



Huntington Beach Union High School District Board Policies and Administrative Regulations

BB 9000
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Bylaws of the Board

Role of Board and Members (Powers, Purposes, Duties)

Objectives of Board Operations

The Governing Board's primary objective is to provide each student in the district with an education of the highest quality in keeping with his/her capacity to learn. This objective is the ultimate criterion for the Board's educational and operational judgment. It shall be the foundation of policy, rules and regulations. It is the basic motivating factor in the activities of the Board's employees. It is the expectation of the Board's constituents.

Powers and Duties

The powers and duties of the Board include governance, executive and judicial functions. These relate to the Board's own operations as a governing body and to all functions of the school district.

The Board is charged with the responsibility for the general control and direction of education in the district based on State and Federal Constitutions and laws, and State Board of Education rules and regulations.

In order to fulfill this responsibility, the Board is committed to a framework of policies which shall govern the educational and operational activities of the district. Policies shall be stated in writing, adopted formally and entered into the official minutes of the Board.
(cf. 9310 - Development, Distribution and Maintenance of Policies, Regulations, Bylaws)

Governance Functions

The Governing Board shall prescribe rules for its own governance not inconsistent with law or with the rules prescribed by the State Board of Education. (Education Code 35014)

The Board's governance function includes the consideration of and approval or disapproval of matters submitted to it by the Superintendent, other employees and the public.

Role of Board and Members (Powers, Purposes, Duties) (continued)

Governance Functions (continued)

The following list, although not inclusive of all powers and duties nor set in rank order of importance, is indicative of the scope of the Board's authority.

1. The Governing Board shall select a Superintendent who shall be the chief executive officer of the Board.
2. The Board shall order elections and provide for the conduct thereof. (Education Codes 5000, 5300, 5304)
3. It shall suspend or expel students for misconduct when other means of correction fail to bring about proper conduct. (Education Code 48900 et seq.)
4. The Board may, subject to conditions and restrictions such as it may devise, accept on behalf of, and in the name of, the district, such gifts, donations and bequests as are made to the district for the benefit of any school maintained by the district. (Education Code 35272)
5. In the name of the district, the Board may sue or be sued, and hold and convey property for the use and benefit of the district. (Education Code 35162)
6. It may order participation of the district in any educational program authorized by federal acts designed to benefit the district in its educational program.
7. The Board shall insure against the liability of the district for damages for death, injury to person, or damage or loss of property, and the personal liability of members of the Board and its officers and employees for such damages caused by the negligent act or omission of the member, officer or employee when acting within the scope of his/her office or employment. (Education Code 35208)

It shall provide any other insurance deemed by it necessary or mandated by statute.
8. The Board shall keep an accurate account of the receipts and expenditures of school moneys, and such record shall be open to the public. (Education Code 35250)

Role of Board and Members (Powers, Purposes, Duties) (continued)

Governance Functions (continued)

9. The Board shall make an annual report, on or before the first day of July, to the County Superintendent of Schools as required by the Superintendent of Public Instruction. (Education Code 35250)
10. The Board shall make and maintain such other records or reports as are required by law. (Education Code 35250)
11. The Board may acquire and pay for equipment, supplies and any other personal property used by the district in its operations. (Education Code 35272) It may select and acquire real property within the district, and it may acquire or construct school facilities thereon as provided by law. (Education Code 35270) It shall manage and control school property, both real and personal, within the district. (Education Code 39600)
12. The Board shall maintain schools and classes as provided by law (Education Code 35290); prescribe rules for the government of such schools (Education Code 35291); and maintain all schools with equal rights and privileges as far as possible. (Education Codes 35293, 37000)
13. It may, with the approval of the County Board of Education, enter into agreements with the County Superintendent of Schools for services which he/she is authorized to render, e.g. audio-visual and library services, and other.
14. The Board may arrange for the conduct of studies through research and investigation in connection with any phase of the educational and operational functions of the district. It should inform the citizens of the district as to its educational programs and activities of its schools. It may subscribe to membership for any of its schools or the personnel thereof, in professional organizations and, for its own members, in national, state and local organizations of Governing Boards. It may select a member or members of the Board, or employees of the district, to attend meetings of professional and school Board organizations and pay the expenses of such members and employees. (Education Code 35172)

Role of Board and Members (Powers, Purposes, Duties) (continued)

Governance Functions (continued)

15. The Board shall arrange for the enforcement in the school of the course of study and for the use of textbooks prescribed and adopted by it or other proper authority. (Education Code 51050) It shall approve the curriculum offerings of the district.
16. The Board may provide for interdistrict attendance of students. (Education Codes 46600-46618)
17. The Board shall provide for compulsory attendance of children of school age within its schools, and shall provide for the maintenance, in an orderly fashion, of the recording of the average daily attendance of school children.
18. The Board shall provide for the mental as well as physical health of students in accordance with law. It shall maintain student personnel services, including counseling, guidance, testing and special programs of study through which each student may attain his/her full personal and educational potential.
19. The Board shall employ personnel, both certificated and classified and provide for management of such personnel. It shall fix and prescribe the duties to be performed by all persons in public school service in the district. It shall fix all salaries and periodically review salary schedules.
20. The Board may arrange for the promotion, organization and conduct of programs for recreation within school premises or elsewhere in the district. It may provide its facilities for use by groups whose programs foster educational, political, economic, moral and recreational interests of the communities of the district. (Education Codes 40040 et seq.; 10900 et seq.)
21. The Board may provide for transportation of students to and from school, between schools, within or outside the district, for educational activities and athletics, and for the purposes of educational field trips.
22. The Board shall provide for an annual budget, prepared under the direction of the Superintendent, and shall examine and approve each stage of the budget, provide for a public hearing, adopt the budget and keep it on file for public inspection. (Education Code 4200 et seq.)

Role of Board and Members (Powers, Purposes, Duties) (continued)

Governance Functions (continued)

23. The Board shall provide for budget control, auditing, and otherwise account for district receipts and expenditures through means of accounting and cost accounting systems. It shall prescribe policies and procedures in connection with the administration thereof, and it shall prescribe such procedures and forms not in conflict with the state authority that it deems necessary.
24. The Board shall act upon the recommendations of the administration regarding physical plant development, capital outlay expenditures, and repair and maintenance of buildings, grounds and equipment.
25. The Board shall consider and adopt an annual calendar for the school district.
26. The Board may provide for the maintenance and operation of a school lunch program, including the provision of free meals to needy students; and it shall provide for the authorization and control of student activities, organizations, and funds.

Executive Functions

The Governing Board may execute any powers delegated by law to it or to the district of which it is the governing board, and shall discharge any duty imposed by law upon it or upon the district of which it is the governing board. (Education Code 35161)

Delegation of Authority

The Superintendent shall be the chief executive officer of the Board. The Board hereby delegates to the Superintendent all administrative authority within its power with the exception of the Superintendent's appointment or dismissal. This delegation shall carry with it full responsibility and the proper use of such authority.

The Superintendent shall develop rules and regulations for the administration of the district consistent with adopted Board policy.

Although the Board delegates authority to the Superintendent, the Board, itself, is ultimately responsible to the electorate for the efficient and effective conduct of the affairs of the school district.

Role of Board and Members (Powers, Purposes, Duties) (continued)

Judicial Functions

The inevitability of grievance, complaint and criticism is recognized by the Board. The Board believes that employees of the schools and citizens have the right to a hearing and resolution of grievances, complaints and criticisms in order to maintain positive personnel and public relations.

The Board, convened, shall serve as a body of appeal of grievances, complaints and criticisms of district employees and of the patrons of the schools. Complaint and grievance procedures shall be followed pursuant to Board policy and negotiated employee contracts.

Legal Reference:

EDUCATION CODE

2600-2603 School district boundaries

5304 Duties of the governing board (re school district elections) agencies

12400-12405 Participation in federal programs

35000 District name

35010 Control of district by board of trustees or board of education

35014 Adoption of rules by governing board

35020-35046 Officers and agents (power of governing board to appoint)

35100-35351 Governing boards - esp.

35160-35181 - Powers and duties

35230-35240 - Corrupt practices

35291 - Rules

39013 Manner of acquisition; school site on property contiguous to district

39600-39621 Property maintenance and control

Bylaw adopted
by the Board: 1/13/87