

## Governance Standards

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The Board of Education believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education
3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff
8. Understand that authority rests with the Board as a whole and not with individuals
9. Engage in conduct becoming an elected official and representative of a local educational entity. Understand the implications of demeanor and behavior.

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the district focused on learning and achievement for all students
2. Communicate a common vision
3. Operate openly, with trust and integrity
4. Govern in a dignified and professional manner, treating everyone with civility and respect

5. Govern within Board-adopted policies and procedures
6. Take collective responsibility for the Board's performance
7. Periodically evaluate its own effectiveness
8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations

The members of the Board of Education of the Alameda Unified School District (the "District") recognize that both the Board of Education of the District (the "Board"), as an entity, and each specific Board Member, as an individual fiduciary to the District, are bound to comply with a variety of statutory, regulatory and administrative rules and regulations in performing their roles and responsibilities as a Board and as individual members. By way of example, these obligations include, but are not limited to, compliance with the requirements of the California Education Code, the Ralph M. Brown Act, the Educational Employment Relations Act, the California Code of Administrative Regulations, the Board Policies and Administrative Regulations developed by the Board, itself, and the specific directives and admonitions that the Board issues from time to time.

The Board also recognizes that, despite the Board's best efforts, from time to time individual Board members may disregard or ignore their obligations as a Board member and take actions, make statements or otherwise engage in conduct that violates the individual Member's obligations under statute, regulations, Board policy or Board direction. It is the Board's sincere hope that such instances do not occur. That said, the Board wishes herein to provide a protocol for officially censuring individual Board members who take such unlawful or improper actions. Accordingly, the Board adopts the following policy and protocol for initiating the censure of an individual Board member when necessary and appropriate because of that Board member's improper actions, statements or other conduct.

In the instance where a Board member has engaged in an instance of unlawful action or conduct, or in ongoing conduct that violates the individual Member's obligation under statute, regulations, Board policy or Board direction, the Board may initiate censure of an individual Board member, and the following policy and protocol will be utilized:

The first step would be to attempt to informally resolve the issue with one Board Member speaking to the individual Board Member who has acted in a manner that violates the Member's obligations under statute, regulations, Board policy or Board direction. The Board Member will be informed that if such behavior remains unchanged that it would constitute a motion to censure.

If the behavior continues, the following policy and protocol will be utilized:

1. When, in the opinion of any member of the Board, another Board member has, by his or her actions, statements or other conduct, violated his or her obligations or responsibilities under statute, regulation, Board Policy, protocol, governance standards or specific Board direction, the Board Member so concluding shall have the right to place on the Board's Public Session agenda a Motion to Censure the supposedly offending Board Member. The placement of this item on the Board's public session agenda will be in compliance with Board Bylaw, Agenda/Meeting Materials. If the supposedly offending member is the Board President, the Vice President shall be the Board representative to consider the placement of the item on the agenda.
2. Any such motion, when made, shall be in writing and shall include:

- a. A specific description of the statute, regulation, Board policy or board direction that is claimed to have been violated;
  - b. A specific factual description of the alleged action, statement or other conduct of the Board Member at issue and a description of how that action, statement or other conduct constitutes a violation;
  - c. The specific language for the proposed censure by the Board of the Board Member for the alleged violation.
3. Any Motion to Censure will be effective upon three affirmative votes of the voting Board members. The Board Member who is the subject of the Censure Motion shall not, however, be permitted to vote on the motion, and his/her vote shall not be counted in calculating the simple majority.
  4. Upon the introduction of any Motion to Censure, and prior to any vote thereon, and in an effort to avoid an official Board Censure, the Board Member who is the subject of said Censure Motion shall be provided the opportunity to explain his/her action, statement, or other conduct, to apologize therefore, and to agree to future compliance with all relevant and applicable statutes, regulations, laws and Board policies and Administrative Regulations. The foregoing shall not, however, prevent the Board from voting upon or perfecting the Motion to Censure.

Legal Reference:

EDUCATION CODE

[35010](#) Power of governing board to adopt rules for its own governance

[35160](#) Board authority to act in any manner not conflicting with law

[35164](#) Actions by majority vote

GOVERNMENT CODE

[1090](#) Financial interest in contract

[1098](#) Disclosure of confidential information

[1125-1129](#) Incompatible activities

[54950-54963](#) The Ralph M. Brown Act

[87300-87313](#) Conflict of interest code

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

CSBA: <http://www.csba.org>

Bylaw ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

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