

CITIZEN ADVISORY COMMITTEES

Committee Charge

When committees are appointed, committee members shall receive ~~a~~ written ~~statement including~~ **information which includes**, but **is** not limited to:

1. The committee members' names ~~and the~~
2. **The** procedure to be used in the selection of the committee chairperson and other committee officers~~.~~
3. **The name(s) and contact information of staff member(s) assigned to support the work of the committee**
- ~~24.~~ The **goals and** specific charge(s) of the committee, including its topic(s) for study ~~or well-defined area(s) of activity.~~
- ~~35.~~ The specific period of time that the committee is expected to serve~~.~~
- ~~46.~~ Legal requirements regarding meeting conduct and public notifications~~.~~
- ~~57.~~ Resources available to help the committee ~~complete~~ **perform** its tasks~~.~~
- ~~68.~~ Timelines for progress reports and/or final report~~.~~
- ~~79.~~ 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. (Government Code 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 (the Brown Act):~~

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

1. Advisory committees~~s~~ established pursuant to Education Code 56190-56194 related to special education

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

- ~~2. Advisory committees established pursuant to Education Code 8070 related to career technical education~~

CITIZEN ADVISORY COMMITTEES (continued)~~(cf. 6178 - Vocational Education)~~~~3. Other committees created by formal Board action~~

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

(cf. 5030 - Student Wellness)

3. 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)

4. 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. 7214 - General Obligation Bonds)**(cf. 9130 - Board Committees)**(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~~ **shall comply** with procedural meeting requirements established in Education Code 35147:

1. 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

(cf. 0460 - Local Control and Accountability Plan)

- ~~12.~~ School site councils established pursuant to Education Code ~~52012, 52852 or 54724 related to school improvement, school-based program coordination or school-based student motivation and maintenance programs~~ **65000-65001 to develop and approve a school plan for student achievement**

(cf. 0420 - School Plans/Site Councils)~~(cf. 0420.1 - School-Based Program Coordination)~~~~(cf. 0420.2 - School Improvement Program)~~~~(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)~~

- ~~2. Any advisory committee established pursuant to Education Code 52065 related to American Indian education~~

CITIZEN ADVISORY COMMITTEES (continued)

3. ~~Any~~ **District or school** advisory committees established pursuant to Education Code 52176 related to programs for ~~students of limited English proficiency~~ **language learners**
(cf. 6174 - Education for English ~~Language~~ Learners)
4. ~~Any~~ **School** advisory committees established pursuant to Education Code 54425 **(b)** related to compensatory education
(cf. 6171 - Title I Programs)
5. Any **district** 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~~
- ~~76.~~ **School** ~~C~~committees established pursuant to Education Code 11503 related to parent involvement.~~-~~
(cf. 6020 - Parent Involvement)

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~~ **council's or committee'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)

~~Any~~ ~~C~~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 **or committee** shall be made available to any member of the public upon request **pursuant to the California Public Records Act, Government Code 6250-6270.** (Education Code 35147)

CITIZEN ADVISORY COMMITTEES (continued)

(cf. 1340 - Access to District Records)

Committees Created by Superintendent

~~The Committees which are created by the Superintendent or designee may create citizen advisory committees to advise the administration, and such committees do not report to the Board, and are not specified in Education Code 35147 shall not be subject to open meeting laws the requirements of the Brown Act or Education Code 35147.~~

(cf. 2230 - Representative and Deliberative Groups)

Regulation
approved: November 20, 1997
Revised: October 18, 2001
Revised: March 14, 2019 (BM)

CASTAIC UNION SCHOOL DISTRICT
Castaic, California

CSBA Sample | AR 1220 Community Relations

Citizen Advisory Committees

Note: The following optional administrative regulation may be modified to reflect district practice.

Note: Pursuant to Government Code 815.2 and 820.9, members of advisory committees are not liable for injuries caused by the act or omission of the district, a committee, or a committee member acting within the scope of his/her role as a member of the committee. However, a committee member may be liable for injury caused by his/her own wrongful conduct.

Committee Charge

Note: Items #1-9 may be modified to reflect district practice.

When committees are appointed, committee members shall receive written information which includes, but is not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

Committees Subject to Brown Act Requirements

Note: Generally, any commission, committee, board, or other body created by formal action of the Governing Board, regardless of whether that body is permanent or temporary, decision-making or advisory, is a "legislative body," as defined in Government Code 54952, and is required to comply with the open meeting laws (Brown Act). However, some committees are by law exempted from the Brown Act. For example, committees specified in Education Code 35147 are not subject to the Brown Act; see "Committees Not Subject to Brown Act Requirements" below. Committees composed solely of Board members who are less than a quorum of the Board may also be

exempt from Brown Act requirements in limited circumstances; see BB 9130 - Board Committees.

Note: Committees listed in items #1-5 below are generally created by formal Board action and thus are subject to the Brown Act. This list should be modified to add any other specific committees in the district created by formal Board action or any committees that the Board has required to follow the Brown Act. This list should be modified to delete any of the committees that were not created by formal Board action (e.g., Superintendent committees) or do not exist within the district. In *Frazer v. Dixon Unified School District*, the court held that the adoption of a Board policy that required the appointment of a committee to advise the Superintendent, and in turn, the Board, was a committee created by "formal Board action" within the meaning of Government Code 54952. Therefore, the committee's meetings were subject to the Brown Act. Districts should consult legal counsel when questions arise regarding the applicability of Brown Act requirements to district or school committees.

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

1. Advisory committee 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)

(cf. 9130 - Board Committees)

(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

Note: Pursuant to Education Code 35147, school site councils and some advisory committees, as specified in items #1-6 below, are exempt from the Brown Act but must comply with other, less complex procedural requirements (i.e., the "mini" Brown Act). In addition, the Board may require other specific district committees that are not subject to the Brown Act to follow the requirements of the "mini" Brown Act. Such committees should be added to the list below.

The following committees shall comply with procedural meeting requirements established in Education Code 35147:

1. 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

(cf. 0460 - Local Control and Accountability Plan)

Note: Pursuant to Education Code 35147, school site councils are exempt from the Brown Act and are subject to the procedural meeting requirements in Education Code 35147. However, Education Code 35147 has not yet been amended for consistency with AB 716 (Ch. 471, Statutes of 2018), which repealed Education Code 52852 and moved the requirements related to school site councils to Education Code 65000-65001.

2. School site councils established pursuant to Education Code 65000-65001 to develop and approve a school plan for student achievement

(cf. 0420 - School Plans/Site Councils)

3. District or school advisory committees established pursuant to Education Code 52176 related to programs for English learners

(cf. 6174 - Education for English Learners)

4. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

(cf. 6171 - Title I Programs)

5. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

(cf. 6175 - Migrant Education Program)

6. School committees established pursuant to Education Code 11503 related to parent involvement

(cf. 6020 - Parent Involvement)

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 council's or committee'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)

Any council or committee 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 council or committee shall be made available to any member of the public upon request pursuant to the California Public Records Act, Government Code 6250-6270. (Education Code 35147)

(cf. 1340 - Access to District Records)

Committees Created by Superintendent

Committees which are created by the Superintendent or designee to advise the administration, do not report to the Board, and are not specified in Education Code 35147 shall not be subject to the requirements of the Brown Act or Education Code 35147.

(cf. 2230 - Representative and Deliberative Groups)

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