Cecilia A. Massetti, Ed.D.
Superintendent of Schools

Agenda Item 6.1

County Committee Action Item
March 9, 2021

Topic:
Consideration Approval of Madera County Committee on School District Organization Bylaws

Background:
The Bylaws were provided to the Committee at the January orientation related to the roles and responsibilities of the Committee. These Bylaws presented here have been updated and reformatted from those approved in 2000. The formatting changes have been noted in red. Two sections have been added: “233 Legal Counsel” and “351 Amendment of Bylaws.” The Los Angeles County Committee Bylaws were used as a reference point in this process.

Financial Impact:
None

Resource:
Cecilia A. Massetti, Ed.D.
Madera County Superintendent of Schools

Recommendation:
It is recommended the Committee approve the Madera County Committee on School District Organization Bylaws.

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DRAFT

BYLAWS
OF THE
MADERA COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

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BYLAWS
OF THE
COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

100 ROLE OF THE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION~~100~~

110 Purpose, Powers, Duties ~~101~~

The Madera County Committee on School District Organization shall conduct hearings on petitions to reorganize school districts and shall either approve, disapprove or make recommendations to the State Board of Education as appropriate regarding such petitions; and the Committee shall formulate plans and recommendations for the organization or reorganization of school districts in the county or any portion thereof including, if appropriate, a portion of one or more adjacent counties. The Committee exists under the authority of the California Constitution and acts of the legislature of the State of California and the regulations of the California State Board of Education.

Reference: *E.C.* 35700 et seq.
E.C. 35720 et seq.
Adopted:

200 ORGANIZATION ~~200~~

210 Membership – Terms of Office ~~210~~

The County Committee consists of seven members who are concurrently elected members of the Madera County Board of Education.

No county superintendent of schools, employee of the office of a county superintendent of schools, employee of a school district, or employee of a community college district shall be a member of the county committee.

Adopted:

211 Term of Membership

The term of each member of the Committee shall begin upon election or upon appointment as a Madera County Board of Education member as appropriate, and shall be for the term of office that coincides with their seat on the County Board of Education.

213 Attendance, Removal from Membership ~~213~~

Attendance at meetings shall be on a regular basis to ensure continuity of thought and discussion to achieve the purposes and goals of the committee. Absence from three (3) consecutive called meetings, except when prevented by good cause, constitutes cause for removal from membership. Removal from membership pursuant to these bylaws requires a majority vote of the members in attendance. Notification to any member so removed shall be made in writing by the secretary.

Reference: *Government Code* 1770
Adopted:

220 Compensation ~~220~~

The members of the county committee shall serve without compensation. However, they shall receive reimbursement for any actual and necessary travel expenses incurred in the performance of their duties. These travel expenses shall be approved by the County Superintendent of Schools and shall be paid out of the County School Service Fund.

Reference: E.C. 4000 et seq.
Adopted:

230 Officers and Auxiliary Personnel ~~230~~

At the annual organizational meeting, the committee shall organize by electing one member Chairperson and one member Vice Chairperson.

Adopted:

231 Vacancies in Office

If the office of Chairperson is vacated for any reason, the Vice-Chairperson shall become Chairperson for the remainder of the year, and the office of Vice-Chairperson shall be vacated. If the office of Vice-Chairperson is vacated for any reason, the vacancy shall be filled by appointment by the majority of the Committee, if it desires to do so, and the appointee shall hold office for the remainder of the year. If the offices of Chairperson and Vice-Chairperson are vacated at the same time for any reason, the vacancies shall be filled by appointment by the majority of the Committee for the remainder of the year.

Adopted:

232 Secretary ~~232~~

The county superintendent of schools shall serve as secretary to the Committee.

Reference: E.C. 4012
Adopted:

233 Legal Counsel

Counsel may be employed as needed by the county superintendent.

Reference: E.C. 4011

240 Temporary Special Committees ~~240~~

The Chairperson may appoint such temporary and special committees as deemed necessary or advisable and the Chairperson shall be, ex officio, a member of each committee. The duties of the special committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

Adopted:

241 Travel Reimbursement ~~241~~

1. Forms. All expenses will be recorded on the Madera County Superintendent of Schools Travel Expense Claim form.

2. Reimbursement Calendar. Claims may be submitted at any time.

Adopted:

242 Means of Travel/Travel Reimbursement ~~242~~

1. Privately Owned Automobiles. Mileage is allowed at the approved IRS rate.

2. Compensation and Expense Claims. Actual and necessary travel expenses incurred as a result of official School District Organization Committee activity shall be allowed.

3. Allowance for meals will be at the approved IRS rate outlined in the Madera County Superintendent of Schools Travel policy.

Adopted:

250 Liability Insurance ~~250~~

Liability coverage shall be provided to protect against personal liability of the members of the Committee while acting in the scope of office as required by law.

Reference: *E.C.* 35208
E.C. 35214

Adopted:

300 MEETINGS ~~300~~

Meetings of the County Committee may be called by the Chairperson or by a quorum of the committee.

Reference: *E.C.* 4013
Adopted:

310 Quorum ~~310~~

A majority of the members of the County Committee shall constitute a quorum.

Reference: *E.C.* 4014
Adopted:

311 Motion Carried ~~311~~

If a quorum is duly assembled, affirmative votes by a majority of the Committee members present are required to approve any action item under consideration unless otherwise provided by law.

Adopted:

312 Abstentions ~~312~~

Abstentions shall be counted in determining the needed majority, but they shall not count as either an affirmative or a negative vote. The affirmative vote of the majority rule prevails in all cases.

Adopted:

320 Construction of Agenda ~~320~~

The county superintendent, as secretary of the County Committee, shall prepare an agenda for each regular meeting. Any committee member may call the superintendent and request an item to be placed on the agenda~~.~~ 24 hours prior to the making of the agenda.

Adopted:

321 Posting of Agenda ~~321~~

At least 72 hours prior to the time of the regular meeting, the items to be included on the agenda will be posted in a place readily available to the public. Items to be included on the agenda of a public hearing shall be posted at least 10 days prior to the time of the public hearing.

Reference: *E.C.* 35705 (*Government Code* 54954.2[a])
Adopted:

330 Meeting Conduct~~MEETING CONDUCT~~ ~~330~~

Meetings of the County Committee shall be conducted by the Chairperson in a manner consistent with the adopted bylaws of the Committee.

All Committee meetings shall commence at the stated time and shall be guided by an agenda that will have been prepared and delivered in advance to all committee members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the Committee (1) to consider problems to be solved, weigh evidence related thereto, and make wise decisions intendent to solve the problems, and (2) to receive, consider, and take any needed action with respect to the organization of school districts.

Adopted:

331 Individuals/Groups Addressing the Committee ~~331~~

Provisions for permitting an individual or group to address the Committee concerning any subject that lies within its jurisdiction shall be as follows:

1. During a hearing, the Committee will receive oral and/or written arguments regarding the subject under consideration.

2. The Committee will not entertain a repetition of arguments previously presented by the same or another speaker. However, the Committee will consider new facts relating to arguments previously submitted.

3. The Committee Chairperson will, at the appropriate time, call upon the members of the audience who have submitted a “Request To Speak” form. These forms are available to all members of the audience.

4. The person addressing the Committee may be required to show a reasonable basis of interest in the subject of the hearing, such as being a legal resident of the school district(s) affected by the subject under discussion or being a representative of an organization having legitimate interest in the subject under discussion, or having other bona fide individual interest in the proceedings.

5. The person addressing the Committee shall state his/her name and place of residence.

6. The person speaking shall address all comments and questions to the Chairperson, not to individual committee members.

7. At the discretion of the Chairperson, time may be allotted to persons wishing to address the Committee; the Chairperson will endeavor to allot equal time to persons having opposing views. Three minutes may be allotted to each speaker (chair determination) and a maximum of twenty minutes to each subject matter.

8. Remarks or changes by any person addressing the Committee which reflect adversely upon the character or motives of any person are out of order.

9. Conduct by a participant declared out of order shall be grounds for termination of that person’s privilege of addressing the Committee.

10. It is explicitly recognized that California State Law requires that all actions of the County Committee be taken openly. In the event of willful interruption of a meeting of the County Committee by a group, the Committee may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be heard in such session. Duly accredited representatives of the press or other news media shall be allowed to attend the session unless they are participating in the disturbance. The Committee may re-admit other persons not causing the disturbance.

350 Suspension of Bylaws ~~350~~

Bylaws shall be subject to suspension for a specified purpose and limited time by vote of members of the Committee.

Reference: *Robert's Rules of Order*
Adopted:

351 Amendment of Bylaws

Bylaws may be amended by a majority vote of the County Committee.

360 Actions by the Committee ~~360~~

No action shall be taken except in an appropriately posted meeting of the Committee.

No action will be taken unless the subject acted upon was listed in the agenda published for that meeting, or as specifically authorized by law.

The Committee shall adopt resolutions when it is required by law or when the Committee intends to publish a status position of the Committee.

All actions taken by the Committee shall be clearly identified in the minutes of the Committee meeting.

Adopted:

370 Minutes ~~370~~

The county superintendent, as secretary to the Committee, shall keep minutes of all meetings of the Committee. Copies of the proceedings shall be made for distribution to the Committee members with the agenda for the next regular meeting. The official minutes of the Committee meetings shall be kept in a reasonably secure place.

Adopted:

371 Recording of Votes ~~371~~

Motions or resolutions shall be recorded as having passed or failed. Individual roll call votes will be recorded for each action taken.

Adopted:

372 Maintaining the Minutes ~~372~~

The Committee minutes shall be maintained as outlined below:

1. Content – Committee Procedure
    a. The date, place, and type of each meeting or public hearing
    b. Members present and members absent by name
    c. Call to order
    d. Arrival of tardy members by name
    e. Departure of members by name before adjournment or if absence takes place when any agenda items are acted upon
    f. Date and place of next meeting
    g. Adjournment of the meeting

2. Content – County Committee Actions
    a. Approval or amended approval of the minutes of preceding meetings
    b. Information as to each subject of the Committee's deliberation
    c. Information as to each subject including the roll call record of the vote on a motion
    d. A record of all important correspondence
    e. A record of the county superintendent's reports to the Committee
    f. A record of all consultants' reports to the Committee
    g. Approval of all bylaws

Adopted:

400 CODE OF ETHICS ~~400~~

410 Committee Responsibility to the Community ~~401~~

A County Committee member should honor the high responsibility which committee membership demand by:

- Thinking always in terms of "students first";

- Refusing to "play politics" in either the traditional partisan or in any petty sense;

- Representing at all times the entire school community;

- Accepting the responsibility of becoming well informed concerning the duties of committee members and the laws regarding the organization of school districts;

- Recognizing responsibility as a county official to seek the improvement of education throughout the county;

- Attempting to appraise fairly both the present and future educational needs of the community;

- Insisting that all school district organization transactions be on an open ethical, and above-board basis.

- Refusing to use the position of Committee Member in any way whatsoever for personal gain or for personal prestige; and

- Winning the community's confidence that all is being done in the best interest of schoolchildren.

Adopted:

411 Committee Relationship with Other Members ~~402~~

A County Committee member should respect relationships with other members of the committee by:

- Recognizing that authority rests only with the Committee in official meetings and that the individual member has no legal or moral status to bind the Committee outside of such meetings;

- Recognizing the integrity of his/her predecessors and associates and the merit of their work;

- Refusing to make statements or promises as to how the member will vote on any matter which should properly come before the Committee as a whole;

- Making decisions only after all facts bearing on a question have been presented and discussed;

- Respecting the opinion of others and by graciously conforming to the principle of majority rules; and

- Refusing to participate in irregular meetings, such as "secret" or "star chamber" meetings, which are not official and which all members do not have the opportunity to attend.

Adopted: