

LIMITS OF BOARD MEMBERS AUTHORITY

The Governing Board is the unit of authority over the district. It has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting.

(cf. 1160 – Political Processes)
(cf. 9000 - Role of the Board)
(cf. 9005 – Governance Standards)
(cf. 9270 – Conflict of Interest)
(cf. 9323 – Meeting Conduct)

The Board member has no individual authority. Individually, the Board member may not commit the district to any policy, act or expenditure. The Board member cannot do business with the district served, nor should the Board member have an interest in any contract with the school district. The Board member represents and acts for the community as a whole and should not represent any factional segment of the community or any individual school.

(cf. 9270 - Conflict of Interest)

Individual members of the Board, by virtue of holding office, shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the Superintendent. At his/her discretion, the Superintendent may refer the request to the entire Board for consideration. If approved, the Superintendent or designee shall perform any necessary research associated with the request and report to the Board at a future meeting or as directed by the Board.

(cf. 1340 - Access to District Records)
(cf. 4112.6/4212.6/4312.6 – Personnel Files)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9322 – Agenda/Meeting Materials)

Individual Board members do not have the authority to resolve complaints. Any Board member approached directly by a person with a complaint should refer the complainant to the Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate district process.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3320 - Claims and Actions Against the District)
(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

Because his/her position as a Board member may inhibit the performance of school personnel, a Board member shall not serve as a volunteer aide in the district without the approval of the Superintendent or designee.

LIMITS OF BOARD MEMBERS AUTHORITY (continued)

(cf. 1240 – Volunteer Assistance)
(cf. 5020 – Parent Rights and Responsibilities)
(cf. 6020) – Parent Involvement)

Obligations of the Board

Board members should hold the education of children and youth above any partisan principle, group interest, or personal interest.

Board members should understand their role and the programs offered by the district. They should study all agenda materials before the meeting, participate in the discussion of items which come before the Board, vote on motions and resolutions, and abstain only for compelling reasons.

(cf. 9240 - Board Development)
(cf. 9271 - Code of Ethics)
(cf. 9320 - Meetings and Notices)

Board members shall refer Board-related correspondence to the Superintendent or designee for forwarding to the Board or for placement on the Board's agenda.

(cf. 9322 - Agenda/Meeting Materials)

Board members and persons elected to the Board who have not yet assumed office are responsible for complying with the requirements of the state's open meeting laws. (Government Code 54952.1)

The Superintendent or designee shall provide a copy of the state's open meeting laws (Brown Act) to each Board member and to anyone who is elected to the Board but has not yet assumed office.

Legal Reference: (see next page)

LIMITS OF BOARD MEMBERS AUTHORITY (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

7054 Use of district property

35010 Control of district; prescription and enforcement of rules

35100-35351 Governing boards, especially:

35160-35184 Powers and duties

35291 Rules

35292 Visits to schools (Board members)

51101 Rights of parents/guardians

GOVERNMENT CODE

54950-54962 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body of a local agency

54952.7 Copies of chapter to members of legislative body

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardmanship, 1996

WEB SITES

CSBA: <http://www.csba.org>