

BOARD BYLAWS

SUBJECT: Members Limits of Authority

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.

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 does not represent any factional segment of the community.

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 any Board member request for information that requires staff to complete a report or analysis to the entire Board for discussion and Board consensus. If there is a consensus, the Superintendent or designee shall, at the direction of the Board, perform any necessary research associated with the request and report to the Board at a future meeting or in the Board's Friday letter.

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

(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)

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. Because his/her position as a Board member may inhibit the performance of school personnel, the 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)

Obligations of Board Members

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 Brown Act to each Board member and to anyone who is elected to the Board.

Legal Reference:

EDUCATION CODE

7054 Use of district property
35010 Control of district; prescription and enforcement of rules
35100-35351 Governing boards - esp.
35160-35184 Powers and duties
35230-35240 Corrupt practices
35291 Rules
35292 Visits to schools (Board members)

GOVERNMENT CODE

54952.1 Member of a legislative body of a local agency
54952.7 Copies of chapter to members of legislative body
54959 Penalty for unlawful meetings