

Citizen Advisory Committees

The Solano County Office of Education (SCOE) recognizes that citizen advisory committees promote a better understanding of the interests and concerns of the community.

The County Superintendent or designee shall establish citizen advisory committees when required by law or as need arises, to strengthen the effectiveness of SCOE operations and programs, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the SCOE's vision, mission, and goals. SCOE may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time deemed necessary.

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, policy, and administrative regulation.

Citizen advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Superintendent or SCOE.

The membership of citizen advisory committees should include representation from all affected parties, reflect the diversity of the community, and represent a diversity of viewpoints.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for SCOE employees.

Committee Charge

When committees are appointed, committee members shall receive written information including, but not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant policies and administrative regulations

Members of advisory committees are not vicariously liable for injuries caused by the act or omission of SCOE or a committee and are not liable for injuries caused by an act or omission of a committee member acting within the scope of his/her role as a member of the committee. However, a member may be liable for injury caused by his/her own wrongful conduct.

Committees Subject to Brown Act Requirements

The following committees shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation, pursuant to Government Code 54950-54963:

1. Advisory committees established pursuant to Education Code 56190-56194 related to special education
2. Advisory committees established pursuant to Education Code 8070 related to career technical education
3. Committees established to assist in development of a student wellness policy pursuant to 42 USC 1751 Note
4. Committees established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property
5. Other committees created by formal County Board of Education action

Committees Not Subject to Brown Act Requirements

The following committees are exempt from the Brown Act but must conform with procedural meeting requirements established in Education Code 35147:

1. School site councils established pursuant to Education Code 41507, 41572, or 52852 related to student retention, school or library improvement, or school-based program coordination
2. Advisory committees established pursuant to Education Code 52176 related to programs for students of limited English proficiency
3. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education
4. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs
5. School site councils established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education
6. Committees established pursuant to Education Code 11503 related to parent involvement

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon.

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on SCOE's students or employees or that can be resolved solely by providing information.

Councils or committees violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item.

Any materials provided to a school site council shall be made available to any member of the public upon request pursuant to the California Public Records Act.

Committees created by the Superintendent or designee to advise the administration and which do not report to the County Board are not subject to the requirements of the Brown Act or Education Code 35147.

Legal Reference:

EDUCATION CODE

- 8070 Career technical education advisory committee
- 11503 Parent involvement program
- 15278-15282 Citizens' oversight committee
- 15359.3 School facilities improvement districts
- 17387-17391 Advisory committees for use of excess school facilities
- 35147 School site councils and advisory committees
- 41505-41508 Pupil Retention Block Grant
- 41570-41573 School and Library Improvement Block Grant
- 44032 Travel expense payment
- 52176 Advisory committees, limited-English proficient students program
- 52852 Site council, school-based program coordination
- 54425 Advisory committees, compensatory education
- 54444.1-54444.2 Parent advisory councils, services to migrant children
- 56190-56194 Community advisory committee, special education
- 62002.5 Continuing parent advisory committees

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

- 52012 School site council

GOVERNMENT CODE

- 810.2 Tort claims act, definition employee
- 810.4 Tort claims act, definition employment
- 815.2 Injuries by employees within scope of employment
- 820.9 Members of local public boards not vicariously liable
- 6250-6270 California Public Records Act
- 54950-54963 Brown Act

UNITED STATES CODE, TITLE 42

- 1751 Note Local wellness policy

COURT DECISIONS

- Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Policy Cross-Reference:

- 0000 Vision
- 0200 Goals for the School District
- 0420 School Plans
- 0430 Comprehensive Local Plan for Special Education
- 1340 Access to District Records
- 2230 Representative and Deliberative Groups
- 3280 Sale, Lease, Rental of District-Owned Real Property
- 3350 Travel Expenses
- 3530 Risk Management/Insurance
- 5030 Student Wellness
- 6020 Parent Involvement
- 6171 Title I Programs
- 6174 Education for English Language Learners
- 6175 Migrant Education Program
- 6178 Career Technical Education