

COMMUNICATIONS AMONG BOARD MEMBERS

Reference: Government Code Section 54952.2

A majority of the members of the Governing Board are prohibited from using, outside of a properly agendized meeting, a series of communications of any kind, (e.g., direct communications, telephone, personal intermediaries, e-mail, or other technological device) to discuss, deliberate, or take action on any item of business within the subject matter jurisdiction of the Governing Board.

An unlawful “serial meeting” occurs when communications take place outside a noticed meeting among individual board members or groups of board members less than a majority which come to involve a majority, whether directly or through intermediaries, to discuss, deliberate or take action on any item of business within the subject matter jurisdiction of the board.

Such “serial meetings” are prohibited by law whether or not a concurrence is reached based on the communications.