

B.5.2 (Policy) Board Member Authority

Responsible Department: Office of the Chancellor, Legal Services

Board Adoption: 8-18-09

Last Board Action: 8-18-09

The Board has final authority to determine and interpret the policies that govern the College District and, within the limits imposed by other legal authorities, has complete and full control of the College District.

Board members as individuals shall not exercise authority over the College District, its property, or its employees. Except for appropriate duties and functions of the Board Chairperson, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue.

Individual Access to Information

An individual Board member, acting in his/her official capacity, shall have the right to seek information pertaining to College District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Chapter of the Texas Government Code. (See [G.1.1](#))

Board members shall not conduct independent investigations or become involved in the day-to-day operation of the College District's various departments or colleges. A Trustee outside of a Board meeting, Board committee meeting, or through contacts with employees authorized by the Board, should not question, challenge or attempt to influence a College District employee in the performance of his/her duties. If an individual Trustee has a question regarding a College District employee's action, the Trustee should direct the question to the Chancellor.

Individual members shall not have access to confidential student records unless the member is acting in his/her official capacity and has a legitimate educational interest in the records in accordance with [F.4.1](#) and [F.4.1.1](#).

Individual members shall seek access to records or request copies of records from the Chancellor or other designated custodian of records. When a custodian of records other than the Chancellor provides access to records or copies of records to individual Board members, the provider shall inform the Chancellor of the records provided.

Directives to the Chancellor or other College District staff regarding the preparation of reports that will, in the opinion of the Chancellor, require excessive staff time or expense shall be authorized by action of the Board.

At the time Board members are provided access to confidential records or to reports compiled from such records, the Chancellor or other College District employee shall advise them of their responsibility to comply with confidentiality requirements.

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Complaint Referral

If employees, students, or citizens bring a concern or complaint to an individual Board member, he/she shall refer them to the Chancellor or designee, who shall proceed according to appropriate Board policy (see [B.8.1](#)).

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

Staff Authority

Except as authorized by these policies and resulting procedures, no employee or agent shall have the authority to bind the College District contractually.

Notice

A copy of this policy shall be provided to each Board member for information and acknowledgment.