style-type: none"> <li>1. Board Members will participate in the collective bargaining process by providing direction and guidance to those selected to represent the Board. In extraordinary circumstances, Board member(s), at the direction of the majority of the Board, may observe individual negotiating sessions and report back to the Board.</li> <li>2. Individual Board members who meet with bargaining unit members shall not commit the District to a position.</li> </ol>
<p><b>Issue</b></p>	<p><b>Protocol</b></p>
<p><b>#6 Visiting School Sites</b></p>	<p>A. Visiting school sites is an important part of board governance. It allows board members to see the results of their governance decisions. Specifically, site visitations allow the Board to see how the goals it sets for the District, the policies it creates to provide the structure for operations, the allocation of resources it sets through its budget process are implemented throughout the system and their effect on students, employees and the community. Board members shall wear identification lanyards at all school sites and follow sign in procedures.</p> <p>B. A Board member wishing to visit a school site should contact the site principal in advance of the desired visitation. If the Board member wishes to observe a particular program, the program should be identified to the site principal in this initial contact. Board members should be respectful of the site principal’s request to reschedule.</p> <p>C. If the Board member wishes to observe classroom activities, the site principal should be notified so that the site principal can identify that faculty who would welcome an observation on the day scheduled for the visitation. If a Board member is invited by a specific faculty or staff member, the Board member should give the site principal prior notice of the impending visit in accordance with this Protocol.</p>

<p><b>#6 Visiting School Sites</b> (continued)</p>	<p>D. Within a reasonable time before the site visit, the Board member should inform the Superintendent of the time and date that they are visiting the school site.</p> <p>E. Board members shall:</p> <ol style="list-style-type: none"> <li>1. Demonstrate professional courtesy and respect to District leadership and staff in conducting site visits.</li> <li>2. Not make evaluative statements.</li> <li>3. Be careful not to disrupt or interfere with the student learning process.</li> </ol>
<p><b>Issue</b></p>	<p><b>Protocol</b></p>
<p><b>#7 Conduct of Meetings</b></p>	<p><b>Meetings of the Board are conducted for the purpose of carrying on the business of the Board, and therefore are not public meetings, but meetings held in public. Meetings are closed to the public only during closed session, the purpose of which is to discuss certain matters which are confidential by nature and which are permitted by law to be considered in closed session.</b></p> <p>A. Materials for the meetings</p> <ol style="list-style-type: none"> <li>1. The materials provided to the Board for meetings need to provide sufficient information to the Board to do its work, values the contributions of staff and keeps meetings focused and efficient.</li> <li>2. Staff reports shall:             <ol style="list-style-type: none"> <li>a. Be provided to the Board, bargaining groups, media and public in advance of the meeting, if possible. At the Board meetings, staff will present an executive summary of the report and clarify the direction the staff seeks from the Board.</li> <li>b. Address the impact on students, District priorities, policy, cost, options and alternatives, and rationale for the proposed action.</li> <li>c. Provide executive summaries of information, focusing on the most important aspects of the issue.</li> <li>d. Avoid jargon and define acronyms.</li> </ol> </li> <li>3. Information regarding Board packet information:             <ol style="list-style-type: none"> <li>a. Board members may phone or email the Superintendent anytime with questions regarding Board materials.</li> <li>b. To ensure questions can be answered prior to the Board meeting, questions shall be submitted as early as possible.</li> <li>c. The staff may not be able to address questions</li> </ol> </li> </ol>

<p><b>#7 Conduct of Meetings</b> (continued)</p>	<p>submitted after 12:00 noon on the day of the meeting.</p> <ul style="list-style-type: none"><li>d. The Superintendent may direct a Board member to the appropriate staff member for answers to questions.</li><li>e. The Superintendent will, if appropriate, share any question and answer with all Board members by email.</li></ul> <p>4. Questions in Advance – Minimize surprises for staff and Superintendent</p> <ul style="list-style-type: none"><li>a. Board members will, if possible, inform the Superintendent before the meeting if there is additional information on an agenda item that they feel should come forward during the Board meeting.</li><li>b. Board members may not always anticipate questions in advance. If so, Board members will let the Board and community know before asking.</li><li>c. Nothing in this Protocol shall prevent Board members from asking questions at a meeting.</li></ul> <p>B. Board Member Conduct</p> <ul style="list-style-type: none"><li>1. No sidebars or note-passing unless necessary. If a Board member needs to communicate immediately with another Board member, a request for a break should be made.</li><li>2. Being mindful of lengthy Board meetings, Board members shall limit comments to a reasonable amount of time on each subject. This Protocol is meant to guide Board members and should not be used as an effort to silence a Board member.</li><li>3. Board members shall not talk over each other and shall be courteous when another Board member is talking.</li></ul> <p>C. Procedure for Items on Agenda – Board members agree to the following process for each discussion/action item on the agenda:</p> <ul style="list-style-type: none"><li>1. The Board President will announce each discussion/action item.</li><li>2. The Superintendent or designee will explain the item and offer staff recommendations, if appropriate.</li><li><del>3. Board members will be recognized by the Board President for the purpose of asking questions about the item. Questioning of staff will be done in a professional and respectful manner.</del></li><li>4.3. The Board President will open the public comment</li></ul>
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<p><b># 7 Conduct of Meetings</b> (continued)</p>	<p>period for the specific <b>published</b> agenda item <b>immediately prior to the Board’s deliberation/discussion on the specific published agenda item. Board discussions will not be interrupted for further public comments; however, the Board may invite a speaker to clarify, repeat or further explain previously presented comments or information. Only those persons recognized by the presiding officer shall be permitted to participate in the discussion. Any attempt by any person not so recognized to discuss any matter before the Board is out of order.</b> See section 7D below.</p> <p><del>5</del>.4. Following the close of the public comment period for the specific <b>published</b> agenda item, the Board President will recognize Board members wishing to comment <b>and/or ask questions</b> on an issue and participate in deliberations <b>on the specific published item. Communication with staff will be done in a professional and respectful manner.</b></p> <p><del>6</del>.5. Following Board deliberations, a motion and a second will be made. Additional Board discussion shall be permitted as necessary. Board members shall be given the opportunity to state a rationale for their impending vote and after which, a vote will be taken. The majority position will prevail. All Board members agreed to abide by the prevailing vote.</p> <p>D. Public Comment: The Board encourages members of the public to attend Board meetings, and to be informed and engaged in their public schools. It is important to remember the purpose of Board meetings. They are business meetings; they are not public forums. Therefore to help ensure that meetings are efficient and productive, the Board agrees to these protocols for public comments.</p> <p><b>1. Comments on Items Not on the Agenda</b></p> <p>a. The Board President will open public comments with the following statement:  <i>"Thank you for attending tonight’s meeting. Your attendance shows your interest in our schools, and for that we thank you. Before I ask tonight’s speaker(s) to address the Board, I want to clarify that we may not engage in any discussion on the topic(s) that will be raised, because we are legally obligated to provide the public with advance notice about topics that the Board of Education will be discussing. Agendas are intended to inform the public about all topics</i></p>
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<p><b># 7 Conduct of Meetings</b> (continued)</p>	<p><i>of discussion and action, so anyone interested in a particular subject on the agenda may attend the meeting and address the Board. While we cannot engage in discussion on items not on the agenda, I assure you that we will listen attentively to your comments. Again, thank you for joining us tonight."</i></p> <ul style="list-style-type: none"> <li>b. Unless there are special circumstances determined by the Board President, a maximum of 30 minutes shall be allotted for public comment on items not on agenda.</li> <li>c. Each speaker will be allotted a maximum of three (3) minutes. The Board President may decide to exceed three minute limit to accommodate special circumstances. A majority of the Board may overrule the Board President’s decision.</li> <li>d. Speakers are not allowed to cede or assign time to other speakers</li> <li>e. Unless the Board President decides otherwise, each speaker may speak once at the podium on each agenda item.</li> <li>f. Members of the public wishing to address the Board on a non-agenda item shall fill out a speaker’s card and turn it in prior to the time for public comment for items not on the agenda. One speaker per card and every member of the public who wishes to address the Board must fill out a card.</li> <li>g. All public comments or questions should be addressed to the Board.</li> <li>h. Everyone must be allowed to feel comfortable sharing their opinions. There will be no cheering or jeering in a disrespectful way.</li> <li>i. The Board’s right to comment or take any action is limited, but a Board member may ask questions for clarification.</li> <li>j. The Board President may refer speakers to staff or correct for the record any misinformation, as necessary.</li> </ul> <p><b>2. Comments on Agenda Items</b></p> <ul style="list-style-type: none"> <li>a. Same procedures (a – h) apply as above.</li> <li>b. Comments must be on the item on agenda.</li> <li>c. For information items, the Board President should announce that the purpose of information items is to study issues. This is a time for the public to engage before a decision</li> </ul>
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**#7 Conduct of Meetings** (continued)

is made.

**E. Changing the Agenda**

1. In order to move an item from consent to a discussion/action item, a request to the Board President must be made by a Board member. The Board will vote on the order of discussion/action items with the item added to the agenda.
2. If a member of the public asks that an agenda item be moved to another place on the agenda or moved from consent to discussion, the Board President may ask the Board if there is a motion to change the agenda. Only the majority vote of the Board may alter order of the printed agenda.

**F. Voting**

1. Explaining a “No” Vote
  - a. Each Board member respects the right of other Board members to vote “no” on an issue.
  - b. Everyone agrees it is a courtesy to the Board, staff, and the public to explain the reasons for the “no” vote either during deliberation or before casting the vote.
2. Abstaining
  - a. All Board members have a duty to vote.
  - b. If a Board member is abstaining because of a conflict of interest, the Board member shall state the nature of the conflict of interest or other legitimate reason, leave the room and return only after the vote is completed. If a Board member abstains for a separate, legitimate reason, the Board member shall state it for the record and may stay in the room for a vote.
3. Changing a Vote
  - a. Before the Board moves on to the next agenda item or motion, a Board member may change his/her vote by indicating as soon as possible a desire to change their vote.
  - b. The Board President shall call for the vote again.

**G. Confidentiality/Closed Session Practices**

1. The Board will maintain confidentiality around all matters so prescribed by the Brown Act, including

	<p>matters about employee labor contract negotiations, District litigation, personnel matters, the substance of Superintendent and employee evaluations, and other matters permitted or required to be discussed in closed session by the Brown Act.</p> <ol style="list-style-type: none"> <li>2. The Board will maintain the public trust and each other’s trust by not breaching confidentiality.</li> <li>3. If a member of the Board inadvertently or accidentally violates a confidential issue, the Board, in consultation with legal counsel, will take immediate action to rectify the matter.</li> <li>4. A Board member may contact the Stanislaus County District Attorney to inquire about or report a suspected Brown Act violation occurring in closed session.</li> </ol>
<p><b>Issue</b></p>	<p><b>Protocol</b></p>
<p><b>#8 Social Media Communication</b></p>	<p>It is each Board member’s right to use social media. The Board agrees to the following regarding the use of social media:</p> <ol style="list-style-type: none"> <li>A. When making a post or a comment on another person’s post, the Board member must clearly distinguish between their personal opinion and a Board position.</li> <li>B. No Board member shall offer their personal opinion on a matter that will come before the Board for action.</li> <li>C. If a Board member responds on social media to a member of the community, the Board member should make it clear that his/her response does not necessarily reflect the views of the Board as a whole.</li> <li>D. If the Board member sees an issue regarding the District, including but not limited to a student safety issue, employee issue, or other matter that may have legal or other ramifications to the District, such communication should be reported to the Superintendent.</li> <li>E. Each Board member represents the Board in what they say and agree to set an example of professionalism in all posts and comments.</li> </ol>
<p><b>Issue</b></p>	<p><b>Protocol</b></p>
<p><b>#9 Community Engagement</b></p>	<p>The Board understands the importance of being visible and accessible to the public. Board members will demonstrate their dedication and commitment to the governance team by clarifying their authority as one of seven in all Board decisions and actions.</p> <p>If a Board member is invited to speak to a community group or organization about the District or at an event within the District, he/she will let the Superintendent know. The Board member will communicate back to the</p>

	Board and Superintendent after the event at the next regular Board meeting. Communication should be limited to a brief summary by the Board member and no discussion by the Board.

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The Board of Education for Modesto City Schools is entrusted by the community to uphold the Constitutions of California and the United States, to protect the public interest in schools, and to ensure that a high quality education is provided to each student. To effectively meet District challenges, the Board and Superintendent must function together as a governance leadership team. Agreed upon operating procedures or protocols support consistent behaviors and actions among team members.

The purpose of the District’s governance team agreements is to ensure a positive and productive working relationship among Board members, the Superintendent, the District staff, students and the community. The Protocols were developed for and by the members of the governance team, and may be modified over time as needed. Upon election or appointment of new Board members, these Protocols shall be reviewed and adopted by the new Board.

We have reviewed and agree to follow the aforementioned Protocols in order to support a positive and productive working relationship among the Modesto City Schools Board of Education, staff, students and the community. First affirmed on June 17, 2013, and re-affirmed on June 20, 2016.

Affirmed this 16<sup>th</sup> day of August, 2021

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Charlene G. West, Ed.D., Board President

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Adolfo Lopez, Vice President

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Chad Brown, Member

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John Ervin III, Member

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Abel Maestas, Member

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Cindy Marks, Member

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Homero Mejia, Member