



## PASADENA AREA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES BYLAWS

**Title:** Agenda For Meetings

**Bylaw No. 1240**

**Legal Authority:** Education Code Section 72121; Brown Act, Section 54956.6;  
Board of Trustees Minutes, April 2, 1997, Page 7,381

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1. An agenda for the meetings shall be provided by the Superintendent/President. The agenda items must relate to the business of the District. The agenda shall be posted in a place reasonably accessible to the public at least 72 hours prior to the meeting time for regular meetings, and at least 24 hours prior to the meeting time for special meetings except that in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may dispense with the 24 hour notice requirement, and in lieu thereof, shall comply with the then applicable provisions of Section 54956.5 of the Government Code, including any Code section revising or replacing such section.
2. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that Board members may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative, or in response to questions posed by the public, members of the Board may ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to the body at a subsequent meeting concerning any matter. The Board may take action to direct staff to place a matter of business on a future agenda.
3. Notwithstanding Paragraph 2 above, the Board may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the Board shall publicly identify the item.
  - a. Upon a determination by a majority vote of the Board that an emergency situation exists, as defined in Section 54956.5.
  - b. Upon a determination by a two-thirds vote of the Board or, if less than two-thirds of members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda being posted as specified under Paragraph 1 above.
  - c. An item appeared on the agenda of and was continued from a meeting held not more than five days earlier.
4. The Superintendent/President and the President of the Board shall both and each be entitled to have a matter placed on the agenda. Matters placed on the agenda by the President of the Board shall be so identified on the agenda, with a general description sufficient to comply with Brown Act requirements. All matters thus placed on the agenda shall be designated as either "for possible action" or "for discussion only."
5. Each member of the Board, either alone or in conjunction with other Board members, shall have the right to place items on the agenda by either of the following two methods:
  - a. A Board member subject to the provisions of Paragraph 7, following, may request that a matter be placed on the agenda by so requesting at a regular meeting. The request shall be in sufficient detail so that the administration can meet the requirements of the Brown Act as to the subsequently posted agenda. The request shall also specify whether the matter is for possible action or for discussion only. It is recommended that the Board

member give advance notice to the Superintendent/President so as to receive the benefit of any suggestion or comments which he or she may have.

- (1) The fact that the item has been requested by a Board member or members shall appear on the agenda.
  - (2) Prior to consideration of the item the Board President shall make reasonable efforts to confer with the Superintendent/President as to matters pertinent to the agenda item.
  - (3) At the Board meeting the Board President shall report on any pertinent information and/or request that other sources of information do so. The Board President may suggest any action he or she deems appropriate.
  - (4) Notwithstanding *Robert's Rules of Order*, each requesting Board member (if more than one) shall have the right to speak at least once to the agenda item. If the requesting Board member has not yet spoken, he or she shall be allowed to speak before application of the rule that when a motion has been made but not seconded the motion is lost.
  - (5) Once an item comes up on the agenda, and it is for possible action, the Board, after observance of the above provisions, shall have the power to decide as to what action should be taken. Such action may include, but not be limited to, the following:
    - (a) Outright approval.
    - (b) A direction that the administration study the proposal and report by a certain date or by a certain time on the status of the matter. The direction may include the priority of the matter in relation to other pending matters.
    - (c) A determination that the cost of any study (in time spent and/or dollar cost) so outweighs any possible benefits that such study would not be justified.
- b. At times other than in a regular meeting, a board member may propose agenda items subject to the following:
- (1) The proposal must be made prior to the posting of the agenda.
  - (2) The proposal is made to the President of the Board (or if he/she be not available, to the next available officer of the Board) who shall exercise his/her sound discretion as to whether under the circumstances it is appropriate not to wait until the next regular meeting, in which case the Superintendent/President shall be directed to add the item to the agenda.
  - (3) If at any time prior to the posting of the agenda, at least three Board members request in writing that a matter be placed on the agenda, that shall be done.
6. Pursuant to Section 72121.5 of the Education code, members of the public shall be entitled to have placed on the agenda matters which are directly related to community college district business. The regulations and procedures governing such placement on the agenda shall be as follows:
- a. Written request shall be filed at the Superintendent/President's office.
  - b. As quickly as feasible, but not later than ten working days after receiving request, the Superintendent/President or his/her designee, if finding the matter to be directly related to community college district business, shall place the matter on an agenda no later than the third regular meeting occurring after the filing of the request. If the Superintendent/President or his/her designee, determines that the matter is not directly related to community college district business, the person shall be so notified by first class United States mail within said ten working days. To appeal after such determination, a written request for a ruling may be made to the Board, such requests to be filed with the Superintendent/President's office, and he/she shall place the matter on the agenda no later than the second regular meeting occurring after the filing of such request.

- c. The person requesting that a matter be placed on the agenda shall receive a copy of the agenda for the meeting at which the item will be listed, if a self-addressed, stamped envelope is left at the Superintendent/President's office at the time the agenda item is submitted.
  - d. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.
  - e. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90 day period following the initial submission.
7. Whether proposed at a regular meeting to be placed on a future agenda, or placed on the agenda by the Superintendent/President, the President of the Board, Board members, or by members of the public, any proposed agenda item or item appearing on the agenda is subject to the point of order that the item is not directly related to the business of the District. The Chair shall either rule upon the point of order or refer the point of order to the Board for decision. If the Chair rules, such ruling may be appealed, with four votes being required to overrule the Chair. Should an agenda item be determined to be not related to the business of the District, then no further action or discussion shall take place at the meeting.