

LIMITS OF BOARD MEMBER AUTHORITY

The Governing Board is the unit of authority over the District. It has broad, but clearly limited powers. The exercise of the Board's authority is restricted to the functions required or permitted by law, and 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 shall abstain from voting on any issue or contract in which he/she may have an interest. The Board member represents and acts for the community as a whole and does not represent any factional segment of the community.

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: classified, certificated or management. Employees shall be entitled to working conditions free of intrusion, unauthorized directives, harassment, or threat from a Member of the Board.

Individual Board members shall submit requests for information to the Superintendent. The Superintendent or designee shall provide materials and/or information that are readily available. If a request for information is deemed by the Superintendent as requiring significant effort or research, he/she may assign a priority to the item so that the preparation of the information does not significantly impact the operation of the District. 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.

(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)

LIMITS OF BOARD MEMBER AUTHORITY (continued)

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 about his/her child. Because his/her position as a Board member may inhibit the performance of school personnel, the Board member shall not serve as a volunteer aide in his/her child's classroom without the approval of the Superintendent.

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

OBLIGATIONS OF BOARD MEMBERS

Board members shall hold the education of students 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 and vote on all motions and resolutions, abstaining only for compelling reasons.

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.

Board members and Board members-elect 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 elected to serve on the Board of Education. (Government Code 54952.1)

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>