

Bylaws of the Board MEMBERS

BB 9200(a)

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.

(cf. 9000 - Role of the Board)

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.

(cf. 1340 - Access to District Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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 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)

Note: Government Code 54952.1, added by SB 36 (Ch. 1137, Statutes of 1993), states that 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. Pursuant to Government Code 54959 (SB 36, Ch. 1137, Statutes of 1993), each member of a legislative body who attends a meeting where 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.

MEMBERS (Continued)

BB 9200(b)

Board members and persons elected to the Board are responsible for complying with the requirements of the state's open meeting laws.

Note: Pursuant to Government Code 54952.7 as amended by SB 1140 (Ch. 1138, Statutes of 1993), the Board may require a copy of the Brown Act to be given to each Board member and to any person elected to the Board who has not assumed office. The following optional paragraph makes this requirement.

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

Adopted: 3-11-04

**GRAVENSTEIN UNION SCHOOL DISTRICT
Sebastopol, California**