

VOTING AT BOARD OF EDUCATION MEETINGS

Voting at Board of Education meetings will normally be by voice vote or by a show of hands. To the extent permitted by law, the Board of Education may also take official action by a showing of unanimous consent that is sufficiently documented in the meeting minutes.

A roll call vote or other method of voting that clearly ascertains and results in the recording of the individual vote of each Board of Education member shall be used (1) upon the request of any member of the Board of Education, except when the Board of Education is using secret ballots to elect officers, and (2) whenever required by law, including on all votes to convene in a closed session.

The use of secret ballots is expressly prohibited by state law except for the Board of Education's election of its own officers. Further, a Board of Education member who is not personally participating in a meeting may not cast a vote by proxy (i.e., having a person who is present at the meeting cast the vote of the absent Board of Education member) or by any absentee ballot.

A motion or resolution is passed/adopted when a majority of the members who are voting have cast their votes in favor of the motion, except as otherwise required by law or Board of Education policy. For example, state statutes require (1) a majority vote of the full membership of the Board of Education to employ or dismiss most licensed/certified employees of the District who hold individual employment contracts, and (2) a two-thirds vote of the entire membership of the Board of Education is required to change the appropriations stated in the District's previously-adopted annual operating budget.

All Board of Education members, including the presiding officer, are expected to vote on all issues before the Board of Education except on matters involving actual or potential conflicts of interest or where a Board of Education member has some other valid reason to abstain from voting. A conflict of interest that disqualifies a Board of Education member from voting may be small, but it must also be direct, definite, and capable of demonstration-it is not sufficient for a conflict to exist if the interest is remote, uncertain, or merely speculative or theoretical. When a Board of Education member abstains from voting at a meeting, the abstention shall be recorded in the Board of Education meeting minutes.

A Board of Education member abstaining due to an actual or potential conflict of interest or due to possible bias in a matter shall neither vote nor participate in the Board of Education's discussion or deliberations on the matter.

No action of the Board of Education shall be deemed void, voidable, or otherwise improper solely due to a failure to adhere to discretionary voting procedures set forth or incorporated within Board of Education policy.

Legal Ref: 19.88, 65.90(5)(a), 118.22(2), 118.24(6) WSS
Cross Ref:

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