Bylaw 9010: Public Statements **Status:** ADOPTED

Original Adopted Date: 09/01/1990 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** 09/01/2024

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives, to communicate its positions, and to abide by established protocols.

Board Spokesperson

CSBA NOTE: Many districts designate the Governing Board president and/or Superintendent to communicate with the public on behalf of the district. The following paragraph should be revised to reflect Board practice.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or, with respect to a specific issue or topic, other representative as designated by the Board or Board president.

When speaking for the Board, a spokesperson shall exercise restraint and tact and communicate in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board or by law. (Government Code 54963)

Statements by Individual Board Members

CSBA NOTE: The following paragraph is responsive to the recent U.S. Supreme Court holding in Lindke v. Freed, which held that a Board member who limits or prevents critics from speaking, such as by blocking them on social media, violates the First Amendment only if the member (1) has been granted the power to speak on behalf of the Board or the district, and (2) claims to be actually exercising that power. For more information, see BB 9012 - Board Member Electronic Communications.

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify when a viewpoint is held by an individual Board member rather than the Board as a whole. For example, a Board member may include a disclaimer on the Board member's personal social media account that the Board member is expressing personal viewpoints and not those of the Board or the district.

Board members who opt to express their opinions on district matters, whether in-person or online, are expected to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community.