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OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education
 From Jacqueline Minor, General Counsel
 Board Meeting Date April 1, 2015
 Subject Amendments to Board Bylaw 9121

Action Requested Approval by the Board of Education of modifications in Board Bylaw 9121

Background Changes in Board Bylaw 9121 are being recommended to affirm the authority of the Board President as presiding officer to appoint temporary committees of less than a quorum of Board Members.

Discussion BB 9121(k) currently provides the Board President has authority “[a]ppointing all committees of the Board, whose appointments are not otherwise provided for.” The modification being proposed makes it clear that the President’s authority to appoint committees, includes appointing temporary, advisory committees composed of less than a quorum of the Board that serve a limited purpose and that will be dissolved once the purpose is accomplished.

Recommendation Approval by the Board of Education of modifications in Board Bylaw 9121

Fiscal Impact N/A

Attachments

- Redline of Board Bylaw 9121

OAKLAND UNIFIED SCHOOL DISTRICT

Board Bylaw

BB 9121

Board Bylaws

President

The President shall preside at all Governing Board meetings. He or she shall:

- (a) Call the meeting to order at the appointed time or as soon thereafter as the meeting may be lawfully convened;
- (b) Announce the business to come before the Board in its proper order;
- (c) Enforce the Board's policies relating to the order of business and the conduct of meetings;
- (d) Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
- (e) Explain what the effect of a motion would be if it is not clear to every member;
- (f) Restrict discussion to the question when a motion is before the Board;
- (g) Rule on parliamentary procedure;
- (h) Put motions to a vote, and state clearly the results of the vote.

The President shall also perform other duties as directed by law, regulation and by the Board including,

- (i) Signing all instruments, acts and orders including contracts, leases and other official documents approved by the Board;
- (j) Consulting with the Superintendent or designee on the preparation of the Board's agendas;
- (k) Appointing all committees of the Board, whose appointments are not otherwise provided for, including temporary advisory committees composed of less than a quorum of the Board that serve a limited purpose and that will be dissolved once the purpose is accomplished
- (l) Serving as the immediately superior, between Board meetings, of all employees appointed by the Board, subject to the will of the Board;
- (m) Calling such meetings of the Board, as he/she deems necessary, giving notice as prescribed by law;

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(n) Conferring with the employees appointed by the Board or their designees on crucial matters, which may occur between Board meetings;

(o) Being responsible for the orderly conduct of all Board meetings;

(p) Sharing informational mail and other items with other Board members;

(q) Issuing all official statements of the Board when speaking for the body;

and

(r) Exercising any other powers and duties assigned by the Board from time to time.

The President shall have the rights of any member of the Board, including the right to move, second, discuss and vote on all questions before the Board without vacating the chair.

In the absence of the President from a Board meeting or from the District, the vice-president shall become Acting President. The Acting President shall assume the president's powers and duties. In the absence of the president and vice president from a Board meeting or from the District, the Board member next in greater and continuous length of service on the Board shall become Acting President.

Legal Reference:

EDUCATION CODE
35022 President of the board

| 10/27/04; Revised 4/10/2013; eff 7/01/2013; revised 3/25/2015