THE PURPOSE AND ROLE OF THE BOARD

The Board of Education is charged by the State with the duty of providing public elementary and secondary education for the citizens of the District, and it derives from the legislature the powers to perform that duty.

The legislature has also created the State Board of Education and the State Department of Education, and has delegated to them certain regulatory and advisory functions. The Fremont Board has a responsibility to these agencies as specified in law.

Where the legislature has enumerated the powers and/or duties, the Board is strictly governed by the provision of law and has little or no discretion in making policy. In those areas not specifically enumerated in law, the Board has a wide discretionary latitude to adopt those policies and to take actions which it deems proper and necessary to accomplish the task which the state has delegated to the Board, so long as the Board does not act in an arbitrary or capricious manner which would infringe upon those rights guaranteed the individual.

It is the intent of the Board to employ a Superintendent of Schools as the chief executive officer and to delegate to him, through policy statements and procedures for accountability, the administration of the school program.

At different times, Board actions may take on any one of three dimensions: *Legislative, Executive, or Quasi judicial.*

The *legislative* function is accomplished as the Board performs one of its primary duties, that of setting policies that provide for the instructional program and the necessary supporting services for the District.

The *executive* function is performed as the Board employs a Superintendent, acts upon his recommendations, follows up on the accountability procedures that have been established, and executes those duties prescribed by law.

The *judicial* function is performed as the Board sits as a judge and jury in it's deliberations following an appeal to it from a staff member, a patron, or an interested citizen. It is the intent of the Board that a Hearing will be granted to all who seek to state their case before the Board, and that a decision will be rendered by the Board, if so requested. However, in the interest of resolving the problems as expeditiously as possible, the Board will encourage those having a complaint to follow the procedures that are established for handling complaints before making an appeal to the Board.

A large portion of the judicial function can be labeled “appraisal.” Appraisal is that function which attempts, through careful examination and study of facts and conditions, to determine: (1) The efficiency of operation of the general activities, and (2) the worth and value of results of the activities in relation to the efficiency and value of instruction.

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