

Individual Board Member's Authority and Responsibilities

An individual Board member exercises the authority 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.

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 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 ESD, must be submitted to the Board for consideration.

2. Requests for Legal Opinions

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 involves the Superintendent's employment or performance, the legal opinion should be reported 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 members will direct the staff, students and members of the public to the appropriate complaint policy. Such information will be conveyed to the Superintendent.

4. An Individual Board Member's Relationship to Administration

Individual Board members will be informed about CESD's educational programs, may visit program sites to gain information, and may request information from the superintendent. An individual Board member will not intervene in the administration of CESD or its programs.

5. Contracts or Agreements

Contracts or agreements made by individual Board members without the Board's authority are invalid. All contracts of CESD 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.

6. Collective Bargaining Representation

When acting as the Board's designated representative in collective bargaining, an individual Board member may make and receive proposals in bargaining subject to subsequent approval by the Board.

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).