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Board Cover Memorandum

To Board of Education

From Kyra Mungia, Board Member
Mike Hutchinson, Board Member

Meeting Date December 14, 2022

Subject Amendment to Board Bylaw 9130 - Board Committees

Ask of the Board Introduction of amendments to Board Bylaw 9130 - Board Committees as a new legislative matter

Background Board Bylaw 9130 - Board Committees (“BB 9130”) is the bylaw by which the Board establishes committees of the Board. The current listed committees are: Intergovernmental Relations; Budget and Finance; Facilities; and Charter Matters.

Discussion The proposed amendment to BB 9130 would add the Teaching and Learning committee. This committee last existed in 2011; it is not clear what the scope of that version of the committee was or what led to its removal. The proposed scope of the new committee is to “make recommendations to the Board and [to] review matters relating to: academic-related student outcomes; curriculum adoptions; significant changes to academic offerings, teaching pedagogy, or other instructional practices; and Board Policies and Board-member sponsored resolutions that focus on teaching and learning within the District.”

As with every review of a Board Policy or Bylaw, this opportunity was used to update the rest of the language where possible. For instance, the Intergovernmental Relations committee has ceased to meet; thus, it is being removed.

Fiscal Impact N/A

Attachment(s)

- Proposed Amendments to BB 9130 (Redline)
- Proposed Amendments to BB 9130 (Clean)

OAKLAND UNIFIED SCHOOL DISTRICT

Board Bylaw

BB 9130 Board Committees

The Governing Board may establish a committee whenever it determines that such a committee would benefit the ~~e~~District by providing diverse viewpoints, specialized knowledge or expertise, or increased efficiency. Such committees ~~may be~~ are subcommittees of the Board. Board Policy 9131 - Advisory and Oversight Bodies governs the creation of legislative bodies that or committees that include members of the community, ~~staff, or~~ and other stakeholder groups.

(cf. BB 9131 - Advisory and Oversight Bodies)

Purpose of Committees

Upon establishing a committee, the Board shall clearly define the committee's purpose and, any ~~timeline~~ deadline for completion of assigned responsibilities (if any), ~~any stakeholder groups or individuals to be represented on the committee, length of time that committee members are expected to serve, and expectations for reporting to the Board and/or the Superintendent or designee. Unless specifically authorized by the Board to act on its behalf, the committee shall act in an advisory capacity.~~

~~Standing committees of the Board, irrespective of membership, are those that have a continuing subject matter jurisdiction or a meeting schedule established by action of the Board. (Government Code 54952)~~

Committee Appointments

All Board committees shall be appointed by the ~~P~~President, subject to advice and consent of the Board. The ~~p~~President shall designate the chairperson of the committee. The vice-chairperson of the committee shall be the senior member in continuous service on the Board.

Any committee not required by law may be dissolved when its duties or term has been completed or whenever the Board deems necessary.

Committee Meetings

Committee meetings shall be held pursuant to a schedule determined by the Committee to meet its mandate from or charge of the Board. Committee meetings shall be called and noticed pursuant to Board Bylaws 9320 and 9322.

(cf. BB 9320 - Meetings and Notices)
(cf. BB 9322 - Agenda/Meeting Materials)

Committee Staffing

The Superintendent, upon consultation of the Board President and Committee shall assign appropriate staff members of the Administration to assist a particular committee of the Board with its work. It shall be the responsibility of the Superintendent and staff so assigned to facilitate and meet the timelines set by the committee for consideration, action and the reporting of committee recommendations to the Board.

Standing Committees

Standing committees of the Board are those that have a continuing subject matter jurisdiction or a meeting schedule established by action of the Board. (Government Code 54952)

The Board hereby establishes the following standings committees and the President of the Board shall appoint the membership of each committee consistent with this Bylaw at the Annual Organizational Meeting of the Board via an annual resolution ratified by the Board. The President may make changes to the membership of a committee at subsequent Board meetings by amendment to that resolution.~~the following standing committee(s), each consisting of less than a majority of the full Board, but not less than three or of a majority or more Board members on a joint or other governmental body requiring a greater number than three, within thirty days following the annual meeting:~~

~~A. Intergovernmental Relations – This committee shall review and/or propose policies fostering inter-agency collaboration with city, local, state and federal agencies, individuals, public and private groups and corporations; recommend positions to be taken through the legislative process federal, state, local on behalf of the District. The committee also shall handle other matters assigned. The members of this committee, by virtue of their appointment, shall also serve as the District's representatives on the City Schools Education Partnership or successor Committee.~~

~~B.A.~~ Budget and Finance - This committee shall review and/or propose the District's annual budget, modifications thereto, including regular review of site and departmental level budgets to actual, policies governing the fiscal integrity of the District, and the handling of bids and contracts for non-instructional technology and services, except facilities and instructional services. The committee also shall be responsible for proposing and reviewing purchasing policies. The committee also shall handle other finance and budget related matters assigned.

~~C.B.~~ Facilities – This committee shall make recommendations to the Board relating to Facilities matters as reflected in the Board's calendar and amended Board work plan including an updated Facilities Master Plan, an updated bond spending plan,

considerations for subsequent bond issuances, asset management and potential revenue generation from real property, leases, Civic Center policy, an updated joint use agreement with the City relating to real property, and the Blueprint for Quality Schools. The committee shall also be responsible for reviewing and proposing facilities related policies. The committee also shall handle other facilities matters assigned.

- C. Charter Matters – This committee shall make recommendations to the Board relating to Charter Schools and review and recommend charter board members from among applicants for approval by the Board. Recommendations may include, but are not limited to, charter school authorization and renewal decisions, with guidance and review from the Superintendent or her designee, potential advice to Oakland’s state legislative delegation regarding state policies regarding charter schools, land use decisions involving charter schools, the process for authorizing, renewing, or evaluating OUSD-authorized charter schools, and material revisions to existing charters. The committee shall also receive presentations from the Office of Charter Schools related to effective charter oversight and authorization.

- D. Teaching and Learning Committee – This committee shall make recommendations to the Board and shall review matters relating to: academic-related student outcomes; curriculum adoptions; significant changes to academic offerings, teaching pedagogy, or other instructional practices; and Board Policies and Board-member sponsored resolutions that focus on teaching and learning within the District.

Committee Actions

Committees shall only have the power to propose and to recommend action to the full Board. No action of a committee shall establish the official policy or position of the Board regarding any matter. No action of any committee shall be binding upon the Board. All proposals, reports, and recommendations from committees shall be scheduled for consideration at a regular or special meeting of the Board. Such motions, reports, and recommendations shall be scheduled and noticed for action pursuant to Board Bylaws 9320 and 9322.

(cf. BB 9320 - Meetings and Notices)

(cf. BB 9322 - Agenda/Meeting Materials)

A committee in its consideration of an issue(s) shall provide an opportunity for members of the public to put items on the meeting agenda within the subject matter jurisdiction same as the public is permitted for the Board.

A committee, following deliberations on the subject matter, may make a favorable written recommendation, including modifications on the matter to the Board. The committee also may vote an unfavorable recommendation on the matter. Subject matter given an unfavorable recommendation by vote of the committee shall not be reported to the full Board, unless discharged as provided herein.

A subject matter not favorably reported from a committee may be discharged from the committee and considered by the Board upon a majority vote of the Board to discharge, provided the subject matter of the discharge has been posted and noticed on a Board meeting agenda.

~~(cf. BB 9131 for Advisory and Oversight Committee Board Bylaws)~~

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules 35024 Executive committee

35160 Authority of governing boards 35160.1 Broad authority of school districts GOVERNMENT CODE

54950-54963 The Brown Act, especially:

54952 Legislative body, definition 54952.2 Definition of meeting

54954 Time and place of regular meetings; special meetings; emergencies 54954.3 Opportunity for public to address legislative body

54957 Closed session purposes COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781 ATTORNEY GENERAL

OPINIONS

81 Ops.Cal.Atty.Gen. 156 (1998)

80 Ops.Cal.Atty.Gen. 308 (1997)

79 Ops.Cal.Atty.Gen. 69 (1996)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

National School Boards Association: <http://www.nsba.org>

10/27/04; 1/5/09A; 4/10/13A; 1/6/14A; 2/11/15A; 6/28/17A; 8/22/18A; 5/8/19A; 11/17/21A; 1/11/23A

OAKLAND UNIFIED SCHOOL DISTRICT
Board Bylaw

BB 9130
Board Committees

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1/11/22A



Mike Hutchinson, President, BOE



Kyla Johnson-Trammell, Superintendent & Secretary, BOE