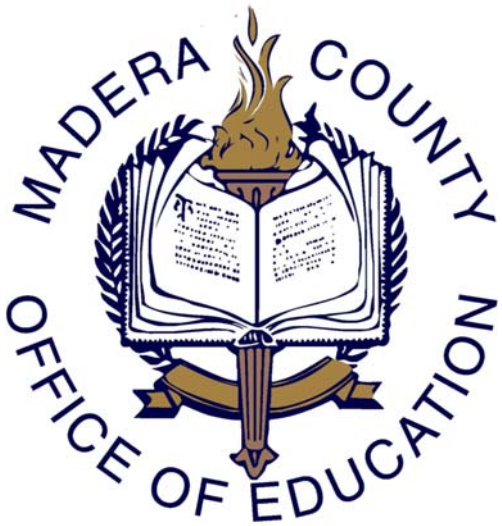
Board Bylaws 2020



Cecilia A. Massetti, Ed.D.

Madera County Superintendent of schools

~~*December 9, 2014*~~

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Revised: November 10, 2020

BYLAWS OF THE BOARD

9000 ROLE OF BOARD AND ITS MEMBERS

9001 – PURPOSES, POWERS, DUTIES

Purposes, Powers, Duties MCBE BB 9001

The Madera County Board of Education is a duly elected governing board deriving its power from the Constitution and action of the Legislature of the State of California (Constitution, Art. IX. Sec. 1 and Education Code, Div. 1, Chapter 1). The County Board of Education shall be bound by the laws and regulations as set forth in the California Education Code and as it is amended by the California legislature from time to time. The following will be found in the California Education Code unless otherwise indicated.

The Madera County Board of Education **shall**:

- Adopt and update policies ~~rules and regulations~~ for its own governance and for programs under the statutory authority of the County Board. ~~government not inconsistent with the laws of California.~~
- Keep a record of its proceedings.
- Adopt ~~Review and approve~~ the annual ~~County School Service Fund B~~budget and review interim reports of the County Superintendent of Schools ~~before its submission to the Superintendent of Public Instruction~~.
- Fix ~~Annually review and establish~~ the salary of the county superintendent~~'s salary~~.
- Acquire, lease, lease-purchase, hold, and convey real property for the purpose of housing the offices and services of the Madera County Superintendent of Schools (MCSOS).
- Conduct public hearings when appropriate.
- Fulfill responsibilities related to the Local Control Funding Formula (LCFF), including adopting the County Office of Education (COE)/MCSOS Local Control and Accountability Plan (LCAP) and any revisions and updates.
- Perform functions as provided elsewhere in the Education Code.
- Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, non-renewals or revocations of charter school petitions; and other matters when required by law.
- Consider petitions and provide oversight for charter schools approval by the County Board and fulfill other statutory responsibilities in connection with charter schools.

The Madera County Board of Education **may**:

- ~~Adopt and use an official seal in authentication of its acts.~~
- ~~Have such printing done as may be necessary.~~
- Transact business and formulate policies as provided elsewhere in the Education code.

- ~~Perform those duties authorized under the transfer of functions from the County Board of Supervisors to the County Board of Education.~~

Legal Reference ~~LEGAL REFERENCE~~
Education Code Sections ~~EDUCATION CODE SECTIONS~~ 1040~~3~~ Duties and Responsibilities, County Boards of Education 1042 County Boards; Authority ~~1080 Transfer of Duties and Functions to County Board of Education~~ ~~1082 Transfer of Duties and Functions to County Board of Education~~ 1240 Duties of County Superintendent 1279 Disposal of Property 1280 Budget Revisions 35160 Authority of County Boards 35160.1 Authority of County Boards: Legislative Intent 47600-47616.5 Charter Schools Act of 1992, as amended 48919 Expulsion and Appeals to County Board 52066-52068 Adoption of Local Control and Accountability Plan

Adopted: April 14, 1987
Revised: September 10, 1996
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9000 ROLE OF THE BOARD AND ITS MEMBERS

9005 – GOVERNANCE STANDARDS

The Madera County Board of Education believes that its primary responsibility is to act in the best interests of ~~every~~ students in ~~every~~ schools or programs operated by the County Office of Education. The Madera County Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public Education, and established policies of the county office. To maximize County Board effectiveness and public confidence in its governance, County Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Madera County Board expects its members to work with each other and with the Madera County Superintendent of Schools to ensure that a high-quality education is provided to students in county office schools and/or programs, and that high quality services are provided to school districts within the jurisdiction of the county office and to the community. Each individual Madera County Board member shall:

- ~~1090~~ Keep learning and achievement for all students as the primary focus.
- ~~1091~~ Value, support, and advocate for public education.
- ~~1092~~ Recognize and respect differences of perspective and style on the County Board and among staff, students, parents/guardians and the community.
- ~~1093~~ Act with dignity, and understand the implications of demeanor and behavior.
- ~~1094~~ Keep confidential matters confidential.
- ~~1095~~ Participate in professional development and commit the time and energy necessary to be an informed and effective leader.
- ~~1096~~ Understand the distinctions between County Board, County Superintendent and staff roles, and refrain from performing management functions that are the responsibility of the County Superintendent and staff.
- ~~1097~~ Understand that authority rests with the County Board as a whole and not with individual County Board members.

County Board members and County Superintendent of Schools ~~also shall~~ assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall have a unity of purpose and:

- Keep focused on student learning and achievement, as well as the role of the county office in providing services to school districts and the community.
- Work collaboratively with the County Superintendent.
- Communicate a common vision.
- Operate openly, with trust and integrity.
- Govern in a dignified and professional manner, treating everyone with civility and respect.
- Govern within County Board adopted policies and procedures.
- Take collective responsibility for the County Board's performance.
- Periodically evaluate its own effectiveness.
- Ensure opportunities for the diverse range of views in the community to inform County Board deliberations.

Legal Reference
Education Code Sections ~~1040 Duties and Responsibilities; County Board of Education~~ ~~1041 County Boards; Authority~~ 33319.5 Implementation of Authority of Local Agencies 35160 Authority of County Boards 35164 Actions of Majority Vote Government Codes 1090 Financial Interest in Contract 1098 Disclosure of Confidential Information 1091 Incompatible Activities 1125 Incompatible Activities 1129 Incompatible Activities 54950-54962 The Ralph M. Brown Act 87300-87313 Conflict of Interest Code Management Resources CSBA Publications Professional Governance Standards for County Board, September 2001 Maximizing School Board Leadership, 1996 Website CSBA: http://www.csba.org

Adopted: April 9, 2000
Reformatted: December 9, 2014
Revised~~reformatted~~: November 10, 2020

BYLAWS OF THE BOARD

9000 ROLE OF BOARD AND ITS MEMBERS

9010 – LIMITS AND AUTHORITY

The County Board of Education is the unit of authority. Apart from his/her normal function as part of the unit, the board member has no individual authority. Individually the board member may not commit the County Board to any policy, act, or expenditure. The board member cannot do business with the office of the County Superintendent of Schools, nor should the board member have an interest in any contract with the office of the County Superintendent nor with the County Superintendent nor with the County Board of Education. The board member does not represent any factional segment of the community but is rather a part of the body, which represents and acts for the community as a whole.

No individual board member, by virtue of holding office, shall exercise any administrative responsibility with respect to the office, shall exercise any administrative responsibility with respect to the office of the County Superintendent of Schools, nor as an individual command the services of any employee of the County Superintendent.

No member of the County Board of Education shall be asked to perform any routine or clerical duties, which may be assigned to an employee.

Legal Reference
Education Code 1040 Duties and Responsibilities; County Board of Education

Adopted: April 14, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9000 ROLE OF BOARD AND ITS MEMBERS

9020 PUBLIC STATEMENTS BY BOARD MEMBERS

The County Board of Education recognizes that “arbitrary or independent actions” of the Board members can produce serious consequences for the effectiveness of County Office of Education (COE) operations. An essential quality of a good board member is a “deep sense of loyalty to associates and to group decisions cooperatively reached”.

No member of the County Board of Education individually will speak for, or in the name of, the total Board unless by explicit direction of the Board. When a Board decision has been reached, all Board members, even those who may have voted against it, will respect that decision until amended or rescinded by Board action.

Legal Reference ~~LEGAL REFERENCE~~
Education Code Sections ~~EDUCATION CODE SECTIONS~~ 1040 Duties and Responsibilities; County Board of Education Management Resources ~~MANAGEMENT RESOURCES~~ Keith Goldhammer, THE SCHOOL BOARD, the Library of Education, The Center for Applied Research in Education, NY, NY, p. 61. BOARDMANSHIP, Stanford University Press, Stanford, California, p. 8

Adopted: April 14, 1987
Revised: September 10, 1996
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9000 ROLE OF THE BOARD AND ITS MEMBERS

9030 – COMPLAINTS CONCERNING SCHOOL DISTRICTS

The Madera County Board of Education believes that the quality of the educational program can improve when public complaints are heard.

The County Board encourages complainants to resolve problems early and with the appropriate school district personnel. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures. School ~~D~~district procedures shall be readily accessible to the public. The Board member should remind the complainant that each school district has in place a procedure for dealing with specific complaints.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint; however, Board members should listen to the complaint and show their concern by referring the complainant to the appropriate school district Superintendent or designee so that the problem may receive proper consideration.

Legal Reference
Education Code 35160.5 Powers and Duties Government Code 950-950.8 Crimes Against the Legislative Power

Adopted: August 9, 1994
Revised: May 9, 2000
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9110 NUMBER OF MEMBERS AND TERMS OF OFFICE

The Madera County Board of Education shall consist of seven (7) members elected by the electors of the seven~~ral~~ trustee areas of the county.

Each Board of Education member shall be an elector of the trustee area in which he/she resides, ~~represents,~~ and shall be elected by the electors of the trustee area ~~which he/she represents~~ in the manner described by the education and election codes.

The Madera County Board of Education trustee areas shall be recognized by the County Committee on School District Organization following each decennial federal census so that trustee areas are as nearly equal in population as practicable, taking into consideration topography, geography, cohesiveness, contiguity, integrity, and compactness of territory and community of interests.

The term of office for each member of the County Board of Education shall be four (4) years, as established by the county committee on school district organization, and the members elected on the date on which the members of school district governing boards are elected shall take office on the ~~last~~second Friday in December~~November~~ subsequent to their election.

Legal Reference ~~LEGAL REFERENCE~~
Education Code Sections ~~EDUCATION CODE SECTIONS~~ 1000-1017 et seq. Election, Jurisdiction, Organization and Procedure ~~1007 Unchartered Counties~~ 1090-1091, 5019.5 Election Code 2504 Election Management Systems

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9120 OFFICERS ~~AND AUXILIARY PERSONNEL~~

Officers ~~and Auxiliary Personnel~~ MCBE BB 9120

Officers of the Board shall consist of a president, a vice president, and a secretary.

The Board positions of President and Vice President provide opportunities for members to serve in leadership roles.

At the annual organization meeting the County Board of Education shall elect one of its members as president of the Board. At the same meeting the County Board of Education shall elect one of its members as vice president.

No member shall serve in the role of President or Vice President for more than two consecutive years.

The County Superintendent of Schools shall serve as a non-voting ~~is~~ secretary of the Board and executive officer of the Board by right of his/her office.

~~At the same meeting the County Board of Education shall elect one of its members as vice president.~~

~~The retiring president of the Board shall call the meeting to order and conduct the election for president. If the retiring president is not present, the retiring vice president shall preside. If neither the retiring president or vice president is present or available the Board will elect a member to serve as president pro tem to conduct the election. Should none of the previous three options be available, the secretary of the Board shall conduct the election of the president.~~

The Secretary of the Board shall call the annual organization meeting to order and conduct the election of the President. Once the President has been elected, the President will conduct the election of the Vice President.

At the annual organization meeting, the members shall elect a representative to the Madera County School Boards Association.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODE~~ 1009 Election, Jurisdiction, Organization and Procedure 1010 Election, Jurisdiction, Organization and Procedure

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9121 PRESIDENT

President MCBE BB 9121

The president shall preside at all meetings of the Board, enforce the accepted rules of order, and appoint all committees with the approval of the Board.

The president shall sign all papers and documents as required by law or authorized by action of the Board.

The president shall be authorized, and it is his/her duty, to call special meetings. ~~as provided in these rules and regulations.~~

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODE~~ 1009 Election, Jurisdiction, Organization and Procedure 1040 Duties and Responsibilities

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9122 VICE PRESIDENT

In the absence of the president, the vice president shall act in his/her place. In the absence of both president and vice president, the members present shall, by majority vote, elect a president pro tem to serve as the presiding officer.

Legal Reference ~~LEGAL REFERENCE~~
Education Code Sections ~~EDUCATION CODE~~ 1040 Duties and Responsibilities; County Board of Education

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9123 SECRETARY

The County Superintendent shall act as secretary of the County Board of Education. As secretary, the superintendent shall:

1. Prepare with the board president the Board agenda.
2. Prepare and present the Board minutes.
3. Be responsible for all County Superintendent of Schools and Board of Education records and documents.
4. Prepare a tentative calendar of County Board meeting dates for the next ensuing school year ~~next ensuing~~ for the consideration of the board at the first regular meeting after the second~~last~~ Friday in December~~November~~.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODE~~ 1000-1010 Election, Jurisdiction, Organization and Procedure ~~1092 Salaries and Expenses~~ ~~1040(e) Duties and Responsibilities~~ ~~5035 Elections~~ 35250 Records and Reports

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9131 – COMMITTEE OF THE WHOLE

The County Board of Education shall act as a committee of the whole in final consideration of all matters.

Legal Reference
Education Code Sections 1040 Duties and Responsibilities; County Board of Education

Adopted: April 14, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9133 TEMPORARY COMMITTEES

The president may establish ~~shall appoint such~~ temporary and special committees as may be deemed necessary or advisable by the County Board of Education and will where appropriate comply with provisions of the Brown Act for notification. The president may be a member of any such committee, and shall have the right to attend the meetings of any committee as a participating but non-voting member.

The duties of each such committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when the duties assigned have been discharged.

The superintendent or designee shall be a non-voting member and serve as an advisor to ~~of~~ any temporary committee which includes staff and/or lay persons.

The County Superintendent of Schools or a representative designated by him/her shall serve as the secretary of all committees at the committee chairman's request.

No Board committee meeting shall ever exceed a total of three board members.

Legal References
Education Code Sections 1040 Duties and Responsibilities, County Board of Education 1240 Duties and Responsibilities, General Powers, County Superintendent 35010 Control of District, Prescription and Enforcement of Rules 35024 Executive Committee 35160 Broad Authority of School Districts

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9100 ORGANIZATION

9142 REPRESENTATIVES TO OTHER AGENCIES OR ORGANIZATIONS

The County Board of Education may appoint any of its members to serve on advisory committees, or as representatives to other agencies or organizations as the Board deems such appointments desirable, contingent on acceptance of appointment by the member.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODE~~ ~~1095 Salaries and Expenses~~ ~~1096 Salaries and Expenses~~ 1040 Duties and Responsibilities, County Board of Education 1240 Duties and Responsibilities, General Powers, County Superintendent 35010 Control of District, Prescription and Enforcement of Rules 35024 Executive Committee 35160 Broad Authority of School Districts

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

9200 MEMBERS

9210 QUALIFICATIONS

Any registered voter who is a resident of the county is eligible to be a member of the County Board of Education, except the County Superintendent of Schools, any member of his/her staff, or any employee of a school district in the county.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODE~~ 1000-1017 Election, Jurisdiction, Organization and Procedure ~~1006 Election, Jurisdiction, Organization and Procedure~~ 1090-1091 County Board Member Services

Adopted: April 14, 1987
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9220 ELECTIONS

The election of County Board of Education members shall be conducted on the date and in the manner prescribed for the election of members of governing boards of school districts.

Legal Reference
Education Code Sections 1008 Election, Jurisdiction, Organization and Procedure 5012 Election of School District Board Members 5032 Election of School District Board Members 5090 Vacancies 5091 Vacancies 5092 Vacancies 5093 Vacancies 5300 General Provisions 5320 Order and Call of Elections 5326 Order and Call of Elections

Adopted: April 14, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9221 FILLING OF VACANCIES

There will be a vacancy on the County Board of Education for any of the following events before the expiration of the board member's term:

1. The death of the Board Member.
2. A judgment (pursuant to legal proceedings) declaring that the incumbent is physically or mentally incapacitated due to disease, illness or accident and that there is reasonable cause to believe that he/she will not be able to perform the duties of his/her office for the remainder of his/her term.
3. Board member's resignation.
4. Board member's removal from office.
5. An incumbent shall be removed from his/her office if he/she ceases to be an inhabitant of the trustee area which elected him/her.
6. The absence of the Board member from the state without the permission required by law beyond the period allowed by law.
7. The Board member ceases to discharge the duties of his/her office for the period of three (3) consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law, or when otherwise excused by the Board.
8. Conviction of a felony or of any offense involving a violation of the Board member's official duties. A Board member shall be deemed to have been convicted under this subdivision when trial court judgment is entered.
9. Refusal or neglect to file his/her required oath or bond within the time prescribed.
10. The decision of a competent tribunal declaring void the Board member's election or appointment.
11. The making of an order vacating the Board member's office or declaring his/her office vacant when he/she fails to furnish an additional or supplemental bond.
12. Commitment of a Board member to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict. The office shall not be deemed vacant until the order of commitment has become final.
13. Recall of the Board member pursuant to Elections Code Section 27000et seq.
14. Upon entry of judgment of removal pursuant to Government Code Section 3072 after initiation of proceedings pursuant to Code Sections 3060 et seq.

15. An accusation, in writing and supported by at least 12 grand jurors, against a member of the County Board of Education for willful or corrupt misconduct in office, shall, if the accused pleads guilty or refuses to answer the accusation, result in a judgment of conviction and the court shall order removal of the accused Board member from the County Board. If the accused denies all charges he/she shall be tried by a jury in the same manner as a trial on an indictment. If found guilty, the court shall order his/her removal from the County Board.
16. The member becomes ineligible under Education Code 1006.

Legal Reference
Education Code Sections 1000 Election, Jurisdiction, Organization and Procedure 1006 Election, Jurisdiction, Organization and Procedure 1008 Election, Jurisdiction, Organization and Procedure 5090 Vacancies 5091 Vacancies 5092 Vacancies 5093 Vacancies 5094 Vacancies 5095 Vacancies Election Code 2500 et seq. Election Management Systems Government Code 1660 Vacancies 3060 et seq. 6235.5 General Provisions

Adopted: April 14, 1987
Revised: July 30, 1996
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9230 ORIENTATION OF NEW MEMBERS

The administrative staff may assist each new member-elect to understand the County Board's function, policies and procedures and operations of the office of the County Superintendent of Schools before the member takes office. The incoming member may attend, at county expense, workshops, conferences and other meetings for newly elected members.

Prior to the seating of a newly elected or appointed board member, superintendent/designee will invite the new member to an orientation program which will include:

1. A tour of Madera County Superintendent of Schools facilities and schools.
2. Introduction to key staff of Madera County Superintendent of Schools.
3. Be presented a Madera County Board of Education packet including:
   - Bylaws
   - "Boardsmanship," "California County Boards of Education Handbook," "The Board Meeting (Brown Act Rules), and information on how the County Superintendent's office is financed.
   - Description of Madera County Superintendent of Schools organization and responsibilities, including advisory groups to the Superintendent. (Annual Report)
   - A legible map of the county with border-lines of each member's area of representation. ~~and a list of school in each area.~~
   - A list of district superintendents ~~and staff~~ with business addresses and phone numbers.
   - List of Board Member's addresses and phone numbers.
   - Board member's duties and responsibilities to the office of the County Superintendent of Schools, as well as to the local districts.
   - Glossary of education terms and budget report format.

4. To ensure a quorum will be present and as a courtesy to fellow Board members and staff, any Board member who is unable to attend a meeting is urged to make advance contact with the Executive Secretary to the Superintendent to inform the Office of such absence.

Adopted: April 14, 1987
Revised: July 30, 1996
Revised: October 8, 1996
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9240 DEVELOPMENT IN SERVICE

Attendance at meetings, institutes, and conferences, directly or indirectly related to education or County Superintendent of Schools matters, shall be encouraged for the values they have to the County Board and the professional growth of County Board members.

Reports will be given to the board at the next regular board meeting for those conferences supported by the Madera County Superintendent of Schools.

The secretary of the Board shall be notified of all such meetings to be attended by County Board members. All necessary legal expenses of attending such meetings, including transportation, meals, housing, and registration fees shall be a charge against the county school service fund with prior budgetary approval and at rates and within limitations established for employees and other representatives of the office of the County Superintendent of Schools.

Remuneration for board members will be at the full cost of expenses incurred while on official business as allowed by the county office of education travel reimbursement policy.

Legal Reference
Education Code Section 1096 Salaries and Expenses

Adopted: June 9, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9250 COMPENSATION, ~~REMUNERATION AND~~ BENEFITS, AND REIMBURSEMENT

Compensation, ~~Remuneration and~~ Benefits, and Reimbursement MCBE BB 9250

Meeting Stipend
Each member of the County Board of Education may receive forty dollars ($40) compensation for each meeting of the board he/she attends not to exceed the maximum compensations as allowable by law ($160) per month.

Mileage
Each member who uses a privately-owned vehicle in the discharge of necessary official duties shall be reimbursed at the standard IRS rate. Payment to the member shall be made monthly on the basis of the actual number of miles driven on such necessary official business or on mileage driven to attend meetings of the County Board of Education.

Reimbursement shall also be made for any official telephone calls made by any board member.

Health & Welfare Benefits
The office of the Madera County Superintendent of Schools (MCSOS) ~~Madera County Office of Education (MCOE)~~ shall pay the full premiums required for Board members elected prior to January 2015, who opt to participate in MCSOS~~MCOE~~ Health and Welfare Benefits (including medical, dental, and vision). The level of coverage provided shall be the same 80% medical, dental, and vision plans offered to eligible retirees who previously served as administrative staff. Board members will be responsible to pay additional costs for their coverage should they select a plan that exceeds the 80% plans offered to eligible retirees who previously served as administrative staff.

After December 2014, the office of the MCSOS ~~MCOE~~ shall pay the premiums up to the annual benefit cap afforded to administrative staff for Board members who are newly elected or appointed to the Madera County Board of Education and who opt to participate in office of the MCSOS~~MCOE~~ Health and Welfare Benefits (including medical, dental, and vision). Board members will be responsible to pay additional costs for their insurance coverage should the actual cost of their plan selection exceed the annual benefit cap.

Legal References ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 1090 Salaries and Expenses 1091 Salaries and Expenses

Adopted: April 14, 1987
Revised: August 13, 1996
Reformatted: December 9, 2014
Revised: August 9, 2016
Revised: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9260 ELIGIBILITY OF RETIRED BOARD MEMBERS

Eligibility of Retired Board Members for Self Paid Health Benefits MCBE BB 9260

Any Board member retiring from the Board after at least one full term may continue his/her health benefits program at their own expense if coverage is in effect at the time of retirement.

Legal Reference
Government Code 53201 Group Insurance

Adopted: October 10, 1989
Reformatted: December 9, 2014
Reformatted: November 10, 2020

9200 MEMBERS

9260 ELIGIBILITY OF RETIRED BOARD MEMBERS

Eligibility of Retired Board Members for Self Paid Health Benefits MCBE BB AR 9260

A retired Board member participating in the Self-Paid Health Benefits Program shall:

1. Retiree must have participated in the health plan immediately prior to qualifying for this benefit.
2. Notify the office of continuance of health benefit plan within thirty (30) days of retirement from Board service.
3. Retired Board member will be subject to conditions specified in office health benefits program.
4. Payment for premium must be received within thirty (30) days or coverage may be terminated.

Adopted: October 10, 1989
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9270 CONFLICT OF INTEREST

The County Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. In accordance with law, board members shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.

The Board and the county superintendent shall develop and the Board shall adopt a policy that specifies the terms of the conflict of interest code for the Office of the Madera County Superintendent of Schools, the designated positions, and the disclosure categories required for each position. (MCOEP 2305)

Upon direction by the code reviewing body, the Board shall review the conflict of interest code and submit any changes to the code reviewing body.

When a change in the conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days.

Board members shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the conflict of interest code. A board member who leaves office shall, within 30 days, file a revised statement covering the period of time between the closing date of the last statement and the date of leaving office.

Conflict of Interest Under the Political Reform Act

A board member shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a “reasonably foreseeable material financial effect” on one or more of the board member’s “economic interests,” unless the effect is indistinguishable from the effect on the public generally or the board member’s participation is legally required.

A board member makes a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoint a person, obligates or commits the Board or the Office of the Madera County Superintendent of Schools to any course of action, or enters into any contractual agreement on behalf of the Board.

A gift of travel does not include travel provided by the county office for board members in accordance with board policy.

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law.

The term honorarium does not include:

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.

2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes.

Legal Reference
Education Code Sections 35230-35240 Government Code 1090-1099; 1125-1129; 81000-91014; 89501; 89502; 89506 California Code of Regulations Title 2, 18110-18997

Adopted: November 10, 2020

BYLAWS OF THE BOARD

9200 MEMBERS

9271 CODE OF ETHICS AND BOARD RESPONSIBILITY TO COMMUNITY

Board Responsibility to Community

A County Board of Education member should honor the responsibility which Board membership demands by:

- thinking always in terms of "Children first …"
- understanding that the basic function of the County Board of Education member is "policy making" and not "administration" and by accepting responsibility of learning to intelligently discriminate between these two functions.
- accepting the responsibility along with fellow Board members of seeing that the maximum facilities and resources are provided for the proper functioning of the office of the County Superintendent of Schools.
- refusing to "play politics" in either the traditional partisan sense or in any petty sense.
- accepting the responsibility of becoming well informed concerning the duties of Board members and the proper functions of public schools.
- recognizing responsibility as a state official to seek the improvement of education throughout the state.

A County Board of Education member should meet his/her responsibilities to the community
by:

- attempting to appraise fairly both the present and future educational needs of the community.
- ~~regarding it as a major responsibility of the County Board of Education to interpret the aims and the methods of the office of the County Superintendent of Schools to the community.~~
- insisting that ~~each~~ County Superintendent of Schools business transactions be on an open, ethical, and above-board basis.
- seeking adequate financial support for the County Superintendent of Schools.
- refusing to use the position of County Board member in any way whatsoever for personal gain or for personal prestige.
- refusing to discuss ~~personnel matters or any other~~ confidential business of the board in his/her home or office, or on the street.

- winning the community's confidence that all is being done in the best interest of school children.

Board Relationship with Other Members

A County Board of Education member should respect relationships with other members of the board by:

- recognizing that authority rests only with the Board in official meetings, and that the individual member has no legal status to bind the board outside of such meetings.
- recognizing the integrity of his/her predecessors and associates and 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 Board as a whole.
- making decisions only after all facts bearing on a question have been presented and discussed.
- respecting the opinions of others and by graciously conforming to the principle of majority rule.
- 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.

Board-Superintendent Relationship

A County Board of Education member should maintain desirable relations with the County Superintendent of Schools and his/her staff by:

- giving the County Superintendent full administrative authority for properly discharging the superintendent's professional duties.
- having the superintendent present at all meetings of the Board except when the superintendent's salary is under consideration.
- referring all complaints to the proper administrative office and by discussing them at a regular meeting only after failure of administrative solution.
- presenting personal criticism of any employee directly to the superintendent in accordance with sound principles of personnel policies and procedures.

Adopted: April 14, 1987
Revised: August 13, 1996
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

The County Board of Education has the power of establishing its own procedures.

The Board shall concern itself primarily with Board questions of policy, rather than with administrative details, which are properly the concern of the County Superintendent of Schools. The application of policies is an administrative task to be performed by the Superintendent and his/her staff, who shall be held responsible for the effective administration and supervision of the entire office of the County Superintendent of Schools.

All actions of the County Board of Education shall be taken only in official County Board meetings called, scheduled and conducted according to these bylaws and the statutes of the state of California.

Legal Reference
Education Code Sections 1011 Election, Jurisdiction, Organization and Procedure 1012 Election, Jurisdiction, Organization and Procedure 1013 Election, Jurisdiction, Organization and Procedure 1014 Election, Jurisdiction, Organization and Procedure 1015 Election, Jurisdiction, Organization and Procedure 1016 Election, Jurisdiction, Organization and Procedure 1040 Duties and Responsibilities 1041 Duties and Responsibilities 1043 Duties and Responsibilities Government Code 54950 et seq. Meetings

Adopted: April 14, 1987
Revised: August 13, 1996
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9313 FORMULATION, ADOPTION, AMENDMENT OF ADMINISTRATIVE REGULATIONS

Formulation, Adoption, Amendment of Administrative Regulations MCBE BB 9313

The County Board of Education does not approve administrative regulations unless specifically required to do so by law, or unless requested to do so by the County Superintendent. Adoption and amendment of such Board-approved regulations shall be by the same procedures as those specified in these bylaws.

The Board reserves the right to review and direct revisions of administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

Legal Reference
Education Code Sections 35014 Adoption of Rules by Governing Board 35163 Official Actions, Minutes, and Journals 35164 Vote Requirements 1042 Disqualifications for Office of Employment

Adopted: April 14, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9314 SUSPENSION OF POLICIES, BYLAWS, AND REGULATIONS

Policies, bylaws and County Board of Education adopted regulations are subject to suspension for a specified purpose and limited time by majority vote of all members of the Board at a meeting, the call for which has contained a written description of proposed suspension.

The County Superintendent is authorized to suspend any policy, bylaw or Board adopted regulation when advised by competent legal authority that such policy, bylaw or regulation is wholly or in part in conflict with laws or regulations of a superior governing body. The County Superintendent may choose to suspend only that part of a policy, regulation or bylaw which is in conflict if such action appears to be in the best interest of the County Superintendent of Schools. Any such suspension shall be valid only until the County Board's next regular or special meeting, when the County Superintendent shall report the suspension, present the justification for the suspension, and request that the board act to suspend the policy, by law or regulation for a specified purpose and for a limited time.

The County Superintendent is directed to present to the Board, for first consideration, a revised policy, regulation or bylaw which is in accord with the laws and regulations of the state and federal governments, except that the superintendent may recommend instead that the Board rescind the policy, regulation or bylaw. The revision or recommendation for elimination shall be presented at the time the suspension is requested unless time or legal considerations prevent.

Adopted: April 14, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9320 MEETINGS

Regular Meetings
The County Board of Education shall hold regular meetings according to a schedule adopted by the Board at the organization meeting, but in any case not less often than once each month.

Special Meetings (Non-Emergency)
Special meeting may be called by the president whenever necessary. On the written request of any three board members the president shall call a special meeting.

All members of the County Board of Education and the County Superintendent shall be notified, by written notice delivered to them at least 24 hours in advance of the special meeting, and the purpose or purposes for which it is called.

Newspapers of general circulation in the county, radio stations and television stations, organizations, and property owners in the county who have requested notice of special meetings shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including the business to be transacted, will be given by telephone during business hours or by email as soon after the call as practicable.

An agenda shall be prepared as specified for regular County Board of Education meetings and shall be delivered with the notice of special meeting to board members, together with supporting documents, if any. The agenda shall be posed according to law. The agenda for the special meeting may be mailed or emailed with the notice to news media, organizations and property owners, or the business to be transacted shall be stated in the notice.

Only those items of business listed in the agenda for the special meeting shall be considered at that special meeting. (MCBE BB9321)

Special Meetings (Emergency)
In the case of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the County Board of Education may hold a special meeting without complying with the 24-hour notice requirement of Government Code Section 54956.

An emergency situation means any of the following:

1. A work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the County Board.
2. A crippling disaster which severely impairs public health, safety, or both as determined by a majority of the members of the County Board of Education.

Each local newspaper of general circulation and radio or television station which has requested notice of special meetings shall be notified by the president of the county board or the president's designee, one hour prior to the special meeting. In the event that telephone services or email are not functioning, the notice requirement of one hour is waived, but the County Board or its designee shall notify, as soon after the meeting as possible, such newspapers, radio stations, or television stations of the holding of the meeting, and of any action taken by the Board.

No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the meeting, a list of persons the president or designee notified or attempted to notify, a copy of the roll-call vote, and any actions taken at such meeting shall be posted for a minimum of ten (10) days in a public place as soon after the meeting as possible.

Adjourned Meeting

A majority vote by the County Board of Education may terminate any meeting at any place in the agenda, providing arrangements have been made to complete the items of business on the agenda at an adjourned meeting.

Annual Organizational Meeting

The County Board of Education shall organize at a meeting held in each year by electing one of its members as president of the board. The meeting at which the organization is conducted shall be the first meeting on or after the second~~last~~ Friday in December~~November~~.

Board members, before entering office, shall take and subscribe to the oath or affirmation set forth in Section 3 or Article XX of the Constitution of California.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 1009 Election, Jurisdiction, Organization and Procedure 1011 Election, Jurisdiction, Organization and Procedure 1012 Election, Jurisdiction, Organization and Procedure 1013 Election, Jurisdiction, Organization and Procedure 1022 Government Codes ~~GOVERNMENT CODES~~ 54950 Meetings 54953 Meetings 54954 Meetings 54956 Meetings 54956.5 Meetings “Emergency Situation” 54957.9 Meeting Interrupted by a Group

Adopted: April 14, 1987
Revised: August 13, 1996
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BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9321 TIME, PLACE, NOTIFICATION OF MEETINGS, TELECONFERENCING

Place

The meetings of the County Board of Education shall be held in the office of the Madera County Superintendent of Schools ~~Office of Education~~ Conference Center unless specifically announced for some other location. The Board may hold meetings in other locations throughout the county when appropriately noticed.

Time

The regular meetings of the County Board of Education, unless otherwise approved by the majority of the Board, shall be held on the second Tuesday of each month at 3:30 p.m. Except for the organizational meeting in December, which is held on the Tuesday following the second Friday in December.

Notification

No business shall be transacted at a special meeting of the Board other than such as may have been specified in the posted agenda.

Teleconferencing**

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video.

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call.

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries.

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public.

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional

rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconferenced location.

(** The Brown Act teleconferencing regulations have been modified due to social distancing requirements in place due to COVID-19.)

Legal References ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 1009 Election, Jurisdiction, Organization and Procedures 1011 Election, Jurisdiction, Organization and Procedures 1012 Election, Jurisdiction, Organization and Procedures Government Codes~~GOVERNMENT CODES~~ 54950 Meetings 54957.9 Meeting Interrupted by a Group

Adopted: April 14, 1987
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BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9322 PUBLIC AND CLOSED SESSIONS MEETINGS

Public Meetings

All meetings of the County Board of Education shall be open to the public, with the exception that closed sessions may be held for certain purposes specified in law, and the public may be excluded from such closed sessions.

Closed Sessions

Closed sessions will be held only in conformity with the provisions of the open meeting laws.

Legal Reference
Government Code 54957 Meetings

Adopted: September 10, 1996
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9325 MEETING CONDUCT

Meetings of the Board of Education shall be conducted by the president in a manner consistent with the adopted bylaws of the Board.

All Board meeting shall commence at the stated time and shall be guided by an agenda which will have been prepared and delivered in advance to all Board members and other designated persons.

The conduct of meetings shall, to the fullest extent possible, enable members of the Board to:

1. consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problem,
2. receive, consider and take any needed action with respect to reports of accomplishment both as to students and as to ~~Madera~~ County Office of Education operations.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 32210 Willful Disturbance, Public Schools or Meetings 1040(a) Duties and Responsibilities Government Codes ~~GOVERNMENT CODES~~ 57442 Meetings 9321 Compensation of Officers and Employees of the Legislature 9322 Compensation of Officers and Employees of the Legislature 54960 Meetings 1126.5 Territorial Jurisdiction 54957.9 Meetings

Adopted: April 14, 1987
Revised: September 13, 1994
Revised: August 13, 1996
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9325 MEETING CONDUCT

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction, shall be as follows:

1. Three ~~to five~~ minutes may be allotted to each speaker (chair determination) and a maximum of twenty minutes to each subject matter.

2. No boisterous conduct shall be permitted at any County Board meeting. Persistence in boisterous conduct shall be grounds for summary termination by the chair, of that persons' privilege of address.

   "Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than two hundred fifty dollars ($250)."

3. No oral presentation shall include charges or complaints against any employee of the County Superintendent of Schools regardless of whether or not the employee is identified by name or by another reference which tends to identify. As the employer, all charges or complaints against employees shall be submitted to the County Superintendent of Schools under provisions of the County ~~Board~~ policies~~y~~.

It is explicitly recognized that California State Law requires that all actions of the County Board of Education shall be taken openly and that all its deliberation shall be conducted openly. In the event of willful interruption of a meeting of the County Board of Education by a group, the Board 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 ~~closed~~ session unless they are participating in the disturbance. The board may re-admit other persons not causing the disturbance.

Adopted: April 14, 1987
Revised: August 13, 1996
Reformatted: December 9, 2014
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Madera County Board of Education
Request to Address the Board
(Presentation limited to three (3) minutes)

Board Meeting Date: _____
(Completion of this form is voluntary pursuant to Government Code 54953.3)

Name of Person Initiating Request: _____

Name or Organization (if any): _____

Address: _____

Telephone: _____

Matter to be Discussed:_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Please submit to Superintendent's Executive Assistant prior to Board meeting.

Regular Business Meeting
The County Board's business will be transacted in regular meetings in the order outlined below:

1.0 Call To Order

2.0 Consideration of Minutes

3.0 Adoption of Board Agenda

4.0 Information and Proposal/Non-Action

4.1 Public Comment
[This time is offered to members of the public wishing to address the Board on matters under the jurisdiction of the Board, but not listed on the agenda. ~~NOT listed on the agenda.~~ Board members may listen but not discuss matters not on the agenda. (G.C. 54954.2) The Board will not take action on any items presented under public comment. Speakers are limited to 3 minutes. Anyone addressing the Board is asked to complete the form titled, "Madera County Board of Education Request to Address the Board," so they can be called upon to speak.]

4.2 Letters and Communications

4.3 Non-School Sources

4.4~~5~~ Madera County School Boards Association (MCSBA) Executive Committee Meeting Report

4.5 Communications Committee Report

4.6 Madera County Foundation Board Report

4.7 Member Report(s)

5.0 ~~Reports and~~ Information from the Superintendent and Staff

6.0 Old Business

7.0 Closed Session

8.0 New Business~~/Action~~

9.0 Other

10.0 Adjournment

Adopted: April 14, 1987
Revised: September 13, 1994
Reformatted: December 9, 2014
Revised: November 10, 2020

1. The Superintendent and Board President will prepare the agenda for each meeting.

2. Board members may contribute items to the agenda 24 hours prior to the mailing with notification to the President.

3. The agenda, with supporting data and minutes of the previous meeting, will be mailed so that the trustees will receive it by three ~~working~~ days prior to the scheduled meeting.

4. The Superintendent and the Board President may allocate a time limit for presentation and discussion of each agenda item ***[three ~~to five~~ minutes]***. The time limit may be changed by President determination.

Legal Reference ~~LEGAL REFERENCE~~
Government Code ~~GOVERNMENT CODE~~ 54950 Meetings

Adopted: April 14, 1987
Revised: September 13, 1994
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Revised: November 10, 2020

9325 MEETING CONDUCT

Action Taken by the Board MCBE BB AR 9325.5

It is the intention of the legislature of the State of California that actions of public bodies be taken openly and that their deliberations be conducted openly. The Madera County Board of Education, therefore, shall take no action outside of a regular or special public meeting of the Board except on those subjects and under those conditions described for closed sessions in Government Code Sections 54957 through 54957.6.

An action, as used here, means a collective decision made by a majority of the members of the County Board of Education, or a collective commitment by a majority of the members to make a positive or negative decision, or an actual vote by a majority of the members when sitting as the governing board, upon a motion, proposal, resolution, or order.

The County Board will, as required by GC 54957.1, publicly report immediately following closed session any action taken with the roll-call vote. No action will be taken on any subject unless that subject was listed in the agenda published for that meeting, except that in place of an agenda, the notice of a call for a special meeting shall specify the business to be transacted.

The County Board shall not adopt a resolution except where such adoption is required by law, or where the intent of the Board is to publish a status position of the Board, as in advising the legislature of the Board's attitude on a proposed law, or in commending staff members or other agencies for work well done.

All actions taken by the Board shall be clearly identified in the minutes of the Board meeting, as required in Education Code Section 35145(a).

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 35144 Meetings 35145 Meetings 35146 Meetings 35164 Powers and Duties 39430 39432 39500 39503 39645 Government Codes ~~GOVERNMENT CODES~~ 54956 Meetings 54957.1 Meetings Report Closed Session Items 54957.2 Meetings Record Minutes of Closed Session 54952.6 Meetings

Adopted: April 14, 1987
Reformatted: December 9, 2014

Minutes

The County Superintendent, as secretary of the County Board of Education, shall keep minutes of all meeting of the Board. Copies of the proceedings shall be made for distribution to the Board members with the agenda for the next regular meeting. The official minutes of the Board meeting and the master copy of the policy manual shall be kept in a fireproof vault.

Recording of Votes

Motions or resolutions shall be recorded as having passed or failed, and individual votes will be recorded. All resolutions shall be numbered for each fiscal year beginning July.

Maintaining the Minutes

The County Board minutes shall be maintained as outlined below:

1. Content - County Board procedure
   a. The date, place, and type of each meeting
   b. Members present and members absent by name, and whether a member is not present for part of the meeting due to late arrival and/or early departure
   c. Call to order
   d. Adjournment of the meeting
2. Content - County Board actions
   a. Approval or amended approval of the minutes of preceding meetings
   ~~b. Complete information as to each subject of the County Board's deliberations.~~
   b. A brief summary of the County Board's discussion on each agenda topic
   c. A summary for ~~Complete information as to~~ each agenda item, the specific language of the motion, ~~subject,~~ including the roll-call record of the vote on a motion.
   d. All County Board resolutions in complete context, numbered serially for each fiscal year.
   e. A record of the superintendent's reports to the County Board.
   f. Approval of all policies, Board-adopted regulations and bylaws.
   g. A record of all delegations appearing before the Board.
   h. The minutes shall be signed by the secretary.

Legal References ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 1011 County Board Meetings 1015 Recording Votes 35145(a) Meetings 35163 Powers and Duties 35164 Powers and Duties Government Code ~~GOVERNMENT CODE~~ 54957.1 Meetings Report Closed Session Items

Adopted: April 14, 1987
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BYLAWS OF THE BOARD

9300 METHOD OF OPERATION

9330 COUNTY BOARD/COUNTY OFFICE RECORDS PUBLIC ACCESS

The County Superintendent's office shall make its records available to public inspection except employee records, students records and other records which may be exempted by law. The records shall be available during regular office hours.

In order for the office to ascertain whether or not requested information is or may be exempt from public access under the law and in order to meet requests in an efficient, orderly manner, all requests for information may, at the discretion of the Superintendent or a designee, be required in writing.

Approved records shall be provided to authorized persons in a timely manner and a place provided for them to examine the records provided. The office will take all necessary steps to insure the security of the records and where necessary require the records to be examined in the presence of office personnel. A charge of ten cents ($0.10) per page will be levied for all copying When access to records is denied, the party requesting access may appeal the decision to deny access to the County Board of Education.

Legal Reference
Education Code Sections 1040 Duties and Responsibilities; County Board of Education 1240 Duties, Responsibilities, and General Powers 35145 Meetings ~~35350 Authority to Transport Pupils~~ 42103 Statements, Budget 49060-49078 Pupil Records Government Codes 6250-6070~~60~~ General Provisions Inspection of Public Records ~~Cross Reference~~ ~~5410~~

Adopted: April 4, 1987
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Revised: November 10, 2020

BYLAWS OF THE BOARD

9300 METHOD OF OPERATION

9340 MEMBERSHIP IN ASSOCIATIONS

The County Board of Education shall ordinarily hold membership in and attend meetings of such local, state, regional, and national school board associations as may exist, and shall look upon such memberships as opportunities for inservice training.

Legal Reference
Education Code Sections 1095 Salaries and Expenses 1096 Salaries and Expenses

Adopted: April 14, 1987
Reformatted: December 9, 2014
Reformatted: November 10, 2020

BYLAWS OF THE BOARD

9300 METHODS OF OPERATION

9350 MEMBER PARTICIPATING IN CONFERENCES

The Madera County Board of Education promotes professional development opportunities for its members within resources available. The Board considers attendance at Board meetings an important commitment for any member; therefore, the Board establishes the following guidelines for conference/workshop participation based upon the criteria which includes member attendance at Board meetings.

1. Each member requesting to attend a conference shall have met an attendance requirement of 75% of the preceding 12 months of Board meetings including special meetings.

2. The Board may consider waiving attendance requirements for an individual Board member should the absence of a member be considered by the Board to have been due to special circumstances. An agenda item to consider excusing the absent member from a board meeting will become a standard agenda item.

3. To receive reimbursement of travel expenses, arrangements for conference fees and overnight accommodations shall be made through the office of the Madera County Superintendent of Schools in accordance with the approved travel policy~~Office of Education~~.

Adopted: February 10, 1998
Reformatted: December 9, 2014
Revised: November 10, 2020

BYLAWS OF THE BOARD

9500 ELECTIONS

9501 COUNTY SUPERINTENDENT REMUNERATION

The County Board of Education believes that the County Superintendent of Schools renders services that promote the success of students and of the County Office of Education and that anyone occupying the position should be fairly compensated for his/her service. In accordance with law, the County Board shall fix the salary of the County Superintendent and may adopt a remuneration package that includes, but is not limited to salary allowances, sick leave, health and welfare benefits, and other benefits as appropriate. The County Superintendent shall receive reimbursement for his/her actual and necessary traveling expenses.

Any discussion and/or action taken on the County Superintendent remuneration shall take place in open session at a regularly scheduled meeting of the County Board.

Any changes to the County Superintendent's salary, financial remuneration, or any benefit, for any reason, may only be made upon approval of the County Board after discussion at a regularly scheduled meeting of the County Board. (Education Code 1209, Government Code 54956)

The Attorney General has opined that a County Board may increase or decrease the County Superintendent's salary at any point during the term for which the County Superintendent was elected, but that any salary decrease may not be retroactive. Due to the conflict recognized by the Attorney General between the California Constitution and Education Code 1207, prior to decreasing a County Superintendent's salary, the County Board should first contact legal counsel.

The County Superintendent shall receive reimbursement for his/her actual and necessary traveling expenses. (Education Code 1200, 1201)

Legal References
Education Code Sections 1200-1209 Appointment, Qualifications, Salary, and Expenses of County Superintendent Government Codes 3511.1-3511.2 Local Agency Executives 53243.3-53243.4 Abuse of Office 54954 Time and Place of Regular Meetings 54956 Regular Meetings 54957 Closed Session Personnel Matters California Constitution Article 9, Section 3.1 County Superintendent Qualifications and Salaries Court Decisions Woodcock v Dick, (1950) 36 Cal 2d 146 Attorney General Opinions 61 Ops.Cal.Atty.Gen. 384 (1978) 61 Ops.Cal.Atty.Gen. 356 (1979)

Adopted: November 20, 2020

BYLAWS OF THE BOARD

9500 ELECTIONS ~~METHOD OF OPERATION~~

9510 ELECTION PROCEDURES

County Board of Education election procedures shall be conducted in accordance with the Election Code of the State of California and the State Elections Code.

Legal Reference ~~LEGAL REFERENCES~~
Education Code Sections ~~EDUCATION CODES~~ 1000 Election, Jurisdiction, Organization and Procedure ~~10001 Schools--California State University~~ 1006 Election, Jurisdiction, Organization and Procedure 1007 Election, Jurisdiction, Organization and Procedure 1008 Election, Jurisdiction, Organization and Procedure 1017 Election, Jurisdiction, Organization and Procedure

Adopted: April 14, 1987
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BYLAWS OF THE BOARD

9500 ELECTIONS ~~METHOD OF OPERATION~~

9520 COST OF CANDIDATES' STATEMENTS

It is the policy of the Board that the cost of producing written statements for candidates for the Board of Education shall be borne by the candidates. The office of the Madera County Superintendent of Schools ~~Office of Education~~ shall bear no obligation in these costs.

The candidates' statements of qualifications shall be limited to 200 words. The costs of printing and distributing such statements shall be borne by the candidates who file them. Two meetings prior to the opening date for candidates to file for each election the Board shall affirm that each candidate who files a statement shall be required to pay in advance to the Registrar of Voters.

~~LEGAL REFERENCE~~
~~EDUCATION CODE~~ ~~10012 Costs of Candidates Statement~~

Adopted: April 10, 1990
Revised: May 9, 2000
Reformatted: December 9, 2014
Revised: November 10, 2020