

## **Exhibit**

**Bylaws of the Board**

E 9323.2(a)

### **ACTIONS BY THE BOARD**

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

Note: The following exhibit lists some of the Governing Board actions that require more than a majority vote. Other such actions may exist and may be identified in the future.

##### **Actions Requiring a Two-Thirds Vote of the Board:**

1. Resolution declaring intention to sell or lease real property (Education Code 17466)

*(cf. 3280 - Sale, Lease and Rental of District-Owned Real Property)*

2. Resolution declaring intent of Board to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)
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 (Education Code 17559)
4. Lease for up to three months of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)

Note: Although a two-thirds vote and the approval of the county auditor and treasurer are required for temporary borrowing before receipt of fiscal income under Government Code 53820-53833, only a majority vote of the Board is required for temporary borrowing pursuant to Government Code 53850-53858.

5. Temporary borrowing before receipt of fiscal income, if implemented pursuant to Government Code 53820-53833 (Government Code 53821)
6. Ordering city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)

*(cf. 7131 - Relations with Local Agencies)*

*(cf. 7150 - Site Selection and Development)*

**ACTIONS BY THE BOARD** (continued)

7. Resolution to transfer excess local funds from a deferred maintenance fund when state funds are insufficient to match local funds being held in the deferred maintenance fund (Education Code 17582, 17583)

Note: Items #8-#10 below are for use by districts seeking to add a community day school on an existing school site.

8. For districts with an ADA of 2,500 or less seeking to add a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)
9. For K-8 districts (and no higher) seeking to add a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)
10. For districts desiring to operate a community day school on an existing school site to serve grades K-6 (and no higher), certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

(cf. 6185 - *Community Day School*)

Note: As added by AB 1908 (Ch. 44, Statutes of 2000) and operative upon the passage of Proposition 39 on the November 2000 ballot, Education Code 15266 authorizes the following resolution.

11. Resolution to issue general obligation bonds with the approval of 55% of the voters of the district (Education Code 15266)

(cf. 7214 - *General Obligation Bonds*)

**Actions Requiring a Four-Fifths Vote of the Board:**

1. The expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval or air attack or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

(cf. 3110 - *Transfer of Funds*)

**ACTIONS BY THE BOARD** (continued)

2. Adoption of a resolution, between July 15 and August 30, to borrow funds of up to 25% of the estimated income and revenue to be received by the district during the fiscal year from apportionments based on ADA for the preceding year (Government Code 53822-53824)

**Actions Requiring a Unanimous Vote of the Board:**

1. Resolution authorizing and prescribing the terms of a community lease for extraction of gas (Education Code 17510-17511)

Note: Public Contract Code 20113 specifies conditions under which the Board may waive the competitive bid process as detailed in Public Contract Code 20111.

2. Waiver of the competitive bid process when the Board determines that an emergency exists (Public Contract Code 20113)

*(cf. 3311 - Bids)*

**Actions Requiring a Unanimous Vote of the Board Members Present at the Meeting:**

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. (Education Code 17546)

*(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)*

**Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:**

1. That the need to take immediate action came to the district's attention after the posting of the agenda. If less than two-thirds of the members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)

Adopted: March 11, 2004

GRAVENSTEIN UNION SCHOOL DISTRICT  
Sebastopol, California