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LAUSD Governance Policies

Draft 6.9.19

Governance Process Policies

LAUSD’s Governance Policies include five major categories: Governance Process Policies; Superintendent Role and Responsibilities Policies; Board-Superintendent Linkage Policies; Goals and Outcomes Policies; and Rules of Order and Administrative Policies. The Governance Process Policies include LAUSD’s global governance philosophy and define the Board’s role and responsibilities including monitoring student outcomes and ensuring fiscal stability. The Superintendent Role and Responsibilities Policies include specific expectations related to: student outcomes; communication; treatment of students, families and employees; and budget and finance responsibilities. The Goals and Outcomes Policies section will include the Board’s specific goals and outcomes. The Rules of Order and Administrative Board Policies establish the general operational rules and procedures for the Board of Education.

Policy Governing Process #1: Global Governance Process Philosophy

The purpose of the Board of Education (Board) of Los Angeles Unified School District (LAUSD) is to act in the best interest of the students and LAUSD’s stakeholders to ensure that LAUSD (a) achieves positive student outcomes for its students in accordance with the LAUSD’s Mission and Vision and (b) avoids unacceptable actions and situations (as described Superintendent Roles and Responsibilities).

The Board has been elected by the community to provide leadership and citizen oversight of the policies and practices that affect the students, families and schools within their jurisdiction. The Board shall ensure that the District is fairly and equitably responsive to the values, beliefs, and priorities of every community within LAUSD. (CSBA)

“Governance” as used in these Governance Process Policies is distinct and separate from “management” in that governance ensures that (a) conditions apply whereby LAUSD’s management act in the interests of the students and (b) the Superintendent, is held accountable to the students and LAUSD’s stakeholders for outcomes and goals and for the proper use of LAUSD assets. The role of governance generally is to specify outcomes (e.g., that LAUSD close the achievement gap) and to ensure that outcomes are achieved, while the role of management is to recommend and, where appropriate, to execute the means necessary to achieve the outcomes (e.g., allocation of resources, determining which programs, classes, employees, facilities, materials, etc.).

Policy Governing Process #2: Governing Style

The Board shall govern lawfully, observing the principles of good governance, with an emphasis

on (a) goals rather than means, (b) encouragement of diversity in viewpoints, (c) governance more than administrative detail, (d) clear distinction of Board (through its officers and members) and Superintendent roles, (e) collective rather than individual decisions, and (f) pro-activity rather than reactivity.

- A. The Board shall cultivate a sense of group responsibility among Board Members. The Board, not the management, shall be responsible for excellence in governing. The Board shall initiate governance policy, not merely react to management initiatives.
- B. The Board shall enforce upon itself whatever discipline is needed to govern collaboratively and with excellence. Discipline shall apply to matters such as attendance, preparation for meetings, policy-making principles, respect of roles, and ensuring the continuance of governance capability. Although the Board can change its Governance Process Policies at any time, it shall scrupulously observe those currently in force.
- C. Board development shall include orientation of new Board members in the Board's Governance Policies. The Board shall continue to discuss process policy improvements.
- D. The Board should take responsibility for its decisions and should not suggest that a recommendation from a manager, committee, or individual Board Member shields its accountability. The Board's power is collective only, and only when they convene at publicly-noticed meetings that are open to the public.
- E. The Board shall regularly monitor and discuss the Board's process and performance. Self-monitoring shall include comparison of Board activity and behavior to the Governance Process and Board - Superintendent Linkage Policies included within this document.
- F. The Board shall actively encourage and seek the input and opinions of stakeholders on major issues and policies under consideration.

(Former Board Rule 106H)

- G. Board Members must elevate the education, well-being and safety of all students above any partisan ideology or personal interest. Board Members are trustees of the entire District and must take into consideration the impact of their decisions on all students as well as the health and stability of the District as a whole.

Policy Governing Process #3: Board Role and Responsibilities

Specific roles and responsibilities of the Board ensure appropriate organizational performance.

- A. Board Role and Responsibilities include:
 1. Adopting and communicating a mission and vision focusing on positive outcomes for students creating a link between the students and LAUSD Board

2. Engaging their respective communities in developing the common vision for the District focused on learning and achievement
3. Representing the needs and interests of all students
4. Adopting written governance policies that address the broadest levels of all organizational decisions and situations
5. Using its best efforts to assure successful organizational performance
6. Operating openly, with trust and integrity

(Former Board Rule 106)

B. To accomplish its governance mission, the Board shall follow an annual agenda that (1) completes re-exploration of Goals Policies annually and (2) continually improves Board performance through Board education, input, and deliberation.

C. The Board shall hold an Annual Meeting at 10:00 a.m., July first of each year or the first Tuesday thereafter. The Superintendent of Schools shall call the meeting to order. The first order of business shall be the induction of recently elected Board Members followed by the election of one of its number as President whose term of office shall continue for one year, or until their successor is elected. (Education Code Section 35143.)

(Former Board Rule 1)

Beginning in December 2020, the Board of Education shall hold its annual organizational meeting between the date upon which a governing newly elected board member normally takes office and January 14. At the annual meeting, the Board of Education shall organize by electing a president from its members who shall serve in office until the next annual organizational meeting, or until their successor is elected.

1. The Board President, or the Superintendent of Schools, when the Board President is being elected at the Annual Meeting of the Board, shall solicit nominations for the position to be filled. Each nomination will require a second to go forward. When there are no more names to be placed in nomination, the President or Superintendent will ask for a motion to close nominations which will require a second and approval by a majority of the Board. The Board will then vote by roll call for each nominee, individually, and in the order they were nominated, until a nominee is elected by a majority vote of the Board.

(Former Board Rule 3)

2. Each year at the Annual Meeting of the Board, the newly elected Board President shall select one Board Member as a voting representative to elect members to the Los Angeles County Committee on School District Organization and other organizations, including, but not limited to, Council of Great City Schools, and National School Boards Association. The Board President will make a good faith effort to match appointments with the interests and expressed willingness of Board Members to serve and no Board Member will be

considered for multiple appointments until every Board Member has been offered and accepted at least one appointment.
(Education Code Section 35023)

(Former Board Rule 5)

3. The Board will appoint one or more student members to the Board using a process determined by the Superintendent. Student Members shall be enrolled in a District high school and their term of office will be for one year commencing on July 1. Student members will be able to attend all Board Meetings though will not be able to participate in closed session discussions. Student Members can cast an advisory vote as a formal expression of opinion that will be recorded in the minutes of meetings, but their votes will not serve in determining the final numerical outcome of a vote by the Board.
(Education Code Section 35012(d))

(Former Board Rule 7)

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- D. The Annual Agenda cycle shall conclude each year on the last day of its cycle (currently the end of June) so that administrative planning and budgeting can be based on accomplishing a one-year period of the Board's most recent statement of long-term Goals Policies. The Annual Agenda cycle shall start with the Board's development of its agenda for the next year.
1. Consultations with standing committees and stakeholder groups, and other methods of gaining public input, shall be determined and arranged as appropriate in sufficient time for the Annual Agenda to be discussed and adopted each year.
 2. Review of the current Governance Policies shall be on the agenda annually to enable the Board to make any modifications or amendments in a timely manner and to ensure compliance therewith.
- E. The Superintendent's performance shall be reviewed annually by the Board according to the Goals Policies and the Superintendent Role and Responsibilities Policies. The performance of the Executive Officer of the Board (Executive Officer), the Inspector General, and the Executive Director of the Independent Analysis Unit shall be reviewed annually.
- F. Generally speaking, Board meetings shall be governed by Governing Process Policies; Rules of Order Policies; and Robert's Rules of Order, Revised 10th Edition. Except as otherwise provided by these Board Rules, the proceedings of this Board of Education shall conform to and be governed by Robert's Rules of Order, Revised.
- [\(Former Board Rule 191\)](#)
- G. The Board shall have legal counsel available at all Board meetings.
- H. If a Board Member believes there has been a violation of law, or that there is an imminent violation of law by another Board Member, that Board Member shall be entitled to seek the advice of LAUSD's legal counsel on that topic, but if practical, the Board Member shall first discuss the matter with the Board President with legal counsel present.

Policy Governing Process #4: Board President's Role and Responsibilities

The Board President is a specifically empowered Trustee of the Board who ensures the integrity of the Board's processes and, occasionally, represents the Board to outside parties. Any action by the President is subject to review and modification or reversal by the Board.

- A. The President's job is to serve as facilitator and guide to the Board. The President ensures that the Board acts consistently with its own rules and those legitimately imposed upon it from outside the organization. Related to this, the President shall:
1. Ensure the development and circulation of Board agendas in conjunction with Board Members and the Superintendent, consistent with Rules of Order Policy#1(A).
 2. Communicate with the Board's legal counsel concerning legal issues that arise and ensure that the full Board is informed of the status of those issues.
 3. Communicate with stakeholders and the public on behalf of the Board.

4. Act as the primary point of Board contact with the press.
 5. In conjunction with the Board's decision and/or legal counsel, address any reports that the Board or individual Board Member(s) are in violation of law or Board policies.
- B. The President shall work with the Superintendent and Board committees members to ensure that issues that are not appropriate for Board purview are properly redirected.
 - C. The President shall preside over regular Board meetings.
 - D. The President shall ensure that Board deliberation is fair, open, and thorough, but also timely, orderly, and to the point.
 - E. The President may represent the Board to outside parties in (a) announcing Board-stated positions and decisions, and (b) providing information on Board process and upcoming agendas.
 - F. The President shall put any items on the agenda at the request of the Superintendent, given notice in accordance to agenda posting guidelines. The President shall put any items on the agenda at the request of any member of the Board. The protocol defining agenda setting, Rules of Order #1(A), shall be followed.
 - G. No approved Board policy may be changed without the approval of the Board unless required by law.
 - H. The President shall act as the primary liaison between the Board and the Superintendent during crises and ensure that the full Board is informed of the status of those crises as soon as possible.
 - I. The President shall sign all records of meetings of the Board and other documents to which a signature is required and shall and perform such other duties as are prescribed by law and the Board policies.

(Former Board Rule 51)

- J. The President may delegate authority to the Vice-President when available, or when the Vice-President is not available, to any Board member, but remains accountable for its use. If the President perceives, or the Board determines, that the President has an actual or potential conflict of interest, the President shall delegate authority to the Vice-President.

If the President and the Vice President are both absent, the Superintendent shall call the meeting to order and the Board shall elect a President Pro Tempore. The President Pro Tempore shall possess the powers and perform the duties of the President at that meeting.

(Former Board Rule 52)

Policy Governing Process #5: Board Vice-President Role and Responsibilities

The Vice-President of the Board is a specifically empowered Member of the Board who, in the absence of the President, presides at Board meetings and may assume other roles and functions of the President as directed by the Board. Further, the Vice-President supports and assists the President as needed. The Vice-President may not speak or act for the Board except when formally given such authority for specific and time-limited purposes.

- A. ~~Each year, the newly elected President of the Board of Education, shall appoint a Vice president to serve as President Pro Tempore.~~

(Former Board Rule 4)

The Board Vice-President will be elected by the Board Members following the same procedures that guides the election of the Board President.

Policy Governing Process #6: Executive Officer of the Board's Role and Responsibilities

The Executive Officer of the Board serves as an officer of the Board. The Executive Officer's purpose is to ensure that Board meetings are conducted according to sound governance policies and regulations that have been established. The Executive Officer is responsible for the integrity of the Board's documents. The Executive Officer may not speak or act for the Board except when formally given such authority for specific and time-limited purposes.

- A. The Executive Officer's job is to ensure that all Board and Board committee documents and filings are accurate, timely, and adhere to legal requirements, including privacy and confidentiality; to ensure that all such documents are properly stored and accessible; and to inform the Board President if the documents are not in compliance.

Further, the Executive Officer of the Board shall ensure that:

1. Governance Policies reflect the most current Board decisions;
2. All Board actions including motions and resolutions requesting answers and/or recommendations within a specific timeframe will be monitored and agendized for upcoming Board meetings to ensure accountability and timely responses to Board inquiries;
3. Requirements for format, brevity, and accuracy of Board agenda and minutes are met;
4. Draft Board minutes are prepared in a timely manner for Board review, and approved at a subsequent Board meeting;
Comprehensive records of all Board actions shall be kept; and
(Former Board Rule 13)
5. Sufficient funds shall be allocated to the office to achieve these goals.

- B. The authority of the Executive Officer of the Board includes access to and control over Board documents.
- C. The Executive Officer shall ensure that all board policies are housed in an organized, open, up-to-date and transparent manner.
- D. The Board shall evaluate the Executive Officer on an annual basis.

- E. The Executive Officer shall provide budget updates to the Board.
- F. The Board Secretariat's office will provide each Board Member with a budget for an administrative assistant, a chief of staff, and necessary office supplies to perform the duties of the Board of Education office. Each Member will be allocated an individual budget that may be expended as the Member directs. The President of the Board shall receive an additional amount because of the demands made upon the Office of the President and because of the many activities in which the President represents the entire Board. (Education Code Section 45112)

(Former Board Rule 14)

Policy Governing Process #7: Board Member Code of Conduct

Board members shall commit to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members.

- A. Board Members must uphold the LAUSD's policies, regulations and all other corporate documents.
- B. To the best of their ability, Board Members shall communicate to the Board the interests, concerns, and priorities of the group they represent, but shall at all times make decisions based on the full findings of fact and the best interests of the students of the District.
- C. Board Members must not permit any stakeholder affiliation to interfere with their fiduciary duty to act in the best interests of LAUSD as a whole.
- D. Board Members must avoid conflicts of interest with respect to their fiduciary responsibilities and shall uphold all provisions of the District's Conflict of Interest Code, Employee Code of Ethics, Contractor Code of Conduct and Lobbying Disclosure Code and all other applicable policies. (Former Board Rule 106F) Board Members shall abstain and state the basis for the abstention, as to any matter that comes before the Board in which the Member might have any financial interest. (Government Code Section 54956.5) (Former Board Rule 104) Members shall use objective judgment in voting on procurement awards and shall not attempt to influence contract awards nor release staff's award recommendations to the public until such recommendations are made public.

(Former Board Rule 106J)

In circumstances where the existence of a conflict of interest may be unclear, Board Members are encouraged to discuss the matter with the General Counsel and/or District Counsel in order to ensure that Board Members fulfill their fiduciary responsibilities.

In the event that a charge of conflict of interest is brought against a Board Member, the President shall establish an Ad Hoc Committee on the Conflict of Interest to investigate the charge. After study of the matter, the Committee will recommend appropriate action which may include referral to other agencies. In order for a charge to receive the

consideration herein outlined, the charge or complaint must be in writing, signed under penalty of perjury, and filed with the Executive Officer of the Board. Guidelines herein will be utilized by Board Members in compliance with the procedures as required by Government Code Section 81000 et seq.

(Former Board Rule 105)

Board Members shall abstain and state the basis for the abstention, as to any matter that comes before the Board of Education in which the Member might have any financial interest. (Government Code Section 1090)

(Former Board Rule 104)

- E. Board Members shall exercise the powers and duties of their office honestly and in good faith, and exercise the degree of care, diligence, and skill that a reasonably prudent person would exercise in comparable circumstances.
- F. Board Members must not make personal promises or take private action that may compromise their performance or responsibilities as a Board Member.
- G. Board Members have no individual authority over the organization.

1. Board Members' interaction with the Superintendent or with any other LAUSD employee must recognize the lack of authority invested in individual Board Members, except when explicitly authorized by the Board.
2. Board Members shall govern within Board adopted policies and procedures and shall respect the role of the Superintendent as chief executive of LAUSD. Nothing in this section limits the rights of members to follow-up with the Superintendent to see that their constituents' concerns are addressed.

(Former Board Rule 106E)

3. A Board Member's interaction with the public, the press, or any other entity must recognize the same limitation set forth above. Individual Board Members may not speak for the Board, except to repeat explicitly stated Board decisions.
- H. Board Members shall maintain strict confidentiality of any confidential matters discussed in closed session consistent with the Brown Act.
 - I. In recognition of the high standards, trust, and responsibility required of those who serve on the LAUSD Board, Board Members (whether or not acting in their official capacity as a Board Member) shall be respectful, judicious, and prudent when communicating with other Board Members, LAUSD stakeholders, and the public. Further, Board Members must adhere to the requirements of the Brown Act when communicating with other Board Members.
 - J. Board Members shall be properly prepared for Board deliberation.

- K. Board Members shall support the legitimacy and authority of the final determination of the Board on any matter, without regard to the Board Member’s personal position on the matter.
- L. Board Members shall volunteer to participate on standing and ad hoc committees as necessary to fulfill the Board’s obligations.
- M. Board Members who violate “Policy GP #7: Board Member Code of Conduct” or their duties to LAUSD are subject to appropriate sanction by the Board including, without limitation, private admonishment and public censure.

Policy Governing Process #8: Board Committees

Board committees shall take direction from and report to the Board.

- A. ~~The President shall appoint a Chair of the Committee of the Whole. The Committee of the Whole shall consist of all Members of the Board. The President shall also appoint a Chair and other members to each of the Standing Committees established by the President.~~

(Former Board Rule 141)

~~The Board Committees shall be created by a Board majority. The Committee of the Whole shall consist of all Members of the Board.~~

- B. The Board shall consider the recommendations of its committees. Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes. Expectations and authority shall be carefully stated so as not to conflict with authority delegated to the Superintendent.
- C. Board committees may not exercise authority over the Superintendent, and even then, shall not exercise authority directly over employees. Because Superintendents work for the full Board, they shall not be required to obtain approval of a Board committee before an executive action.
- D. All Board committees that fall under the Brown Act must adhere to the requirements of the Act.

Policy Governing Process # 9: Board Training and Development

Board training shall be used to orient new members, as well as to maintain and increase existing members’ skills and knowledge. When deemed necessary, outside consultants may be retained by the Board.

Each fiscal year, costs may include, but shall not be limited to: training relating to governance, management, and leadership, including attending conferences and workshops; and audit and other third-party monitoring of organizational performance surveys, focus groups, and opinion analyses. A budget for these costs will be allocated each year as needed.

Superintendent Role and Responsibilities

Policy SRR #1 Global Expectations for Superintendent

The Board of Education of LAUSD (Board) desires to establish a productive working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning and achievement and the attainment of the district's vision and goals. The Board also desires to provide a fair basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations. (CSBA)

Superintendents are expected to hold themselves to the highest standards of ethical conduct and professionalism.

To support the Board in the governance of the district, the Superintendent:

1. Promotes the success of all students and supports the efforts of the Board to keep the district focused on learning and achievement
2. Recognizes diversity, equity, and inclusion, acting in a manner absent bias
3. Values, advocates and supports public education and all stakeholders
4. Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents/guardians and the community and ensures that the diverse range of views inform Board decisions
5. Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior
6. Serves as a model for the value of lifelong learning and supports the Board's continuous professional development
7. Works with the Board as a "governance team" and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture
8. Recognizes that the Board/Superintendent governance relationship is supported by the management team in the district
9. Understands the distinctions between Board and staff roles, and respects the role of the Board as the representative of the community
10. Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole
11. Transparently communicates with trust and integrity, including providing all members of the Board with equal access to information and recognizing the importance of both responsive and anticipatory communications
12. Accepts leadership responsibility and accountability for implementing the vision, goals and policies of the district (CSBA)

Policy SRR #2 Global Superintendent Roles and Responsibilities

The Superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is unethical, or unlawful.

Policy SRR #3: Leadership, Organizational Structure, and Culture

The Superintendent shall provide leadership in developing administrative regulations and organizational structures, decision-making processes, and staff action plans that allow the district to fulfill its vision and goals. The Board also expects the Superintendent to help shape the culture and environment of the district in a manner that focuses district operations on enhancing student achievement, encouraging positive relationships within the community, and instilling confidence in district schools. (CSBA)

Superintendents may delegate to other district staff any duties imposed upon **them** by the Board. This delegation shall not relieve Superintendents of responsibility for actions taken by **their** designees. (CSBA)

Policy SRR #4: Treatment of Students and Their Families

With respect to interactions with current or prospective students and their families, the Superintendent shall ensure confidentiality, privacy, safety, dignity and fairness to students and their families.

Accordingly, the Superintendent shall:

- A. Use methods of collecting, reviewing, transmitting, or storing student information that protect against improper access [See District Information Protection Policy]
- B. Establish with students and their families, a clear understanding of what is expected and what is not acceptable from students at LAUSD [See the annually issued **Parent/Guardian** Student Handbook (sections): Student/School Code of Conduct; Bullying and Hazing Policy; Nondiscrimination Statement; Sexual Harassment Policy]
- C. Establish written policies and procedures that are accessible to **parents/guardians** and students [See **Parent/Guardian** Student Handbook]
- D. Avoid discriminating against current or prospective **parents/guardians** or students for expressing an ethical dissent (reasoned disagreement as opposed to personal attacks) [See **Parent/Guardian** Student Handbook: Code of Conduct with Students; Student/School Code of Conduct; Bullying and Hazing Policy; Nondiscrimination Statement; Sexual Harassment Policy]
- E. Protect from retaliation any **parent/guardian** or student who wishes to address the Board
- F. Abide by the Title 1 Parent and Family Engagement Policy [See

Parent/Guardian Student Handbook: Parent and Family Engagement Policy]

- G. Inform parents/guardians and students of this policy and to provide a grievance process to those who believe they have not been accorded a reasonable interpretation of their rights under this policy.

Policy SRR #5: Treatment of Employees

With respect to the treatment of employees and volunteers, the Superintendent shall ensure conditions that are fair, safe and dignified and shall maintain confidentiality and privacy.

The Superintendent shall:

- Operate within written personnel policies that clarify personnel rules for employees; provide for effective handling of grievances, and protect against wrongful conditions
- Designate monitoring and responding to discrimination against any employee who expresses an ethical dissent immediately;
- Allow employees to express concerns to the Board; and
- Acquaint employees with their rights under this policy.

Policy SRR #6: Finance and Budget

The Superintendent shall adhere to LAUSD's Budget and Finance Policy and the Board-approved financial plan for the year or the remaining part of any fiscal year. The budget must never put the school in financial jeopardy or deviate materially from the Board's goals or priorities. The Superintendent shall not expend more funds in the year-to-date than have been received in the year-to-date.

- A. The Superintendent shall provide all complete and accurate budget materials to the Board complying with applicable laws.
- B. The Superintendent shall provide adequate information, in a reasonable amount of time, to allow the Board to make an educated approval of the budget.
- C. The Budget should be based on the following principles:
- The goals of the Board and Superintendent;
 - Sound financial principles that will keep the district viable and able to sustain its key programs over time;
 - Structurally balanced operating budget;
 - Alignment of budget with expected expenditures;
 - Maintenance of appropriate and adequate fund balance and reserves;
 - Revenue maximization;
 - Revenue and expenditure estimation;
 - Cost recovery through fees and charges;
 - Capital plan;
 - Asset management;

- Prudent debt management;
- Program sustainability; and
- Governmental Accounting Standards Board compliance

Policy SRR #7: Asset Protection

The Superintendent shall strive to ensure LAUSD’s assets are protected, maintained, and utilized.

Policy SRR #8: Compensation and Benefits

The Superintendent shall maintain the fiscal integrity and public image of the District with respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers.

Accordingly, the Superintendent shall:

- Not alter their own compensation and benefits;
- Provide the Board with comparable salary and benefits comparisons in a timely manner; and
- Act responsibly when creating compensation and benefit obligations.

Policy SRR #9: Communication and Support to the Board

The Superintendent shall inform and support the Board in its work.

Accordingly, the Superintendent shall:

- A. Submit data requested by the Board in a timely, accurate, and understandable fashion, directly addressing provisions of Board policies being monitored;
- B. Submit data, meeting materials, and any additional information to the Board at least six days in advance of a Regular Board meeting, when possible, and as soon as practicable for a Special Board meeting;
- C. Provide written detailed monitoring data and additional information;
- D. Inform the Board of relevant trends, financial or otherwise, anticipated adverse media coverage, or material external or internal changes, particularly changes in the assumptions upon which any Board policy has previously been established;
- E. Notify the Board of pending litigation;
- F. Advise the Board if, in the Superintendent’s opinion, the Board is not in compliance with its own policies on Governance Process and Board- Superintendent Linkage, particularly in the case of Board behavior that is detrimental to the working relationship between the Board and the Superintendent;
- G. Marshal for the Board the stakeholder and external points of view, issues, and options necessary for fully informed Board choices;
- H. Report as soon as is practicable any actual or anticipated noncompliance with any Board policy;
- I. Supply for the agenda all items delegated to the Superintendent and required by law or contract to be approved by the Board, along with the implementation and monitoring necessary.

J. Procedures for Submitting Communications to the Board:

It shall be the duty of the Superintendent of Schools to establish the procedure for submitting communications from the Office of the Superintendent, Divisions, or other offices as designated by the Superintendent to the Board of Education. The Superintendent shall be responsible for the preparation of all written reports for adoption by the Board and shall include therein all necessary references and explanatory statements, including student impact statements, as may be requested and authorized by the Board.

For resolutions initiated by Board Members, the Superintendent should provide similar information as contained in items prepared by the Superintendent for adoption by the Board and such information should be included in the Board meeting materials. Additionally, all legal, funding, and student impact implications of a resolution shall be noted and signed by the appropriate staff, even if there is a finding that there is no implication.

(Former Board Rule 64)

Policy SRR #10: Hiring

The Superintendent shall hire persons that demonstrate that they possesses the appropriate qualifications listed in the job description and after all the background checks have been completed.

Policy SRR #11: Administration

The Superintendent shall document all critical administrative job functions and deadlines. Accordingly, the Superintendent shall ensure that detailed job descriptions are established for senior administrators, and that a Master Calendar is established for the school year setting forth all major deadlines and listing all major events.

Board-Superintendent Linkage Policies

Policy B-SL #1 Global Board-Superintendent Linkage Policy

The Board shall direct and oversee LAUSD operations through the Superintendent. The Board recognizes that effective district governance requires strong collaboration and teamwork with the Superintendent. Because the Board and Superintendent each have their unique roles and responsibilities, both contribute to the responsible governance of the district and the quality of education provided to the community's students. (CSBA)

The Board and Superintendent shall work together as a team in the exercise of district governance. The Board and Superintendent shall establish protocols that describe how the governance team will operate, including, but not limited to, agreements regarding Board meeting operations and communications between the Superintendent and the Board. (CSBA)

Policy B-SL #2: Board and Superintendent

- A. The Board shall lead the process for evaluating the Superintendent.
- B. The Board shall consult regularly with the Superintendent to anticipate and strategize about issues, concerns, and priorities.
- C. The Board shall be available to listen to the Superintendent's concerns as they emerge.

Policy B-SL #3: Unity of Control

Only decisions of the Board collectively are binding on the Superintendent. Board Members are encouraged to include the Superintendent, or a representative of the Superintendent, when communicating with the Superintendent's staff.

Policy B-SL #4: Accountability of the Superintendent

The Superintendent is responsible for and accountable to the Board for all LAUSD operations.

- A. The Board urges that all charges and complaints against LAUSD employees be made in writing and contain as much specificity concerning the matter as possible. However, no one will be prevented from making a charge or complaint to the Board solely because they decline to do so in writing. Employees seeking resolution of a complaint pertaining to their employment may be required to pursue remedies provided in their employment, collective bargaining agreements and/or the law. Charges and complaints against employees should be sent to the appropriate District office for referral and disposition.

(Former Board Rule 133)

- B. The Board shall formally evaluate the Superintendent, the Executive Officer, the Inspector General and the Executive Director of the Independent Analysis Unit. All other senior administrators shall be formally evaluated by the Superintendent (or their designee), who shall report the evaluations to the Board along with any recommended actions.

- C. The Board shall review the Superintendent's performance with consideration of organizational performance.

Policy B-SL #5: Delegation to the Superintendent

The Board shall direct the Superintendent through written policies that prescribe the organizational goals to be achieved and describe organizational situations and actions **to be avoided**, allowing the Superintendent to exercise discretion in determining the means to realize the Board-stated goals.

- A. In addition to the powers provided by law, the Board's Role and Responsibilities and the Superintendent Roles and Responsibilities **will** govern the authority of the Superintendent from the broadest, most general level, to more defined levels.
- B. As long as the Superintendent exercises appropriate discretion in determining the means to realize the Board's Goals and Superintendent Roles and Responsibilities, the Superintendent is authorized to establish all practices and develop all activities of the organization.
- C. The Board may change its Goals and Superintendent Role and Responsibilities as needed.

Policy B-SL #6: Formal Monitoring Superintendent Performance

The Board recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support **their** continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent's progress toward meeting established goals. (CSBA)

The Board's systematic monitoring of Superintendent job performance shall be in relation to Superintendent job outputs, including organizational accomplishment of Board Goals Policies, organizational operation within the boundaries established in Board policies on Superintendent Role and Responsibilities, and any other criteria established by the Board. All policies that apply to the Superintendent shall be monitored.

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Rules of Order

6.7.19

Preamble

The Los Angeles City Board of Education as the policy making and governing body of the Los Angeles Unified School District has been empowered by statute and charter to create reasonable rules of procedures for the operation of their meetings. The rules set forth in the Rules of Order have a foundation in *Jefferson's Manual* which is unchallenged as the first authority to define and interpret parliamentary principles. It offers a basic pattern of rules for the legislative processes in the United States.

In establishing the general operational rules and procedures for the Board of Education seven general principles have been followed:

- 1) Board Members have the fundamental right to express their opinion fully and freely without interruption or interference so long as they remain within the standards of decorum;
- 2) Each Member has the right to insist on the strict and impartial application of any rule necessary to protect the rights and privileges of any individual;
- 3) Each rule be so exact and definite that its effect is known in advance;
- 4) Each Member has the right to know at all times what action is before the Board and what its effect will be;
- 5) Only one action can be considered at a time;
- 6) While the President of the Board has been assigned the authority to ensure a productive meeting, it is the full Board's duty to enforce its own rules and policies to ensure that its business is conducted within the intent of these rules and in a fair, orderly and professional manner, and that the open and fair discussion take place in a timely manner;
- 7) The public has the right to know what actions are to be considered by the Board and has the right to be heard before action is taken; and
- 8) *Lex Mahoris Partis* - Until a majority has spoken nothing is to be changed.

The rules included in the Rules of Order have evolved over the 166 year life of the Los Angeles Unified School District. They find their origins in the pre-Civil War, single school system of a city of 3000 inhabitants and now reflect a District where the elected School Board Members represent over 4.8 million people, oversee over 1,200 schools serving nearly 900,000 students.

and a staff of nearly 75,000, with an annual budget exceeding \$14 billion. The rules herein are expected to continue to evolve in response to advancements in law and circumstances but will continue to reflect the guiding principles above.

Policy Rules of Order #1: Conduct of the Meeting

A. The Agenda/Order of Business

In accordance to the Governance Process Policies the Board will ensure that it reviews a portion of the Board Goals and the Superintendent Goals related to student outcomes at each regular meeting. To that end, the Board will ensure that meaningful items related to student outcomes are placed on the agenda.

The order of business for Regular and Special meetings of the Board of Education and the agendas for Committee meetings shall include a list of items to be presented to the Board at that meeting and shall be posted online and in the lobby of the Administrative Offices at 333 South Beaudry Avenue at least 72 hours prior to the time of a Regular Board or Committee meetings and at least 24 hours prior to the time of a Special Board meeting (in compliance with Education Code Sections 35144 and 35145 and Government Code Section 54954.2). The business at all Regular Board meetings shall be transacted in the following order, though the President or Chair may deviate from the scheduled order of business with the consent of the Board:

- I. Call to Order
- II. Board President's Report
- III. Superintendent's Report and Special Requests
- IV. Update regarding Board Goals and Superintendent Goals related to student outcomes
- V. Initial Negotiating Proposals
- VI. Old Business for Action (Items postponed from previous meetings)
- VII. Consent Items (Items for action assigned by the Board at the meeting to be adopted by a single vote). Any item may be pulled off of consent for further discussion by any Board Member at any time before action is taken.
- VIII. New Business (Staff initiated reports for action)
- IX. Resolutions
 - Board Initiated Resolutions for Action
 - Board Initiated Resolutions for Initial Announcements
 - Resolutions Requested by the Superintendent
- X. Miscellaneous Business

Board Committee Reports

- XI. Approval of Minutes
 - Correspondence and Petitions
 - Board Member Announcements
- XII. Public Comment (noted with time certain)
- XIII.
- XIV. Adjournment

(Former Board Rule 61 with edits in red)

Emergency Items Related to a Posted Agenda

An item not on a posted agenda may be acted on at a meeting requiring such an agenda only in the manner provided by Government Code Section 54954.2.

(Former Board Rule 63)

B. Regular Meetings

The Board of Education shall hold its Regular Board Meetings at a time and on dates determined by the Board through action at the Annual Meeting of the Board and subsequent meetings. All meetings of the Board shall be held in the Board Room, Los Angeles City Board of Education Administrative Offices, 333 South Beaudry Avenue, Los Angeles, California 90017, or at such other times or places as may be ordered by the Board at a regularly scheduled meeting or the President of the Board. (Government Code Section 54954.)

(Former Board Rule 11 with an edit)

1. Legal Holidays

If a Regular Board Meeting day falls on a legal holiday, the Board of Education shall meet on the following business day, Saturday and Sunday excepted, at the same hour and place unless specifically determined otherwise by the Board.

(Former Board Rule 12)

C. Special Meetings

A special meeting of the Board of Education and Board Committees may be called at any time by the President of the Board of Education, or by a majority of the Board Members at a duly noticed Board meeting, by delivering personally, by mail, or by fax, written notice to each Member, and to each local newspaper of general circulation, radio, or television station annually requesting notice in writing. Such notice must be delivered personally, by mail, by email, by text message, or by fax at least twenty-four hours before the time of such meeting as specified in the

notice, if the meeting is not scheduled at a prior Board meeting. Unless another place is designated in such motion, or as provided in ~~Board Rule 11~~ Policy RO #1(B), the meeting shall be held in the Board Room at 333 South Beaudry Avenue, Los Angeles, California. In the absence of the President, a special meeting may be called by the President Pro Tempore, Vice President, or the Superintendent of Schools in case of emergency. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Board. Such written notice may be dispensed with as to any Member who at or prior to the time the meeting convenes files with the Executive Officer of the Board a written waiver of notice. A Member who is actually present at the meeting at the time a meeting is scheduled will be considered to have received the notice. (See Government Code Section 54956.)

(Former Board Rules 21 & 22 with edits)

D. Quorum

Four Board Members shall constitute a quorum for the transaction of business. If a quorum is not present within fifteen minutes after the regular hour set for any meeting, those present may adjourn the meeting to a specified time.

(Former Board Rule 31)

E. Open and Public Meetings

Except as specifically exempted by law, all meetings of the Board of Education, including Committees meetings shall be open and public. Unless otherwise protected by applicable law, all Board of Education records shall be open to public inspection. (Government Code Sections 54950-54963 and 6252-6270.)

(Former Board Rule 41)

F. Efficiency of Board and Committee Meetings

The Board of Education has created the following specific regulations to assist in the efficiency of its meetings:

1. Regular Board meetings shall adjourn by 8:00 p.m., unless two-thirds of the Board Members present vote in favor of extending the meeting.
2. In the interest of giving an opportunity for the viewpoints of all of the Board Members to be heard, the President, or the Member acting as the Chair, shall recognize each Board Member to address the Board for a maximum of five minutes per item before the Board Member is asked to relinquish the opportunity to speak. This Board Member shall not speak again on the item until the other Board Members have had an opportunity to be heard, if needed, and for a response of a maximum of three minutes. The Executive Officer of the Board shall oversee the timing of the discussion and inform the Chair when a Board Member's time has expired.

(Former Board Rule 55)

Policy Rules of Order #2: Public Addressing the Board

A. Public Comment

Any person as an individual, or as a representative of a group, shall be granted permission to address the Board of Education by oral presentation at a regular meeting of the Board concerning any subject that lies within the jurisdiction of the Board, provided the requirements and procedures herein set forth are observed:

1. A request to address the Board shall be made prior to the item being before the Board for action on a first come, first served basis. Requested information from the presenter will include name, address, and telephone number, name of group represented, if any, and a concise statement describing the exact nature of the subject or subjects to be discussed. Presenters must make **their** own request to speak.
2. The number of speakers on any one topic or agenda item shall be limited to seven (7) unless otherwise directed by the Board. There shall be no more than fifteen (15) speakers at a Regular Board meeting on issues not before the Board for action on that day. (Time allocation is governed by [Policy Rules of Order #2\(B\).](#))
 - a. Speakers making a presentation on an item or items on the Board agenda must constrain their remarks specifically to the item or items or may be ruled out of order. Persistence in making remarks causing such a ruling may be grounds for summary termination, by the Chair, of that person's privilege to address the Board at that time.
 - b. The allotted number of speakers addressing issues not before the Board for action that day shall be filled in the order requests are made.
~~There is nothing in this Rule that precludes the Board from amending these rules when necessary.~~
 - c. One designated representative from each of the following **advisory** groups: **Labor Partners**; LCFF/LCAP Parent Advisory Committee (PAC), District English Learner Advisory Committee (DELAC), Community Advisory Committee (CAC), 10th District PTA, 31st District PTSA and the Special Education Advisory Committee (CAC) can be added to the Speaker's List in addition to the 15 speakers at any Regular Board meeting on issues not before the Board.
3. Speakers to Board Committees shall not be required to sign-up to speak in advance of the meeting, unless otherwise directed **in advance** by the Chairperson of the Committee and noted on the agenda for the meeting.
4. The President, with the concurrence of the Board, may call a special meeting for

the sole purpose of hearing speakers.

5. At any hearing, called in accordance with Policy Rules of Order #2(A)(4) above, there shall be a limit of 40 speakers (unless otherwise directed by the Board in the public notice) listed in the order received, except that an attempt shall be made to alternate points of view "pro" and "con" if at all possible. An opportunity shall be provided, upon request, for an exclusive representative of each of the District's collective bargaining units to address the Board at the hearing as part of the 40 speakers. If there are multiple hearings on the same topic, a speaker may be permitted to address the Board a second time only after everyone who has sought a first opportunity to speak has been accommodated.
6. Speakers to items required by law and duly noticed to be "Public Hearings" will be limited to 12 speakers and efforts will be made to balance the presenters for their viewpoints. Speakers to these items can sign up on a first come, first served basis at the meeting where the Public Hearing is held. Speakers to Public Hearing items can speak in addition to their single appearance delineated in Policy Rules of Order #2(B).
7. The Board urges that charges and complaints against Los Angeles Unified School District personnel or employees be submitted to the Board in writing. This allows the Board to more carefully examine the complaint and to initiate an investigation when necessary. If a complaint is made orally, the Board may request that the individual making the complaint provide additional information to facilitate an investigation. The Board may also afford the District employee, about whom a complaint is made, the opportunity to respond either orally or in writing at the same time or at a subsequent Board meeting. The District will provide the employee, about whom a complaint is made, the opportunity to respond in writing pursuant to the applicable collective bargaining agreement or law.
8. Oral presentations to the Board are subject to further provisions contained herein.
9. The Board may deviate from the scheduled Order of Business and establish a time certain to hear speakers to non-agenda items and Miscellaneous Business or any other item on the Order of Business.
10. In order to accommodate the schedules of teachers, staff, students, families and community members, for Board Meetings beginning at 1:00 p.m., public comment shall begin at 4:00 p.m. To the extent possible, the Order of Business will reflect specific times for public comment. For example, when a Board Meeting begins at 1:00 p.m. and may end earlier than 4:00 p.m. the Board will recess at such time and reconvene at 4:00 p.m. to hear public comment.

Notwithstanding the foregoing provisions of this Rule, courtesy will be extended to elected and appointed officials of other jurisdictions. The President or Chair may deviate from the scheduled Order of Business and waive the normal three-minute limit as necessary to accommodate officials who wish to address the Board. The President or

Chair may also, with the consent of the Board members, modify the number of speakers and allocated time as necessary to efficiently conduct the District's business. (Education Code Section 35145.5 and Government Code Section 54954.3.)

(Former Board 131)

B. Time Allotted

Each speaker will be allowed a single appearance at any meeting of the Board of Education and a time allotment of three minutes or for a period designated on the Order of Business or agenda for the meeting with exceptions to fulfill requirements regarding public hearings. (Government Code Section 54954.3[b].)

(Former BR 135)

C. Placement of an Item on the Board Agenda by the Public

Any member of the public may place an item directly related to school district business before the Board of Education by filing with the Executive Officer of the Board a request that an identified item be placed on the Board agenda. The procedure shall be as follows:

A member of the public anyone desiring to have such an appropriate item placed on the Board agenda shall file with the Executive Officer of the Board the desired agenda item together with any pertinent related information and such descriptive information as will assist the President of the Board in determining whether the item is directly related to school district business before assigning the requested agenda item to the appropriate Committee. The Executive Officer of the Board will advise the requesting community person of the determination and if applicable, the Committee to which the item has been assigned and of the date set for Committee consideration. ~~The Executive Officer will also advise the community person of the date of the Board meeting at which the item will be brought out of the Committee and presented to the Board.~~

In order for this process to be effective, the requesting community person should leave with the Executive Officer of the Board an address, post office box, email, or telephone number as requested on the speaker card so that the Executive Officer of the Board may advise as to the status of the requested item. Should the requesting community person determine not to leave with the Executive Officer of the Board relevant information for communication purposes, it will be the responsibility of the requesting community person to check with the Executive Officer of the Board as to the status of the requested agenda item. (Education Code Section 35145.5)

(Former Board Rule 132)

D. Board Members Responding to Public Speakers

No action or discussion shall be undertaken on any item not appearing on the posted

agenda, except that Board Members or Los Angeles Unified School District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights at the request of a Board Member or the Superintendent.

(Former Board Rule 136)

E. **Rules of Decorum**

Meetings of the Board of Education shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process of the Board is maintained at all times. The presiding officer shall be responsible for maintaining the order and decorum of meetings. While any meeting of the Board of Education is in session, the following rules of order and decorum shall be observed:

1. Persons Addressing the Board

Government Code 54954.3, states the legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. However, each person who addresses the Board shall not make personal, impertinent, slanderous, or profane remarks to any Board Member, staff, or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding officer or majority of the Board, be barred from further audience before the Board during that meeting.

2. Members of the Audience

No individuals in the audience at a Board meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stomping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Board meeting. People who conduct **themselves** in the aforementioned manner shall, at the discretion of the presiding officer or a majority of the Board, be advised that **their** conduct violates Board Rules and state law and, that if such conduct persists, **they** may be removed from the meeting.

3. Enforcement of Rules of Order and Decorum

The presiding officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the presiding officer, people persists in disturbing the meeting, the presiding officer shall order **them** to leave the Board meeting. If such a person does not remove **themselves**, the Superintendent of Schools or **the Superintendent's** representative may order any school police or safety officer who is on duty at the meeting as Sergeant-at-Arms to remove the people from the Board room.

(Government Code Section 54957.9)

4. Adjournment

If a Board meeting is disturbed or disrupted in such a manner that the restoration of order becomes improbable or infeasible, the meeting may be adjourned as provided in [Policy Rules of Order #9](#). (Government Code Section 54955.)

(Former Board Rule 137)

F. **Items Before the Board**

An attempt by any person, not a Member of the Board of Education or its staff, to discuss any item pending before the Board is out of order unless the Board shall consent to hear such discussion.

(Former Board Rule 138)

G. **Community Help Desk**

There shall be a community help desk located outside of the board room during regular board meetings to ensure that the concerns of students, **parents and guardians**, and community members are addressed in a timely and efficient manner.

(Former Board Rule 139)

~~QUESTIONS AND COMMENTS BY BOARD MEMBERS~~

~~It shall be in order for Board Members to interrupt a speaker at any time to ask questions or make comments as frequently as necessary to clarify the discussion.~~

(Former Board Rule 134)

Policy Rules of Order #3: Discussion Items

Preference is given to first hear the maker and seconder of a motion before the Board of Education and then Board Members are heard in the order that they have requested to speak.

(Former Board Rule 78)

Policy Rules of Order #4: Motions and Action Items

A. **Motions**

1. **Motions Requiring a Second**

A second to all motions shall be required before putting the question to a vote unless

otherwise specified within these Rules.

(Former Board Rule 71)

2. **Motion to Vote Immediately**

A motion to vote immediately (call for the question) is to prevent or stop all discussion on the motion before the Board of Education. The motion requires a second and a two-thirds majority (five affirmative votes of a seven-member board).

(Former Board Rule 76)

3. **Relinquishment of the Chair to Offer Motion**

The presiding officer should call another Board Member to chair the meeting when offering a motion and should not resume the chair until after the disposition of the pending question.

(Former Board Rule 75)

4. **Division of the Question**

Any Board Member present can request that a motion composed of two or more independent parts or ideas be divided to allow the parts to be considered and voted upon separately.

(Proposed Board Rule 79)

5. **Motion to Recess**

If there is no objection, the chair can temporarily recess a meeting by general consent without requiring a second or a vote.

(Former Board Rule 80)

6. **Withdrawal of a Motion**

The mover may withdraw a motion at any time and without prejudice before it has been seconded and deemed to be in the possession of the Board. After it is in the possession of the Board, it can only be withdrawn with the consent of the majority of the Board Members present at the meeting.

(Former Board Rule 82)

7. **Motion to Reconsider**

A motion to reconsider an action taken by the Board of Education can be approved by four or more affirmative votes. The motion can only be made on the day the vote to be reconsidered was taken or, providing the motion to reconsider is included in the Order of Business, at the next Regular meeting or at any Special meeting held in the interval. The motion to reconsider must be made by a Board Member who did not vote with the non-prevailing side in the original vote and whose reconsidered vote could change the original outcome. In the case of a tie vote, any Board Member may initiate a motion to reconsider. Any Member can second the motion.

If the motion to reconsider is approved, the original matter is then before the Board in the last form prior to action. If the original action had been amended, the motion to reconsider may be framed to exclude any amendments allowing the action to be reconsidered in the form originally introduced.

(Former Board Rule 83)

8. **Motion to Rescind**

Any action taken by the Superintendent of Schools without prior approval by the Board of Education or unexecuted recommendation of the Superintendent of Schools that has been approved by the Board may be rescinded by four or more affirmative votes provided that notice has been given at the previous meeting and appears in the Order of Business of the meeting where the motion to rescind is brought for action.

(Former Board Rule 84)

9. **Appeal Decision of President**

Any two Board Members can appeal a decision of the Chair to the Members of the Board of Education. The motion requires a second and four affirmative votes to overrule the decision. The necessary form of the appeal is, "Shall the decision of the Chair be overruled?"

(Former Board Rule 53)

B. **Voting**

1. **Record of Votes**

Minutes of Board of Education meetings shall record the adoption or approval of items by indicating the results of votes taken by roll call or by general consent.

(Former Board Rule 81)

2. **Holding the Roll Open**

The roll may be held open for the duration of a meeting, and through any recesses of that same meeting, to allow for the casting of a vote by any Board Member absent at the time the vote is initiated.

(Former Board Rule 85)

3. Changing a Vote During a Meeting

During a meeting, excluding any recesses that take the meeting to another day, Board Members can request to change **their** vote on a previous item without requiring a motion to reconsider, as long as the change does not change the outcome of the original vote and as long as there is no objection from another Member. The request and the change must be duly noted in the minutes of the meeting.

(Former Board Rule 86)

4. Actions Requiring a Majority Vote

Four affirmative votes of the seven-member Board of Education shall be necessary to pass any motions, resolutions, or orders requiring a majority vote. (Education Code 35164)

(Former Board Rule 91)

5. Actions Requiring Less Than a Majority Vote

With the request by any three Board Members, any item of New Business will be held over and scheduled for action at the next Regular Board meeting or any Special Meeting in the interim.

(Former Board Rule 92)

6. Actions Requiring a Unanimous Vote

In compliance with State statutes, approval of the following actions requires an affirmative vote of all Board Members (seven members of a seven member board):

- Resolution authorizing leasing of school district property under a community lease for the production of gas not associated with oil. (Education Code Sections 17510-17511.)
- Any other action where a unanimous vote is required by State or Federal rules or regulations.
- Waiver of the competitive bid process pursuant to Public Contract Code

20111 when the Board of Education determines that an emergency exists.
(Public Contract Code 20113)

In compliance with State statutes, approval of the following actions requires an affirmative vote of all Board Members present at the meeting:

- Resolution authorizing the sale or disposal of property where the Board finds, by a unanimous vote of those Members present, that the property is of insufficient value to defray the costs of arranging a sale. In such cases, the property may be donated to a charitable organization deemed appropriate by the Board. (Education Code 17546)

(Former Board Rule 94)

7. Actions Requiring a Four-Fifths Vote of the Board

In compliance with State statutes, approval of the following actions requires an affirmative vote of four-fifths vote of all of the Board Members, **six members of a seven member board**:

- a. The expenditure and transfer of necessary funds and use of District property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense. (Government Code Section 53790-53792)
- b. Adoption of a resolution, between July 15 and August 30, to borrow funds of up to 25 percent of the estimated income and revenue to be received by the District during the fiscal year from apportionments based on average daily attendance for the preceding year. (Government Code Section 53822-53824)
- c. Declaration of an emergency in order to authorize the District to include a particular brand name or product in a bid specification (Public Contract Code 3400)

(Former Board Rule 95)

8. Actions Requiring a Three-Fourths Vote

In compliance with legal statutes, approval of the following actions require an affirmative vote of three-fourth of the Board Members (six members of seven-member Board):

- a. Ratification of Facilities Services Division construction change orders greater than fifteen percent but not exceeding twenty-five percent that have been approved by the Division head. (Public Contract Code Section 20118.4)
- b. Any other action requiring a three-fourths vote by state or federal rules or regulations.

(Former Board Rule 98)

9. Actions Requiring a Two-Thirds Vote

- a. In compliance with State statutes, approval of the following actions requires an affirmative vote of two-thirds of all of the Board Members (five members of a seven member board):
1. Declaration of intention to sell or lease real property. (Education Code Section 17466.)
 2. Declaration of intent to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code Section 17556. (Education Code Section 17557.)
 3. Lease for up to three months of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable. (Education Code Section 17481.)
 4. Change in use of land originally sold or leased for playground or other recreational use. (Education Code Section 17494)
 5. Entry into lease agreements that exceed 45% of total classroom space limitation at any school site. (Education Code Section 17531)
 6. Resolution to execute a deed of dedication or conveyance of property to the state or a political subdivision for street purposes or for an easement for utility access purposes. (Education Code Section 17559)
 7. Transfer of excess local funds from a deferred maintenance account when state funds are insufficient to match local funds being held in the deferred maintenance fund. (Education Code Sections 17582 and 17583)
 8. Certification that satisfactory alternative facilities are not available when establishing a Community Day School serving any of kindergarten and grades 1 to 6, inclusive, but no higher grades on the same site as an existing school. (Education Code Section 48661)
 9. Resolution of intention to terminate a contract, with the California Public Employees Retirement System, in effect for five years or more. (Government Code Section 20570)
 10. Resolution of necessity to proceed with an eminent domain action and, if the Board desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different

use. (Code of Civil Procedure Sections 1245.240 and 1245.245.)

11. Temporary borrowing before receipt of fiscal income, if implemented pursuant to Government Code Sections 53820-53833. (Government Code Section 53821(c))
 12. Upon complying with Government Code Section 65352.2 and Public Resources Code 21151.2 ordering city or county zoning ordinances inapplicable to a proposed use of the property by the District. (Government Code Section 53094)
 13. Resolution to issue general obligation bonds with the approval of 55 percent of the voters of the District. (Education Code Section 15266)
 14. Resolution to place a parcel tax on the ballot. ~~(Government Code 53724.)~~ [\(The Office of General Counsel determined that the reference to the Government Code is obsolete because a two-thirds vote is not required by law. The Board can consider whether to delete reference to the parcel tax on the ballot under the two-thirds vote category\)](#)
- b. In compliance with State statutes, approval of the following actions requires an affirmative vote of two-thirds of the Board Members present:
1. Determination that there is a need to take immediate action and that the need for action came to the District's attention after the posting of the agenda. If less than two-thirds of the Board Members are present at the meeting, a unanimous vote of all Members present if required. (Government Code Section 54954.2)
 2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board Members are present, a unanimous vote of all Members present is required. (Government Code Section 54956.5)

(Former Board Rule 101)

c. Certification of Board Actions

The Executive Officer of the Board shall certify actions taken by the Board of Education.

(Former Board Rule 201)

Rules of Order #5: Resolutions

All Board Members' resolutions shall be submitted to the Executive Officer of the Board by noon on the Wednesday, 13 days prior to the Regular Board meeting where the resolution will be received by the Board of Education for Initial Announcement, for inclusion in the Order of

Business. Resolutions for Initial Announcement at a Special Board meeting shall also be submitted at least 13 days prior to the meeting. **Resolutions calling for an action or report to come before the Board by a particular time shall specify the date of the subsequent Board meeting wherein such a report shall be made.**

The Board can act on the resolution at the next meeting of the Board on a subsequent day or, by an action of the Board, refer the resolution to a Standing or Ad Hoc Committee. The Committee chair shall agendaize the item for consideration at the next Committee meeting and action on the resolution will be included in the Order of Business for the next Regular meeting of the Board of Education following the Committee review.

Notwithstanding the foregoing, in the event that a Board Member wishes to introduce a time sensitive resolution, this Rule may be waived in extenuating circumstances only (e.g. unanticipated need, inaction will result in harm) as determined by the Board and the resolution may be introduced and acted upon at the meeting at which it is introduced, subject to the Open Meeting Laws and applicable Board Rules. The Board Member should state the reasons for immediate action to the Board prior to action on the waiver.

Amendments and substitute motions for items already on the Board agenda shall not be subject to these provisions.

(Former Board Rule 72)

A. Co-Sponsorship of Board Resolutions

Board Member originated resolutions may have more than one sponsor but are limited by the Open Meeting Laws to having less than a quorum discuss a resolution by any means outside of a properly noticed meeting.

Less than a quorum of sponsors of any resolution can be listed as cosponsors when the resolution is first presented to the Executive Officer of the Board or added as cosponsors by notification from the originating Board Member and the verification of the added cosponsor. Cosponsorship can also be listed by the request of a Board Member when the resolution is discussed at a properly noticed meeting.

(Former Board Rule 70)

B. Resolution Substantially Similar to Prior Resolution

The Board of Education shall not entertain a motion to adopt a resolution initiated by a Board Member which calls for action substantially similar to action requested in a prior Board Member initiated resolution which on action was approved by the Board or failed to receive four affirmative votes within the prior six months.

At the Board meeting, where the resolution in question appears on the Order of Business for initial announcement, any Board Member may ask for a determination by Board vote on the question of whether the resolution is substantially similar to a previous resolution.

If the Board determines that the resolution is substantially similar and subject to the provisions of this Rule, any Board Member may offer a motion to waive the provisions of this Policy. If the waiver motion is properly seconded and receives four affirmative votes, ~~Rule 73~~ Policy Rules of Order #5(B) shall be waived and the resolution will appear on the Order of Business for the next Regular Meeting.

(Former Board Rule 73)

C. Resolution Substantially Contradictory to Prior Resolution

The Board of Education shall not entertain a motion to adopt a resolution initiated by a Board Member which calls for action substantially contradictory to action requested in a prior Board Member initiated resolution which on action was approved by the Board or failed to receive four affirmative votes within the prior six months.

At the Board meeting, where the resolution in question appears on the Order of Business for initial announcement, any Board Member may ask for a determination by Board vote on the question of whether the resolution is substantially contradictory to a previous resolution.

If the Board determines that the resolution is substantially contradictory and subject to the provisions of this Rule, any Board Member may offer a motion to waive the provisions of this Rule. If the waiver motion is properly seconded and receives four affirmative votes, ~~Rule 73~~ Policy RO #5(B) shall be waived and the resolution will appear on the Order of Business for the next Regular Meeting.

(Former Board Rule 74)

Policy Rules of Order #6: Adjournment

Any Regular adjourned Regular, Special, or adjourned Special meeting may be adjourned by the Board of Education to a time and place specified in the order of adjournment. Less than a quorum may adjourn a meeting. If all Board Members are absent from any regular, or adjourned regular meeting, the Executive Officer of the Board may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Government Code Section 54956 for special meetings.

A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held within twenty-four hours after the time of adjournment.

When a regular or adjourned regular meeting is adjourned as provided in this Policy, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of

adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the Board approved hour specified for Regular Meetings. (Government Code Section 54955)

(Former Board Rule 25)

Policy Rules of Order #7: Committees

A. Functions of Standing Committees of the Board

It shall be the primary function of each Standing Committee of the Board of Education:

1. To undertake and complete such inquiries, investigations and studies as the Board may assign to any such Committee for the purpose of presenting communications, recommendations or reports to the Board.
2. To initiate and pursue such inquiries, investigations and studies respecting matters within the province of the Committee concerned as may be approved by a majority thereof, for the purpose of eventually directing appropriate communications, recommendations and reports to the Board; provided, however, that no such Committee project shall be initiated without informing the Board respecting the general objective and plan of such proposed inquiry, investigation or study, either by statement made by the Committee Chairperson at an open meeting of the Board and recorded in the minutes.
3. To review resolutions initiated by Board Members and propose amendments as needed, prior to action by the Board.
4. To review all budget, legislative and administrative matters related to the functions of said Committee and make recommendations to the Board.
5. To perform such other duties as may properly be assigned, from time to time to any such Committee by the Board.

(Former Board Rule 142)

B. Ad Hoc and Special Committees

Special and Ad Hoc committees may be created and the Members appointed by the President of the Board of Education, after discussion with the Board, and shall exist for a limited time period to undertake the specific tasks.

(Former Board Rule 143)

C. Open and Transparent Committee Meetings

Regularly scheduled committee meetings shall comply with the 72-hour posting requirement of ~~Board Rule 61~~ Policy Rules of Order#1(A). The agendas for said meetings shall provide an opportunity for speakers to be heard. The provisions of ~~Board Rule 131~~ Policy Rules of Order #2(A) regarding speakers shall apply, except that speakers shall not be required to sign-up to speak in advance of the meeting, unless otherwise directed in advance by the chairperson of the Committee and noted on the agenda for the meeting. The Committee Chair can call special committee meetings as necessary in consultation with committee members.

(Former Board Rule 144)

D. Committee Membership

Committees of the Board of Education shall consist of one or more Board Members. District staff, parents and guardians, students and community representatives may also be invited to regularly participate in committee meetings and proceedings. Board Members who are not appointed members of a committee may observe committee meetings but are prohibited from participating unless notice of their interim appointment is included in the agenda and complies with the 72-hour posting requirement of ~~Board Rule 61~~ Policy RO#1(A).

(Former BR 145)

E. Functions and Scheduling of Standing Committees

The Board of Education shall approve the functions and the time and day of the regular meetings of the Standing Committees for each school year ~~after the President has appointed the members in compliance with Board Rule 141~~ in compliance with Policy GP #8(A). The Executive Officer of the Board shall annually promulgate this schedule as established by the Board.

(Former Board Rule 147)

F. Committee Hearings

The Chairpersons of any Committee of the Board of Education may, at their initiative or upon Committee or Board direction, schedule Committee hearings. Committee hearings are intended to allow community representatives, interested parties, and other entities and individuals the opportunity to present facts and positions on issues and subjects assigned to the committee.

(Former Board Rule 160)

Rules of Order # 8: Waiver and Amendment of Board Policies

A. Waiver of Order of Business Policies

Any section or sections of Board Policies may be suspended by an affirmative vote of at least

four Members of the seven member Board of Education.

Any action taken by an affirmative vote of at least four Members of the seven member Board of Education, which is not compliant to the Board's solely determined rules, and not in conflict with any existing state or federal regulation or statute, will be deemed an action suspending the Board's own rules, in whole or part, even if there is not explicit issue of compliance and call for a separate notice of the suspension. Any Board Member can bring to the attention of the Board the issue of compliance and call for a separate vote on the suspension or ask for a postponement of the action.

(Former Board Rule 171)

B. Amendment of Order of Business Policies

An affirmative vote of at least four Members of the seven member Board of Education shall be necessary to amend or repeal Board Rules, and such action shall be taken only if notice has been given at a previous regular Board meeting. Notification must include the written proposed language that will be offered for amendment or repeal.

(Former Board Rule 181)

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Board Administrative Policies

Policy Board Administrative #1: Compensation of Board Members

~~Each Member of the Board of Education may receive either the compensation prescribed in State law or a salary, in the amount determined by the Compensation Review Committee established by the Charter of the City of Los Angeles, providing that the Member does not receive any additional compensation for their services other than that allowed by State Law. If the compensation is that which is determined by the Education Code, on an annual basis the Board may increase the compensation of individual Board Members in an amount not to exceed five percent. (Education Code Section 35120) (Amended 8-26-14, previously Amended 9-11-07)~~

~~Compensation of Board members shall be in accordance with the provisions of the City of Los Angeles Charter (currently Article VIII, Section 804).~~

(Former Board Rule 2)

Policy Board Administrative #2: Board Transportation

In the performance of Board of Education business, Board Members are entitled to use a Los Angeles Unified School District car and may use District credit cards to cover the expenses involved in operating the District car. Members choosing not to use a District car may use their own car and will be reimbursed for the use in accordance with the law. Board Members using a Los Angeles Unified School District car shall track and report all personal use of said vehicle as required by District policy and the use will be considered taxable compensation as prescribed by law.

(Former Board Rule 15)

Policy Board Administrative #3: Receipt of Legal Service

The Executive Officer of the Board, in charge of the Board Secretariat, and such other Board Secretariat staff as the Executive Officer of the Board may identify and assign in writing, are hereby designated as authorized representatives of the Board of Education and the Los Angeles Unified School District for the purpose of receiving claims, summons, complaints, and other legal service filed pursuant to the provisions of the law. (Government Code Division 3.6)

(Former Board Rule 112)

Policy Board Administrative #4: Reporting Legal Service and Legal Correspondence

- A. All legal service and legal correspondence, including summons, complaints and claims for damages against the Board, the Los Angeles Unified School District, or District officers or employees, shall be reported to the Board in summary form along with a recommended referral to the Superintendent, the Office of the General Counsel, or the Office of Risk Management.
- B. ~~Board Rule 133~~ Policy Board Superintendent Linkage #4(A) shall govern all communications to the Board containing charges or complaints against employees of the Board.

(Former Board Rule 130)

Policy Board Administrative #5: Opening and Closing of Central Administrative Headquarters

The Superintendent of Schools shall establish and maintain a schedule for opening and closing buildings in the Central Administrative Headquarters, and the public offices and meeting rooms therein. The Superintendent shall also establish procedures for the maintenance of order and security at all times in such buildings.

(Former BR 210)

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Board Rules
Summary of Changes

GP = Governing Policies

AB = Administrative Board Policies

RO = Rules of Order

S-BL = Superintendent-Board Linkage

SRR = Superintendent Roles and Responsibility

This document does not include proposed new language for Governance Process Policies.

Rule Subject Matter	Former Board Rule	New Board Rule	Proposed Language Changes
Annual Meeting	1	GP#3(C)	<u>Beginning in December 2020, the Board of Education shall hold its annual organizational meeting between the date upon which a governing newly elected board member normally takes office and January 14. At the annual meeting, the Board of Education shall organize by electing a president from its members who shall serve in office until the next annual organizational meeting, or until their successor is elected.</u>
Board Compensation	2	AB#1	<u>Compensation of Board members shall be in accordance with the provisions of the City of Los Angeles Charter (currently Article VIII, Section 804)</u>
Election of Officers	3	GP#3(C)(1)	No change
Vice President	4	GP#5(A)	<u>The Board Vice-President will be elected by the Board Members following the same procedures that guides the election of the Board President.</u>
Selection of Other Representatives	5	GP#3(C)(2)	No change
Student member of the Board	7	GP#3(C)(3)	No change
Regular Meetings	11	RO#1(B)	

			<u>Update regarding Board Goals and Superintendent Goals related to student outcomes</u>
Legal Holiday	12	RO#1(B)(1)	No change
Governing Board	13	GP#6(A)(4)	No change
Budget	14	GP#6(F)	No change
Board Transportation	15	AB#2	No change
Special Meetings	21	RO#1(C)	No change
Special Meetings of Committees	22	RO#1(C)	No change
Adjournment	25	RO#6	No change
Quorum	31	RO#1(D)	No change
Open Public Meetings	41	RO#1(E)	No change
Duties of the President	51	GP#4(I)	No change
President Pro Tempore	52	GP#4(J)	No change
Appeal a Decision of the President	53	RO#4(A)(9)	No change
Regulations for Efficiency of Board and Committee Meetings	55	RO#1(F)	No change
Order of Business	61	RO#1(A)	No change
Emergency Items	63	RO#1(A)	No change
Procedures for Submitting Communications to the Board	64	SRR#9(J)	No change
Co-sponsorship of Board Resolutions	70	RO#5(A)	No change
Motions to be Seconded	71	RO#4(A)(1)	No change
Resolutions	72	RO#5	All Board Members' resolutions shall be submitted to the Executive Officer by noon on the Wednesday, 13 days prior to the Regular

			<p>Board meeting where the resolution will be received by the Board of Education for Initial Announcement, for inclusion in the Order of Business. Resolutions for Initial Announcement at a Special Board meeting shall also be submitted at least 13 days prior to the meeting. <u>Resolutions calling for an action or report to come before the Board by a particular time shall specify the date of the subsequent Board meeting wherein such a report shall be made.</u></p> <p>The Board can act on the resolution at the next meeting of the Board <u>on a subsequent day</u> or, by an action of the Board, refer the resolution to a Standing or Ad Hoc Committee. The Committee chair shall agendize the item for consideration at the next Committee meeting and action on the resolution will be included in the Order of Business for the next Regular meeting of the Board of Education following the Committee review.</p> <p>Notwithstanding the foregoing, in the event that a Board Member wishes to introduce a time sensitive resolution, this Rule may be waived <u>in extenuating circumstances only (e.g. unanticipated need, inaction will result in harm) as determined by the Board.</u> and the resolution may be introduced and acted upon at the meeting at which it is introduced, subject to the Open Meeting Laws and applicable Board Rules. The Board Member should state the reasons for immediate action to the Board prior to action on the waiver.</p> <p>Amendments and substitute motions for items already on the Board agenda shall not be subject to these provisions.</p>
Resolutions	73	RO#5(B)	No change
Resolutions	74	RO#5(C)	No change
Relinquishment of the Chair to offer a Motion	75	RO#4(A)(3)	No change
Motion to Vote Immediately	76	RO#4(A)(2)	No change

Order of Board Discussion	78	RO#3	No change
Division of the Question	79	RO#4(A)(4)	No change
Motion to Recess	80	RO#4(A)(5)	No change
Record of Votes	81	RO#4(B)(1)	No change
Withdrawal of a Motion	82	RO#4(A)(6)	No change
Motion of Reconsider	83	RO#4(A)(7)	No change
Motion to Rescind	84	RO#4(A)(8)	No change
Holding the Roll Open	85	RO#4(B)(2)	No change
Changing a Vote During a Meeting	86	RO#4(B)(3)	No change
Voting Requirement	91	RO#4(B)(4)	No change
Voting Requirement	92	RO#4(B)(5)	No change
Voting Requirement	94	RO#4(B)(6)	No change
Voting Requirement	95	RO#4(B)(7)	No change
Voting Requirement	98	RO#4(B)(8)	No change
Voting Requirement	101	RO#4(B)(9)	No change
Voting Requirement	104	GP#7(D)	
Conflict of Interest	105	GP#7(D)	No change
Governance	106	GP#2(F) GP#3(A) GP#7(D)(E) (F)(G)(H)(I)	Language from Former Board Rule 106 has been integrated into the proposed governance. Sections of the Board Rule have been applied to new sections of the proposed policies.
Receipt of legal Service	112	AB#3	No change
Reporting Legal Service	130	AB#4	No change

Presentations to the Board	131	RO#2(A)	Slight edits to adjust for new rule numbers
Placement of Item on the Board Agenda	132	RO#2(C)	<p>Any member of the public may place an item <u>directly related to school district business</u> before the Board of Education by filing with the Executive Officer a request that an identified item be placed on the Board agenda. The procedure shall be as follows:</p> <p><u>A member of the public anyone</u> desiring to have such an appropriate item placed on the Board agenda shall file with the Executive Officer the desired agenda item together with any pertinent related information and such descriptive information as will assist the President of the Board in <u>determining whether the item is directly related to school district business before</u> assigning the requested agenda item to the appropriate Committee. The Executive Officer will advise the requesting community person of the <u>determination and, if applicable, the</u> Committee to which the item has been assigned and of the date set for Committee consideration. The Executive Officer will also advise the community person of the date of the Board meeting at which the item will be brought out of the Committee and presented to the Board.</p> <p>In order for this process to be effective, the requesting community person should leave with the Executive Officer an address, post office box, <u>email</u>, or telephone number as requested on the speaker card so that the Executive Officer may advise as to the status of the requested item. Should the requesting community person determine not to leave with the Executive Officer relevant information for communication purposes, it will be the responsibility of the requesting community person to check with the Executive Officer as to the status of the requested agenda item. (Education Code Section 35145.5)</p>

Charges or Complaints against employees	133	B-SL#4(A)	No change
Questions by Board Members	134	Strike entire rule	It shall be in order for Board Members to interrupt a speaker at any time to ask questions or make comments as frequently as necessary to clarify the discussion.
Time Allotted	135	RO#2(B)	No change
Responding to Speakers	136	RO#2(D)	Added: at the request of a Board Member or the Superintendent.
Rules of Decorum	137	RO#2(E)	<u>Government Code 54954.3, states the legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. However,</u> each person who addresses the Board shall not make personal, impertinent, slanderous, or profane remarks to any Board Member, staff, or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding officer or majority of the Board, be barred from further audience before the Board during that meeting.
Items before the board	138	RO#2(F)	No change
Community Help Desk	139	RO#2(G)	No change
Appointment of Committees	141	GP#8(A)	<u>The Board Committees shall be created by a Board majority.</u>
Committees	142	RO#7(A)	No change
Committees	143	RO#7(B)	No change
Committees	144	RO#7(C)	No change
Committees	145	RO#7(D)	No change
Committees	147	RO#7(E)	No change
Committees	160	RO#7(F)	No change

Suspension of the Rules	171	RO#8(A)	No change
Amending Board Rules	181	RO#8(B)	No change
Rules of Order	191	GP#3(F)	No change
Certification of Board Action	201	RO#4(C)	No change
Opening and Closing Central Office	210	AB#5	No change

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
GOVERNING BOARD OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT
BOARD GOVERNANCE WORKING GROUP MEMORANDUM JUNE 5, 2019

Effective School Boards Impact Positive Student Outcomes

Research substantiates that effective school boards can raise student achievement. In 2014 and 2017, the California School Boards Association (CSBA) synthesized approximately one hundred studies on school governance and concluded that focused and functional school boards contribute significantly to “raising student achievement.”¹ The findings of their studies highlighted “the important role that effective boards play in collaborating with the superintendent and with each other to set the school district vision and goals, engage the community, and empower central office and school staff to implement initiatives that will bring the vision and goals to fruition.” Governance expert Mary Delagardelle described this essential role in a seminal study of school boards, “the beliefs, decisions, and actions of school boards directly impact the conditions within schools that enable district efforts to improve achievement.”²

According to CSBA’s 2014 study,

Effective school boards establish governance commitments in three key areas: 1) They embrace a common set of core beliefs; 2) They are intentional about building and sustaining productive partnerships; and 3) They have clear agreements regarding board values, norms, and protocols. Reaching clarity around these issues is foundational to working effectively as a governing board. **These agreements should be committed to writing, referred to regularly and reviewed periodically.** This level of clarity creates the conditions for the smooth and effective functioning of the board, freeing the board to focus all of its energy on the most critical matters facing the district.³

CSBA and the National School Board Association have confirmed that the role of school boards are to ensure that school districts are responsive to the values, beliefs and priorities of their communities. Boards fulfill this role by performing five major responsibilities:

- Setting direction
- Establishing an effective and efficient structure
- Providing support
- Ensuring accountability, and
- Providing community leadership as advocates for children, the school district and public schools

Based on the results of the CSBA’s 2014 and 2017 studies, proposed governance is now under consideration by LAUSD’s Board of Education (Board).

¹ Maricle, Christopher (2014). Governing to Achieve – A Synthesis of Research on School Governance to Support Student Achievement; (2017) The School Board Role in Creating the Conditions for Student Achievement – A Review of Research, A report by the CSBA and its Policies Program Department.

² Delagardelle, M. L. (2008). The lighthouse inquiry: Examining the role of school board leadership in the improvement of student achievement. In T. L. Alsbury (Ed.), The future of school board governance: Relevance and revelation (pp. 191–223). Lanham, MD: Rowman & Littlefield Education.

³ Maricle, Christopher (2014). Governing to Achieve – A Synthesis of Research on School Governance to Support Student Achievement p. 12

Background

Recognizing the importance of effective governance, on November 13, 2018, the Board created a Governance Working Group (GWG) to prepare draft governance for approval by April 23rd. At this time, the Board requested the working group draft governing policies that:

- define the Board’s role and responsibilities as “governance” specifying outcomes and define the Superintendent’s role and responsibilities as “management”
- define a process to hold the Superintendent accountable for outcomes
- improve the agenda setting process to maximize the Board’s ability to monitor outcomes, and
- enable the Board to conduct efficient Board meetings.

The GWG prepared draft governing policies consistent with compelling research, as requested, outlining the Board and Superintendent’s role and responsibilities, and re-organized the existing Rules of Order formerly known as Board Rules. This matter was postponed until June 11th.

The draft governance before the Board contains four sections defining the: Board’s Role and Responsibilities; Superintendent’s Role and Responsibilities; Board and Superintendent Relations; and Rules of Order. Since Board Member Jackie Goldberg has been seated, a fifth section of governance regarding the Board’s goals and outcomes is recommended to be prepared in the near future at a board retreat.

Board Role and Responsibilities

The Board’s Role and Responsibilities as written are to:

- create the mission and vision of the District with significant community input
- use best efforts to assure successful organization
- set agendas focused on positive student outcomes
- evaluate the Superintendent and other employees that report directly to the Board
- engage and gather information from stakeholders
- act as a whole
- comply with the law, and
- adopt governance, train and develop.

Research verifies that it is imperative that school boards create a clear mission and vision for their District. As further stated by governance expert Delagardelle, “One is hard-pressed to think of any organization that has sustained some measure of greatness in the absence of goals, values, and missions that become deeply shared throughout the organization.”⁴ Experts confirm that setting agendas focused on positive student outcomes will result in accelerating meaningful and positive student outcomes.⁵

Virtually every study reviewed emphasized that “effective school boards build and maintain strong relationships in their local communities by clarifying the purpose of community engagement, and

⁴ Delagardelle, M. L. (2008). The lighthouse inquiry: Examining the role of school board leadership in the improvement of student achievement. In T. L. Alsbury (Ed.), *The future of school board governance: Relevance and revelation* (pp. 191–223). Lanham, MD: Rowman & Littlefield Education.

⁵ Maricle, Christopher (2014). *Governing to Achieve – A Synthesis of Research on School Governance to Support Student Achievement*

ensuring that engagement processes are strategic, systemic, structured and cyclical.”⁶ This type of community outreach is captured in the proposed governance before this Board.

Finally, a key step identified in effective governance includes an understanding that the Board must act as a whole rather than individually.⁷ The GWG drafted governance affirming this practice and encourage Board members to create clarity among governing team members. Numerous governance research studies support defining these responsibilities and more importantly advise school boards to abide by such governance to support student achievement.

Superintendent Role and Responsibilities

The Superintendent’s Role and Responsibilities as written are to:

- Establish productive role with the Board
- Communicate transparently with the Board and the public
- Implement vision, goals and policies of District to increase student outcomes
- Treat students, and employees respectfully
- Ensure fiscal solvency and protect assets

The Relationship between the Board and Superintendent as written:

- Encourages strong collaboration between Board and Superintendent
- Confirms the Board Evaluates the Superintendent
- Clarifies that the Superintendent is accountable to the Board for all LAUSD operations

The governance studies underscore the importance of defining the role and responsibilities of the Superintendent. This research further confirms how critical the role of the Superintendent is to the success of the District. “Effective school boards lead as a united team with the superintendent, each from their respective roles, with strong collaboration and mutual trust.”⁸ “Board members have numerous and complex relationships ... the most important are the relationships board members have with one another and with the superintendent.”⁹ “A strong school board-superintendent relationship is critical to achieving success.”¹⁰

Conclusion

In addition to consulting CSBA’s research and other governance experts to prepare the proposed governing policies, CSBA’s Robert Tuerck has reviewed the proposed governance and agrees that this governance proposal is consistent with CSBA’s recommended practices. He provided a few suggestions regarding the delegation of authority and former Board Rules. These suggestions are incorporated within this proposal.

⁶ See footnote 1

⁷ See footnote 1

⁸ California School Boards Association. (2000). Professional governance standards for school boards

⁹ McAdams, D. (2006). What school boards can do: Reform governance for urban schools. Columbia, NY: Teachers College Press

¹⁰ Center for the Study of Teaching and Policy. (2006). Redefining school district governance. Seattle, WA: Plecki, M., McCleery, J., and Knapp, M.