



CalOPS Board Open Meeting Policy

California Online Public Schools

California Online Public Schools non-profit Board of Directors operates the following charter schools to which this policy applies:

- California Online Public Schools Central Coast
- California Online Public Schools Central Valley
- California Online Public Schools Monterey Bay
- California Online Public Schools North Bay
- California Online Public Schools Northern California
- California Online Public Schools Southern California

Approved by CalOPS Board of Directors December 3, 2019
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I. INTRODUCTION, PURPOSE AND BACKGROUND

California Online Public Schools (“CalOPS”) is a California non-profit public benefit corporation. CalOPS is the governing agency for the California Online Public Schools (“Charter Organization”), which consists of the following six public charter schools:

- California Online Public Schools Central Coast
- California Online Public Schools Central Valley
- California Online Public Schools Monterey Bay
- California Online Public Schools North Bay
- California Online Public Schools Northern California
- California Online Public Schools Southern California

The Governing Board of CalOPS (“Board”) abides by California’s open meeting laws and makes every effort to provide access to public meetings as required by law. The purpose of this Open Meeting Policy (“Policy”) is to set forth CalOPS’s procedures with regard to its Board meetings that are conducted to discuss the Charter School Organization’s business as required by the Ralph M. Brown Act (“Brown Act”) and related California Education Code requirements.

II. TYPES OF MEETINGS, AGENDA REQUIREMENTS, AND SUPPORTING DOCUMENTS

A. Types of Meetings and Notice Requirements

All Board meetings must be properly noticed consistent with applicable law and this Policy. All regular and special meetings will be noticed by a posting of the agenda that advises the public of the meeting date, time, location, including any teleconference locations, if applicable, and a description of each item of business to be transacted or discussed by the Board at the meeting, including items to be discussed in closed session. Meeting notices will be provided, via email, to all Board members, designated staff members, the designated liaison from each authorizing district, and those persons or entities who have



previously requested notice of such meetings consistent with this Policy.

The agenda will be posted in a location freely accessible to the members of the public and on the Charter Organization's website through a prominent, direct link. The locations for the physical posting will be the Charter Organization's administrative office locations as described below or other locations if required by law. It is the Superintendent's responsibility to provide copies of the agenda and supporting documentation for all meetings. However, this responsibility may be delegated to others.

The Board will hold the following meetings consistent with the following notice requirements:

- **Regular Meetings:** The Board will hold regular meetings and the calendar of regular meetings will be determined by an action of the Board at the annual meeting, typically held in June. The date of a regular meeting may be changed during the year by action of the Board at a publicly noticed meeting. The schedule of regular meetings will be posted on the Charter Organization's website. The meeting notice shall be provided through the posting of the meeting agenda at least 72 hours prior to a regular meeting.
- **Special Meetings:** The Board may hold special meetings, which may be called on an as-needed basis by the Board President or otherwise as allowed by the bylaws and consistent with legal requirements. The meeting notice shall be provided through the posting of the meeting agenda at least 24 hours prior to a special meeting. Meeting notice and agenda procedures related to regular meetings will apply to special meetings with the exception of the notice requirements.
- **Emergency Meetings:** The Board may hold emergency meetings when an emergency situation arises. Emergency meetings may be called by a Board majority when an emergency situation arises that requires prompt action by the Board due to the disruption or threatened disruption of public facilities in accordance with law. The Board is not required to comply with the 24 hour notice or posting requirements, except that the Board must notify any local newspaper and radio/television station that has requested notice of special meetings one hour prior to the emergency meeting. The notice shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. Attempts will be made to notify Board members and designated staff via telephone as well. All special meeting requirements, with the exception of the 24 hour notice requirement, shall apply to emergency meetings.
- **Advisory or Standing Committee Meetings:** Advisory committee or standing committee meetings shall be considered regular meetings with regard to timing of notice. The meeting notice shall be provided through the posting of the meeting agenda at least 72 hours in advance of the meeting.

B. Agendas

The Superintendent or designee is responsible for preparing the agendas for all meetings of the Board. The meeting agendas will be posted and distributed to the public and Board members in accordance with the procedures listed above in this Policy and applicable law.

The agenda will include items that relate to CalOPS's business as they may relate to the Charter Organization and as requested for inclusion by Board members, or as determined by the Superintendent and other appropriate staff members to be appropriate or required for discussion at that meeting.

Each agenda shall include the following:

- Date, time, and location of the meeting, including, if applicable, any teleconferencing location(s).
- A brief general description of all items of business to be transacted or discussed at the meeting, including those items to be discussed in closed session. Closed session items must be described in accordance with Government Code section 54954.5.
- An opportunity for members of the public to directly address the Board in accordance with the Board's public comment portion of this Policy (addressed below).



- If teleconference locations are being utilized, an opportunity for members of the public to address the Board directly at each teleconference location.
- Information regarding how, to whom, and when to request for a disability-related modification or accommodation, including auxiliary aids or services.

C. Supporting Information

The Superintendent or designee is responsible for preparing all supporting information that may accompany each agenda topic. The purpose of preparing supporting information is to facilitate decision-making on the part of the Board members by having available to them in advance of Board meetings comprehensive data and information pertaining to each agenda topic. The supporting information available at the time the agenda is distributed shall accompany the agenda and be delivered to the Board members concurrently with the agenda. Additional supporting materials may be distributed up to and even during a Board meeting.

If supporting materials are distributed to Board members during a public meeting, such materials will be made available for public inspection at the same time they are made available to the Board as required by law.

III. LOCATION OF MEETINGS

Of the counties served by the Charter Organization, the greatest number of students reside within the boundaries of Los Angeles County. However, the Charter Organization does not operate any facilities, resource centers, or school sites within the boundaries of Los Angeles County because all of its programs are non-classroom based and the students receive instruction solely online. Consistent with Government Code section 54954, the Organization will hold its meetings at either the closest meeting facility or at its principal office. The Board will hold its meetings at its principal administrative offices:

Southern California CalOPS Office
33272 Valle Rd.
San Juan Capistrano, CA 92675

Northern California CalOPS Office
580 N. Wilma Ave, Suite G
Ripon, CA 95366

Both administrative office locations will have two-way teleconferencing capabilities operating during all Board meetings and will be accessible to any person, including persons with disabilities, in compliance with the Americans with Disabilities Act.

In accordance with Section 54953 of the Brown Act, teleconferencing may be used to conduct the business of the Board. The Board will comply with the sections of the Brown Act regarding teleconference meetings. During the teleconference, at least a quorum of the members of the Board shall participate from locations within the jurisdiction of the Board, as described below.

Board meetings are typically held telephonically in accordance with the Brown Act. Board members and members of the public may attend Board meetings in-person at one of the two administrative office locations listed above, or telephonically from a telephonic location published on the agenda, if applicable. If Board meetings are held periodically at other locations in addition to the administrative office locations, Board members and members of the public may attend at those additional locations as well, which will be published on the agenda in accordance with the applicable law.

In the event that a Board member participates in a Board meeting telephonically at a location that is not listed above, the Board shall post all teleconference locations on the agenda. Each teleconference location shall be accessible to the public and any member of the public who would like to participate in the Board meeting at that location shall be permitted consistent with the law. The agenda shall provide an opportunity for members of the public to address the Board directly at each teleconference location.



IV. PARTICIPATION IN MEETINGS

A. Open and Closed Session Portions of Meetings

All regular, special, and emergency meetings of the Board shall be open to the public, except during times when the Board is discussing matters in closed session as authorized by law.

Prior to holding a closed session, the Board shall disclose, in an open meeting, the item(s) to be discussed in closed session as reported on the agenda. In the closed session, the Board may consider only those matters reported on the agenda as a closed session item. These items will be held in closed session and attended by Board members and other persons invited by the Board only. All other persons must leave the teleconference location and/or the room(s) where the closed session discussion is taking place.

Persons may be invited by the Board to the closed session discussion of a particular agenda item based on their work in the matter being discussed. These persons may include, but are not limited to, the CalOPS Superintendent, CalOPS Board Counsel, and school staff as may be needed and/or requested by the Board.

After any closed session, the Board shall reconvene in open session prior to adjournment and report out on any reportable action taken in closed session and the vote or abstention of every Board member present thereon in accordance with Government Code section 54957.1.

B. Quorum and Adjournment

A majority of the voting members of the Board shall constitute a quorum of the Board, which is necessary for the Board to transact business. All motions, in order to pass, need positive action by at least a majority of the Board present at the meeting. Should there be less than a majority of the Board present at any meeting, the meeting shall be adjourned once a determination has been made that a quorum is not possible.

Board members typically participate in Board meetings telephonically. During the teleconference, at least a quorum of the members of the Board shall participate from locations within the boundaries of the territory over which the Board exercises jurisdiction. The Board, through its Charter Organization, exercises jurisdiction throughout counties in California. A quorum can be established from any of the counties in California.

Items appearing on agendas for regular meeting may be continued to another meeting, to be held within five calendar days from the date of the originally posted meeting, without triggering the requirement that the agenda item be re-posted with the requisite notice.

If the Board is holding, has noticed or ordered a public hearing, at any meeting, the Board may, by order or notice, continue or re-continue to any subsequent meeting of the Board in the same manner and to the same extent that a meeting may be adjourned; provided, that if the public hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be conspicuously posted at the administrative office locations (in a posting location visible to the public at all times) immediately following the meeting at which the continuation was adopted or made.

The Board may adjourn any regular or special meeting to a time and place specified in an order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular meeting, the Board Secretary may declare the meeting adjourned to a stated time and place and he/she shall cause a written notice of adjournment to be given in the same manner as provided for special meetings unless the notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted at the administrative office locations (in a posting location visible to the public at all times) within 24 hours after the time of adjournment. When a regular meeting is



adjourned, the resulting adjourned regular meeting is a regular meeting for all purposes.

When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

C. Board Discussion and Action

For regular and special meetings, no action or discussion shall be on any item not properly noticed. At a regular meeting, however, Board members or staff may briefly respond to statements made or questions posed by persons during public comment. At regular meetings, a Board member may, on his/her own initiative or in response to a question posed by the public, ask a question for clarification, make a brief announcement or make a brief report on his/her own activities. Additionally, a Board member may provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

In special meetings, the Board may not take action on the salaries, salary schedules, or compensation paid, including fringe benefits of the Superintendent of the Charter Organization. This limitation, however, does not apply to the Board calling a special meeting to discuss the Charter Organization's budget. Prior to taking final action, the Board shall orally report a summary of a recommendation for a final action on the salaries, salary schedules or compensation paid, including in the form of fringe benefits, of the organization's Superintendent during the open regular meeting in which the final action is to be taken.

The Board may take action on items of business not appearing on the posted agenda under any of the following conditions:

- A majority of the Board determines that an emergency situation exists as defined by Government Code section 54956.5.
- A determination by a two-thirds vote of the Board members present at the meeting, or if less than two-thirds are present, a unanimous vote of those Board members present, that there is a need to take immediate action and that the need for action came to the attention of the Board after the agenda was posted.
- The item was properly posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting, the item was continued to the meeting at which action is being taken.

Prior to discussing any item not on the agenda and under one of the conditions listed above, the Board shall publicly identify the item.

D. Public Participation in Meetings

This Policy replaces and supersedes the Board's Public Comment Policy.

The Board welcomes public comment at its meetings and is committed to providing meaningful opportunities for members of the public to participate. Given the nature of the Charter Organization being virtual, the purpose of this portion of the Policy is to take into account the special logistics of the Board meetings and address telephone access.

The Board encourages members of the public to offer comments and express opinions on both specific actions to be taken by the Board, as well as any other issue directly related to the operation of the organization. In accordance with this portion of the Policy, any individual may address the Board on agenda or non-agenda items during the public comment period of a regular meeting. Individuals may present either in-person or by telephone.

Individuals are strongly encouraged to discuss their comments and concerns with appropriate school staff



members, administrators, and/or Board members before directing such comments to the entire Board during a meeting. Each regular Board meeting agenda shall have a time designated on the agenda for “public comment.”

To be recognized by the Board Chair, an individual should provide their name, along with any materials they want to have distributed to Board members, prior to the start of the meeting, and ideally 24 hours ahead of time. The Board Chair will then announce the individual’s name at the appropriate time during the meeting. Each individual will be granted up to three (3) minutes to make his or her comments, or six (6) minutes if the individual requesting to comment is a non-English speaker and requires a translator. If requested, the Board Chair may grant additional time to individuals, circumstances permitting. After completion of any such comments, the Board Chair shall ask whether there is any further public comment, at which time any member of the public present may come forward and address the Board (which may be limited at the Board Chair’s discretion to three (3) minutes, or six (6) minutes if the individual requires a translator).

Telephonic participants should be aware that there is no established time when it will be their turn to speak except that they will be called after the scheduled start of the meeting and before the Board considers the items the participant wishes to address. Individuals who are attending the meeting in person may be given the first preference in speaking.

In addition to the above, any Board member may ask a member of the public present to answer brief questions or make comments on an agenda item under discussion in order to gather information before deliberating on a decision.

Members of the public who require special accommodations should contact the Superintendent or the specific contact person designated on the agenda for that meeting, at least twenty four (24) hours prior to the meeting to make appropriate arrangements for attending the meeting.

V. MINUTES AND RECORDINGS OF MEETINGS

A. Meeting Minutes

The open session minutes shall record all actions and resolutions, the recommendations of the administration and a brief description of the substance of the Board’s discussion or the substance of statements pertinent to Board’s business made by members of the staff or public. The Board will not keep minutes of closed sessions, except a record of the topics discussed and any action taken will be included in the open session minutes of that meeting.

Any time an emergency meeting is held, the minutes must include: (1) a list of persons who the presiding officer of the Board, or designee of the Board, notified or attempted to be notify; (2) a copy of the roll call vote; (3) and any actions taken at the meeting. The minutes will be posted for a minimum of 10 days at the administrative office locations (in a posting location visible to the public at all times) as soon after the meeting as possible.

In the event that Board members are participating via teleconference, all votes during the meeting shall be by roll call and will be reflected in the minutes.

Draft minutes from prior meetings will be included in the supporting documentation for the meeting at which they are recommended for approval. Following approval, the minutes will be marked as “Approved” and will be kept digitally in a location accessible to Board members and to designated staff members.

B. Recordings of Meetings

The Board meetings, with the exception of closed sessions, will be audio and video recorded. The recordings will be posted on the Charter Organization’s website as soon as possible following the Board



meeting. The recordings will be placed in the same location on the website as the other information related to the Board (such as the meeting schedule and Board contact information).

Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the Board may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

Persons attending an open and public meeting of the Board shall have the right to record the proceedings with an audio or video recorder or a still or motion picture camera in the absence of a reasonable finding by the Board that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.