

CITIZEN ADVISORY COMMITTEES

Committee Charge

When committees are appointed, committee members shall receive a written statement including, but not limited to:

1. The committee members' names and the procedure to be used in the selection of the committee chairperson and other committee officers.
2. **The name(s) and contact information of staff member(s) assigned to support the work of the committee**
23. The specific charges of the committee, including its topic(s) for study or well-defined area(s) of activity.
34. The specific period of time that the committee is expected to serve.
45. Legal requirements regarding meeting conduct and public notifications.
56. Resources available to help the committee complete its tasks.
67. Timelines for progress reports and/or final report.
78. Relevant Governing Board policies and administrative regulations.

Advisory committee members are not vicariously liable for injuries caused by the act or omission of the district **or a committee and are not liable for injuries caused by an act or omission of a committee member acting within the scope of his/her role as a member of the committee. However, a member may be liable for injury caused by his/her own wrongful conduct.** (Government Code **815.2**, 820.9).

Committees Subject to Brown Act Requirements

~~The following citizen advisory committees shall comply with open meeting, notice and public participation requirements of law:~~ **Any committee created by formal action of the Governing Board shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963, including, but not necessarily limited to, the following:**

1. ~~Advisory committees created by Board action~~

~~(cf. 9130—Board Committees)~~

CITIZEN ADVISORY COMMITTEES (continued)

21. Advisory committees established pursuant to Education Code 56190-56194 related to special education

(cf. 0430 - Comprehensive Local Plan for Special Education)

2. Advisory committee established pursuant to Education Code 8070 related to career technical education

(cf. 6178 - Career Technical Education)

3. Committee established to assist in development of a student wellness policy pursuant to 42 USC 1758b

(cf. 5030 - Student Wellness)

4. Committee established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property

(cf. 3280 - Sale or Lease of District-Owned Real Property)

5. Citizens' oversight committee established to examine the expenditure of general obligation bond or school facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

(cf. 7213 - School Facilities Improvement Districts)

(cf. 7214 - General Obligation Bonds)

~~3. Advisory committees established pursuant to Education Code 52208 related to gifted and talented education~~

~~(cf. 6172 - Gifted and Talented Student Program)~~

~~4. Advisory committees established pursuant to Education Code 8070 related to vocational education~~

6. Parent advisory committee and English learner parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan (LCAP) and, if applicable, any advisory committee established pursuant to Education Code 52060 to consult with the district on LCAP development

(cf. 0460 - Local Control and Accountability Plan)

CITIZEN ADVISORY COMMITTEES (continued)

(cf. 9130 - Board Committees)

~~(cf. 6178 - Vocational Education)~~

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 9323 - Meeting Conduct)

Committees Not Subject to Brown Act Requirements

The following councils and advisory committees are exempted from the Brown Act and must conform with procedural meeting requirements established in Education Code 35147:

1. School site councils established pursuant to Education Code ~~52012, 52852 or 54724~~ **and 64001 to develop and approve a single plan for student achievement**

(cf. 0420 - School Plans/Site Councils)

~~2. Any advisory committee established pursuant to Education Code 52065~~

~~32.~~ Any advisory committee established pursuant to Education Code 52176 related to programs for students of limited English proficiency

(cf. 6174 - Education for English Language Learners)

~~43. Any~~ **School** advisory committee established pursuant to Education Code 54425**(b)** related to compensatory education

(cf. 6171 - Title I Programs)

~~54.~~ Any advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

(cf. 6175 - Migrant Education Program)

~~6. Parent advisory committees established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education~~

~~75.~~ Committees established pursuant to Education Code 11503 related to parent involvement

(cf. 6020 - Parent Involvement)

CITIZEN ADVISORY COMMITTEES (continued)

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the group's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information. (Education Code 35147)

Councils or committees violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a school site council shall be made available to any member of the public upon request **pursuant to the California Public Records Act.** (Education Code 35147; **Government Code 6250-6270**)

(cf. 1340 - Access to District Records)

The Superintendent or designee may create citizen advisory committees to advise the administration; such committees do not report to the Board and are not subject to ~~open meeting laws~~ **the requirements of the Brown Act or Education Code 35147.**

(cf. 2230 - Representative and Deliberative Groups)