

LIMITS OF BOARD MEMBER AUTHORITY

The Governing Board recognizes that the Board is the unit of authority over the district, and that a Board member has no individual authority. 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.

Individual Authority

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 shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee.

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 Board meeting, participate in the discussion of items which come before the Board, vote on motions and resolutions, and abstain only for compelling reasons.

Requests for Information

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 shall submit requests for information to the Superintendent. The Superintendent shall provide responses to the requests to the entire Board for their information. The Superintendent or designee shall perform any necessary research associated with the requests and report the responses to the Board.

Resolution of Complaints

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, so that the problem may receive proper consideration and be handled through the appropriate district process.

Adherence to Brown Act

Board members and persons elected to the Board are responsible for complying with the requirements of the state's open meeting laws. 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. Persons elected to the Board are subject to Brown Act requirements even if they have not yet assumed office and, that for purposes of enforcement under the Brown Act, such persons shall be treated as if they have already assumed office. Each member of a legislative body who attends a meeting during which action is taken in violation of the Brown Act with wrongful intent to deprive the public of information to which it is entitled is guilty of a misdemeanor.

Legal Reference:

EDUCATION CODE

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| 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

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| 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
WEB SITES: CSBA -- <http://www.csba.org>

ADOPTED: 7/12/95

REVISED: 1/28/04, 8/13/2014, 4/10/2019