

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Board of Education
December 10, 2014

To: Board of Education

From: David Kakishiba

Subj: Amendment of Board Bylaw 9100 (In Part) - Organization - Time of Organizational Meeting

ACTION

Adoption by the Board of Education of Amendment of Board Bylaw 9100 (In Part) - Organization - Permitting the Annual Organizational Meeting To Be Held At Hour Noticed on the Date Certain.

BACKGROUND

Current Board Bylaw 9100 – Organization, provides that the Annual Organizational Meeting of the Board shall occur at a time certain, i.e., 11 a.m., on the first Monday following the first day of January.

The proposed Board Bylaw Amendment will allow the Board to 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 other words, at 11 a.m. or thereafter in an Inaugural Year on the first Monday following the first day of January the Board shall hold its Annual Organizational Meeting and at any hour in a Non-Inaugural Year on the first Monday following the first day of January the Board shall hold its Annual Organizational Meeting.

RECOMMENDATION

Adoption by the Board of Education of Amendment of Board Bylaw 9100 (In Part) - Organization - Permitting the Annual Organizational Meeting To Be Held At Hour Noticed on the Date Certain.

DK:ER:st

Attachment

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)

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 who shall serve as Secretary of the Board, and designate a Parliamentarian; the General Counsel of the District shall be 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. Designate Board representatives to other governmental agencies, community organizations and other entities; and
7. 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 president and vice president, 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.
~~The annual meeting shall be held at 11 a.m. the first Monday following January 1.~~

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; 12/10/14



David Kakishiba
President, Board of Education



Antwan Wilson
Secretary, Board of Education

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