

**GOVERNANCE STANDARDS**

The Governing Board 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

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

## **GOVERNANCE STANDARDS** (continued)

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

### **Censure Policy and Procedure**

The Board of Education of the Murrieta Valley Unified School District has a strong commitment to ethics. The public expects and must receive the highest standards of ethics from all of those in public service. In order to be able to enforce conformance to its ethical policies, the Board of Education must have a procedure by which it can censure its own members for violation of its policies or bylaws of the Board of Education.

This policy and procedure is intended to provide the mechanism by which the Board of Education, acting as a whole, can discipline and punish any of its members who violate state or federal laws applicable to the District or for violation of the Board Policies or Bylaws of the Board of Education.

### **Policy**

It is the Policy of the Board of Education that all of its members shall abide by federal and state law that are applicable to members of the Board of Education, as well as to Board Policies or Bylaws. Violation of such laws, policies or bylaws tends to injure the good name of the District and undermine the effectiveness of the Board of Education as a whole. Such conduct is deemed to be a dereliction of duty.

Censure is a formal resolution of the Board of Education officially reprimanding one of its members. Censure is an appropriate punitive measure when the violation of law or policy is deemed by the Board of Education to be a serious offense.

In order to protect the overriding principle of freedom of speech, the Board of Education shall not impose "censure" on any of its members for the exercise of his or her First Amendment rights no matter how distasteful the expression was to the District and Board of Education.

**GOVERNANCE STANDARDS** (continued)**Procedure**

In order to ensure the right to a fair jury trial, the Board of Education shall not impose "censure" on any of its members for the violation of any law while criminal charges are pending. However, when the criminal proceedings are final, the Board of Education need not be bound by the conclusions of the Court and may hold a "censure" hearing.

1. A request for a "censure" hearing must be submitted to the Superintendent in writing by no less than two nor more than three members of the Board of Education. The request must contain the specific charge(s) on which the proposed censure is based and the written material(s) which are the basis for the charge(s).
2. A copy of the request for censure and the charge(s) shall be sent by the Superintendent's office to all the members of the Board of Education at least five (5) business days prior to the Board of Education meeting at which it will be considered. The request and charge(s) shall be agendaized in accordance with the Brown Act for the meeting of the Board of Education.
3. The Board of Education shall determine that either:
  - a. Further investigation of the charges is required; or
  - b. The matter is to be set for public hearing; or
  - c. No action is required.
4. Further investigation, if required, shall be done by an ad hoc Committee appointed by the Board President. If the Board President is the subject of the request, the Committee shall be formed by the Clerk of the Board.
5. If the matter is set for public hearing, it must be set no sooner than the next regularly scheduled Board meeting following the Board's determination under Section 3 of these procedures in order to give the accused member adequate time to prepare a defense.
6. At the public hearing, the member of the Board of Education subject to the request shall be given the opportunity to respond to the request and to provide the Board of Education information and material(s) relevant to the charge(s). The proponents of the request may also respond to the presentation and members of the Board of Education may ask questions pertaining to the matter at hand. The member subject to the charge(s) may be represented at his or her own personal expense and may have the representative speak on his or her behalf.

**GOVERNANCE STANDARDS** (continued)

7. A decision to censure requires the adoption of a Resolution making findings with regard to the specific charge(s), based on substantial evidence, and approved by a two-thirds vote of the Board of Education.

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

	<b>Description</b>
Ed. Code 35010	Control of district; prescription and enforcement of rules
Ed. Code 35160	Authority of governing boards
Ed. Code 35164	Actions by majority vote
Elec. Code 1125-1129	Incompatible activities
Gov. Code 1090	Financial interest in contract
Gov. Code 1098	Disclosure of confidential information
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 87300-87313	Conflict of interest code

**Management Resources**

	<b>Description</b>
CSBA Publication	Professional Governance Standards
Website	CSBA District and County Office of Education Legal Services
Website	CSBA

**Cross References**

<b>Code</b>	<b>Description</b>
0000	Vision
0100	Philosophy
0200	Goals For The School District
1100	Communication With The Public
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1313	Civility
2000	Concepts And Roles
2110	Superintendent Responsibilities And Duties
2111	Superintendent Governance Standards
2140	Evaluation Of The Superintendent
9000	Role Of The Board
9010	Public Statements
9011	Disclosure Of Confidential/Privileged Information
9012	Board Member Electronic Communications

**GOVERNANCE STANDARDS** (continued)**Cross References** (continued)

<b>Code</b> (continued)	<b>Description</b>
9100	Organization
9121	President
9140	Board Representatives
9200	Limits Of Board Member Authority
9220	Governing Board Elections
9230	Orientation
9240	Board Training
9270	Conflict Of Interest
9270-E PDF(1)	Conflict Of Interest
9310	Board Policies
9320	Meetings And Notices
9323	Meeting Conduct
9323.2	Actions By The Board
9323.2-E PDF(1)	Actions By The Board
9323.2-E PDF(2)	Actions By The Board
9324	Minutes And Recordings
9400	Board Self-Evaluation

Bylaw  
 adopted: December 13, 2001  
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**MURRIETA VALLEY USD**  
 Murrieta, California