

Members Limits of Board Members 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. Board members shall hold the education of students above any partisan principle, group interest, or personal interest. 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.

(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 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.

(cf. 9270 – Conflict of Interest)

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 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.~~ 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. Nothing herein shall be construed as preventing any member of the Board from informing the Superintendent of concerns related to the performance or conduct of any individual employee.

(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. 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 about his/her child. Because his/her position as a Board member may inhibit the performance of school personnel, a Board member shall not serve as a volunteer aide in the district without the approval of the Superintendent or designee. the Board member should inform the Superintendent or designee before volunteering in his/her child's classroom.~~ Members will exercise personal discipline in the performance of their duties, including proper use of authority and appropriate decorum when acting as Board members.

(cf. 9000 – Role of the Board)

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. 9005 – Governance Standards)
- (cf. 9320 – Meetings and Notices)

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. Brown Act. (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.

Obligations of Members

~~Members of the Board must endeavor to attend all meetings, study all materials presented with the agenda prior to attending the meeting, participate in the discussion of any items which come before the Board, and vote on all motions and resolutions, abstaining only for compelling reasons.~~

The Board member should not represent any faction or area in the district, but should act only for the good of the entire district; the member should not subordinate the education of children and youth to any partisan principle, group interest, or the member's own personal interest.

The Board member should be prepared and willing to devote a sufficiently large amount of time to the study of the problem of education in this district, the state, and the nation so as to be able to interpret them to the people of this district.

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

~~35230-35240 Corrupt practices~~

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>

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MT. DIABLO UNIFIED SCHOOL DISTRICT
Concord, California