# Upcoming Meetings and Events

**State Allocation Board (SAB) Meeting**

- March 6, 2013 (Wednesday) at 9:00 a.m. (Special Meeting)
- March 20, 2013 (Wednesday) at 4:00 p.m.

**Pre–SAB Meeting Forums**

- March 20, 2013 (Wednesday) at 9:30 a.m.

**SAB Implementation Committee**

- March 8, 2013 (Wednesday) at 9:30 a.m. – 3:30 p.m.

**SAB Program Review Subcommittee**

- March 6, 2013 (Wednesday) 9:00 a.m. – 12:00 noon

# RULES AND OPERATING PROCEDURES
## of the State Allocation Board

Amended September 19, 2012

**State Allocation Board**

The State Allocation Board membership is comprised of the Director of Finance, Director of the Department of General Services, Superintendent of Public Instruction, three members of the Senate, three members of the Assembly, and one appointee by the Governor.

# Rules and Operating Procedures

*Adopted December 15, 2010*
*Amended April 27, 2011 - Section 5 E, F, and G*
*Amended May 25, 2011 - Section 5 D viii*
*Amended September 19, 2012 - Section 6 B, C, Section 9 A, B, and C*

State Allocation Board

# Rules and Operating Procedures

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# State Allocation Board
# Rules and Operating Procedures

## SECTION (1): ORGANIZATIONAL MEETING

The State Allocation Board (Board) shall review and adopt the operating Rules & Procedures of the Board at their first meeting at the beginning of each two (2) year legislative session. These rules shall remain in effect until replaced or revised by a majority vote of the Board.

## SECTION (2): OFFICERS

**A. Chair of the Board**

1. At the beginning of the two year Legislative session, the Board shall elect an Administration or Agency Designee as the Chair of the Board for a two year term.
2. The Chair shall:
   - i. Call the Board together at the times and places necessary to enable the Board to properly perform its duties.
   - ii. Preside over meetings of the Board.
   - iii. Maintain order and decide all questions of order subject to appeal.
   - iv. Collaborate with the Vice Chair, Executive Officer, and the Assistant Executive Officer in the preparation of the agenda and reports to the Board.

**B. Vice Chair**

1. At the beginning of the two year Legislative session, the Board shall elect the Vice-Chair who shall be a Legislative member of the Board.
2. The Vice-Chair shall:
   - i. Assume all responsibilities of the Chair during his/her absence.
   - ii. Collaborate with the Chair in reviewing the proposed Board agenda.
   - iii. Chair the Personnel Sub-Committee.

## SECTION (3): MEETINGS

**A.** **Time and Place:** The time and place of the Board meeting shall be designated by the Chair and coordinated with the Office of Public School Construction (OPSC) staff.

**B.** **Date:** The regularly scheduled monthly Board meeting shall occur on the fourth Wednesday of each month. Meetings are subject to change upon notice at a regular Board meeting with approval by a majority of the Board.

**C.** **Call:** The Chair may call a meeting of the Board by regular mail or electronic mail to each member with written notice ten (10) days prior to the meeting, in accordance with the Bagley-Keene Open Meeting laws.

**D.** **Quorum:** The quorum necessary for the Board to transact business shall be a majority of the Board Members. A majority is defined as six (6) Board Members.

**E.** **Voting Procedures**

1. Once a quorum is established, motions may be made by any of the Board Members present. A second to the motion is required.
2. The Board may take testimony and hear items as a subcommittee. A majority of those present as a subcommittee and voting does not constitute a quorum.
3. Upon establishment of a unanimous roll call, Board items (Consent, Appeal, Action and Discussion) may be acted upon by a single vote. However, any Board Member may request a voice roll call vote on any Board agenda item.
4. A Board Member can request a call be lifted or the Chair can initiate a lift of a call when additional members are available or desire to vote.
5. After the final vote on a motion is announced, any Board Member may change his or her vote or "add on" before adjournment of the Board meeting, unless the change or addition would alter the announced outcome of the item.
6. All roll call votes taken at a Board meeting shall be recorded by the Secretary of the Board. The provisions of this rule shall not apply to:
   i. Procedural motions which do not have the effect of disposing of an agenda item.
   ii. Withdrawal of an item from a Board agenda at the request of a Board Member.
7. At the Chair's initiative, or at the request of any Board Member, the Chair shall place an item on call. When an agenda item is on call, a Board Member may vote on the item only when the call is lifted. When an item has received a majority vote of the Board, a Board Member shall be allowed to add his or her vote to the roll, provided that his or her vote will not affect the passage or failure of the item.
8. Under no circumstances shall a Board Member be allowed to add his or her vote to any item after the Board meeting has been officially adjourned.

## SECTION (4): AGENDA

**A. The Board's final agenda is set by the Chair and Vice-Chair.**

**B. Requesting Items on the Agenda:** Any Board Member may request the Chair, Vice-Chair, the Executive Officer, or the Assistant Executive Officer to put an item on the Board agenda. The request may be made at a Board meeting or if made outside of a meeting, shall be approved by both the Chair and Vice-Chair. Any Board Member may request an item be placed on future agendas at a Board meeting or 15 days in advance of a Board meeting to the Chair, Vice-Chair, the Executive Officer, or the Assistant Executive Officer.

**C. Publishing Meeting Notice:** Staff shall post a notice of the Board meeting in accordance with Government Code Sections 11120 -11132 (Bagley-Keene Open Meeting Act).

## SECTION (5): ORDER OF BUSINESS

The OPSC shall prepare and present the following Board agenda items, in order as outlined below.

**A. Standard Order of Business**

1. Quorum Call
2. Minutes
3. Executive Officers Report
4. Consent
5. Appeals
6. Action Items
7. Reports, Discussion, and Information Items
8. Public Comment
9. Board Member Requests for Future Agenda Item
10. Adjournment

**B. Removal of an item from Consent:** A Board Member may request that any item be pulled from the Consent calendar for separate consideration and vote. An item removed from the Consent calendar shall become the next order of business following approval of the consent items.

**C. Delay of an Agenda Item:** The Chair shall notify the Board and the public upon an item being put over. Once the agenda is publicly noticed, any Board Member during the meeting may request an item to be put over to the next meeting. If there is an objection to an item being put over the issue shall be decided by a majority vote.

**D.** **Limit on Setting of Board Agenda Items:** Board items may be set on the agenda no more than three (3) times, unless new information is available for consideration that shall aid in the resolution of the item.

1. Exceptions to the Three Time Rule

   i. No quorum (before or during the issue).

   ii. A Board Member requests an item be put over.

   iii. District unable to attend the Board meeting.

   iv. District and the OPSC both agree to request that the item be withdrawn.

   v. Staff analysis is not distributed or deemed complete at least seventy-two (72) hours in advance of the Board meeting.

   vi. More information on the item is requested by a Board Member.

   vii. The Chair pulls an item.

   viii. An Appeals item is postponed at the request of the OPSC.[05-25-11]

**E.** **Filing an Appeal:** Upon reaching a disagreement with the Office of Public School Construction (OPSC) on an item, the school district must file a *School District Appeal Request (*Form SAB 189) to begin the formalized appeal process. The Form SAB 189 shall be filed with the OPSC. The Form should state the basis or bases for the appeal and any relevant information for resolving the dispute. [04-27-11]

**F.** **Timeline for Processing an Appeal:** Timeline for processing a policy appeal is 90-120 days. In the event the appeal is dealing with a health and safety issue, the appeal shall take precedence and be processed to the Board within 60-90 days. Within five (5) working days of receiving the appeal the analyst will send an acknowledgement letter informing the school district OPSC has received the appeal, has begun processing it, and the date the item will be placed on the SAB workload, but no later than 120 days from receipt of a Form SAB 189. A copy of this letter shall go to the Assistant Executive Officer and the Chair of the Board. [04-27-11]

**G.** **Request for Postponement:** A request for postponement by the school district or the OSPC may be submitted at any time prior to the Board meeting. The request shall be in written form addressed to the Chair and Vice Chair of the Board and shall include a statement of the reasons supporting postponement. The first time the District or OPSC requests a postponement, the request will be approved automatically, but a second request will be subject to the approval or disapproval of the SAB Chair and Vice Chair. [04-27-11]

An approval or disapproval shall be communicated in writing to the party seeking postponement within two (2) working days of receipt of the request. If the request is received within two (2) days of the hearing, the response shall be verbal. If approved, a new notice of the SAB meeting date shall be mailed to the school district no later than 15 days before the new SAB meeting date. [04-27-11]

## SECTION (6): STAFF ANALYSES

**A.** **Each agenda item shall have a staff analysis:** Staff shall provide the analysis to the Board and post them to the internet no less than three (3) working days prior to the meeting, except for appeals which shall be five (5) working days.

**B.** **Policy Issues:** On, policy discussions, reports and information items the staff analysis shall be presented in the following format:

- Purpose
- Description
- Authority (Law / Regulation / Precedent)
- Background*
- Staff Analysis/ Statements
- Recommendation

**C.** **Appeal Issues:** On appeals, the staff analysis shall be presented in the following format:

- Purpose
- Description
- Authority (Law / Regulation / Precedent)
- Background*
- Staff Analysis/ Statements
- Options

The "Options" section for all appeal items will contain the following statement to provide transparency to the Board and public that absent a positive vote by six members of the Board, staff 's administrative action remains unchanged.

"Staff is providing the following options for the Board's consideration. A positive vote by six members is required for the Board to take action that is an alternative to staff 's administrative action. Absent a positive vote by six members of the Board, staff's administrative action will stand and the school district's appeal will be considered closed."

** Background information for Financial Hardship designation shall include the date and amount of the last approved district bond, as well as information about the subsequent bond efforts. Background information on appeals analyses shall also include a timeline of events and other information about prior Board actions that are relevant.*

## SECTION (7): TESTIMONY ON AGENDA ITEMS

The Chair, in the interest of time, and while preserving fairness and equity, may limit individual witness testimony and/or the number of witnesses, excluding presenters, on any given agenda item, upon a majority vote of the Board. Such restrictions will apply equally to both proponents and opponents of any agenda item.

## SECTION (8): PUBLIC COMMENT

An opportunity for public comment shall be included at the end of every agenda to provide an opportunity for testimony on any item not on the agenda.

## SECTION (9): SUBCOMMITTEES AND WORKING GROUPS

The Chair, or any other Board Member, subject to a majority of the Board concurring, may create a subcommittee or working group of the Board.

**A. Subcommittees**

1. Composition
   - i. To the extent possible, membership on subcommittees shall be distributed among Legislative and Administrative appointees to ensure nearly proportional representation.
   - ii. Subcommittees shall have a number of Board Members as designated by the full Board, but no subcommittee shall have less than three (3) appointed Board Members.
   - iii. Subcommittees are subject to the Bagley-Keene Open Meeting Laws and shall be webcast.
2. Quorum: A quorum of a subcommittee with an even number of Board Members shall be one-half (1/2) of the Board Members. A quorum of a subcommittee with an odd number of Board Members shall be a simple majority of the membership.
3. Duties: Subcommittees shall perform the duties assigned to them and shall report on all matters referred to them. Actions of a subcommittee shall be reported in the form of proposals or recommendations to the Board and shall have no force or binding effect except by action of the Board.
4. Rules: Rules relating to the Board shall be followed by subcommittees, except with regard to a quorum.
5. Staff: Staff to the subcommittee shall be determined by the Board.

**B. Working Groups**

1. Composition

   i. Membership of a working group shall be determined by the Board or a subcommittee of the Board.

   ii. Working Group meetings shall be subject to the Bagley-Keene Open Meeting Laws and shall be webcast.

2. Duties

   i. Working groups shall perform the duties assigned to them and report on all matters referred to them.

**C. Implementation Committee**

1. The Implementation Committee shall be subject to the Bagley-Keene Open Meeting Laws and shall be webcast.

## SECTION (10): FINAL ARBITER OVER RULES

In case of a dispute regarding the operating rules and procedures, the final arbiter shall be Senate Rules Committee staff.

## SECTION (11): CLOSED SESSION

The Board may meet in closed session in accordance with Government Code Section 11126, which may include, but is not limited to the following items.

**A. Pending and/or ongoing litigation [(pursuant to California Government Code Section 11126(e)].**

**B. Appointment, employment, evaluation of performance, or dismissal of an employee [(pursuant to California Government Code Section 11126(a)].**

## SECTION (12): PROCEDURAL GUIDELINES

On all other parliamentary procedures, including motions and other actions not provided for by these rules, the authority is the California Senate Rules, with a default to *Mason's Manual of Legislative Procedure* which shall govern procedural matters for the Board and its subcommittees not covered elsewhere in these rules.

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