

Policy ABC: Board Member Legal Status

Status: DRAFT

Original Adopted Date: 03/13/2019 | **Last Reviewed Date:** 03/13/2019

BOARD MEMBER LEGAL STATUS

The individual board member of the Jackson County School Board has no legal authority to act individually unless specifically delegated authority to act by this school board at its legal meeting.

It shall be the duty of the superintendent and the school board to limit the expenditure of school funds during the fiscal year to amounts set forth in the respective school budgets as reflected in the board minutes. It shall be unlawful for any school district to budget expenditures from a fund in excess of the resources available within that fund for such expenditures.

PERSONAL LIABILITY

Any member of the school board who shall knowingly enter into any contract, incur any obligation, or make any expenditure in excess of the amount available for the fiscal year shall be personally liable for the amount of such excess. However, no school board member shall be personally liable (a) in the event of any reduction in adequate education payments by action of the Governor acting through the Department of Finance and Administration, or (b) for claims, damages, awards or judgments due to tort actions. Such immunity shall not be a defense in cases of fraud, criminal action, or intentional breach of fiduciary obligations imposed by statute. ' 37-61-19
