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Board Cover Memorandum

To Board of Education

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

Meeting Date March 22, 2023

Subject Amendment to Board Bylaw 9130 - Board Committees

Ask of the Board Approval by the Board of Education of proposed amendments to Board Bylaw 9130 - Board Committees

Background While the Board President has traditionally included the Education Partnership Committee in their list of committee assignments, it is not currently included in Board Bylaw 9130 - Board Committees.

On March 11, 2020, the Board of Education approved an amendment to BB 9130, which added the Education Partnership Committee as the official list of Board committees. However, that was the last Board meeting before the District (and the State) shutdown due to the onset of the COVID-19 pandemic. As a result, BB 9130 was never updated in the District’s office system. Since that time, the Board has approved additional changes/amendments to BB 9130 without the March 11, 2020 changes included.

Discussion In order to resolve any ambiguity regarding whether the March 11, 2020 changes have been approved by the Board, they are being brought forward again for Board consideration, with a few updates to the language as compared with what was adopted on March 11, 2020. If approved, the proposed amendment would formally add the Education Partnership Committee to the list of Board committees.

The proposed amendment would also remove a minor inaccuracy in the first paragraph—i.e., it is incorrect to describe Board committees as “subcommittees” of the Board.

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 District by providing diverse viewpoints, specialized knowledge or expertise, or increased efficiency. ~~Such committees are subcommittees of the Board.~~ Board Policy 9131 - Advisory and Oversight Bodies governs the creation of legislative bodies that members of the community 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 deadline for completion of assigned responsibilities (if any).

Committee Appointments

All Board committees shall be appointed by the President, subject to advice and consent of the Board. The 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 standing committees and the President 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.

- 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.
- 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.

E. Education Partnership Committee – This committee, which shall be a joint committee with the City Council of the City of Oakland, shall have the purpose of promoting collaboration between the District and the City on youth and other mutual issues. The District’s committee membership shall be composed of four Board Member and the two Student Board Members, the latter with preferential voting rights as granted student board members pursuant to state law and Board Policy Board Bylaw 9150 – Student Directors.

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)

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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.

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

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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)

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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; [3/22/23A](#)

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