

STATUS OF SCHOOL BOARD MEMBERS AS INDIVIDUALS

The Southwest Technology Center Board of Education is a governing body composed of five (5) members. Board members as individuals or in concert outside a legal meeting are not the board. It is an usurpation of authority for any one member, such as the board president, to assume authority for acting in the name of the board without specifically delegated authority to do so from the board. An officer of the board has no more authority than any other member.

Because all powers of the board lie in its actions as a group, individual board members exercise their authority over district affairs only as they vote to take action at a legal meeting of the board.

The board shall not be bound in any way by any statement or action on the part of an individual board member, including the president, unless the board has, by vote, delegated authority to him or her.

The board shall make its members, the district staff, and public aware that the board has authority to take official action only at an official board meeting.

Individuals or groups often confront a single board member with issues that should usually be handled by the superintendent of schools. In those cases of apparent exception, it is suggested that the board member withhold commitment and/or opinion until the matter has been presented to the whole board. It is often wise for a board member to postpone the formulation of an opinion until having had the benefit of hearing the issue discussed by the board where all aspects of the problem are aired. A board member should not obligate other members of the board by predicting how they will vote.

Any board member who, before serving or while serving on the board of education, initiated litigation against the school district, the school board, or an individual board member; or who is a governing member of a group or organization who authorized and initiated such litigation may be excluded upon a majority vote of the board members from any executive session where the litigation is discussed or from any other form of participation in the board's defense of the litigation, including any vote on issues that relate to that legal action.

REFERENCE: 70 O.S. §5-106, §5-107A, §5-113.2

CROSS-REFERENCE: Policy BA, Board of Education, Legal Status
Policy GF, Public Complaints

Adopted: January 1994 as policy B-116

Revised: November 1995