

California Academic Senate — Brown Act Compliance Checklist

Ralph M. Brown Act, Gov. Code §§ 54950–54963. Applies to the Academic Senate and Brown Act-covered committees/bodies (standing committees or bodies created by formal action with continuing jurisdiction; check ad hoc/temporary advisory-committee exceptions).

Note:

1. Meeting Notice — the 72-Hour Rule

- Agenda posted at least **72 hours** before the regular meeting (Gov. Code [§ 54954.2\(a\)](#)).
- Posted in a location **freely accessible to the public** and on the agency's primary website (prominent direct link) — internet-only posting is not enough.
- Agenda states **date, time, and location**; remains available through the **entire 72-hour period and the meeting** (includes weekends/non-business hours).
- Special meetings: notice posted at least **24 hours** in advance; only noticed business may be discussed (Gov. Code [§ 54956](#)).

2. Agenda Requirements

- Each item has a **brief general description** (generally ≤ 20 words) sufficient for the public to decide whether to attend ([§ 54954.2\(a\)](#)).
- **Closed-session items on the agenda** using the applicable closed-session authority and/or § 54954.5 safe-harbor description (e.g., litigation § 54956.9, real property § 54956.8, personnel/security § 54957, labor § 54957.6).
- Agenda provides **public comment** on any item within the body's jurisdiction, before or during its consideration (Gov. Code [§ 54954.3](#)).
- No action or substantive discussion on **non-agendized items**, except: (a) emergency per § 54956.5; (b) item arose after posting + 2/3 vote (unanimous if $< 2/3$ quorum present); (c) item posted for a prior meeting ≤ 5 calendar days earlier and continued here ([§ 54954.2\(b\)](#)). Brief responses, clarifications, referrals, and requests to agendize are allowed in response to public comment.
- Writings distributed to a majority < 72 hours before the meeting are **made public at the time of distribution** (Gov. Code [§ 54957.5](#)).

3. Voting Protocols

- **No secret ballots**, preliminary or final; all open-session votes cast/tallied publicly (Gov. Code § 54953(c)).
- Publicly **report each action taken and each member's vote or abstention** (§ 54953(c)(2)); **roll call required for teleconferenced/remote votes** (§ 54953(b)(2)).
- Written ballots permitted **only** if marked, tallied in open session, and disclosable public records.
- Vote only through members **present or lawfully participating**; do not count proxy votes unless district counsel confirms a lawful local rule authorizing them (the Act has no proxy provision).

4. Prohibitions

- **No serial meetings** — no use of direct communication, intermediaries, email, text, or phone by a majority to develop collective concurrence outside a noticed meeting (Gov. Code § 54952.2). Includes **daisy-chain** (A→B→C) and **hub-and-spoke** (A polls B and C individually).
- A series of one-on-one contacts revealing members' positions or building concurrence is a violation — even if emails are cc'd to the chair or posted online.
- Individual member-to-constituent contacts and logistics (scheduling, placing items on the agenda) are permitted.

Rule of thumb: Academic senates and curriculum committees rarely hold closed-session authority — when in doubt, keep it open and consult district counsel.

Sources: CA Attorney General, The Brown Act: Open Meetings for Legislative Bodies; CA Gov. Code §§ 54950–54963; ASCCC, Brown Act and Curriculum Committee.