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**OAKLAND UNIFIED
SCHOOL DISTRICT**
Community Schools, Thriving Students

Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Joshua R. Daniels, Chief Governance Officer

Meeting Date December 14, 2022

Subject Amendment to Board Bylaw 9100 - Organization

Ask of the Board Approval by the Board of Education of amendments to Board Bylaw 9100 – Organization

Background Board Bylaw 9100 - Organization (“BB 9100”) sets forth the details of the Board’s Annual Organization Meeting. Certain details of this meeting are determined by the Oakland City Charter. However, the City Charter was recently amended to change the date of the inauguration, which has an impact on the meeting.

Discussion The proposed amendment to BB 9100 would align the Board’s Annual Organization meeting to the City Charter – specifically, changing the date from the first Monday after the first Sunday of January to the first Monday after January 2.

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 Board now establishes its Work Plan in August rather than during its Annual Organizational Meeting.

Fiscal Impact N/A

Attachment(s)

- Proposed Amendments to BB 9100 (Redline)
- Proposed Amendments to BB 9100 (Clean)

**OAKLAND UNIFIED SCHOOL DISTRICT
Board Bylaw**

**BB 9100
Board Bylaws**

Organization

Annual Organizational Meeting

The Governing Board shall hold in public an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

The Board shall hold its Annual Organizational Meeting on the first Monday following January 2, or as otherwise stated herein, provided the term of a newly elected or reelected member has commenced and said member has taken the required Oath of Office.

In a City of Oakland Inaugural Year, the Annual Organizational Meeting may be held during the City of Oakland's Inaugural Ceremony at the date, time, and place of such ceremony or otherwise at a place of the District's choosing at 2 p.m. (or as close to that time as feasible) on the same date as the City of Oakland's Inaugural Ceremony.

In a year when there is no City of Oakland Inaugural Ceremony-, the Board shall hold its Annual Organizational Meeting on the first Monday following January 2 at 11 a.m. (or as close to that time as feasible) at a place of the District's choosing.

At this meeting the Board shall:

1. Elect a ~~p~~President and ~~v~~Vice ~~p~~President from its members, except student members;
2. By this rule designate its appointed officers as follows: the Superintendent of Schools or designee ~~who shall serve~~ as Secretary of the Board, and designate a Parliamentarian; the Chief Governance Officer/General Counsel of the District ~~shall be as~~ the Counsel of the Board;
3. Authorize signatures;
4. Establish a schedule of regular meetings for the year;
- ~~5. Establish a Board Work Plan for the year;~~
- ~~6~~5. Designate Board committee membership and Board liaisons or representatives to other ~~bodies governmental agencies, community organizations and other entities~~; and

~~76.~~ Increase annual compensation, at its option, within the limits of Education Code Section 35120

(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings and Notices)

Election of Officers

The Board shall elect one of its member's ~~as P~~resident and ~~one of its members as V~~vice ~~p~~resident, ~~respectively~~. An elected officer's term shall be for one year from the date of the annual organizational meeting of the Board and until his/her successor has been elected. In the event of a vacancy in an elected officer position, the Board shall immediately elect a successor to fill the unexpired officer term. ~~In the event of a vacancy in an appointed office, the Board may appoint a successor or an acting officer until it appoints a permanent officer.~~

~~The Board shall hold its Annual Organizational Meeting in a City of Oakland Inaugural Year for Board Members at an Hour Noticed on the first Monday following the first day of January, provided the term of a newly elected or reelected member has commenced and said member has taken the required Oath of Office and in a City of Oakland Non Inaugural Year for Board members at any Hour Noticed on the first Monday following the first day of January.~~

~~In any year in which a new or a re-elected board member is sworn into office, the annual meeting shall be held concurrently with that of the City Council during the City of Oakland's Inaugural Ceremony at the place and site of such ceremony. In other years, the annual meeting shall be held in the Board Room of the District.~~

Legal Reference:

EDUCATION CODE

5017 Term of office

35143 Annual organizational meeting date and notice

35145 Public meetings

GOVERNMENT CODE

54953 Meetings to be open and public; attendance

ATTORNEY GENERAL OPINIONS

68 OPS. CAL. ATTY. GEN. 65 (1985)

59 OPS. CAL. ATTY. GEN. 619, 621-622 (1976)

Charter of the City of Oakland

10/27/04; Revised 4/10/2013; eff 7/01/2013; 11/19/14A; 12/10/14A; 12/14/22A

OAKLAND UNIFIED SCHOOL DISTRICT
Board Bylaw

BB 9100
Board Bylaws

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At this meeting the Board shall:

1. Elect a President and Vice President from its members, except student members;
2. By this rule designate its appointed officers as follows: the Superintendent of Schools or designee as Secretary of the Board, and designate a Parliamentarian; the Chief Governance Officer/General Counsel of the District as the Counsel of the Board;
3. Authorize signatures;
4. Establish a schedule of regular meetings for the year;
5. Designate Board committee membership and Board liaisons or representatives to other bodies; and
6. Increase annual compensation, at its option, within the limits of Education Code Section 35120

(cf. 9140 - Board Representatives)
(cf. 9320 - Meetings and Notices)

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Gary Yee, President, BOE



Kyla Johnson-Trammell, Superintendent & Secretary, BOE