

KERN COUNTY BOARD OF EDUCATION**BOARD BYLAWS****PUBLIC STATEMENTS AND LIMITS OF AUTHORITY**

All public statements in the name of the Kern County Board of Education shall be issued by the board president or, if appropriate, by the Kern County Superintendent of Schools at the direction of the board president. No individual board member shall make public statements in the name of the County Board. No individual board member shall express an opinion or position, orally or in writing, in such a way that it allows an audience to conclude that such opinion or position is held by the County Board, unless the County Board has acted as a unit to adopt the position or opinion.

The County Board is the unit of authority. Apart from the normal function as part of the unit, a board member has no individual authority. Individually, a board member may not commit the office or the County Board to any policy, act, or expenditure. No individual member of the County Board has any administrative responsibility or authority with respect to the office or any of its programs, nor as an individual to command the services of any employee of the office.

The duties and powers of the County Board are derived from the Constitution of the state of California (Article 9, Section 7), the Education Code, and the Rules and Regulations of the State Board of Education (Administrative Code, Title 5). The specific powers of the County Board are found in Education Code sections 1040 through 1082. In addition, the County Board may act pursuant to Education Code Sections 35160 and 35160.2, which permit the County Board to act in any manner which is not in conflict with, inconsistent with or preempted by any law, or which is not in conflict with the purposes for which the local education agencies have been established.

Rules and regulations not statutory in nature relating to matters within the County Board's jurisdiction may be adopted, amended, or repealed at any regular board meeting by a majority vote of the County Board. Policies adopted by the County Board shall be published in appropriate form and distributed as necessary. The County Board shall concern itself primarily with broad questions of policy rather than with administrative details, which are properly the concern of the Kern County Superintendent of Schools.

All actions of the County Board shall be taken only in official board meetings called, scheduled, and conducted according to board policy and the statutes of the state of California.

Legal Reference:

Education Code
Sections 1040-1082, 35160, 35160.2