



CALIFORNIA LOCAL ELECTED OFFICIALS

Dear Trustees,

It has come to our attention that your district is experiencing some challenges related to district leadership and teachers. As a small board of three members, you face unique challenges with which we may be able to assist you with our California Local Elected Officials (CLEO) project at the California Policy Center, CLEO exists to serve and advise officeholders and trustees, such as yourselves.

Anticipating some of your challenges, we have outlined some guidance below consistent with advice we give to school district trustees in your situation.

- While the Brown Act says that a majority of the board cannot discuss the public's business outside of an official meeting, there is no legal prohibition of board members attending the same public function and even discussing non-board-related matters. However, to avoid a perception of possible wrongdoing, we advise discretion when attending these events.
- The Brown Act allows for closed session meetings for private conversations on sensitive topics not legally required to be disclosed to the public, such as personnel matters and legal actions.
- Closed session meetings might be particularly frustrating to constituents because of a perceived lack of transparency, but if the community understands that the board is meeting to better determine a particular outcome, there may be better communication among all parties as difficult challenges are resolved.
- There is no one-size-fits-all approach to sharing important information with constituents and community members, since different trustees have different preferred styles of communication, and one community may be receptive to some communication methods but not others.
- As a trustee, you may hold your own town hall events, forums or coffee hours that allow you to engage with the public more freely. You can discuss your goals as a trustee and even items on the agenda, as long as there's not a quorum of trustees present. This is perfectly permissible under the Brown Act as long as you don't disclose privileged information.
- You can also hold a public educational forum as a whole board. Events like this provide an opportunity for you to educate the public on policy and legal processes that you must abide by.
- District staff can often provide timely or essential information and might be able to direct you in process and meeting requirements. Remember that you do not work for staff; they are accountable to you. And while staff often are great sources of information, they may bring their own perspectives to the table so you should be prepared to question and fact-check what they tell you. Should they need more information or insights, we are happy to engage with them and they can reach out to other boards and districts for an outsider's perspective.



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- If staff produce questionable material or it is not consistent with the law, as you understand it, consider calling whoever published the report and asking them questions. If your questions are not answered to your satisfaction, you can agendaize these issues and use a regularly scheduled board meeting to let the public know you are making an attempt at getting answers to your questions. The public will better understand the process when you engage in it in a productive way.

- Also remember that the Superintendent works for you! Often, school board trustees fall into the trap of superintendents telling them what they may or may not do. As officeholders, you're accountable to the public and the Superintendent is accountable to you.

- Stay in touch with your constituents and/or the people who support you so that they attend meetings.

We offer a Leadership Academy course that guides elected officials through topics such as the Brown Act, duties of elected officials, transparency and accountability, communication with constituents, and media engagement. You can access this course and the accompanying pdf course guide from CalElecteds.org.

Pacific Research Institute, an allied nonprofit organization, is holding a conference for school board trustees called "Empowering Local Voices in Education" on November 29th in San Francisco where you can network with other trustees and seek advice. While the Brown Act will restrict interactions you can have with trustees on your own board, we recommend taking advantage of the opportunity to network with other trustees and seek guidance.

Click the link above to view the details.

Please reach out to us with any questions you have! We're here to help.

Sincerely,

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