

**Tigard-Tualatin  
School District 23J**

Code: **BBAA**  
Adopted: 09-19-02  
Readopted: 04-28-05  
Revised: 11-29-10

**Board Member Authority**

An individual Board member exercises the authority and responsibility of his/her position when the Board is in legal session only. This Board shall not be bound in any way by any action or statement on the part of any individual Board member except when a Board member has the authority to act in the name of the Board when authorized by a specific Board action.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. 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.

No Board member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.

A Board member has the right to express personal opinions. When expressing such opinions in a public forum, the Board member must clearly identify the opinions as his/her own and not those of the Board.

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. Attendance and voting

Board members have the authority to vote when their vote is not an actual conflict of interest.

2. Request for Information

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

3. Requests for Legal Opinions/Advice

Any Board member may request a legal opinion. Such request, however, shall be made through the Board chairman to the superintendent. If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the Board chairman. Legal counsel is responsible to the Board. Board members as individuals members are not authorized by the Board to

consult legal counsel on behalf of the district unless authorized by the Board to do so, or when the Board is in session and consulting with legal counsel.

4. Actions 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, such information is to be conveyed to the superintendent for action.

5. 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, participate in site council activities, and may request information from the superintendent. Board members will not intervene in the administration of the district or its schools.

6. Contracts Made By Individual Board Members

Contracts made by individual Board members without the Board's authority are invalid.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.045](#)

[ORS 332.057](#)

[ORS 332.055](#)

[ORS 332.075](#)

38 Op Atty Gen 1995 (1978).

South Benton Education Association v. Monroe UH School District 1, 83 Or App 425 (1987).