

Berkeley USD

Board Bylaw

Limits Of Board Member Authority

BB 9200

Board Bylaws

The Governing Board recognizes that the Board is the unit of authority over the district and that a Board member has no individual authority. Board members shall hold the education of students above any partisan principle, group interest, or personal interest.

(cf. [9000](#) - Role of the Board)

(cf. [9005](#) - Governance Standards)

(cf. [9270](#) - Conflict of Interest)

Unless agreed to by the Board as a whole, individual members of the Board 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. Board members shall refer Board-related correspondence to the Superintendent for forwarding to the Board or for placement on the Board's agenda, as appropriate.

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. This shall not preclude any Board member from meeting with any person to hear a complaint or from inquiring with the Superintendent or designee regarding any issue.

A board member whose child is attending a district school should be aware of his/her role as a Board member when interacting with district employees. A Board member should inform the Superintendent or designee before volunteering in his/her child's classroom.

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 9270 - Conflict of Interest)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

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 Brown Act to each Board member and to anyone who is elected to the Board and who has not yet assumed office.

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: Boardsmanship, 1996

WEB SITES

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

Bylaw BERKELEY UNIFIED SCHOOL DISTRICT

Adopted: April 20, 2005 Berkeley, California