

Multnomah Education Service District

Code: **BBAA**
Adopted: 9/20/94
Revised/Readopted: 9/20/05; 9/21/10; 10/18/16

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 MESD'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 shall be knowledgeable of information requested through Board action, supplied by the Superintendent, gained through attendance at ESD activities and through professional Board activities.

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

1. Request for Information

Any individual Board member who desires a copy of a written report or survey prepared by the administrative staff shall make such a request to the superintendent. A copy of the material may be available to each member of the Board. Requests for the generation of reports or information which require additional expense to MESD 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 sought involves the superintendent's employment or performance, the request should be made to the Board chair. Outside legal counsel is responsible to the Board. This section does not apply to the MESD general counsel.

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 Board policy KL - Public Complaints. Such information will be conveyed to the superintendent.

4. Board Member's Relationship to Administration

Individual Board members shall be informed about MESD's services and programs. However, Board members are encouraged to visit sites to observe program service operations, gain information

and request information from the superintendent. Out of courtesy, Board members contacting staff with the intent of proposing action shall inform the Superintendent prior to a contact.

5. Contracts or Agreements

All contracts of the ESD 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).

MESD Policy Cross Reference(s):

BB - Board Legal Status
BBA - Board Powers and Duties
BBBB - Board Member Oath of Office
BBF - Board Member Standards of Conduct
BBFA - Board Member Ethics and Conflict of Interest
BCD - Board-Superintendent Relationship
BCE - Board Committees
BCF - Advisory Committees to the Board
BCG - MESD's General Counsel
BCH - Consultants to the Board
BDD - Board Meeting Procedures
BG - Board-Staff Communications
BH/BHA - Orientation of New Board Members
BHB - Board Member Development
BK - Evaluation of Board Operational Procedures
CC - Administrative Organization
CCB - Line and Staff Relations
GBD - Board-Staff Communications
GBM- Staff Complaints
GBN/JBA - Sexual Harassment
GBNA/JFCF - Hazing/Harassment/Intimidation/Bullying/Menacing
JBA/GBN - Sexual Harassment
JFCF/GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing
JFH - Student Complaints
KL - Public Complaints
KLD - Public Complaints about MESD Personnel
LGA - Compliance with Standards**