

**San Diego Mesa College  
Classified Senate  
Meeting Notes**

Thursday, April 26, 2018  
10:00 a.m. – 11:30 a.m., I4-402

<b>ATTENDEES/ PROXIES</b>	<b><i>Executive Officers</i></b>	<b><i>Ad Hoc Positions</i></b>
	Trina Larson, President	Naayieli Bravo (absent)
	Yolanda Catano, Vice President (absent)	Jacqueline Collins (absent)
	Alan Goodman, Senate Manager	Olivia Picolla
	Charlie Lieu, Treasurer	Des Short (absent)
	Angie Avila, Member at Large	Brandon Terrell (absent)
	<b><i>Senators</i></b>	<b><i>Attendees</i></b>
	Johanna Aleman (absent)	Hai Hoang
	Kathy Fennessey	
	Alma Fuentes	
	Mona King	
	Leanne Kunkee (absent)	
	Eva Parrill	

**Agenda Item 1: Call to Order:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li>The meeting was called to order by Larson at 10:03am</li> </ul>
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**Agenda Item 2: Review and Approval of Minutes:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li><b>April 12, 2018 minutes</b> – approved</li> </ul>
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<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>
<ul style="list-style-type: none"> <li>upload minutes</li> </ul>	<ul style="list-style-type: none"> <li>Alan</li> </ul>	<ul style="list-style-type: none"> <li>Before next meeting</li> </ul>

**Agenda Item 3: Welcome/Introductions:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li>Senate members and attendees introduced themselves</li> </ul>
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**Agenda Item 4: Executive Board & Senator Reports:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li>a) President- Trina Larson               <ul style="list-style-type: none"> <li>• PCab:                   <ul style="list-style-type: none"> <li>○ Mesa Academic Senate passed resolution for vote of no confidence in CA Chancellor</li> <li>○ Other senates are expected to sign on</li> </ul> </li> </ul> </li>   <li>b) Vice President- Yolanda Catano               <ul style="list-style-type: none"> <li>• No report</li> </ul> </li>   <li>c) Administrator- Alan Goodman               <ul style="list-style-type: none"> <li>• No report</li> </ul> </li>   <li>d) Treasurer- Charlie Lieu               <ul style="list-style-type: none"> <li>• No Report</li> </ul> </li>   <li>e) Member at Large- Angie Avila               <ul style="list-style-type: none"> <li>• No Report</li> </ul> </li>   <li>f) Senator Reports               <ul style="list-style-type: none"> <li>• Kathy                   <ul style="list-style-type: none"> <li>○ Associated Students gave us \$100</li> <li>○ Inter-club Council just gave us \$250</li> <li>○ Thank you for participating in Scholarship Awards, our basket well received</li> <li>○ E-check-in for awards was a great success</li> </ul> </li> </ul> </li>   <li>g) AFT Liaison Report               <ul style="list-style-type: none"> <li>• No Report</li> </ul> </li> </ul>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
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**Agenda Item 5: Governance Corner:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li>a) Brown Act Section for Handbook (Larson)               <ul style="list-style-type: none"> <li>• SEE ATTACHMENT #1</li> <li>• Not required for us to participate in Brown Act, but we want to act in the spirit of the Brown Act</li> </ul> </li> </ul>
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	<p>b) Election Update (Larson, Short)</p> <ul style="list-style-type: none"> <li>• Next election cycle is for all officers, this cycle for just senators</li> <li>• we want to move senators to 2 year terms</li> <li>• E-voting this year – <a href="https://www.surveymonkey.com/r/ZT92MT2">https://www.surveymonkey.com/r/ZT92MT2</a></li> <li>• Admin services: Leanne Kunkee and Marco Chavez – both uncontested</li> <li>• Student Services: Johanna Aleman, Shanelle Watkins, Jennifer Phelps</li> <li>• Instruction: Eva Parrill, Mona King, Diana Solares</li> <li>• We will craft a role for anyone who wants to be involved</li> <li>• Cathy Palestini to chair election committee through 2019</li> </ul>
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**Agenda Item 6: Committee & Department Reports**

<b>DISCUSSION</b>	<p>a) Mesa Pathways (Larson/Catano/Picolla)</p> <ul style="list-style-type: none"> <li>• Recruiting Classified for inquiry teams – we need to put a call out</li> <li>• Steering Committee (Yolanda, Hai, Trina, Olivia)</li> <li>• Six inquiry teams</li> </ul> <p>b) Strong Workforce (King)</p> <ul style="list-style-type: none"> <li>• No report</li> </ul> <p>c) Equity (Aleman)</p> <ul style="list-style-type: none"> <li>• No report</li> </ul> <p>d) Immigrant Students (Catano)</p> <ul style="list-style-type: none"> <li>• No report</li> </ul>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
<ul style="list-style-type: none"> <li>• Read right column of Brown Act attachment</li> </ul>	<ul style="list-style-type: none"> <li>• ALL</li> </ul>	<ul style="list-style-type: none"> <li>• next meeting</li> </ul>

**Agenda Item 7: Activity Reports/Updates**

<b>DISCUSSION</b>	<p>a) AS Thank You Card: Sign</p> <p>b) Scholarship Debrief</p> <ul style="list-style-type: none"> <li>• See above</li> </ul>
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	<p>c) Field Trip to Accounting</p> <ul style="list-style-type: none"> <li>• Voting Senate members went to Student Accounting to renew their memberships.</li> </ul> <p>d) Summer CRUISE Participation (Larson)</p> <ul style="list-style-type: none"> <li>• 4 weeks this summer</li> <li>• We can individually participate in Financial Literacy if interested</li> <li>• Do we want to participate as Senate group in a warmup 8:15-8:45 July 11, 18, 25, and Aug 1?</li> <li>• Do we want to be part of a tour stop? Part of a scavenger hunt?</li> <li>• However we are involved, it should be interactive</li> <li>• We agreed to participate on Wednesday mornings (instead of Thursday)</li> </ul> <p>e) Bylaw Status – Meeting Scheduled</p> <ul style="list-style-type: none"> <li>• Meeting hasn't really been scheduled. Will be soon!</li> </ul>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
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**Agenda Item 8: New Business**

<b>DISCUSSION</b>	<p>a) Classified Appreciation Week (May 7-11)</p> <ul style="list-style-type: none"> <li>• Gift: prototype looks great! Assembly line <b>next Wednesday &amp; Thursday</b>, distribute during appreciation week</li> <li>• Lunch: <ul style="list-style-type: none"> <li>○ Start setup Tuesday 8th – have room from 2pm onward (update: will have room all day! – Come to help set up.)</li> <li>○ Come Wednesday 9<sup>th</sup> morning to set up</li> <li>○ Trina to send out a plan, us to accept our mission</li> </ul> </li> <li>• Other Activities: <ul style="list-style-type: none"> <li>○ 9-10am coffee and a light refreshment at various locations <ol style="list-style-type: none"> <li>i. Monday: Facilities (Mona, lead/host)</li> <li>ii. Tuesday: LOFT (Eva, lead/host)</li> <li>iii. Thursday: AS conference room (Kathy and Charlie, leads/hosts)</li> </ol> </li> <li>○ Trina to get quote on coffee – 2 carafe both regular, hot water for tea</li> <li>○ Opportunity drawing each morning ~\$20 value <ol style="list-style-type: none"> <li>i. M-Fusion gift card/lunch for two (Mona to ask for)</li> <li>ii. Starbucks/Mcafe gift card (Charlie to donate)</li> <li>iii. Target gift card (Kathy to donate)</li> <li>iv. Charlie to take care of box/drawing apparatus &amp;</li> </ol> </li> </ul> </li> </ul>
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	<p>tickets</p> <ul style="list-style-type: none"> <li>Scholarship basket: it was well received</li> </ul> <p>b) Candy/Thank You/?-Gram Fundraiser (Lieu)</p> <ul style="list-style-type: none"> <li>Launch Classified Appreciation Week</li> <li>Small Mason jar filled with candy - \$5</li> <li>Can send to anyone on campus</li> <li>Cash or check, Paypal, and need to set up Venmo</li> <li>Update: We are a campus organization so we may promote our activities through the DL</li> </ul>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
<ul style="list-style-type: none"> <li>Create space for packing Weds &amp; Thurs</li> <li>Get quote on coffee</li> </ul>	<ul style="list-style-type: none"> <li>Trina</li> </ul>	<ul style="list-style-type: none"> <li>asap</li> </ul>

**Agenda Item 9: Old Business:**

<b>DISCUSSION</b>	<p>a) Election Update (Larson, Short)</p> <ul style="list-style-type: none"> <li>SEE GOVERNANCE CORNER ABOVE</li> </ul>
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**Agenda Item 10: Announcements/Events:**

<b>DISCUSSION</b>	<p>a) Classified Appreciation Week, May 7-11</p> <p>b) Classified Awards Luncheon, May 9, 2018, MC-211 A/B</p> <p>c) Commencement, May 19, USD</p> <p>d) Classi-Con, June 5-7</p>
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**Agenda Item 11: Roundtable:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li></li> </ul>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

**Agenda Item 12: Next Meeting:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"><li>• May 10, 2018 – 10-11:30am, I4-402</li></ul>
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**Agenda Item 13: Adjournment:**

<b>DISCUSSION</b>	<ul style="list-style-type: none"><li>• The meeting was adjourned by Larson at 11:42am</li></ul>
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Taken by Alan Goodman, Senate Manager  
Submitted by Alan Goodman, Senate Manager  
Approved on: \_\_\_\_\_

**ATTACHMENT #1**

**SAN DIEGO MESA COLLEGE CLASSIFIED SENATE**

**Spring 2018**

**Position Regarding Ralph M. Brown Act; California Government Code: Title 5 | Division 2 | Part 1 | Chapter 9: Meetings**

The purpose of this position statement is three-fold: it's meant to 1) condense relevant aspects of the Brown Act to help current and future senates understand and evaluate the Act in light of its work; 2) Provide practical guidance for Senate governance; and 3) record our present position in a publically accessible way.

This work was prompted by discussions at District Governance Council on April 4, 2018 when the following was established. According to District legal opinion of Ljubisa Kostic, SDCCD Classified Senates are not Brown Act bodies as they have not been created by the legislature or our Board of Trustees. The AFT president Jim Mahler affirmed this opinion stating that the Classified Senate was created to be the participatory governance arm of the District's exclusive representative for classified, the AFT.

Section (in brief and as relevant to our work)	San Diego Mesa College Classified Senate Position
<p><b>54950.</b> In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.</p> <p>The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.</p>	<p>Although the Mesa Classified Senate is not a Brown Act body as defined in this code, we uphold the principles of transparency and the sound practices of representative governance, as demonstrated by the following:</p> <ul style="list-style-type: none"> <li>• Meeting dates, times, and locations are posted online at the beginning of the academic year and promoted in our quarterly Senate publication.</li> <li>• In practice, meeting agendas are circulated to the "DL for Mesa Classified Staff" 72 hours in advance of meetings.</li> <li>• Accurate meeting notes, each subject to review and approval by the Senate, are distributed in advance of meetings.</li> <li>• Public access to Senate governing documents, including our mission, vision, values, and goals, is provided online and in our quarterly publication.</li> <li>• Matters of special import, including decisions related to policy, institutional effectiveness, planning, and spending are decided through a first-read/second-read process with rare exceptions meant to address extreme time limitations or emergencies. As an aspect of our leadership, we work to ensure that emergency decision-making does not become an ongoing way of conducting the Senate's business and question its necessity each time such an instance arises.</li> </ul>
<p><b>54952.2.</b> (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.</p>	<p>Because we are not subject to the Brown Act, we recognize a distinction between the work we do that is relevant and critical to participatory governance and that which is incidental to this work.</p> <p>In matters directly relating college governance, we are committed to effective and public decision-making. As such, we avoid the following influences on our transparent deliberative process, including –</p> <ul style="list-style-type: none"> <li>• Serial or side conversations.</li> <li>• Decision-making via email.</li> </ul> <p>However, in the rare instance it becomes necessary, we will permit decision-making via email if all voting members of the Senate are included on the email, a 2/3 voting quorum is reached, a 2/3 vote or consensus is reached, and the issue and outcomes are brought to the table and recorded in next meeting's minutes.</p> <p>Matters incidental to participatory governance include the details of event planning, for example, for activities and</p>

funding that have been approved through the normal decision-making process. Incidental decisions may be delegated, and updates provided to the Senate without line-item scrutiny and voting.

**54952.6.** As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

We recognize that "actions" include decisions made by and promises made in the name of the Mesa College Classified Senate. No individual may make decisions or make promises to other entities without the prior and public approval of the Senate, no matter their position.

**54953.** (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

We uphold our right to conduct meetings through teleconferencing in accordance with the Brown Act.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

Specifically, -

- Teleconferencing will be permitted to allow the full inclusion of Senate members, which includes all Classified employees.
- Should a vote be taken while any voting members is teleconferencing, that vote shall be by roll call and reported in the minutes.
- As our practice, we will not conduct business through secret ballot, whether in instances of teleconferencing or otherwise,
- A quorum of voting members will be located in a place accessible to our constituency.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

As a matter of practicality, privacy, and safety, we make the following exceptions in our observance of the Brown Act.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

Contrary to 54953 (b). 3, we will -

- NOT REQUIRE that agendas be posted at teleconference locations.
- NOT REQUIRE that the location of the teleconferencing site be made public with the agenda.
- NOT REQUIRE that teleconferencing sites be open to members of our constituency, as these sites may include private homes or hotel rooms, for example.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

We will make every effort to ensure our meetings compliant with ADA regulations by, for example, ensuring that our agendas and minutes are screen-readable. We will also provide additional accommodations with sufficient advance notice. However, we will require institutional assistance to provide accommodations that require funding, like ASL interpreters for the Deaf or hard of hearing.

**54953.2.** All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

<p><b>54953.</b> A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance. If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.</p>	<p>In compliance with this section, we recognize that no meeting attendee or participant shall be required to provide any information in writing or sign or indicate their names on any documents whether or not this instruction appears on our materials.</p>
<p><b>54953.5.</b> (a) Any person attending an open and public meeting of a legislative body of a local agency 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 legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.(b) Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), but, notwithstanding Section 34090, 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.</p>	<p>We will permit meeting attendees or participants to make audio or video recordings of our proceedings as long as all present are made aware and signage is posted that recording is in-progress.</p>
<p><b>54954.</b> (a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.</p>	<p>We will make every effort to circulate by email and post to our website agendas and prior meeting notes 72-hours in advance of our meetings.</p> <p>Standing committees may or may not conduct meetings using agendas. These agendas and any subsequent meeting notes will not be circulated to the Senate or to the constituency. Standing committees are simply obligated to report-out and make recommendations to the Senate for formal approval.</p>
<p><b>54954.</b> 1. Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof ...The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.</p>	<p>Within the limits of our budget, we will mail our meeting materials to members of our constituency should that request be made. Otherwise, we may charge a fee in the rare instance this might occur.</p> <p>We will also work to ensure that our materials meet the needs of those with varying abilities or disabilities when requested.</p>

**54954.2.** (a) (1) At least 72 hours before a regular meeting, the legislative body ... shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session...The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one.

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body ... established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage[.]

(B) An online posting of an agenda ... shall be posted in an open format that meets all of the following requirements:

- (i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.
- (ii) Platform independent and machine readable.
- (iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda...

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights ... In addition ... a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) ... [T]he legislative body may take action on items of business not appearing on the posted agenda ... Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists...

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

As a matter of practice, the Senate WILL:

- Circulate and post agendas that include the time and accessible location of the meeting via email and through our website 72 hours prior to our meetings.
- Indicate on the agenda how, to whom, and when requests for accommodations must be made to permit the participation of all constituent members.

As a matter of practice, the Senate MAY ALSO:

- Add items to the agenda in the rare instances that require immediate decisions if 2/3 of the voting members present agree that an emergency exists, as we define it, and that observing our normal decision-making process would serve to limit the Classified voice or agency. The decision to proceed with an item on an emergency basis, its deliberation, and outcome will be recorded in the meeting notes.

**54954.3.** (a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body.

Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item...

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency...

(c) 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. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

**54954.5.** For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

In keeping with the Senate's value of inclusion and its interest in strong representative governance, it is our intent that members of the public be afforded opportunities to comment, ask questions, and provide suggestions at Senate meetings.

Whether or not an agenda item for public comment appears on agendas, as a matter of practice, members of our constituent group or other governance bodies on campus, in the district, or in our region may provide comments at Senate meetings, including those that are critical, and given a period of time that respects both the content of the comment and the Senate's time constraints.

These items may also be held over until sufficient time can be devoted to them or so that additional information can be gathered for more effective discussion.

The Senate may also choose not to address any issue further by a 2/3 vote.

The Brown Act defines a narrow range of items that may be moved into closed session, none of which pertain to our work.

However, we reserve the right to discuss matters privately (in groups consisting of the Executive Board or the whole Senate) without disclosing this information in the minutes, for matters that –

- Contain sensitive, personally identifiable information.
- Contain confidential information.
- Relate to donors or others who have asked to remain anonymous to the public.

This provision recognizes that we work to promote the well-being, professionalism, and participation of all Classified employees. At times, personal, sensitive, or confidential information may be disclosed that helps guide our thinking about ways to improve our efforts on behalf of all Classified. The end result may result in decision-making that is public without reference to individual circumstances or disclosures.

This provision is not intended to and cannot subvert the larger aims of transparent and inclusive decision-making. It must not become a way of conducting Senate business. Instead, it recognizes the "human" factor in our work and seeks to respectfully balance that against any public need-to-know.

<p><b>54956.5.</b> (a) For purposes of this section, “emergency situation” means both of the following:</p> <p>(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.</p> <p>(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.</p>	<p>We define an “emergency situation” as an occasion that requires our immediate response or, in its absence, the loss of our voice and input. The Senate will determine its necessity by a majority of present members or by consensus.</p> <p>Procedurally, emergency situations may require that we eliminate the “second-read” stage of deliberation or may require a decision via email. In each instance, we will question and affirm the necessity of an immediate response. We will encourage more timely notice to permit the Senate to follow its normal decision-making process going forward.</p>
<p>54957.7. (a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.</p> <p>(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.</p> <p>(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.</p>	<p>Voting members of the Senate or of the Executive Board will have discretion about what information is shared, if any, and when in the rare instance a “closed session” is required as we define it.</p>
<p>54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.</p>	<p>We reserve the right to conduct our business free of disruption by clearing the room should it ever become necessary and continuing in closed session consisting of the voting members of the Senate and those who have business with the Senate, as determined by the voting members of the Senate with a 2/3 vote. Actions and decisions made “in session” under these circumstances will be recorded in the meeting minutes and made available to our constituency and the public according to our normal procedures.</p>

**REFERENCE:**

[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5.](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5)

**GOVERNMENT CODE - GOV**

**TITLE 5. LOCAL AGENCIES [50001 - 57550]**

*( Title 5 added by Stats. 1949, Ch. 81. )*

**DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]**

*( Division 2 added by Stats. 1949, Ch. 81. )*

**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]**

*( Part 1 added by Stats. 1949, Ch. 81. )*

**CHAPTER 9. Meetings [54950 - 54963]** *(Chapter 9 added by Stats. 1953, Ch. 1588.)*