

## **Policy: Governance of Santa Barbara County SELPA**

The Santa Barbara County SELPA Joint Powers Agency Board (“JPA Board”) is the governing body of the Santa Barbara County Special Education Local Plan Area (“SELPA”). The JPA Board derives its powers from the laws of the State of California and from a Joint Powers Agreement approved by all SELPA member local educational agencies (“LEAs”), including the Santa Barbara County Education Office.

It is the policy of the JPA Board to encourage public participation in the JPA Board’s activities in order to fully promote communication with interested persons and entities within the SELPA. All meetings of the JPA Board, unless allowed by law, are public and accessible to the disabled. Deliberations of the JPA, unless allowed by law, shall be conducted openly and all actions taken in public session.

The JPA Board holds the Santa Barbara County SELPA Executive Director responsible for the efficient administration of the SELPA and the functions of the Joint Powers Agency.

## **Administrative Regulation: Governance of Santa Barbara County SELPA**

### Section 1. Membership of the JPA Board

The JPA Board shall consist of nine voting members. The JPA Board shall be composed of the County Superintendent of Schools and superintendents or equivalent administrators from a representative cross section of SELPA member LEAs as specified in the SELPA Joint Powers Agreement.

### Section 2. Officers

The officers of the JPA Board shall consist of a chairperson, vice-chairperson, and clerk who shall be elected from the JPA Board's voting members at the organizational JPA Board meeting each fiscal year.

#### a. Chairperson

The chairperson shall preside at all meetings of the JPA Board and shall assume duties following the election. The chairperson shall have the same rights and privileges as other members of the JPA Board in voting, introducing motions and resolutions, and in discussing questions. The chairperson shall sign minutes, documents, and agreements when legally required to do so or as ordered by the board. If, for any reason, the chairperson resigns during their term of office, the vice-chairperson shall serve as the chairperson for the remainder of the resigned chairperson's term.

The chairperson shall serve a term of no more than two consecutive years in this JPA Board leadership position. After two consecutive years, the chairperson shall roll out of a leadership position but may continue to serve on the JPA Board. After one year out of a leadership position, if elected, this LEA superintendent may resume a position on the JPA Board.

#### b. Vice-Chairperson

The vice-chairperson shall preside at all meetings where the chairperson is absent. While acting in this capacity, the vice-chairperson shall have all the powers and privileges of the chairperson. If, for any reason, the vice-chairperson resigns during their term of office, the clerk shall serve as the vice-chairperson for the remainder of the resigned vice-chairperson's term.

The vice-chairperson shall serve for no more than two consecutive years in this JPA Board leadership position, excluding any partial year served due to previous vice-chairperson resignation. The vice-chairperson may consecutively serve as chairperson.

#### c. Clerk

The clerk shall act as presiding officer at all meetings where the chairperson and vice-chairperson are absent. While acting in this capacity, the clerk shall have all the powers and privileges of the chairperson. If, for any reason, the clerk resigns during his/her term of office, including assuming the role of vice-chairperson, a new clerk shall be elected by the JPA Board to serve out the remainder of the resigned clerk's term.

The clerk shall serve for no more than two consecutive years in this JPA Board leadership position, excluding any partial year served due to previous clerk resignation. The clerk may consecutively serve as vice-chairperson and then chairperson.

d. Secretary to the Board

The SELPA Executive Director shall serve as secretary to the JPA Board. The secretary to the JPA Board shall provide an accurate record of all meetings of the JPA Board. In addition, they shall handle the correspondence of the JPA Board, distribute agendas and minutes, and perform other duties as delegated by the chairperson on behalf of the JPA Board. The SELPA Executive Director may utilize SELPA administrative staff to assist with these duties as determined appropriate by the SELPA Executive Director.

e. Individual Members

Except as authorized by the JPA Board, individual members of the JPA Board shall have no power to act alone on the JPA Board's or SELPA's behalf except as it applies to participation in and acting as a JPA Board member at an official JPA Board meeting or as directed by the JPA Board.

### Section 3. Meetings of the JPA Board

#### 3.1 Brown Act

The JPA Board shall comply with the Ralph M. Brown Act, which requires that public boards such as the JPA Board take their actions openly.

#### 3.2. Annual Organizational Meeting

The first meeting of each new fiscal year shall be designated as the annual organizational meeting of the JPA Board.

#### 3.3. Regular Meetings

Regular meetings of the JPA Board shall be held monthly during the months of September through June. The date, time, and location of regular JPA Board meetings will be confirmed annually by the September meeting of the JPA Board. The JPA Board may change the date, time, or location for holding regular meetings, as needed.

#### 3.4. Special Meetings

Special meetings of the JPA Board shall be held whenever the chairperson or the majority of the members of the JPA Board call such a meeting. In such an event, notice of the special meeting shall be sent to each SELPA LEA member and the agenda shall be received by each JPA Board member, SELPA LEA member, and the public at least 24 hours before the time of the meeting as specified in the notice.

#### 3.5. Public Hearings

A public hearing of the SELPA Annual Budget Plan shall be held annually prior to the adoption of the final Annual Budget Plan.

Other public hearings may be held by the JPA Board at its discretion or when legally required to do so.

### 3.6. Closed Sessions

Closed sessions may be called, subject to the rules of the California Brown Act, in conjunction with any regular or special meeting.

### 3.7. Parliamentary Authority

Roberts Rules of Order will normally be used by the JPA Board in conducting its business. Such rules are intended to apply to JPA Board member deliberations and may not be invoked by other persons. Although Robert's Rules of Order can serve as a useful guide, the JPA Board may use any procedures that allow it to conduct its meeting in an efficient, consistent manner.

## Section 4 Public Participation at JPA Board Meetings

Members of the public are encouraged to attend JPA Board meetings and to address the JPA Board concerning any item on the agenda and, during regular meetings, any item within the JPA Board's jurisdiction.

### 4.1 Procedure for Those Wishing to Speak

Before the JPA Board meeting begins, persons wishing to address the JPA Board are requested, but not required, to fill out a "Request to Address the JPA Board" form obtainable from the SELPA Administrative Secretary or from the table near the entrance to the meeting room. The form is to be filled out and returned to the SELPA Executive Director or their secretary before the meeting begins. At the appropriate time, the JPA Board Chairperson will call upon the persons requesting to speak.

### 4.2 Public Participation Procedures

In order to conduct business in an orderly and efficient manner, the JPA Board requires that public presentations to the JPA Board comply with the following procedures:

1. Every regular and special meeting agenda shall provide an opportunity for members of the public to address the JPA Board. All such comments will be received during the Public Comments section of the agenda. Individuals who address the JPA Board are limited to three (3) minutes to speak on any item and a total of 10 minutes on all items for their presentation. The JPA Board may limit the total time for all public comments to 30 minutes. The JPA Board may determine to take public comments either when agenda items are heard, or during the public comment section of the agenda, preceding the consideration of individual agenda items.
2. All regular meeting agendas shall provide an opportunity for members of the public to comment on matters not listed on the agenda, but within the subject matter jurisdiction of the JPA Board.

3. A person wishing to be heard by the JPA Board shall first be recognized by the chairperson and shall then proceed to comment as briefly as the subject permits. Individual speakers will be allowed three minutes to speak on any item, or, if all public comments are taken together before the JPA Board takes up individual agenda items, a total of ten minutes to address the JPA Board on all items will be normally allowed per speaker. The JPA Board may limit the total time for public comment to 30 minutes. With JPA Board consent, the chairperson may increase or decrease the total time allowed for public presentation, depending on the number of persons wishing to be heard. The chairperson may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.
4. The JPA Board shall not prohibit public criticism of its policies, procedures, programs, services, acts or omissions. (In addition, the JPA Board may not prohibit public criticism of individual employees. However, whenever a member of the public initiates specific complaints or charges against an employee, the JPA Board chairperson shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the JPA Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the JPA Board to hear such complaints or charges in closed session unless otherwise requested by the employee.
5. The JPA Board chairperson shall not permit any disturbance or willful interruption of JPA Board meetings. Persistent disruption by an individual or group shall be grounds for the chair to terminate the right of addressing the JPA Board. The JPA Board may remove disruptive individuals and order the room cleared if necessary; in this case, members of the media not participating in the disturbance shall be allowed to remain, and individual(s) not participating in such disturbances may be allowed to remain at the discretion of the JPA Board. When the room is ordered cleared due to a disturbance, further JPA Board proceedings shall concern only matters appearing on the agenda. 6. Without taking action, JPA Board members or SELPA staff may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a JPA Board member or staff member may ask questions for clarification, make a brief announcement, or make a brief report on his/her own activities. Furthermore, the JPA Board or a JPA Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the JPA Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda.

#### 4.3 Placing Items on The JPA Board's Agenda

Members of the public are permitted to place matters on the JPA Board's agenda that fall within its jurisdiction. Such requests shall be made in writing to the SELPA Executive Director and shall specify the precise subject to be addressed. These matters shall be heard at the next convenient regular JPA Board meeting after the request is received, but not later than the second regular meeting. Upon receipt of a request to place a matter on the agenda, the SELPA Executive Director, in conjunction with the Chairperson of the JPA Board, shall make the decision regarding whether the matter falls within the JPA Board's jurisdiction. The request

to place an item on the agenda may be declined if the item is repetitive, defamatory, superfluous, or otherwise improper. The SELPA Executive Director and/or the Chairperson of the JPA Board may provide an alternative process to address certain matters, such as in the case of a complaint against a staff member. Normally, members of the public who place matters on the agenda will be allotted up to ten minutes to present their item, which may be extended at the discretion of the JPA Board Chairperson.

## Section 5 Adoption of Policies and Procedures

The formulation and adoption of written policies and administrative regulations shall constitute one method by which the JPA Board shall exercise its leadership in the operation of the SELPA. In formulating policies, the JPA Board shall adopt general principles and statements of intent in the form of policies concerning the establishment and operation of the program and other matters within the duties and scope of responsibility of the JPA Board.

The SELPA Executive Director shall recommend policies for adoption and recommend revisions of existing policies to the JPA Board. The adoption of policies shall be recorded in the minutes of the JPA Board.

A proposed policy shall be subject to adoption, revision, or deletion, upon a majority vote of all members of the JPA Board at the second of two meetings held not less than fourteen days apart and the call for which the proposed policy has been described in writing. All policies shall be considered adopted upon successful completion of the second reading. Policies may be adopted or amended at first reading when considered unanimously by those voting as an emergency measure.