

**Exhibit 9323.2-E(2): Actions By The Board****Original Adopted Date: 3/1/2024****UNCONDITIONAL COMMITMENT LETTER**To: (Name of district attorney or any interested person)

The Governing Board of (name of school district) has received your cease and desist letter dated (date) alleging that the following past action taken by the Board violates the Ralph M. Brown Act:  
*(Describe alleged past action as set forth in the cease and desist letter.)*

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above. The Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting.

In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

(Name)(Title of Board President or other designee)**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State**

Code of Civil Procedure 1245.240

Code of Civil Procedure 1245.245

Code of Civil Procedure 425.16

Ed. Code 15266

Ed. Code 17466

Ed. Code 17481

Ed. Code 17510-17512

**Description**[Eminent domain vote requirements](#)[Eminent domain; resolution adopting different use](#)[Special motion to strike in connection with a public issue](#)[School construction bonds](#)[Declaration of intent to sell or lease real property](#)[Lease of property with residence for nondistrict purposes](#)[Leasing for production of gas; resolution requiring unanimous vote](#)

Ed. Code 17546	<a href="#">Private sale of personal property</a>
Ed. Code 17556-17561	<a href="#">Dedication of real property</a>
Ed. Code 35140-35149	<a href="#">Meetings</a>
Ed. Code 35160-35178.4	<a href="#">Powers and duties</a>
Ed. Code 48660-48661	<a href="#">Community day schools; establishment and restrictions</a>
Gov. Code 53090-53097.5	<a href="#">Regulation of local agencies by counties and cities</a>
Gov. Code 53724	<a href="#">Parcel tax resolution requirements</a>
Gov. Code 53790-53792	<a href="#">Exceeding the budget</a>
Gov. Code 53820-53833	<a href="#">Temporary borrowing</a>
Gov. Code 53850-53858	<a href="#">Temporary borrowing</a>
Gov. Code 54950-54963	<a href="#">The Ralph M. Brown Act</a>
Gov. Code 54952.6	<a href="#">Action taken; definition</a>
Gov. Code 54953	<a href="#">Meetings to be open and public; attendance</a>
Gov. Code 54960-54960.5	<a href="#">Actions to prevent violations</a>
Gov. Code 65352.2	<a href="#">Communicating and coordinating of school sites</a>
Pub. Cont. Code 20110-20118.44	<a href="#">School district contracts</a>
Pub. Cont. Code 20113	<a href="#">Emergencies; award of contracts without bids</a>
Pub. Cont. Code 20114	<a href="#">Repairs, maintenance, and improvements to district facilities by day labor or force account</a>
Pub. Cont. Code 22034	<a href="#">Uniform Public Construction Cost Accounting Act informal bidding ordinance</a>
Pub. Cont. Code 22035	<a href="#">Repair or replacement of facilities in case of emergency</a>
Pub. Cont. Code 22050	<a href="#">Emergency contracting procedures</a>
Pub. Cont. Code 3400	<a href="#">Bid specifications</a>
<b>Management Resources</b>	<b>Description</b>
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672
Court Decision	Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109
Court Decision	Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
Court Decision	McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019

League of California Cities Publication	Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Institute for Local Government</a>
Website	<a href="#">California Office of the Attorney General</a>
Website	<a href="#">CSBA</a>

## Cross References

Code	Description
3260	<a href="#">Fees And Charges</a>
3260	<a href="#">Fees And Charges</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3280	<a href="#">Sale Or Lease Of District-Owned Real Property</a>
3280	<a href="#">Sale Or Lease Of District-Owned Real Property</a>
3311	<a href="#">Bids</a>
3311	<a href="#">Bids</a>
3311.1	<a href="#">Uniform Public Construction Cost Accounting Procedures</a>
3311.1	<a href="#">Uniform Public Construction Cost Accounting Procedures</a>
3471	<a href="#">Parcel Taxes</a>
6185	<a href="#">Community Day School</a>
6185	<a href="#">Community Day School</a>
7131	<a href="#">Relations With Local Agencies</a>
7150	<a href="#">Site Selection And Development</a>
7150	<a href="#">Site Selection And Development</a>
7160	<a href="#">Charter School Facilities</a>
7160	<a href="#">Charter School Facilities</a>
7213	<a href="#">School Facilities Improvement Districts</a>
7214	<a href="#">General Obligation Bonds</a>
7214	<a href="#">General Obligation Bonds</a>
9000	<a href="#">Role Of The Board</a>
9005	<a href="#">Governance Standards</a>
9012	<a href="#">Board Member Electronic Communications</a>
9150	<a href="#">Student Board Members</a>

9200	<a href="#"><u>Limits Of Board Member Authority</u></a>
9223	<a href="#"><u>Filling Vacancies</u></a>
9310	<a href="#"><u>Board Policies</u></a>
9320	<a href="#"><u>Meetings And Notices</u></a>
9321	<a href="#"><u>Closed Session</u></a>
9321-E(1)	<a href="#"><u>Closed Session</u></a>
9321-E(2)	<a href="#"><u>Closed Session</u></a>
9322	<a href="#"><u>Agenda/Meeting Materials</u></a>
9323	<a href="#"><u>Meeting Conduct</u></a>
9324	<a href="#"><u>Minutes And Recordings</u></a>