



**Broward  
Community  
College**

## Policy Manual

<b>Title:</b> Voting Requirements	<b>Number:</b> 6Hx2-1.16
<b>Legal Authority:</b> Fla. Statutes 286.012; 112.3143 Fla. St. Bd. of Ed. Admin. Rules 6A-14.0247 (1)	<b>Page:</b> 1 of 2

No member of the Board of Trustees shall be prohibited from voting in his/her official capacity on any matter. All trustees are required to vote on official decisions, rulings, or actions of the Board, and a vote shall be recorded or counted for each member present except when a conflict of interest exists. Board chairs are not exempt from this requirement and do *not* have the prerogative of voting on issues only when there is a tie vote.

**Conflict of Interest.** No trustee shall vote in an official capacity upon any measure which would inure to his/her special private gain or loss; which he/she knows would inure to the special private gain or loss of any principal by whom he/she is retained or to the parent organization or subsidiary of a corporate principal by which he/she is retained; or which he/she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such trustee shall, prior to the vote being taken, publicly state to the assembly the nature of the officer’s interest in the matter from which he/she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his/her interest as a public record in a memorandum filed with the President, who shall incorporate the memorandum in the minutes.

No trustee shall participate in any matter which would inure to the officer’s special private gain or loss; which the trustee knows would inure to the special private gain or loss of any principal by whom he/she is retained or to the parent organization or subsidiary of a corporate principal by which he/she is retained; or which he/she knows would inure to the special private gain or loss of a relative or business associate of the trustee, without first disclosing the nature of his/her interest in the matter. Such disclosure indicating the nature of the conflict shall be made in a written memorandum filed with the President prior to the meeting in which consideration of the matter will take place and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

If the conflict is unknown or not disclosed prior to the meeting, the trustee must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting’s recording officer within 15 days of the

<b>History:</b> Revised on January 17, 1978; revised on October 15, 1985; revised on March 19, 1991; revised and re-numbered on April 16, 1997
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<b>Approved by the Board of Trustees</b>	<b>Date</b> 04/16/97	<b>President’s Signature</b> 	<b>Date</b> 04/16/97
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disclosure being made and must be provided to the other members of the Board with the disclosure being read publicly at the next scheduled meeting.

**Minutes.** The minutes of the Board's meetings shall show the vote of each member present on all matters on which the Board takes action. It shall be the duty of each member to see to it that both the matter and his/her vote thereon are properly recorded in the minutes. Unless otherwise shown by the minutes, it shall be presumed that the vote of each member present supported any action taken by the Board in either the exercise of, violation of, or neglect of the powers and duties imposed upon the Board by law or legal rule, whether such action is recorded in the minutes or is otherwise established. It shall also be presumed that the policies, appointments, program, and expenditures not recorded in the minutes but made and actually in effect in the College were made and put into effect in accord with established rules of the Board. The President is responsible for obtaining Board consent for all exceptions to established rules of the Board.

[Link to Procedure A6Hx1.16](#)