

Individual Board Member's Authority and Responsibilities

An individual Board member exercises the authority and responsibility of his/her position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. **The affirmative vote of the majority of members of the Board is required to transact any business.** When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent, gained through attendance at district activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

1. Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the superintendent. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information which require additional expense to the district must be submitted to the Board for consideration.

2. Requests for Legal Opinions

~~Any Board member may request a legal opinion. Such request, however, shall be made through the Board chair to the superintendent.~~ **A request for a legal opinion by a Board member, must be approved by a majority vote of the Board before the request is made to legal counsel.** If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the Board chair. Legal counsel is responsible to the Board.

3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, the Board member will refer the complainant to Board policy KL - Public Complaint. Such information will be conveyed to the superintendent.

4. Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information, and may request information from the superintendent. Board members will not intervene in the administration of the district or its schools.

5. Contracts or Agreements ~~Made By Individual Board Members~~

~~Contracts or agreements made by individual Board members without the Board's authority are invalid.~~ All contracts of the district must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

Legal Reference(s):

[ORS 332.045](#)
[ORS 332.055](#)

[ORS 332.057](#)
[ORS 332.075](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

Cross Reference(s):

BHD - Board Member Compensation and Expense Reimbursement

DFEA - Admissions to District Events

Corrected 7/14/16