Bylaw 9320: Meetings And Notices

Status: PENDING

Original Adopted Date: 03/01/2008 (BP 1055) **| Last Revised Date:** 03/12/2026 **|**

Second Reading/Adoption: 11/12/2026

Meetings of the Governing Board are conducted for the purpose of accomplishing Tri-Cities ROP business. In accordance with applicable open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct Closed Sessions during such meetings only as authorized by law. To encourage community involvement, Board meetings shall provide the opportunity for members of the public to directly address the Board. All meetings shall be conducted in accordance with law and the Board's Bylaws, Policies, and Administrative Regulations.

A Board meeting exists whenever a majority of Board Members gathers at the same time and location, including remotely or electronically, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board. (Government Code 54952.2)

In accordance with Board Bylaw 9012 - Board Member Electronic Communications, a majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item within the subject matter jurisdiction of the Board. (Government Code 54952.2)

However, the Superintendent or designee may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding any matter within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. Any doubt about a request for accommodation shall be resolved in favor of accessibility. Notice of the procedure for receiving and resolving such requests for accommodation shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 54954.2).

Members of the pubic may request a hard copy of the Board's agenda.

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Regular Meetings

Unless otherwise determined by the Board, the Board shall hold a regular Board meeting each month starting at 5:30 p.m. on the second Thursday of the month at Tri-Cities Regional Occupational Program, 10800 Ben Avon Street, Suite E, Whittier, California 90606.

At least 72 hours prior to a regular Board meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the Tri-Cities ROP website, www.tricitiesrop.org. (Government Code 54954.2)

Consistent with Government Code 54957.5 and Board Bylaw 9322 - Agenda/Meeting Materials, whenever agenda materials relating to an open session of a regular Board meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. The records shall be posted on the Tri-Cities ROP website at the time the materials are distributed to all or a majority of the Board if distributed outside of business hours.

1. Transactions of the Tri-Cities ROP Governing Board are to be conducted in the following manner:

    a. Call to Order/Roll Call/Pledge of Allegiance
    b. Approval of Agenda
    c. Approval or Amendment of Minutes of Previous Meeting(s)
    d. Community Comments
    e. Closed Session
    f. Reconvene to Open Session
    g. Consent Calendar
    h. New Business
    i. Proposal Discussion Items
    j. Miscellaneous Business
    k. Future Topics
    l. Adjournment

2. The order of business may be suspended or amended for any meeting by three "aye" votes.
3. All motions are to be seconded before being considered by the Board; nominations for officers do not require a second.
4. All motions, except to reconsider, may be made by any member of the Governing Board, ~~except the presiding officer~~.
5. Motions to reconsider may be made by any member of the Board, ~~except the presiding officer~~, who voted in favor of the question proposed for reconsideration.

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6. All motions, except motions to reconsider, are subject to amendment, commitment or referral, postponement (all of which are debatable) or tabling or withdrawal (which are not debatable).
7. Any discussion on a motion may be interrupted by a question regarding a point of order.
8. All motions to adjourn or recess are to be made to adjourn or recess to a specific time and place.
9. Pursuant to Section 35164 of the Education Code, all motions require a majority vote (three "aye" votes, including at least one member from each district) of the Governing Board in order to be approved. The action taken must include an "aye" vote of at least one member from each district.
10. In the absence of a regular Board member, official Alternates, appointed by either the Superintendent or Board of the El Rancho Unified or the Whittier Union High School District, shall have the right to vote and to satisfy the requirements of a quorum.

Video and/or Audio Recording of Board Meetings

A video and/or audio tape recording may be made at any Board meeting. The Board agenda shall notate that a recording is being made at the beginning of the meeting, and the location of the equipment will be placed in plain view of all persons present, insofar as possible.

The tape or film of an open meeting made by Tri-Cities ROP is a public record which may not be destroyed for 30 days and, upon request, shall be made available for inspection by members of the public on a District recorder without charge. (SB 36 Chapter 1137, Statutes of 1993; Government Code Section 54953.5)

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board Members on any topic within the subject matter jurisdiction of the Board unless otherwise prohibited by law or as specified in BB 9323.2 - Actions by the Board. (Government Code 54956)

At least 24 hours before the time of the meeting, written notice of a special Board meeting shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice shall also be posted on the Tri-Cities ROP website and, at least 24 hours before the time of the meeting, in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the Special Board meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Education Code 35144; Government Code 54956)

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Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency Board meeting as long as it complies with all requirements of a Special Board meeting, except the 24-hour notice and/or 24-hour posting requirements. (Government Code 54956.5)

The Board may meet in Closed Session during an Emergency Board meeting so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

The Board shall comply with all other requirements for Special Meetings during an Emergency Meeting. (Government Code 54956.5)

Except in the case of a dire emergency, the Board president or designee shall give notice of the Emergency Board meeting by telephone or email at least one hour before the meeting to the local media that have requested notice of Special Board meetings. As applicable, all telephone numbers or email addresses provided by the media in the most recent request for notification shall be exhausted. If telephone or internet services are not functioning, the notice requirement of one hour is waived and, as soon after the Emergency Board meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification as is given to the other members of the Board. (Government Code 54956.5)

The minutes of the Emergency Board meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon as possible after the meeting. (Government Code 54956.5)

An *emergency* means a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

A *dire emergency* means a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency Board meeting may endanger the public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

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Adjourned/Continued Meetings

The Board may adjourn/continue any Regular or Special Board meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn/continue such a meeting. If no Board Members are present, the secretary or the clerk may declare the Board Meeting adjourned/continued to a later time and location and shall give notice in the same manner required for Special Board Meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the location where the Board meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may convene a Study Session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public. Additionally, the Board may convene a retreat to discuss Board roles and relationships. Any such Board Meeting, regardless of title or topic, shall be held as a Regular or Special Board Meeting, as appropriate, and shall comply with all other requirements for Regular or Special Board meetings. (Government Code 54956)

Other Gatherings

Attendance by a majority of Board Members at any of the following events is not subject to the Brown Act provided that a majority of the Board Members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members

2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern

3. An open and noticed meeting of another body of the district

4. An open and noticed meeting of a legislative body of another local agency

5. A purely social or ceremonial occasion

6. An open and noticed meeting of a standing committee of the Board established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board Members who are not members of the standing committee attend only as observers

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Individual contacts or conversations between a Board Member and any other person that are not part of a series of communications prohibited by the Brown Act are permitted. (Government Code 54952.2)

Location of Meetings

Unless the Board is holding a remote Board Meeting during a proclaimed state of emergency or local emergency in accordance with Board Bylaw 9320.1 - Remote Meetings and Attendance, all Board Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party

2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property

3. Participate in meetings or discussions of multi-agency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law

4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district

5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction

6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility

7. Visit the office of the district's legal counsel to meet in Closed Session on pending litigation, when doing so would reduce legal fees or costs

8. Attend conferences on non-adversarial collective bargaining techniques

9. Interview residents of another District regarding the Board's potential employment of an applicant for Superintendent of Tri-Cities ROP

10. Interview a potential employee from another district

All Board Meetings, regardless of location, shall comply with the applicable notice and open meeting requirements. Additionally, no such meeting may be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

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If a fire, flood, earthquake, or other emergency renders the posted Regular or Special Board meeting location unsafe and the deadline for posting the location has passed, the meeting shall be held at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of meetings pursuant to Government Code 54956 by the most rapid available means of communication. (Government Code 54954)

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 35140	Time and place of meetings
Ed. Code 35143	Annual organizational meetings; date and notice
Ed. Code 35144	Special meeting
Ed. Code 35145	Public meetings
Ed. Code 35145.5	Agenda; public participation and regulations
Ed. Code 35146	Closed sessions; student matters
Ed. Code 35147	Open meeting laws exceptions
Gov. Code 11135	Prohibition of discrimination
Gov. Code 3511.1	Local agency executives
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 8625-8629	California Emergency Services Act

Federal	Description
28 CFR 35.160	Effective communications for individuals with disabilities
28 CFR 36.303	Nondiscrimination on the basis of disability; public accommodations, auxiliary aids, and services
42 USC 12101-12213	Americans with Disabilities Act

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