

**TEMECULA VALLEY CHARTER SCHOOL  
Board Policy**

**Section 2000 Governing Board**

**2029 ACTIONS BY THE BOARD**

**Board Action:**

**Effective Date: 10-5-15**

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An "action" by the Board of Directors means:

1. A collective decision by a majority of the Board members at a meeting held in compliance with the Ralph M. Brown Act.
2. A collective commitment or promise by a majority of the members to make a positive or negative decision at a meeting held in compliance with the Ralph M. Brown Act.
3. A vote by a majority of the members when sitting as the Board upon a motion, proposal, resolution, order or ordinance at a meeting held in compliance with the Ralph M. Brown Act.

When required by law, action shall instead require a two-thirds, four-fifths, or unanimous vote of either the Board or Board members present at the meeting.

The Board may take action in a regular meeting on a subject not listed on the published agenda only when it publicly identifies the item to be acted upon in conjunction with one of the following circumstances:

1. The Board, by majority vote of its members, determines that the action responds to an emergency situation.
2. The Board determines, either by a two-thirds majority vote of the members present, at the meeting or, if less than two-thirds of the members are present, by a unanimous vote of all members present, that the need to take immediate action came to the school's attention after the posting of the agenda.
3. The matter was properly posted for a previous meeting occurring not more than five days earlier and was continued to the meeting at which action is being taken.

The Board shall not take action by secret ballot, whether preliminary or final.

Actions taken by the Board in open session shall be recorded in the Board minutes. Individual votes of each Board member shall be recorded in the minutes.

**Challenging Board Actions**

Any demand by the school attorney or any interested person to correct a Board action because of an alleged violation of the Brown Act shall be presented to the Board in writing within the appropriate timeframes required by the Brown Act.

### **ACTIONS REQUIRING MORE THAN A MAJORITY VOTE**

Actions Requiring a Two-Thirds Vote of the Board:

1. Resolution declaring intention to sell or lease real property.
2. Resolution declaring intent of Board to convey or dedicate property to the state or any political subdivision.
3. Resolution authorizing and directing the Board president to execute a deed of dedication or conveyance of property to the state or a political subdivision.
4. Lease for up to three months of school property which has a residence on it and which cannot be developed for school purposes because funds are unavailable.
5. Temporary borrowing before receipt of fiscal income.

Actions Requiring a Unanimous Vote of the Board Members Present at a Meeting at Which a Quorum is called:

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property in the local dump or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of its sale.