

HCS HB 1628 -- SCHOOL BOARD MEMBERS

SPONSOR: Cookson

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Emerging Issues in Education by a vote of 11 to 1. Voted "Do Pass with HCS" by the Select Committee on Education by a vote of 9 to 0.

This bill clarifies that a school board must only act during a legally called board meeting and that individual school board members have no legal authority to act on behalf of the board. Any action of the board is invalid unless approved by a quorum of the members elected.

The bill allows any vacancy occurring on a seven member school board, other than an urban school board, to be filled by an affirmative vote of at least four of the remaining board members. If there are more than two vacancies at any one time, the county commission of the county in which the district's primary offices are located will fill the vacancies by appointment. If the relevant county is a charter county, the county council will fill the vacancies by appointment. Individual school board members do not have the legal authority to act on behalf of the board unless that authority has been specifically granted to the individual by the board.

This bill is similar to HB 958 (2015).

PROPOSERS: Supporters say that some school board members have a tendency to act of their own accord. This would ensure school boards, and their members, can only function as a board.

Testifying for the bill was Representative Cookson.

OPPOSERS: Those who oppose the bill say that this kind of thing is covered when new school board members are being trained. They are told they are one member of a board and have no power otherwise. There are some issues in terms of clarity on how many votes are needed for quorum or for something to pass.

Testifying against the bill was Missouri School Boards Association.