

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

imab-cfird-may23item01

# California State Board of Education May 2023 Agenda Item #05

## Subject

Instructional Quality Commission Bylaws Revision

## Type of Action

Action, Information, Consent

## Summary of the Issue(s)

The Instructional Quality Commission (IQC) is established and defined in California *Education Code* (*EC*) sections 33530–33546 as a commission of the State Board of Education (SBE) and is directed in function by *EC* Section 60204. The *California Code of Regulations, Title 5,* (*5 CCR*) Section 9510.5 requires internal governance of the IQC through its own bylaws, approved by the SBE. This SBE agenda item proposes a revision to the IQC Bylaws, which were originally approved by the SBE in March 2009.

## Recommendation

The California Department of Education recommends that the SBE approve the proposed revised IQC Bylaws.

## Brief History of Key Issues

At its March 15, 2023, meeting, the IQC approved the proposed revision to the IQC Bylaws, which is included as **Attachment 1**. The IQC’s action at the March 15, 2023, meeting followed IQC discussion and revision suggestions of the Bylaws during the IQC’s January 25−26, 2023, meeting. These Bylaws were first approved by the SBE in March 2009 to conform with Section 9510.5 of the *Title 5 Regulations* which states: “The Curriculum Commission, through its own bylaws, approved by the SBE, shall provide for its internal governance, including, but not limited to, the election of its officers and the establishment of its subcommittees and advisory groups.” In September 2012, the IQC, first established in 1927, approved technical changes to its Bylaws, which reflected the Legislature’s approval of the change in the IQC’s name from "Curriculum Development and Supplemental Materials Quality Commission" to "Instructional Quality Commission.” This proposed 2023 revision of the IQC Bylaws includes the following modifications:

* Adds a reference to *EC* and *5 CCR* and the provision that, when allowed by Executive Order by the Governor of the State of California, the IQC may meet virtually
* Adds a provision regarding a student member as recommended by statute in 2016
* Adds a provision allowing the SBE Executive Director and/or the IQC Executive Director to recommend to the IQC a nominee for IQC Chairperson
* Adds a reference to collaboration between the IQC Chairperson, the IQC Executive Director, and the SBE Liaisons
* Removes an extraneous and erroneous provision regarding IQC closed sessions
* Adds and removes other minor technical language and grammatical clarifications

## Summary of Previous State Board of Education Discussion and Action

**March 11, 2009:** The SBE approved the IQC Bylaws

## Fiscal Analysis (as appropriate)

None

## Attachment(s)

* **Attachment 1:** Instructional Quality Commission Bylaws with identified edits proposed and approved by the Instructional Quality Commission (12 pages)

# DRAFT BYLAWS OF THE INSTRUCTIONAL QUALITY COMMISSION

**Approved by the State Board of Education on March 11, 2009**

**~~The Great Seal of the State of California
~~Curriculum Frameworks and Instructional Resources Division**

**California Department of Education**

**Sacramento, California**

**March 2009**

**Technical Amendments Made September 2012**

<begin add> **Revised May 2023** <end add>

Page 1

## TABLE OF CONTENTS

[DRAFT BYLAWS OF THE INSTRUCTIONAL QUALITY COMMISSION 1](#_Toc128663360)

[TABLE OF CONTENTS 2](#_Toc128663361)

[I. INTRODUCTION 3](#_Toc128663362)

[II. DUTIES OF COMMISSION MEMBERS 3](#_Toc128663363)

[III. OFFICERS OF THE COMMISSION AND THEIR DUTIES 4](#_Toc128663364)

[IV. ELECTION OF OFFICERS 6](#_Toc128663365)

[V. EXECUTIVE SECRETARY/DIRECTOR OF THE COMMISSION 6](#_Toc128663366)

[VI. COMMITTEES OF THE COMMISSION 7](#_Toc128663367)

[VII. COMMISSION LIAISONS 10](#_Toc128663368)

[VIII. OPERATING PROCEDURES OF THE COMMISSION AND ITS   
COMMITTEES 11](#_Toc128663369)

## INTRODUCTION

The Instructional Quality Commission (Commission) has prepared the *Bylaws of the Instructional Quality Commission (Bylaws)* to define and explain its internal governance, as approved by the State Board of Education (SBE) (See *California Code of Regulations,* <begin add> Title 5 <end add> *(*5 *CCR)*, Section 9510.5). <begin add> The Commission is established and defined in California *Education Code* (*EC*) sections 33530–33546 and directed in function by *EC* Section 60204. Meetings of the Commission are governed by The Bagley-Keene Open Meeting Act (Government Code, Sections 11120–11133). This Act requires public meetings to be conducted in-person; however, exceptions to this requirement may be observed by the Commission pursuant to Executive Order by the Governor of the State of California. <end add>

## DUTIES OF COMMISSION MEMBERS

The *Commission* *consists* of 18 members, <begin add> and may include one SBE-appointed pupil who shall serve no more than a single one-year term that begins on September 1 and ends on August 31 of the following year. The duties of all members <end add> <begin delete> ~~whose duties~~ <end delete> are as follows:

1. Attend all regularly scheduled <begin add> meetings whether meetings are held in-person or virtually. <end add>
2. Respond by the established date to written requests for information from the SBE, California Department of Education (CDE), Subject Matter Committees (SMCs) (see below, Section VI, part B), Commission Chairperson (see below, Section III, part A), and Curriculum Frameworks and Evaluation Criteria Committee (CFCC) (see 5 *CCR*, Section 9511).
3. Read minutes and review materials associated with prior meetings, as necessary, and prepare to be active and knowledgeable participants.
4. Contact the Commission Chairperson in advance in the event of a necessary absence from a Commission meeting, and make further contact following the meeting regarding his or her responsibilities and/or assignments.
5. Be knowledgeable of laws, regulations, and SBE policy regarding frameworks, criteria, and adoptions. A Commissioner having questions regarding responsibilities under any of these elements should contact the Commission Chairperson for clarification.
6. If so designated by the Commission Chairperson, attend any meetings of the Executive Committee (see below, Section VI, part A) as a resource person, and report any relevant concerns to the Commission.
7. Commission members are welcome to attend all committee meetings; however, attendance will be at the Commissioner’s own expense, unless the Commissioner is a member of the committee that is meeting, or attendance has been pre-approved by the Commission Chairperson.
8. Respond to the annual survey asking for preferences in serving on committees and as a liaison.

## OFFICERS OF THE COMMISSION AND THEIR DUTIES

*Officers* of the Commission shall be a Chairperson and a Vice Chairperson. No Commissioner shall serve as both Chairperson and Vice Chairperson at the same time.

* 1. COMMISSION CHAIRPERSON. A Commission Chairperson <begin add> may be recommended by the Executive Director of the SBE, the Executive Director of the Commission, and/or members of the Commission. The Chairperson <end add> is elected <begin add> by the members of the Commission <end add> to represent the Commission in coordinating, planning, articulating and organizing the affairs of the Commission in cooperation with the Executive Committee and CDE staff, and to preside at all meetings of the Commission. The Chairperson’s duties include:

1. Being informed of all matters in regard to the affairs of the Commission.
2. Establishing a system for monitoring the assignments of each Commissioner.
3. Appointing a parliamentarian <begin add> annually according to *Robert’s Rules of Order*. <end add>
4. Serving as an ex-officio member of all the Commission’s SMCs and ad hoc committees.[[1]](#footnote-1)
5. Conferring on a regular basis with the Executive Secretary/Director (see below, Section V) or designee, to facilitate the work of the Commission.
6. Appointing the chairpersons of the SMCs, whenever possible, on the basis of expertise in the content area.
7. Serving as liaison with or resource person to other bodies, e.g., statewide ad hoc committees, etc.
8. Appointing, after consultation with the SMC Chairperson, Commission members to substitute for absent or resigned SMC members.
9. Voting as a regular member of the Commission.
10. If continuing as a Commissioner, conducting the training for incoming Commissioners in consultation with continuing Commissioners, the SBE liaison, and CDE staff.
    1. COMMISSION VICE CHAIRPERSON. A Commission Vice Chairperson is elected to assist the Commission Chairperson in the performance of <begin add> their <end add> <begin delete> ~~latter’s~~ <end delete> office. The Commission Vice Chairperson’s duties include:
11. Serving as the acting Commission Chairperson in the absence of the Commission Chairperson.
12. If continuing as a Commissioner, conducting the training for incoming Commissioners in consultation with continuing Commissioners, the SBE liaison, and CDE staff.
13. Facilitating full Commission meetings in absence of or at the request of the Commission Chairperson.
14. Participating in the process for resolving questions about procedures in the Bylaws and *Robert’s Rules of Order*.[[2]](#footnote-2)

## ELECTION OF OFFICERS

The *Commission* Chairperson and Vice Chairperson shall be elected annually in accordance with the procedures set forth below.

* 1. Terms of office shall be one year, re-electable except that the Commission Chairperson may not serve more than two successive terms.
  2. The election shall take place at the <begin delete> ~~annual meeting which shall be the~~ <end delete> first meeting <begin add> of the calendar year <end add> following yearly expiration of terms.
  3. The election shall be conducted by the Executive Secretary/Director to the Commission.
  4. The elections for Commission Chairperson and Vice Chairperson, <begin add> respectively, <end add> shall be separate elections conducted in that order according to *Robert’s Rules of Order*, with nominations made from the floor <begin add> notwithstanding Commission Chairperson recommendations made in accordance with Section III. A. above. <end add> The election shall be by a majority vote of voting memberswho are present. The Commission Chairperson and the Vice Chairperson must receive a majority of the votes cast in order to be elected; and in cases where there are more than two candidates for Commission Chairperson or Vice Chairperson and no one receives a majority of the votes cast, then the two candidates with the most votes shall continue to the next round of voting. The candidate with the most votes in the second round shall be the winner. No one may be a candidate without being present at the meeting and without one’s consent. <begin delete> ~~There shall be no voting by proxy.~~ <end delete>
  5. When the Commission Chairperson is not able to complete <begin delete> ~~his or her~~ <end delete> <begin add> their <end add> term, the Vice Chairperson shall be the Commission Chairperson for the remaining part of the year.
  6. When the Commission Vice Chairperson is not able to complete <begin delete> ~~his or her~~ <end delete> <begin add> their <end add> term, a new Vice Chairperson is elected by the full Commission at the next meeting of the full Commission.

## EXECUTIVE SECRETARY/DIRECTOR OF THE COMMISSION

As provided by *EC* Section 33534, “the *Superintendent* of Public Instruction or his (sic) representative shall serve as executive secretary to the commission.” This position has come to be known as the Executive Secretary/Director. The Executive Secretary/Director’s duties include:

1. Conduct elections of the Commission and the Executive Committee.
2. Facilitate <begin add> the <end add> work of the Commission.
3. <begin add> Confer with the Commission Chairperson and or Commission Vice Chairperson and SBE Executive Director and or SBE Liaisons to the Commission regarding the work of the Commission. <end add>
4. Act as official recording officer of the Commission.

## COMMITTEES OF THE COMMISSION

In accomplishing its goals and carrying out its duties, the Commission <begin delete> ~~may rely~~ <end delete> <begin add> relies <end add> on its committees.

1. EXECUTIVE COMMITTEE. The Executive Committee is elected to advise the Commission Chairperson in the performance of <begin delete> ~~his or her~~ <end delete> <begin add> their <end add> duties in relation to the Commission and shall consist of five Commissioners, including the Chairperson and Vice Chairperson. The Commission Chairperson and Vice Chairperson act as Chairperson and Vice Chairperson of the Executive Committee, respectively.
   1. Duties of the Executive Committee are as follows:
2. Make provisions for the orientation of new members to the Commission.
3. Consult with the Commission Chairperson in setting <begin add> the <end add> agenda.
4. Advise SMC Chairperson regarding procedural or policy problems.
5. Interact on a regular basis with CDE and SBE liaison person(s).
6. Monitor processes of the Commission.
7. Make recommendations to the Commission regarding SMC membership.
8. Participate in the process for resolving questions about these *Bylaws* and *Robert’s Rules of Order*.
   1. Elections of Executive Committee Members
9. The other three Executive Committee members <begin delete> ~~The~~ <end delete> <begin add> (the <end add> Commission Chairperson and Vice Chairperson hold two of the seats on the Executive Committee) shall be elected annually in accordance with the procedures set forth in this section.
10. Terms of office shall be one year, re-electable.
11. The election shall take place at the <begin delete> ~~annual meeting which shall be the~~ <end delete> first meeting <begin add> of the calendar year <end add> following yearly expiration of terms.
12. The election shall be conducted by the Executive Secretary/Director to the Commission.
13. The election for Executive Committee members shall be separate elections and shall take place after the elections for Commission Chairperson and Vice Chairperson according to *Robert’s Rules of Order*, with nominations made from the floor. Each Commissioner shall vote for up to three candidates for the remaining Executive Committee members. The election shall be by a majority vote ofvoting memberswho are present. No one may be a candidate without being present at the meeting and without one’s consent. The elected members shall be the three nominees who receive the most votes. There shall be no voting by proxy.
14. When an Executive Committee member is not able to complete <begin delete> ~~his or her~~ <end delete> <begin add> their <end add> term, a new Executive Committee member is elected by the full Commission at the next meeting of the full Commission.
15. SUBJECT MATTER COMMITTEES. SMCs will be established by the Commission, each with the primary purpose of assisting the Commission in making recommendations on matters related to a particular subject matter area (see, 5 *CCR*, Section 9510[v]). SMC membership shall take into account subject matter expertise of the Commissioners and the recommendation of the Executive Committee. SMCs shall be composed of at least three and no more than nine Commissioners, including ex officio members.
    1. SMC Officers
    2. SMC Chairperson. Each SMC Chairperson shall be appointed by the Commission Chairperson at the first meeting of the year. The term of office shall be one year and reappointment is permissible. The SMC Chairperson’s duties include:
16. When applicable, recommend to the Commission who should serve as the Chairperson of the CFCC.
17. Serve as a liaison person to the CFCC.
18. Present to the SBE on behalf of the Commission, <begin add> regarding <end add> important recommendations in that content area, including, though not limited to, frameworks, criteria and adoption recommendations.
19. Whenever possible, ensure that at least one member of the SMC attends the Invitation to Submit meeting.
20. Whenever possible, ensure that at least one member of the SMC attends one of the four curriculum framework focus group meetings established in   
    5 *CCR*, Section 9511(c).
21. Whenever possible, ensure that at least one member of the SMC attends each meeting of the CFCC.
22. Prepare a summary of each committee meeting, to be reported at the Commission meeting, when called for by the Commission Chairperson.
23. Immediately involve ~~a~~ new Commissioners assigned to the SMC in the work of the SMC.
    1. SMC Vice Chairperson. Each SMC shall elect, by majority vote of SMC members who are present at the first meeting of the year, its own SMC Vice Chairperson. The term of office shall be one year and reelection is permissible. The SMC Vice Chairperson~~’s~~ shall act as SMC Chairperson in the absence of the SMC Chairperson.
    2. Procedures for SMCs
24. A majority of <begin add> total <end add> SMC members constitutes a quorum.
25. There shall be no voting by proxy.
26. All recommendations to the Commission shall be by majority vote of the SMC, the vote being taken in the presence of a quorum. Committees will make every effort to arrive at consensus.
27. A record of actions taken shall be maintained at all SMC meetings where decisions for recommending instructional materials to the Commission will be made.
28. Committee meetings may be held only if authorized in advance by the Commission.
29. AD HOC COMMITTEES. Ad hoc committees may be <begin delete> ~~appointed~~ <end delete> <begin add> established <end add> by the Commission Chairperson to deal with immediate problems of concern to the Commission as a whole.
    1. Membership of ad hoc committees shall be continuous until the committee’s charge is completed, notwithstanding any reorganization of the Commission, except in the presence of special circumstances.
    2. Appointment of an ad hoc committee shall be accompanied by a specific charge.
    3. Ad hoc committees shall report to the Commission as a whole.

## COMMISSION LIAISONS

Liaison appointments shall be made by the Commission Chairperson. <begin add> Liaison appointments may include, but not be limited to, the California Subject Matter Projects or the California Statewide Model Curriculum Coordinating Council. <end add> All Commissioners who have expressed an interest shall be considered in making an appointment <begin add> and may act as liaisons to more than one committee <end add>. Any liaison appointment shall be accompanied by a specific charge. Liaison persons who will be expected to make commitments on behalf of the Commission or make other than routine decisions as members of joint committees shall consult with the Commission, or appropriate SMCs, so that an appropriate position may be established before any meetings requiring such action.

## OPERATING PROCEDURES OF THE COMMISSION AND ITS COMMITTEES

1. GENERAL CONDUCT OF BUSINESS
2. Debate and proceedings shall be conducted in accordance with *Robert’s Rules of Order* <begin delete> ~~(Newly Revised)~~ <end delete> when not in conflict with these *Bylaws* and other statutory requirements.
3. The agenda will <begin add> be developed by the Executive Secretary/Director in consultation with, and consisting <end add> of items determined by, the Commission Chairperson, committee Chairpersons, <begin add> the SBE liaison, <end add> or requests from individual members that were agreed upon at a previous meeting. The Chairperson may reject or modify any agenda item determined not to be germane to the Commission’s or committee’s charge.
4. Agenda items will be designated as action or information.
5. Commission members wishing to request agenda items for the full Commission agenda should submit them to the Commission Chairperson, with a copy to the Executive Secretary/Director. The request should be accompanied by any material to be distributed to members with a justification explaining how the item pertains to the business of the Commission.
6. Commission members wishing to request agenda items for a committee’s agenda should submit them to the Chairperson of the committee with a copy to the Executive Secretary/Director. The request should be accompanied by any material to be distributed to committee members with a justification explaining how the item pertains to the business of the committee.
7. The Commission Chairperson or committee Chairperson may require any substantive motions made from the floor to be submitted in writing to the Executive Secretary/Director.

<begin delete> ~~B. CLOSED SESSIONS~~

~~Closed sessions will be conducted in accordance with~~ *~~Government Code~~* ~~sections 11120-11132 and include only personnel matters regarding exempt employees or litigation. Decisions must be announced publicly before adjournment of the succeeding regular meeting.~~ <end delete>

1. ORIENTATION PROCEDURES FOR NEW MEMBERS

At the first meeting of the calendar year before officers are elected, the continuing members of the Executive Committee in consultation with interested Commissioners, the State Board liaison, CDE staff, and SBE staff will train new Commissioners on the Commission’s procedures and responsibilities of the office.

1. RESOLVING QUESTIONS ABOUT PROCEDURES AND *ROBERT’S RULES OF ORDER*

When Commissioners are unclear or question a procedure that is used by the Commission that pertains to these *Bylaws* or *Robert’s Rules of Order*, the following process shall be used:

1. There must be a resolution stating the question and it must be approved by a majority of the Commission.
2. The matter will come before the Executive Committee for a final decision.
3. The Executive Committee shall consult these *Bylaws,* *Robert’s Rules of Order,* and the Commission’s parliamentarian.
4. The Executive Committee shall attempt to reach consensus but will conduct a vote if necessary.
5. The decision and an explanation will be read into the minutes.
6. The Executive Committee will not interpret any state law or federal law.

1. Under *Robert’s Rules of Order* (10th Edition), p. 480, a member of the body serving on committees as an ex officio member “has the right, but not the obligation, to participate in the proceedings of the committees, and he (sic) is not counted in determining the number required for a quorum or whether a quorum is present at a meeting.” Thus, a SMC (or other Committee) composed of five members requires three of those five members to be present to have a quorum and to conduct business, whether the Commission Chairperson is present or not. The Commission Chairperson may make motions, speak, and vote just as do the Commission members appointed to that Committee. [↑](#footnote-ref-1)
2. The Commission will use the most current and authorized edition of *Robert’s Rule of* *Order*. [↑](#footnote-ref-2)