

## 0143 - BOARD MEMBER AUTHORITY

Individual members of the Board do not possess the powers that reside in the School Board. Daily operations of the School Corporation, including matters of personnel, are the responsibility of the Superintendent.

Individual Board members should direct school district patrons' with concerns related to personnel or the daily operations of the school district to the appropriate school personnel and consult with the Superintendent if the escalation is unclear.

Unless a Board member is legally entitled to the materials, No member of the Board shall be denied documents or information to which s/he is they are legally entitled and which are required in the performance of his/her their duties as a Board member unless the majority of the Board has voted in a public meeting to censure the member for violating School Board policy.

Access to Corporation personnel records shall be subject to the following guidelines:

- A. Examination of school employee personnel records by the School Board shall be conducted only at executive sessions of the Board. Any Board member may request that the Superintendent bring the personnel records of a designated employee(s) to an executive meeting of the Board when the School Corporation attorney advises the Board that they should view specific personnel records.
- B. Personnel records shall, in their entirety, be returned to the custody of the Superintendent at the conclusion of the executive session of the Board.
- C. Information obtained from employee personnel records and/or the personnel packet by members of the Board shall be used only for the purpose of aiding the members in fulfilling their legal responsibilities in making personnel decisions in matters when the Superintendent recommends such as appointments, assignments, promotions and demotions, remuneration, discipline, and dismissal; or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

Because individual members may not have the legal expertise to recognize those matters which are legally required to remain confidential and because individual members are not entitled to exercise discretion for the Board as a whole:

- A. Individual members shall not disseminate materials found in the School Board meetings packet. Requests for materials found in the meeting packet shall be governed by Policy 8310 concerning Public Records. ~~Non-legally-protected-D~~deliberative materials, not otherwise prohibited from disclosure by state or federal law, provided to the members of the board may be released by the Superintendent to the community via the corporation website in advance of the meeting.
- B. Communications between the School Board and the Superintendent shall be disseminated to the public, if at all, through the School Corporation's attorney.

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Legal

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**0143.1 - PUBLIC EXPRESSIONS OF BOARD MEMBERS**

The Board President functions as the official spokesperson for the Board.

From time-to-time, however, individual Board members make public statements on school matters:

- A. to local media;
- B. to local officials and/or State officials;
- C. to School District patrons.

Sometimes the statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the member and the Board. Therefore, Board members should, when writing or speaking on school matters to the media, legislators, other officials, and School District patrons, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

- A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:
  - 1. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter
  - 2. routine, not for publication, correspondence of the Superintendent and other Board employees
  - 3. routine "thank you" letters of the President of the Board
  - 4. statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board)

5. personal statements not intended for publication
  6. Prior to a school board meeting, the school board packet shall be considered confidential and shall not be released.
  7. Effective, deliberative communication between the Superintendent and School Board is expected. Individual school board members shall not release such communications. These communications can only be disseminated by the approval of the Board and/or the Superintendent.
  8. Official minutes of each Board meeting shall be posted within ten (10) days after the Board approves the minutes of any previous meetings.
  9. Individual board members shall not disseminate information about the proceedings of executive session meetings.
- B. Copies of this bylaw shall be posted on the School Corporation's website and maintained by NEOLA.

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