Bylaws of the Board

Limits of Board Member Authority

The Governing Board is the unit of authority over the district. Apart from the normal function as part of the unit, a Board member has no individual authority. 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. Board members shall hold the education of students above any partisan principle, group interest, or personal interest. A Board member cannot do business with this district, nor should a Board member have an interest of any contract with the school district in general. A Board member does not represent any factional segment of the community, but is rather a part of the body which represents and acts for the community as a whole. (cf. 1160 - Political Processes) (cf. 9000 - Role of the Board) (cf. 9005 - Governance Standards) (cf. 9270 - Conflict of Interest) (cf. 9323 - Meeting Conduct)

Unless agreed to by the Board as a whole, individual members of the Board, 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. The Superintendent or designee shall perform any necessary research associated with the request and report to the Board. 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, as appropriate. (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)

Board member 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)

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Limits of Board Member Authority (continued)

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.

Board members and persons elected to the Board who have not yet assumed office are responsible for complying with the requirements of the Brown Act. (Government Code 54952.1)

Legal Reference:

CALIFORNIA 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