

MEETING PROCEDURES, QUORUM, AND VOTING

I. MEETING PROCEDURES

- A. A “meeting” means any congregation of a majority of the members of the Board at the same time and location, including teleconference location as permitted by Government Code section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

If a teleconference location exists for a meeting, at least a quorum of the Board shall participate from locations within the District’s boundaries.

- B. All governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with the Board’s Policies and posted and distributed in accordance with the Ralph M. Brown Act, the California Education Code, and other applicable laws requiring that the Board’s meetings be held in public unless a specific exception authorizes the Board to meet in closed session.
- C. The Board President shall be primarily responsible for conducting the Board’s meetings in accordance with the Board’s Policies and Administrative Regulations so that the Board is able to efficiently consider matters on the agenda and carry out the will of the Board.
- D. The Board believes that late night meetings deter public participation, can affect the Board’s decision-making ability, and can be a burden to staff. Regular Board meetings should be adjourned by 9:00 p.m. unless extended to a specific time determined by a majority of the Board present at the meeting.

II. PRESIDING OFFICER

- A. The Board President shall preside at all meetings of the Board. In the absence, request, disability, or disqualification of the President, the Vice President or the Clerk, in that order, shall preside. The act of any duly designated presiding officer shall be legal and binding.

III. PARLIAMENTARY AUTHORITY

- A. The rules contained in the current edition of Robert’s Rules of Order, Newly Revised, shall govern the Board’s deliberations in all cases to which they are applicable and in which they are not inconsistent with Board Policies, Administrative Regulations, or other applicable laws.
- B. The Board, by two-thirds majority vote, may suspend the application of Robert’s Rules of Order, or specific provisions of Robert’s Rules of Order at a particular meeting, or for a specific agenda item or topic. The suspension of Robert’s Rules of Order shall only be for

the duration of the meeting, or any adjourned or continued meeting where the same agenda item or topic is under consideration. Any further suspension of Robert’s Rules of Order shall require the adoption of an appropriate Board Policy modifying the application of Robert’s Rules of Order.

1. For purposes of applying and interpreting Robert’s Rules of Order, each meeting of the Board, other than an adjourned regular or special meeting, shall constitute a new session.
2. The Board may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment.
 - a. Less than a quorum may so adjourn from time to time.
 - b. If all members are absent from any regular or adjourned regular meeting, Chancellor, as secretary to the Board may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings.
 - c. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held within 24 hours after the time of adjournment.
 - d. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be at the hour specified for regular meetings in Board Policy 2310 – *Regular Meetings of the Board*.

IV. QUORUM AND VOTING

- A. A quorum of the Board shall consist of four members.
- B. The Board shall act by majority vote of all membership of the Board, except with respect to non-substantive procedural matters specified in the Board’s Policies.

If there are fewer than two vacancies on the governing Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority.

- C. The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. Notwithstanding the foregoing, if Board members abstain from voting on a motion, the abstention will be counted with the affirmative vote on the motion.
- D. When a member abstains as the result of an actual or potential conflict of interest, their abstention shall not be counted for purposes of determining whether a majority of the Board has taken action. When an abstention is required by law, the member shall comply with that laws’ rules and Board Policy (BP) and Administrative Regulation (AR) 2710 – *Conflict of Interest* and BP and AR 2712 – *Conflict of Interest Code* with respect to disclosure of the conflict of interest.

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- E. No action shall be taken by secret ballot. The Board will publicly report any action taken in open session and the vote or abstention of each individual member present.
- F. The following actions require a two-thirds majority of all members of the Board:
 - 1. Resolution of intention to sell or lease real property (except where a unanimous vote is required);
 - 2. Resolution of intention to dedicate or convey an easement;
 - 3. Resolution authorizing and directing the execution and delivery of a deed;
 - 4. Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
 - 5. Appropriation of funds from an undistributed reserve;
 - 6. Resolution to condemn real property;
 - 7. Resolution to pursue the authorization and issuance of bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution; and
 - 8. Suspension of Robert’s Rules of Order.
- G. The following actions require a unanimous vote of all members of the Board:
 - 1. Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district;
 - 2. Resolution authorizing lease of District property under a lease for the production of gas.

When a unanimous action of all Board members is required, if there is a vacant position on the Board, the vacant position(s) shall be excluded from determination of the total membership constituting the governing Board.

- H. All votes taken during a teleconferenced meeting shall be by roll call.

References:

*Education Code Sections 15266, 72000(d)(3), 72000(d)(5), 81310 et seq., 81365, 81511, and 81432
Government Code Sections 1090, 1091, 1091.5, 53094, 54950 et seq., 81000 et seq., and 87100 et seq.
Code of Civil Procedure Section 1245.240*

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